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
Charles Suggs, Principal Planner
Stevie Brown, Chief Zoning Inspector
David Gilreath, Asst. County Admin.
David Jordan, Deputy County Attorney
AWR SC, Court Reporter
Marnie Leonard, Planning Zoning Tech
HORRY COUNTY ZONING BOARD OF APPEALS

July 13th, 2020

I. Call to Order – 5:30 p.m.

II. Invocation/Pledge of Allegiance

III. Communications

IV. Minutes

June 8th, 2020 – Regular Meeting Minutes ......................................................... 1-9

V. Old Business

1. 2020-04-001 – John Jobson, Park Manager, agent for Alan B. Vereen - Trust ................................................................. 10-21
   377 Yucca Circle, Garden City (Council Member Servant)

   455 Hospitality Lane, Myrtle Beach (Council Member Vaught)

VI. New Business

Variances

1. 2020-06-001 – Charles & Bonnie Witt ................................................................. 39-51
   171 Coral Beach Cir, Surfside Beach (Council Member Loftus)

2. 2020-06-002 Venture Engineering, Inc. agent, for Sun Lakeside Crossing LLC ......................................................... 52-64
   2039 Eastlynn Dr., Conway (Council Member Vaught)
3. **2020-06-003 - Ana Mariela Ignacio Tomas** .................................................. 65-74  
   10826 Kings Rd, Myrtle Beach (Council Member Loftus)

4. **2020-06-004 - Phil Demedici, agent for Mary Ann Tankersley** .................. 75-85  
   783 Callant Dr., Little River (Council Member Worley)

5. **2020-06-005 - Ricardo Garcia** ................................................................. 86-96  
   Hwy 707 & Moss Creek Road, Myrtle Beach (Council Member Loftus)

6. **2020-06-006 - Imad Osso** ................................................................. 97-110  
   513 June Bug Court, Myrtle Beach (Council Member Crawford)

7. **2020-06-007 - Wrenzie Rice, agent for I & I of Myrtle Beach, LLC** ........... 111-133  
   1301 48th Avenue N., Myrtle Beach (Council Member Howard)

8. **2020-06-008 - Larry Beasley agent for Howard Herring** ......................... 134-144  
   600 Apostle Court, Myrtle Beach (Council Member Loftus)

9. **2020-06-009 - Jacqueline Paige Genoe, agent for Christopher Thompson II** 145-159  
   420 Bear Grass Road E, Longs (Council Member Prince)

10. **2020-06-010 - Travis Truett agent for, RSO Holdings, LLC** .................. 160-171  
    1697 Hwy 17, Little River (Council Member Worley)

11. **2020-06-011 - Peter Cai agent for, Southern Storage, LLC** ................... 172-183  
    11830 frontage road, Murrells Inlet (Council Member Servant)

12. **2020-06-012 - Andres Ysordia, agent for Patricia Klocke** ..................... 184-198  
    5839 Creekside Drive, Myrtle Beach (Council Member Crawford)

    Ocean Mount Ct., North Myrtle Beach (Council Member Prince)

14. **2020-06-014 - Rebecca Beverly** ................................................................. 218-228  
    125 Harbor Oaks Drive, Myrtle Beach (Council Member Crawford)

VII. Adjourn
Communications
Minutes
STATE OF SOUTH CAROLINA  )  Horry County Zoning Board of Appeals  
)  
COUNTY OF Horry  )  Minutes – June 8, 2020  

The Horry County Zoning Board of Appeals held its scheduled meeting on Monday, June 8, 2020 at 5:30 p.m. in the Horry County Government Center, Multi-purpose Room B, located at 1301 Second Avenue in Conway, South Carolina.

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

Board Members Absent: John D. Brown and Kevin Doolittle

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

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.

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

Chairman Shaw swore in staff.

COMMUNICATIONS

Case # 2020-05-006 - Felix Pitts - G3 Engineering agent for Humex LLC was withdrawn by staff.

REGULAR MEETING MINUTES - May 11, 2020

Chairman 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 May 11, 2020 were approved.

OLD BUSINESS

1. The first case number was 2020-03-006 Dan Olszewski agent for Plantation Lakes HOA. Pam Thompkins presented the case to the Board. PIN number 397-16-02-0023 identified the parcel located at off Shoreward Drive, Myrtle Beach. The applicant was requesting special exception approval from Article IX, Section 906 regarding Recreational Equipment and Boat Storage for a Community Boat Storage Lot in the Neighborhood Commercial (NC) zoning district. (Please refer to the June 8, 2020 packet for further information.)
1. March 5, 2020 Plantation Lakes HOA filed for special exception to allow the boat storage area within their subdivision.
2. The boat storage entrance has been moved and is proposed to be relocated off Shoreward Dr. which is the main entrance to the subdivision.

Should the board find that the special exception request for **Plantation Lakes HOA** meets the required conditions of Section 906, the standard conditions imposed by the Board are:

1. All requirements of Article IX, Section 906 must be met prior to issuance of the required permit/s.
2. All applicable county permits will be obtained prior to the use of the lot as a storage lot as defined in Section 906.
3. All future buildings and building additions must conform to Horry County regulations.
4. All other applicable County requirements shall be met.
5. Access to storage lot will be limited to the hours of 7:00 AM until 9:00 PM

Mrs. Tillman was the attorney representing Plantation Lakes HOA, explained why the boat storage was needed, and that the majority of the community was in favor of having it. Chairman Shaw asked if the community had taken a vote on the matter. Mrs. Tillman stated that the community had taken a vote, and out of 747 residents, 102 voted, and the results were 52 in favor and 50 opposed.

Reece Boyd who was the attorney representing the Plantation Lakes residents that were opposed to the boat storage. Mr. Boyd stated that the community he represents does not feel the boat storage would be a benefit for the entire community, but a cost they would all have to endure. He also stated that the boat storage would bring the value down within the community and could possibly invite criminal activity. He then stated that a vote was also done within the community and the results were much different than the one stated by Mrs. Tillman. His results were 46 in favor and 156 opposed.

Robert Page asked how many boats could be stored, Mr. Boyd answered, and there are 36 spaces.

Chairman Shaw swore in Scot Wesler, Chris Brigham, and Josh Estienne who spoke in favor of the boat storage.

Chairman Shaw swore in Reece Boyd, Michael Lobes, Richard Carlson, Kathy Farish, Scott Van Moppes, Robert Mongo, and Arlet Allen who spoke against the boat storage.

Mark Gouhin made a motion to grant the special exception with the conditions as stated by staff. Michael Fowler seconded the motion. The motion failed unanimously.

*The special exception was denied.*

**The second case number was 2019-12-006 Steve Zacharias, agent for Robert J Lutz.** Pam Thompkins presented the case to the board. PIN number 417-00-00-0013 identifies the parcel located at 455 Hospitality Lane, Myrtle Beach. The Myrtle Beach Speedway is located on this parcel. The applicants were requesting to amend the special exception approval for the 2020 fair
because the event was postponed due to the COVID 19 Pandemic. The previously approved dates were April 21 thru May 5, 2020. The new event dates are June 30 thru July 14, 2020; which includes 3 setup days prior to the event and 2 tear down days at the conclusion. The hours of operation are from 11:00 am until 11:00 pm. (Please refer to the June 8, 2020 packet for further information.)

Should the board find that the special exception request for The Horry County Fair new event dates of June 30 thru July 14, 2020 meets the required conditions of Section 1404(D), the standard conditions imposed by the Board are:

1. Duration of event - 15 days (this includes 3 setup days prior to the event and 2 tear down days at the conclusion).
2. Dates of the event - June 30 thru July 14, 2020
3. Hours of Operation - 11 a.m. until 11 p.m.
4. The applicant will comply with the parking, entry and exit, amusement ride location, bathroom locations and sound issues as shown on the site plan submitted with this application.
5. No adult entertainment or temporary adult entertainment permits.
6. No sweepstakes and/or internet gaming permitted at any time.
7. Applicant will comply with all state and local laws.
8. The applicant will have at least ten (10) uniformed security officers and two (2) EMS units on the premise Friday thru Sunday and two (2) uniformed security officers on the premise Monday thru Thursday from 11:00 AM until closing each day of the permit. At minimum the security officers must meet the requirements of the South Carolina Law Enforcement Division, as provided for in 40-18-20-etsq.
9. Any internal traffic control must be wearing reflective vest.
10. No exotic animals.
11. Any outdoor amplified sound may not begin until noon and must end no later than 11:00 p.m.
12. Any outdoor amplified sound must be in compliance with the County Noise Ordinance, specifically Section 13-33 (c) (1).
13. Other than what is specifically authorized herein, no other special event activity is permitted, including any other activities set forth in Section 13-34 of the Horry County Code.
14. Alcohol sales limited to the standard beer and wine sales approved at the existing MB Speedway concessions.
15. All Strates Shows rides, games, concessions, amusement activities and other temporary vendors will be located within the Fair Setup area as shown on the site layout submitted with this application.
16. The Myrtle Beach Speedway must be in compliance with all applicable county requirements including building codes.
17. All vendor permits must be obtained from the Code Enforcement Department at least ten (10) days prior to the approved event dates and the issuance of the permits will be subject to compliance with the applicable county standards that are in place for such permits.
18. All applicable county fees will be paid.
19. All permits/placards are required to be placed where they are visible by Code Enforcement and Zoning officials.

Chairman Shaw swore in Steve Zacharias who explained that the change in the fair dates were due to the Covid outbreak that has caused the shutdown of Horry County.

Board Member John Brown asked how social distancing would be enforced. Steve Zacharias stated, there would be sanitizing stations throughout the fair and the staff would be cleaning the rides to keep the public safe. Mr. Brown asked if the fair could be pushed to a later date than requested. Steve Zacharias answered no, the property has been sold and would not be available for any future events.

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

The special exception was approved with conditions.

The third case number was 440-05-04-0003 Jonathan L. Yates, agent for Mara Holdings, LLC. Pam Thompkins presented the case to the board. PIN number 440-05-04-0003 identified the parcel located at 4560 Socastee Blvd, Myrtle Beach. The applicants were 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 Tax Assessor files. 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 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 were 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’.

(Please refer to the June 8, 2020 packet for further information.)

Chairman Shaw swore in Jonathan L. Yates who stated that he was not wanting to replace any existing buildings, he just wanted the property to be legal conforming.

Chairman Shaw swore in Patricia Jennings that stated she had been living in one of the trailer homes since 1996 and in 2002 is the owner of her home. She stated that she has always had parking issues with the overflow from the front/house building. She also stated that she was under the impression when the tower was approved, the front building and first mobile home were to be removed. Neither one has been removed, instead Mara Holdings, LLC sold the property 2 weeks after the tower approval.

Chairman Shaw swore in Sarah Samoski, who lives behind the property and has always had flooding problems due to bad drainage. She was concerned with what the owner would construct
on the property if this is approved. She also stated that she was not notified when the applicant applied for the tower, nor when it was approved.

Chairman Shaw swore in Santi Jimongkonkul, who is the owner of the property next door. Mr. Jimongkonkul stated that he had always had issues with the people that live in the mobile homes because they had been using his parking lot as their overflow parking and this left no parking for his customers. He stated he was also not notified of the tower application nor when it was approved.

Chairman Shaw swore in Brenda Jimongkonkul, who lives in the mobile home in front of the storage facility. Mrs. Jimongkonkul stated, she was not told about the tower nor its approval and was against any new variance because it would bring more traffic to the area that was already too busy.

John Brown made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion failed with a vote of 5:2 with Mr. Parks and Mr. Gouhin voting to approve. The variance was denied.

NEW BUSINESS

Public Hearings

VARIANCES

The forth case number was 2020-05-001 Steve Powell - Venture Engineering, Inc. Pam Thompkins presented the case to the board and also explained that Drew Parks had recused himself from the case due to a conflict of interest. PIN number 458-16-02-0002 identifies the parcel located at Ricks Industrial Park Dr., Myrtle Beach. The applicants were proposing to construct a trade shop building with 11 units on this parcel. The part of the building located closest to the cul-de-sac would not meet the 50' front setback. The site plan showed the building located 39' from the front property line instead of the required 50' for a variance of 11'. Article V, Section 512 states accessory uses shall not be located forward of the principal structure. The applicants were also requesting a variance to allow the dumpster to be located forward of the building. There was an approvable plan that was reviewed by Planning & Zoning with an 8 unit trade shop meeting the 50' setback requirement. (Please refer to the June 8, 2020 packet for further information.)

Chairman Shaw swore in Steve Powell who explained the need for the variance.

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

The fifth case number was 2020-05-002 Andrew Elkins & Brenda Foster. Pam Thompkins presented the case to the board. PIN number 312-06-04-0129 identifies the parcel located at 4134 Wrens Crossing, Little River. The applicants were requesting a variance from the setback
requirements in the Wrens Crossing PUD zoning district. This parcel is located within Wren's Crossing PUD. The applicants constructed a 10’ x 22’ (220 sq. ft.) porch on the rear of the single family home without obtaining a building permit. There was a pergola in this location that was permitted in 2008 to meet the 15’ rear setback. At that time a survey was not required by Code Enforcement. The porch was located 6’ from the rear property line instead of the required 15’ for a variance of 9’. **(Please refer to the June 8, 2020 packet for further information.)**

Chairman Shaw swore in Andrew Elkins who explained that a storm damaged the porch which caused the need for the variance. He has been in contact with Tommy Smith in our Code Enforcement department.

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

**The sixth case number was 2020-05-003 Palmetto State Sign Installation, agent for Murphy Oil USA, Inc.** Pam Thompkins presented the case to the board. PIN number 390-10-03-0004 identifies the parcel located at 10826 Kings Road, Myrtle Beach. The applicants were constructing a new Murphy USA gas station on this site. The old gas station was constructed in 1999 with signage located on the gas canopy. This parcel was located within the Restaurant Row overlay which was established in 2009. This parcel was also part of the Walmart commercial subdivision tract. The sign regulations were amended on March 10, 2020 to allow an out-parcel of a commercial subdivision development with less than 400 ft. of road frontage to have one (1) ground sign 8’ in height. The proposed freestanding pole sign was 30’ in height for a variance of 22’. **(Please refer to the June 8, 2020 packet for further information.)**

Chairman Shaw swore in Maria Whack who stated she had applied before the code changed but did not receive her approval until after the new code took effect. She had already ordered the material for the sign by the old code standards.

Board member John Brown asked where the sign was going to be placed. Ms. Whack stated it would be placed on the corner of the lot.

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

**The seventh case number was 2020-05-004 Sean T. Williams, agent Freeman C. & Gary Todd.** Pam Thompkins presented the case to the board. PIN number 327-11-03-0001 identified the parcel located at 570 Hwy 548, Conway. The applicants submitted a subdivision plat to adjust property lines. There was one storage building located on Tract 1 that would be combined with the neighboring parcel. The building would be located forward of the existing single family home. The applicants were requesting a variance to allow this storage building to remain forward of the home. The applicants submitted a subdivision plat to adjust property lines. There was one storage building located on Tract 1 to be combined into the neighboring parcel. The
building would be located forward of the existing single family home. The applicants were requesting a variance to allow this storage building to remain forward of the home. *(Please refer to the June 8, 2020 packet for further information.)*

Chairman Shaw swore in Sean T. Williams, who explained the owner of the property wanted to divide the property amongst his children, and would like the shed to stay on the property.

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

The eighth case number was 2020-05-005 Sam Campbell, agent for James I. Simpson. Pam Thompkins presented the case to the board. PIN number 457-15-03-0002 identified the parcel located at 343 Sebastian Drive, Myrtle Beach. This home was located within Southborough subdivision within The Gates PUD. The applicants were proposing to construct a 12' x 20' garage and a 13' x 14' storage area to the front of the single family home. The PUD required a 20' front setback. The proposed addition would be located 9.8' from the front property line for a variance of 10.2'. *(Please refer to the June 8, 2020 packet for further information.)*

Chairman Shaw swore in Sam Campbell who explained that he needed the variance to extend the driveway for the cars that he owns and stated that he had HOA approval.

John Danford explained to the board that this property had a non-exclusive easement for gas, cable, Etc. Staff would not allow a fence and would definitely not approve a building.

Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion failed with a vote of 5:2 with Mr. Livingston and Mr. Gouhin voting to approve. *The variance was denied.*

The ninth case number was 2020-05-007 Frank Payne, agent for Kimberly J. Payne. Pam Thompkins presented the case to the board. PIN number 326-09-01-0013 identified the parcel located at 3647 Hwy 501 W., Conway. The applicants were proposing to construct two commercial buildings on this site. Article V, Section 513 requires corner lots adjacent to a collector or arterial street to meet the front setback from both streets. This parcel was located on Hwy. 501 which is an arterial street. The front setback requirement was 50' on Booth Circle. The HVAC units will be located 25' from the front/corner side property line for a variance of 25'. The building actually sits at 32' from the property line. The parcel was rezoned (Case# 2019-10-006) on January 7, 2020 from CFA to RE4 to achieve reduced setbacks to increase the buildable area of the 2 acre lot. *(Please refer to the June 8, 2020 packet for further information.)*

Chairman Shaw swore in Frank Payne who explained the need for the variance.

John Brown made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried with a vote of 6:1 with Mr. Fowler voting against. *The variance was approved with conditions.*
The tenth case number was 2020-05-008 John W. & Mitchell W. Dowless. Pam Thompkins presented the case to the board. PIN number 350-04-01-0036 identified the parcel located at 4355 Sea Mountain Hwy, Little River. The applicants were requesting a variance regarding setback requirements in the Highway Commercial (HC) zoning district. The applicants were proposing to replace the building at the front of this parcel with a larger building. This building was formerly the Swing Bridge Saloon. The new building will be used as administrative offices for Strand Termite & Pest Control. The new building will be located 29.6’ from the front property line instead of the required 50’ for a variance of 20.4’. (Please refer to the June 8, 2020 packet for further information.)

Chairman Shaw swore in John Dowless who explained the property previously was a bar and he would like to put a new building in its place to help improve the appearance around the cross roads area.

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

The variance was approved with conditions.

The eleventh case number was 2020-05-009 Gary M Ward Jr. - Entity Properties, LLC. PIN number 457-02-02-0032 identified the parcel located at 9032 Freewoods Rd, Myrtle Beach. The applicant was not present, Chairman Shaw asked the board to defer the case to the July 13th, 2020 meeting.

John Brown made a motion to grant the deferral of case 2020-05-009 to the July 13th meeting. Michael Fowler seconded the motion. The motion carried unanimously.

The deferral was approved.

The twelfth case number was 2020-05-010 James R. Lafon. Pam Thompkins presented the case to the board. PIN number 441-05-02-0003 identified the parcel located at 1263 Yacht Drive, Myrtle Beach. The parcel was located within Harbour Towne Subdivision. The applicant was proposing to construct a 45.5’ x 31.7’ (1442 sq. ft.) addition to the front of the single family home. The addition will be located 10’ from the front property line instead of the required 25’ for a variance of 15’. The applicant had placed two sheds and a lean-to on his property that encroach into the side and rear setbacks without obtaining a permit or zoning compliance. The buildings show up on the 2014 aerials. To be able to get these permitted, he was requesting the following variances. 1) The lean to is located 1.09’ from the left side property line instead of the required 10’ for a variance of 8.91’. 2) The 10’ x 9’ shed is located 2.58’ from the left side property line instead of 5’ for a variance of 2.42’ and 3.62’ from the rear property line instead of the required 5’ for a variance of 1.38’. 3) The 12’ x 20’ is located 4.03’ from the rear property line instead of the required 15’ for a variance of 10.97’. (Please refer to the June 8, 2020 packet for further information.)

Chairman Shaw swore in James Lafon who explained he needed the variance so he could build a room for his mother to live with him.

Mrs. Thompkins stated that staff would not support a kitchen in the addition.
Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried unanimously. *The variance was approved with conditions.*

With no further business, a motion to adjourn was made and seconded. The *meeting was adjourned* at approximately *8:58pm.*
Old Business
Case # 2020-04-001
VARiANCE REVIEW SHEET
TREE PRESERVATION

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-04-001</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>John Jobsen, Park Manager, agent for Alan B. Vereen - Trust</td>
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<tr>
<td>Parcel Identification (PIN) #</td>
<td>470-00-00-0005</td>
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<tr>
<td>Site Location</td>
<td>337 Yucca Circle, Garden City</td>
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<tr>
<td>Property Owner</td>
<td>Alan B. Vereen - Trust</td>
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<tr>
<td>County Council District #</td>
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Zoning Information

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<tr>
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<th>MHP</th>
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<tr>
<td>Parcel Size (in acres)</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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</tbody>
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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

This case was heard by the Zoning Board at the virtual meeting held on May 11, 2020, however due to lack of public input the case is being re-heard. 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.
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 ¼ 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>
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<tr>
<td>Required Rear Setback:</td>
<td>Requested Rear Setback:</td>
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<tr>
<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation:</td>
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<td>Required Minimum Lot Width:</td>
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</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td>Requested Min Lot Width/Bldg Site:</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>Requested Max Height of Structure:</td>
</tr>
</tbody>
</table>

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

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

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

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

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, 2020
Horry County Planning & Zoning
1301 2nd Ave
Suite 1D09
Conway, SC 29526

Attn: Ms. Pam Thompson

From: John Jobson
Pres Palm Shores Dev.
541 Atlantic Ave.
M.I., SC 29526

Ref: Waterford Oaks
Dead Live Oak

$200 application fee
To: Horry County Planning
of Young
Case # 2020-05-009
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-05-009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Gary M Ward Jr. - Entity Properties, LLC</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>457-02-02-0032</td>
</tr>
<tr>
<td>Site Location</td>
<td>9032 Freewoods Rd, Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Entity Properties, LLC</td>
</tr>
<tr>
<td>County Council District #</td>
<td>4 - Loftus</td>
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</tbody>
</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>801</th>
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<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>2.3 Acres</td>
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<tr>
<td>Proposed Use</td>
<td>Commercial</td>
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Requested Variance(s)

The applicant is requesting a variance from Article V, Sections 522, 523 and 527 regarding the screening and landscape requirements for outdoor storage.

<table>
<thead>
<tr>
<th>Art. V, Section 523</th>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Privacy fence setback from ROW - Bay Rd and Freewoods Rd</td>
<td>10'</td>
<td>5'</td>
<td>5'</td>
<td>50%</td>
</tr>
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</table>

Art. V, Section 522

Fence type and height on left side of property adjoining residential PINs 457-02-02-0034 & 0064

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>6' completely opaque fence</td>
<td>5' split rail fence</td>
<td></td>
<td>100%</td>
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</tbody>
</table>

Art. V, Section 527

Landscape Buffer on Bay Rd and Freewoods Rd

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<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>10'</td>
<td>5'</td>
<td>5'</td>
<td>50%</td>
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</tbody>
</table>

Landscape Buffer on left side adjoining PIN 457-02-02-0034 & 0064

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscape buffer Type A equal to the setback (10')</td>
<td>No landscape buffer</td>
<td></td>
<td>100%</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicant is proposing to construct a boat storage and repair facility on this parcel. The site was recently rezoned Jan. 7, 2020 to B01 (2019-10-008) to allow for this use. The applicant is requesting a variance from the landscape and buffer requirements for outdoor storage. They are requesting the following variances: 1) Allow 6' privacy fence along Bay Road and Freewoods Road to be 5' off the ROW instead of the required 10' for a variance of 5'. 2) Allow the landscape buffer along Bay Rd and Freewoods Rd to be 5' in width instead of the required 10' for a variance of 5'. 3) Allow the fence adjoining the residential property (PINs 457-02-02-0034 and 457-02-02-0064) to be a 5' split rail fence instead of a 6' completely opaque privacy fence. 4) Variance on the landscape buffer requirements along this shared property line adjoining the residential. The majority of the site will be used for storage.
**VARIANCE REVIEW SHEET**

**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?)
   - Mr. Ward has granted Horry County a permanent drainage easement along the northwest corner along Bay Road. The County will install two driveways/ditch crossings for access to this property—one from Bay Rd and one from Freewoods Rd.

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

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?)
   - Horry County requires outdoor storage uses to be screened from adjoining properties to prevent unsightly views from adjacent roadways and land uses.

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.
**Rezoning Review Sheet**

**Property Information**
- **Applicant**: Gary Ward (Energov # 047042)
- **PIN #**: 45702020032 & 45702020033
- **Site Location**: Bay Rd & Freewoods Rd In Myrtle Beach
- **Property Owner Contact**: Entity Properties LLC
- **Rezoning Request #**: 2019-10-005
- **County Council District #**: 4 - Loftus
- **Staff Recommendation**: Approval
- **PC Recommendation**: Unanimous Approval
- **Size (in acres) of Request**: 2.6

**Zoning Districts**
- **Current Zoning**: MSF10
- **Proposed Zoning**: BO1
- **Proposed Use**: Boat Repair and Storage

**Location Information**
- **Flood and Wetland Information**: X
- **Public Health & Safety (EMS/fire) in miles**: 2.6 (Fire/Medic)
- **Utilities**: Public
- **Public Health & Safety (EMS/fire) in miles**: MSF10
- **Character of the Area**: Residential & Commercial

**Adjacent Properties**
- **Utilities**: MSF10, MSF10, MSF5
- **Public Health & Safety (EMS/fire) in miles**: SF40, PDD, PDD

**Comments**
- **Comprehensive Plan District**: Suburban Corridor
- **Overlay/Area Plan**: Burgess Area Plan

Discussion: The applicant is requesting to rezone to allow for boat storage and repair within an area that is predominately residential and is located near the commercial corridor of Highway 707. Enterprise Landing on the Waccamaw is located at the end of Bay Road and Osprey Marina is located off Enterprise Landing. The Grand Strand Water and Sewer Authority Schwartz Wastewater Treatment Plant is within the immediate neighborhood within a primarily residential area. As proposed, this rezoning would require 50' setbacks along Bay Road and Freewoods Road and a 25’ landscape buffer to adjacent residential properties.

The Burgess Community Area Plan identifies commercial nodes for future development. This rezoning is outside of the commercial node identified at the intersection of Bay Rd. and Hwy 707.

These parcels are designated as Suburban and Neighborhood Activity Center in the IMAGINE 2040 comprehensive plan.

Public Comment: 11/7/2019 There was no public input. Steve Stickland and Gary Ward were present to address questions and concerns.

**Transportation Information**
- **Daily Trips based on existing use / Max Daily Trips based on current zoning**: 0 / 0
- **Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning**: 150 / 150
- **Existing Road Conditions**: SC 707, Station 247
- **Traffic AADT (2017)**
- **% Road Capacity**: 65% - 70%

**Proposed Improvements**

**Dimensional Standards**
- **Requested / Current / Adjacent / Adjacent / Adjacent / Adjacent**
- **BO1 / MSF10 / PDD (Cameron Way) / MSF6 / MSF10 / SF40**
- **Min. Lot Size (in square feet)**: 10,000 / 10,000 / 15,000 / 6,000 / 10,000 / 40,000
- **Front Setback**: 60 / 25 / 30 / 20 / 25 / 50
- **Side Setback**: 10 / 10 / 20 / 10 / 20
- **Rear Setback**: 15 / 15 / 20 / 15 / 15 / 30
- **Bldg. Height**: 65 / 35 / 55 / 35 / 35 / 35
Intersection of Bay Rd & Freeweoods Rd
009 Residential homes
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>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

**Description of Request:**  
Attached Ward Boat Storage

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

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

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

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

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

See attached

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

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

Applicant's Signature:  

Date: 1/8/20
Pam,

The property line facing the residential property where I live and the residential property I own out front of my residence I would like to have the open rail fence we've installed on the property line and serve as the BO1 fence and landscape my residential side of the property so we can maximize the space. The bay road side I want to use vinyl and have it as close as possible to bay rd. I would like the County or anyone of the public that shows up to disapprove to please take in to consideration that I gave them a 122' permanent easement on bay rd to finish the drainage project. The open rail fence and landscaping I do on my side of the property will look nice and it's what I have to look at everyday. I'm 37 years old and plan on living here until die I have 6 children that will inherit our home. So there is no question we will ever move. I've attached a sketch that explains it in detail and also attached a couple picture of the fence it will be painted gray to match the rest of the fence around my property.

Best regards.

Gary,

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

****

All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This correspondence is intended exclusively for the individual or entity to which it is addressed and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.
To whom it may concern,

My name is Gary M Ward Jr I am the owner of Entity Properties LLC.

I am requesting a variance for PIN#’s 45702020032, 45702020033 owned by Entity Properties LLC. The left side property that meets PIN#’s 45702020064, 45702020034 owned by Gary M Ward Jr “my self”. We would like to use the same fence for The BO1 zoning ordinance that we currently have as our landscaping so It will keep a nice look. We would also like to have the fence on the property line instead of the 10’ set back. I’ve attached the fence on my property that we would like to use.

Sincerely,

Gary M ward Jr.
Landscape Plan

Are to be landscaped by Horry County as part of Bay Rd Drainage easement project

5’ split rail fence located on the property line without on-site landscape buffer

6’ Privacy fence 5’ from property line and 5’ Landscape buffer
New Business
Case # 2020-06-001
VARIANCE REVIEW SHEET

Property Information

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<th>Variance Request #</th>
<th>2020-06-001</th>
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<table>
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<tr>
<th>Applicant</th>
<th>Charles &amp; Bonnie Witt</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Parcel Identification (PIN) #</th>
<th>446-16-02-0060</th>
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<table>
<thead>
<tr>
<th>Site Location</th>
<th>171 Coral Beach Cir, Surfside Beach</th>
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</table>

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Charles &amp; Bonnie Witt</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>County Council District #</th>
<th>4 - Loftus</th>
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<table>
<thead>
<tr>
<th>Zoning Information</th>
<th></th>
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</table>

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>GR-8</th>
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<table>
<thead>
<tr>
<th>Parcel Size</th>
<th>6010 sq. ft.</th>
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<tr>
<th>Proposed Use</th>
<th>Residential</th>
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Requested Variance(s)

The applicants are requesting a variance from Article VII, Section 708 and Article VIII regarding setback requirements in the General Residential (GR-8) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear setback</td>
<td>15'</td>
<td>6'</td>
<td>9'</td>
</tr>
</tbody>
</table>

Background/Site Conditions

This parcel is located within Bermuda Gardens subdivision. The applicants are proposing to construct a 10' x 13' screen porch on the rear of their single family home. The screen porch will be located 6' from the rear property line instead of the required 15' for a variance of 9'. The rear of this parcel abuts common area for Bermuda Gardens.

Ordinance and Analysis

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

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

   There are none.

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

   These conditions apply to all properties within this subdivision.

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

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**Description of Request:**

<table>
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<tr>
<th>Required Front Setback:</th>
<th>Requested Front Setback:</th>
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<table>
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<tr>
<th>Required Side Setback:</th>
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<thead>
<tr>
<th>Required Rear Setback: 15 feet</th>
<th>Requested Rear Setback: 60 feet</th>
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<th>Required Bldg. Separation:</th>
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<th>Required Minimum Lot Width:</th>
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<table>
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<tr>
<th>Required Max Height of Structure:</th>
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</table>

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

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)

- **Screen Porch on existing Pad**

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: 6/4/2020
May 26, 2020

Charles & Bonnie Witt
365 Saint Catherine Bay Court
Myrtle Beach, SC  29575

Re:    Architectural Review Application
       171 Coral Beach Circle

Dear Charles & Bonnie Witt:

We are writing on behalf of the Board of Directors for Ocean Walk regarding your request to add a screen porch at your property in Ocean Walk.

The Architectural Review Committee has reviewed your request and it has been approved as submitted. Please be advised that the Architectural Review Committee reserves the right to view the project after completion to insure it was properly executed.

Please note that this approval is per the specifications submitted. Any changes to these specifications must be resubmitted for approval. All local building codes and setback requirements must be followed when making modifications to your property. If applicable, a building permit may be obtained at the County offices.

The Board thanks you for your application and participating in the review process. Should you have any questions feel free to contact Waccamaw Management at 843-903-9551 or via email at Info@WaccamawManagement.com.

On behalf of the Board of Directors,

Waccamaw Management, LLC, AAMC
Managing Agent
Architectural Review Application

As the Owner of Record for the property listed herein, I, Charles and Bonnie Witt, hereby submit this application to the Architectural Review Committee for Ocean Walk (ARC) for the proposed additions / alterations to my property described herein. I understand and acknowledge that approval by the ARC does not constitute approval by any other governing agency with jurisdiction applicable to my property and that it is my sole responsibility to obtain all necessary permits, inspections, authorizations and permissions from the appropriate organization(s) and to determine and comply with all regulations, statutes, codes and zoning or other applicable requirements pertinent to the work described herein. As the Owner of Record for the property listed in this application I understand and acknowledge that placement of any object inside of an established easement may result in the removal of the object at my expense and without prior notice to me.

Owner of Record                                Date

I. Owner Information

Name: Bonnie and Charles Witt
Property Address: 171 Coral Beach Circle, Surfside Beach SC 29575
Home Phone: __________________________
Cell Phone: 540-588-2544
Email: wittcharbonbon@aol.com
Date Submitted: 5/20/2020

II. Description of Modification Request

A copy of your plat showing the location of the requested modification must be submitted along with this application. In addition, you should provide as much information as possible to assist the Board of Directors in rendering a decision including: location, shape, size, materials, colors, manufacturer information, contractor information and any other information relevant to your request.

We would like to build a screen porch on the existing rear patio. The patio needs to be widened by approximately 12 inches so that the new wall clears the existing door. The screen porch will be approximately 10' x 13' with a gable roof, knee wall, vaulted ceiling, TCI screen system and door. Siding, soffit, facia, and shingles to be the same as house. Work to be completed by Ferg and Sons LLC license number RBC 412.
Important Information

a. Owners with delinquent balance will not receive approval for submitted applications unless and until their accounts are brought into current status. If an account with a pending application becomes delinquent (30+ days), the application review will be suspended until the account is paid in full.

b. Applications will be reviewed once complete and accurate information is received. Owners will be contacted once complete information is received and notified of the deadline for a decision. The ARC will make two attempts to obtain the necessary information to complete applications. If the applicant does not provide the necessary information after the second attempt, the application will be placed on hold until such time as the information is received.

c. The ARC has 45 days from the receipt of complete and accurate information to render a decision of:
   i. Approval as submitted
   ii. Approval with conditions
   iii. Denial

d. It is the applicant's responsibility to protect all elements inside the Association's easements and to return any area disturbed by the installation of a modification to the same standards as previously existed. Upon completion of the improvement, the Association shall review and determine that the installation is in compliance with the approval provided by the ARC. If the improvements are not completed to the satisfaction of the Association within the timeframe provided in the governing documents, the Association may impose penalties until completion occurs.

e. No approval shall be deemed granted unless delivered, in writing, by the Architectural Review Committee or its representative.

f. Applications must be signed by the Owner of Record for the property under consideration. The ARC may not review any application signed by any other party.

g. If your application requires extensive review, input from legal or professional services, or otherwise requires extraordinary time or resources to render a decision, additional fees may apply. Applicants will be notified of extra fees before they are incurred. Please make your check payable to OCEAN WALK HOA.

Owner of Record  
Date  
5/20/2020
Case # 2020-06-002
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-06-002</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Venture Engineering, Inc.</td>
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<tr>
<td>Parcel Identification (PIN) #</td>
<td>400-11-01-0033</td>
</tr>
<tr>
<td>Zoning District</td>
<td>PUD</td>
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<tr>
<td>Parcel Size</td>
<td>6,894 Sq. ft.</td>
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<tr>
<td>Site Location</td>
<td>2039 Eastlynn Dr., Conway</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Sun Lakeside Crossing LLC</td>
</tr>
<tr>
<td>County Council District #</td>
<td>8 - Vaught</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicants are requesting a variance regarding setback requirements in the Lakeside Crossing PUD.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
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<tbody>
<tr>
<td>Left Side setback</td>
<td>5'</td>
<td>3.5'</td>
<td>1.5'</td>
</tr>
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</table>

Background/Site Conditions

This parcel is located in the Lakeside Crossing PUD. Permit# 109709 was issued on March 25, 2020 for this mobile home with a garage and screen room addition. The PUD requires 20' front, 5' sides and 10' rear setbacks. Code Enforcement issued a stop work order on May 18, 2020 due to the encroachment into the setback however the applicant proceeded with the project. The post foundation survey shows the garage at 3.82' from the left side property line. The applicants are requesting to be located 3.5' from the left side property line instead of the required 5' for a variance of 1.5'.

Ordinance and Analysis

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

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

   There are none.

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

   These conditions apply to all properties within this PUD.

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

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

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

Proposed Order/Conditions

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

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

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

Article(s) ___________________________ Section(s) ___________________________

Description of Request: Reduce side setback to 3.5'

| Required Front Setback: 20' | Requested Front Setback: 20' |
| Required Side Setback: 5'  | Requested Side Setback: 3.5'  |
| Required Rear Setback: 10'  | Requested Rear Setback: 10'  |
| Required Bldg. Separation: 10' | Requested Bldg. Separation: 8.5' | |
| Required Minimum Lot Width: 60' | Requested Min Lot Width: 60' |
| Required Min Lot Width/Bldg Site: 50' | Requested Min Lot Width/Bldg Site: 48.5 |
| Required Max Height of Structure: 35' | Requested Max Height of Structure: 35' |

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

This particular piece of property, has a skewed side to line, which is narrower at the front than the back. Although the plans were prepared showing the garage farther back to fit inside the setbacks, the builder built this garage at the same front setback distance from the road as every other similar model. In this particular property the garage addition should have been built farther back on the side of the home to meet side setbacks. These conditions will not apply to any other property in the vicinity, as the builder now understands there are certain restrictions on various lots, that will require non typical constriction for this area.

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)

Attached is the as-built survey by a registered Surveyor.

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 5/3/2020]
LETTER OF AGENCY

To: Horry County Planning & Zoning, SCDHEC, SCDOT, G.S.W.S.A., Horry County Code Enforcement & City of Conway

Re: Rezoning, Permitting & Applications: Lakeside Crossing
P/N: 400-11-01-0033

Property Location: Lakeside Crossing, Lot # 615
Property Owner(s): Sun Communities - Lakeside Crossing

In connection with the referenced property, I hereby appoint the person/agency shown below as my agent for the purpose of filing such application for project approval as they shall deem necessary and proper.

Authorized Agent: Venture Engineering, Inc.
(Please Print Full Name) Steve Powell;
Reason For Agency: City/County/Water & Sewer Application & Permitting
DHEC Applications & Permitting
Horry County Planning & Zoning Review & Permitting
SCDOT Encroachment Permitting, Rezoning & Variance

Business License #: 175917
Agent’s Address: 209 Hwy 544, Conway, SC 29526
Agent’s Telephone Number: (843) 347-5851

Witness

Sandra Hill
Property Owner (Please print full name)

Title

Sandra Hill
Signature of property owner

5-18-2020
Date

Letter of agency submitted must be original. No copies accepted.
September 12, 2019

Venture Engineering
Attn: Jake Powell
209 Highway 544
Conway, SC 29526

Re: Lakeside Crossing PUD Phase VI-A
Parent PH: 400-CD-00-0015
65 single-family detached lease lots

Dear Mr. Powell,

The above referenced final plats have been cleared for the recording of 65 single-family detached lease lots with the Register of Deeds.

I hope this provides you with the information necessary to proceed with your development. Should you require additional information, do not hesitate to let me know.

Sincerely,

Thomas Dobryndycz
Senior Planner

cc David Jacobs, Building/Code Enforcement Director
Building/Code Enforcement Residential Plans Expediter
Rachel Prince, Engineering Department Plans Expediter

Current Zoning PUD (Ord. 83-99) as of September 12, 2019

Project Setbacks – Single-family detached

<table>
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<tr>
<th>Front</th>
<th>Side</th>
<th>Corner Side</th>
<th>Rear</th>
<th>Height</th>
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<td>20'</td>
<td>5'</td>
<td>7.5'</td>
<td>10'</td>
<td>35'</td>
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Verified by —
Site plan submitted with Permit
Case # 2020-06-003
VARIANCE REVIEW SHEET

Property Information

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<th>2020-06-003</th>
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<td>Applicant</td>
<td>Ana Mariela Ignacio Tomas</td>
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<tr>
<td>Parcel Identification (PIN) #</td>
<td>458-01-01-0011</td>
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<td>Site Location</td>
<td>8076 Youngwood Turn, Myrtle Beach</td>
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<tr>
<td>Property Owner</td>
<td>Ana Mariela Ignacio Tomas</td>
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<tr>
<td>County Council District #</td>
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Zoning Information

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<td>Proposed Use</td>
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Requested Variance(s)

The applicant is requesting a variance regarding setback requirements in the Laurel Woods PUD.

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<th>Variance Needed</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Front setback</td>
<td>20'</td>
<td>9.7'</td>
<td>10.3'</td>
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Background/Site Conditions

This parcel is located within Laurel Woods PUD. The applicant has constructed a 10' x 14.6' porch on the front of the single family home without obtaining a building permit. Code Enforcement issued a stop work order on March 26, 2020. Laurel Woods PUD requires a 20' front setback, the porch is located 9.7' from the front property line for a variance of 10.3'.

Ordinance and Analysis

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

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

There are none.

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

These conditions apply to all parcels within this PUD.

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

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

The applicant has provided a letter of approval from the Laurel Woods HOA.

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

Proposed Order/Conditions

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

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
Applicant Submittal
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: To build porch 8' x 14' part of porch front will be in the setbacks. The mobile home was already in place.

Required Front Setback: 19 ft 20'
Requested Front Setback: 11 ft 2 in

Required Side Setback: 10 ft 5'
Requested Side Setback: 10 ft

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)

To have a better safer entrance to enter and leave thru front door. Also to have a place where we can have family gatherings. The mobile home was already in place with no porch.

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.

Ana Mariela Ignacio Tomas ___________________________ 5/11/2020
Applicants Signature Date
Laurel Woods HOA
8378 Woodland Dr.
Myrtle Beach, SC 29588
Office Phone (843)215-2629
laurelwoodshoa@sc.rr.com

RE:
Ana Maria/Ignacio Tomas
8076 Youngwood Turn
Myrtle Beach, SC 29588
843.267.4745

To whom it may concern,

20MAY2020

The property above has been investigated by the Laurel Woods Home Owners Association, and at this time are in NO violations of our Governing Documents. Please allow them their permit for their project, they look only to beautify their home, property and, in doing so, our little community. Feel free to contact me with any questions. Our office is open Tuesdays & Thursdays 4p-6p. But if needed you may contact me personally at 843.283.2068 or LOKILUVR@YAHOO.COM.

Jim McCrory
Laurel Woods HOA President
Case # 2020-06-004
VARIANCE REVIEW SHEET

Property Information

Variance Request # 2020-06-004
Applicant Phil Demedici, agent
Parcel Identification (PIN) # 305-08-02-0044
Site Location 783 Callant Dr., Little River
Property Owner Mary Ann Tankersley
County Council District # 1 - Worley

Zoning Information

Zoning District MSF6
Parcel Size 7,720 Sq. ft.
Proposed Use Residential

Requested Variance(s)

The applicants are requesting a variance from Article VII, Section 707 and Article VIII regarding setback requirements in the Residential (MSF6) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Rear setback</td>
<td>15'</td>
<td>9'</td>
<td>6'</td>
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Background/Site Conditions

This parcel is located within the Carolina Crossing subdivision. The applicants are proposing to construct a 10' x 14' sunroom addition on the rear of the single family home. The sunroom will be located 9' from the rear property line instead of the required 15' for a variance of 6'.

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 rear property line juts in at one point bringing it closer to the home. The existing patio and fence are encroaching over the rear property line and into the wetland buffer.

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

   These setbacks apply to all properties within the MSF6 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.
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 Carolina Crossing Architectural Control Committee (ACC).

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. Fence needs to be relocated onto the property and out of the wetland buffer.
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: Back adjustment

<table>
<thead>
<tr>
<th>Required Front Setback: 10</th>
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<tbody>
<tr>
<td>Required Side Setback:</td>
<td>Requested Side Setback: __________________________</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>Requested Rear Setback: 9' ________________________</td>
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<tr>
<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation: ________________________</td>
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<td>Required Minimum Lot Width:</td>
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<td>Required Min Lot Width/Bldg Site:</td>
<td>Requested Min Lot Width/Bldg Site: __________________________</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>Requested Max Height of Structure: __________________________</td>
</tr>
</tbody>
</table>

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

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

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

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

Wanted a small 10'x15' workshop on back yard

But corner will cause setback line because of the house and should lot. If my lot were square it would not be a problem.

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

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

Applicants Signature

Date 3-18-20
January 15, 2020

Mary Ann Tankersley  
783 Callant Drive  
Little River, SC 29566

Re: Carolina Crossing HOA Inc., 783 Callant Drive /ACC Application  
Solar Screened in Porch

Dear Homeowner:

I am writing on behalf of the Carolina Crossing Architectural Control Committee regarding your request to install a solar screened in porch. The Architectural Review Committee has reviewed your request and it has been approved with the following specifications:

HO plans to install a 12' by 18' solar screened in porch to back of existing patio. HO is changing knee wall from seasoned wood to white aluminum metal. Frame of porch is also white, aluminum metal. Door to outside back yard is white aluminum, metal, storm door. Ceiling fan to be installed inside porch. Roof of new screened in porch will match existing roof on the house.

Please note that this approval is for the specifications submitted. It is the homeowners responsibility to obtain the necessary permits prior to starting construction. Any changes to these specifications must be resubmitted for approval. Please note also that material used must coordinate with home and trim.

Thank you for participating in the review process, and enhancing your property as well as the community with these enhancements to your home. Should you have any questions, you may call me at (843) 272-8705.

On behalf of the Architectural Control Committee,

Waccamaw Management, LLC, AAMC  
Managing Agent

Theron Miller  
Association Manager

Co/Cd
Carolina Crossing Ph. 2 final plat
Case # 2020-06-005
VARIANCE REVIEW SHEET
TREE PRESERVATION

Property Information

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<tr>
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<td>Ricardo Garcia</td>
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<td>Parcel Identification (PIN) #</td>
<td>448-16-03-0011</td>
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<tr>
<td>Site Location</td>
<td>Hwy 707 &amp; Moss Creek Road, Myrtle Beach</td>
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<td>Property Owner</td>
<td>Ricardo Garcia</td>
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<td>County Council District #</td>
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Zoning Information

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<td>Parcel Size</td>
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<td>Proposed Use</td>
<td>Residential</td>
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Requested Variance(s)

The applicants are requesting a variance from Article V, Section 527.3 C regarding the removal of a live oak specimen tree in the Commercial Forest Agriculture (CFA) zoning district.

Background/Site Conditions

The applicant is requesting approval to remove a live oak tree from his property. The live oak tree is 53" in diameter, which requires 32 replacement trees at 2.5" caliper or $4,800 fee in lieu. There is another 28.8" Dbh live oak tree on this parcel that the applicant does not intend to remove. The applicant states the 53" live oak is located in the center of the lot which is hindering the placement of a house on this lot.

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.
53" Live Oak
29" Live Oak that will not be removed
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: TREE REMOVAL

Required Front Setback: _______________  Requested Front Setback: _______________
Required Side Setback: _______________  Requested Side Setback: _______________
Required Rear Setback: _______________  Requested Rear Setback: _______________
Required Minimum Lot Width: _______________  Requested Min Lot Width: _______________
Required Min Lot Width/Bldg Site: _______________  Requested Min Lot Width/Bldg Site: _______________
Required Max Height of Structure: _______________  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)

IN CENTER OF LOT IS A BIG OAK TREE WHICH IS HINDERING BEING ABLE TO PUT A HOUSE ON THIS LOT. TREE NEEDS TO BE REMOVED TO ALLOW FOR APPROPRIATE DESIGN OF HOUSE.

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)

CURRENT SITE MAP SHOWING

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  5/27/20
VARIANCE REVIEW SHEET

Property Information

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<tr>
<td>Imad Osko</td>
<td>SF6</td>
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<tbody>
<tr>
<td>Imad Osko</td>
<td>6 - Crawford</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 707 and Article VIII regarding setback requirements in the Residential (SF 6) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear setback</td>
<td>15'</td>
<td>5'</td>
<td>10'</td>
</tr>
</tbody>
</table>

Background/Site Conditions

This parcel is located within Silver Fox Landing subdivision. The applicant is proposing to construct a deck with a pergola on the rear of the single family home. The deck will be located 5' from the rear property line instead of the required 15' for a variance of 10'.

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 rear of this property backs up to a wetland as shown on the survey and final plat.

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

These setbacks apply to all properties within the SF6 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.
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

The applicant has provided a letter of approval from the Silver Fox Landing HOA.

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

Proposed Order/Conditions

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

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

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:
Article(s) VIII  Section(s) 708 & 709

Description of Request: Permission to construct deck/patio structure on rear side of lot, which
backs into wetlands. Current setback requirement are 15 ft from the the
lot line. We are requesting an amended setback of 5ft from the lot line.

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>25FT</th>
<th>Requested Front Setback:</th>
<th>Same as required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>10FT</td>
<td>Requested Side Setback:</td>
<td>Same as required</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>15FT</td>
<td>Requested Rear Setback:</td>
<td>5ft</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>N/A</td>
<td>Requested Bldg. Separation:</td>
<td>N/A</td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td>N/A</td>
<td>Requested Minimum Lot Width:</td>
<td>N/A</td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td>60FT</td>
<td>Requested Min Lot Width/Bldg Site:</td>
<td>Same as required</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>35FT</td>
<td>Requested Max Height of Structure:</td>
<td>Same as required</td>
</tr>
</tbody>
</table>

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

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

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

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

Please see attachments.

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

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

Applicants Signature  Date
Letter of Intent
In Support of Request for Variance
513 June Bug Court
Myrtle Beach, SC 29588

This letter of intent is in support of my request for a variance to the rear setback requirement of a residential lot that backs into wetlands. As based on the current code, particularly Article VIII, sections 708 & 709, the rear setback requirement for my lot is 15 feet. I am requesting a variance to permit a 5ft foot setback to the rear lot to allow adequate sizing for the proposed partial open air patio and Trex decking structure.

What is perhaps most relevant here, and what I would ask the board to consider, is (1) the fact that the rear setback abuts wetlands and thus creates no undue burden on any neighboring residence, (2) the proposed style and structure of the project would be an improvement to the neighborhood and result in an overall increase in property value and tax base created by improvement.

Respectfully submitted,

Imad S. Osko
03/30/2020

Rakiah C. Detoffol
513 June Bug Ct.
Myrtle Beach SC 29588

RE: Silver Fox Landing HOA, Inc.
513 June Bug Ct.
Re: ACC Approval

Dear Rakiah C. Detoffol,

This notice is to inform you that your modification request to construct a deck in the rear facing section of your home has been reviewed and approved as submitted.

Please be advised, this approval is per the specifications submitted. Any changes to these specifications must be resubmitted for approval. We reserve the right to make a final inspection of the change to make sure it matches the specifications submitted for approval. If applicable, you must follow all local building codes and setback requirements when making changes and if needed, obtain a building permit.

This approval 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.

Once approved work has been completed, please notify the Association Office at (843) 443-4003 or via email at jessica@empressmgt.com so that an inspection may be completed, if necessary.

We appreciate your cooperation in submitting this request for approval.

If you should have any questions, or need further clarification regarding this letter, please don’t hesitate to contact the Association Office at (843) 443-4003, via email at jessica@empressmgt.com, or by visiting our website at www.empressmgt.com.

Per your Board of Directors,

Jessica Martin
Administrative Manager
Empress Management, LLC
Association Managing Agent

cc: Homeowner File
Silver Fox Landing, PH. 3 final plat
Site Plan

SURVEY FOR
IMAD S. OSKO

LOT 31
10,598 SQ.FT.
0.24 AC.
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-06-007</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Wrenzie Rice, agent</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Parcel Identification (PIN) #</th>
<th>420-11-03-0053</th>
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</table>

<table>
<thead>
<tr>
<th>Site Location</th>
<th>1301 48th Avenue N., Myrtle Beach</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>L &amp; I Of Myrtle Beach, LLC</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>County Council District #</th>
<th>2 - Howard</th>
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Zoning Information

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

<table>
<thead>
<tr>
<th>Parcel Size</th>
<th>48,415 Sq. Ft.</th>
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</table>

<table>
<thead>
<tr>
<th>Proposed Use</th>
<th>Commercial</th>
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</table>

Requested Variance(s)

The applicants are requesting a variance from Article XI, Section 1104 regarding parking requirements for a medical office in the Office Professional Institutional (OPI) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
</table>

| On-site Parking (office & medical uses) | 64 | 42 | 22 | 35% |

Background/Site Conditions

The applicants are requesting a variance on parking requirements for an existing office building. The building was constructed in 1978 according to the Tax Assessor's file. The building is considered legal non-conforming as it was constructed before the county was zoned in 1987. In April 2019 the medical office parking was amended to require 5 parks per treatment room. There are three (3) medical offices in the building with a total of 10 treatment rooms requiring a total of 50 parks not including the other offices. There are 42 parks on this site instead of the required 64 parks for a variance of 22 parks.

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 applicant states they are currently leasing seven (7) parking spaces from the neighboring property.

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

These conditions apply to all medical uses.

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 County has determined that medical uses require substantially more parking than other office uses.

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

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

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

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

Article(s) ___________________ Section(s) ___________________

Description of Request: Requesting a parking variance for 21 parking spaces.

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

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

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

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

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

See attachments.

The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)
letters from tenants and next door neighbor, site plan, google map, floor plans of offices.

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: 6/1/2020
Request for Parking Variance – 1301 48th Avenue North, Myrtle Beach, SC

1. This building was built in 1978 and has had adequate parking until the new zoning requirements for medical offices came into effect. Our existing parking provides for 1 parking space for every 229 sf of office space. Normal office requirements in the area are 1 parking space for every 300 sf of office space. Other office buildings in the immediate vicinity are located in the City of Myrtle Beach. Under their zoning requirements, we would have more than enough parking and would not need a variance. Under your current zoning requirements, we would not be able to lease to any medical tenants, regardless of their individual needs for parking, without applying for a variance. This gives the office buildings in the city limits an advantage in leasing to medical tenants, and thereby devalues our property. (#2 HARDSHIP – these conditions do not generally apply to other properties in the vicinity. AND #3 HARDSHIP – the application of this ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.)

2. Our new tenant, Revived Vitality, will use very little parking. They estimate they will use 5 parking spaces. The former tenant used more parking. Under the existing county parking requirements, we would not be able to lease this office at all with our current mix of tenants.

3. We currently lease 7 parking spaces from the neighbor, Ross “Buddy” Lindsay of Office Investments, LLC. Shoreline Realty wished to maintain customer parking directly in front of their office so we leased the additional 7 spaces near their front door. (See attached letter from Buddy Lindsay). With the additional parking places, we have 1 parking space for every 198 sf. I believe we have enough parking for our tenant mix without leasing the extra parking spaces, but this gives us an extra cushion.

4. I have attached signed notices from all the existing tenants in the center showing that they have not experienced parking issues. (#4 HARDSHIP – 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 granting the variance.)

5. I have attached a signed notice from Ross “Buddy” Lindsay, the adjacent neighbor, explaining that we are not causing parking issues and that he would be willing to accommodate extra parking if necessary. I do not believe it is necessary. (#4 HARDSHIP – 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 granting the variance.)

6. I am not aware of any complaints about our tenant or customer’s parking in the past. (#4 HARDSHIP – 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 granting the variance.)

7. As a property manager for over 25 years, I am very sensitive to parking issues and do not ever want to cause a nuisance for my tenants, their customers or our neighbors. I always ask tenants about their parking requirements before I sign a lease agreement with them.
<table>
<thead>
<tr>
<th>Units</th>
<th>Tenant</th>
<th>SF</th>
<th>Parking Reqd</th>
<th>Treatment Rooms</th>
<th>Office</th>
<th>Total Req'd</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Shoreline Realty</td>
<td>1663</td>
<td>1@300</td>
<td>0</td>
<td>5.54</td>
<td></td>
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<tr>
<td>A2</td>
<td>Revived Vitality</td>
<td>850</td>
<td>5 per treat rm</td>
<td>2</td>
<td></td>
<td></td>
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<tr>
<td>B</td>
<td>South East Medical</td>
<td>3100</td>
<td>5 per treat rm</td>
<td>4</td>
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<td>C</td>
<td>Massey Insurance</td>
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<td>D</td>
<td>Professional Rehab</td>
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<td>5 per treat rm</td>
<td>4</td>
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<tr>
<td></td>
<td>Total SF</td>
<td>9883</td>
<td></td>
<td>10</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

|             | Park/Treat Rm        | 5    |              | 50              | 13.88  |             |
|             | Total Req'd          |      |              |                 |        | 64          |

| Actual Park Sp | 42                      |      |              |                 |        |             |
| Variance w existing | 22                      |      |              |                 |        |             |
| Leased Park Sp | 7                       |      |              |                 |        |             |
| Total Current  | 49                      |      |              |                 |        |             |
| Variance w leased | 15                    |      |              |                 |        |             |

*We have 42 parking spaces and we currently lease 7 parking spaces from Lindsey CPAs next door.
*With Revived Vitality using 2 treatment rooms
* Had to deduct one handicap parking space.
June 1, 2020

To: Horry County Zoning

RE: L&I of Myrtle Beach, LLC

I have been an owner of L&I of Myrtle Beach, LLC, located at 1301 48th Avenue North in Myrtle Beach since 1995. I am a member of this LLC and I am authorized to sign on its behalf.

Wrenzie Rice is my wife and I am appointing her as our agent to represent L&I of Myrtle Beach, LLC.

Best regards,

H. Tom Rice, Jr.
To: Horry County Zoning

RE: Parking at 1301 48th Avenue North, Myrtle Beach

I own the building next door to the L&I building at 1301 48th Avenue North in Myrtle Beach, SC. We have been neighbors since the buildings were constructed about 40 years ago.

L&I currently leases 7 parking spaces from me. We have not had any issues with parking. If L&I were to need additional parking, I would work with them to provide additional parking.

I request that you grant L&I a parking variance.

Best regards,

Ross Lindsay, Ill.
David Murphy  
Shoreline Realty  
1301 48th Avenue North, Ste A  
Myrtle Beach, SC 29577  

May 29, 2020  

To: Horry County Zoning  
RE: Parking at 1301 48th Avenue North, Myrtle Beach  

I have been a tenant at the L&A building since February 2018. During that time, we have not experienced any issues with parking.  

Best regards,  

[Signature]  

David Murphy, BIC
To: Horry County Zoning

RE: Parking at 1301 48th Avenue North, Myrtle Beach

I have been a tenant at the L&I building since July 2004. During that time, we have not experienced any issues with parking.

Best regards,

Dr. Armanio
Mike Massey  
Massey Insurance  
1301 48th Avenue North, Ste C  
Myrtle Beach, SC 29577  

May 29, 2020

To: Horry County Zoning

RE: Parking at 1301 48th Avenue North, Myrtle Beach

I have been a tenant at the L&I building since May 2019. During that time, we have not experienced any issues with parking.

Best regards,

Mike Massey
Rich Defalco  
Professional Rehab  
1301 48th Avenue North, Ste D  
Myrtle Beach, SC 29577  

May 29, 2020

To: Horry County Zoning

RE: Parking at 1301 48th Avenue North, Myrtle Beach

I have been a tenant at the L&I building since September 2011. During that time, we have not experienced any issues with parking.

Best regards,

Rich Defalco
7 leased parking spaces
Site Plan

Total of Required Parks: 64 based off of existing and proposed uses.

Total of Existing Parks
On-site: 42

Variance: 22 Parking Spaces
Case # 2020-06-008
**Variance Review Sheet**

**Property Information**

- **Variance Request #**: 2020-06-008
- **Applicant**: Larry Beasley
- **Parcel Identification (PIN) #**: 456-14-01-0012
- **Site Location**: 600 Apostle Court, Myrtle Beach
- **Property Owner**: Howard Herring
- **County Council District #**: 4 - Loftus

**Zoning Information**

- **Zoning District**: CFA
- **Parcel Size**: 21,713 Sq. Ft.
- **Proposed Use**: Residential

**Requested Variance(s)**

The applicants are requesting a variance from Article VII, Section 703 and Article VIII regarding setback requirements in the Commercial Forest Agriculture (CFA) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear setback</td>
<td>14.2'</td>
<td>.8'</td>
<td>6.00%</td>
</tr>
</tbody>
</table>

**Background/Site Conditions**

The applicants are constructing a 32' x 46' (1472 sq. ft.) garage on this parcel located within the Chapel Ridge subdivision. Permit #110128 was issued on April 2, 2020. The post foundation survey shows the garage encroaching into the 15' rear setback. The garage is located 14.2' from the rear property line instead of the required 15' for a variance of .8'.

**Ordinance and Analysis**

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

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

   There are none.

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

   These conditions apply to all residential properties in the CFA zoning district.

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

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

The applicant has provided a letter of approval from the Chapel Ridge HOA.

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

Proposed Order/Conditions

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

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
Applicant Submittal
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: **REAR COVER OF GARAGE, 10' INTO REAR BUILDING SET BACK**

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>25'</th>
<th>Requested Front Setback:</th>
<th>25'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>10'</td>
<td>Requested Side Setback:</td>
<td>10'</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>15'</td>
<td>Requested Rear Setback:</td>
<td>14.2'</td>
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<tr>
<td>Required Bldg. Separation:</td>
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<td>Requested Bldg. Separation:</td>
<td></td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td></td>
<td>Requested Min Lot Width:</td>
<td></td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td></td>
<td>Requested Min Lot Width/Bldg Site:</td>
<td></td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td></td>
<td>Requested Max Height of Structure:</td>
<td></td>
</tr>
</tbody>
</table>

Are there Restrictive Covenants on this property that prohibit or conflict with this request? **Y  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.
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To the best of your ability please explain in detail how the aforementioned findings apply to your request: (may include attachments)


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

**AS BUILT SURVEY**

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 __________________________
ATTN:

Pam Thompkins

Re: 600 Apostle Ct.

The Chapel Ridge Architectural Committee has seen the plans for the detached garage for Howard Herring. The (ARC) has approved the setbacks.

E. A. Benton

President

Chapel Ridge HOA.

E. A. Benton
Site Plan submitted with Permit
Site Plan
Case # 2020-06-009
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-06-009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Jacqueline Paige Genoe, agent</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>267-14-04-0018</td>
</tr>
<tr>
<td>Site Location</td>
<td>420 Bear Grass Road E, Longs</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Christopher Thompson II</td>
</tr>
<tr>
<td>County Council District #</td>
<td>9 - Prince</td>
</tr>
</tbody>
</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>FA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size</td>
<td>4.91 Acres</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Commercial</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicants are requesting a variance from Article V, Section 531 regarding minimum lot size for a home occupation 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 size</td>
<td>217,900 Sq. Ft. (5 acres)</td>
<td>214,074 Sq. Ft. (4.91 acres)</td>
<td>3,726 Sq. Ft. (.09 acre)</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicant is requesting this variance to be able to run his tree service business from his home. DAM Services LLC applied for a home occupation business and was denied on May 5, 2020. Zoning classifies this type of business as a heavy equipment operation due to the large equipment that will be stored on the site. Art. V, Section 531 prohibits this use as a home occupation in FA unless the parcel is 5 acres or more in size. The parcel size is 4.91 acres instead of the required 5 acres for a variance of .09 acre or 3,726 sq. ft.

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 is another storage type building on the property that has not been permitted. It is located to the right of the mobile home.

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

These conditions apply to all home occupation businesses that are considered heavy equipment operations within the FA zoning district.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
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 will need to be permitted through Code Enforcement.
009 Storage bldg. (No permit)
Zoning Compliance Application for Residential/Home Occupation Business
Email to ZoningApplications@horrycounty.org

Failure to completely fill out may result in delay or denial of your home occupation

**An occupant not owning the property or building in which they operate a home occupation must provide a notarized letter of permission from the property owner(s)**

Please answer the following questions:

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Business (describe in detail):</td>
<td>Tree Service - residential and commercial trimming and removal of trees.</td>
</tr>
<tr>
<td>Will the home be used for office use only? Y( ) N( )</td>
<td>Y</td>
</tr>
<tr>
<td>Will this business be conducted entirely within the residential dwelling?</td>
<td>NO</td>
</tr>
<tr>
<td>Will the business be conducted in a detached structure (storage bldg., etc.)?</td>
<td>NO</td>
</tr>
<tr>
<td>Number of Service vehicles associated with this business?</td>
<td>3</td>
</tr>
<tr>
<td>List any equipment or supplies that will be kept on this site (utility trailer, chipper, bobcat, mowers, etc.):</td>
<td>Utility trailer, Stump Grinder, Chipper, Bobcat</td>
</tr>
<tr>
<td>Where will equipment or supplies be stored on this site? Please specify what type of building or structure (storage building, garage, barn, yard, etc.):</td>
<td>On a secluded lot behind our resident on farm land</td>
</tr>
<tr>
<td>If this is an in-home daycare center how many children are being cared for in the home?</td>
<td>N/A</td>
</tr>
<tr>
<td>If this is a sales business where will the products be sold? (No retail sales allowed from the home)</td>
<td>N/A</td>
</tr>
<tr>
<td>Number of non-resident employees (employees who do not live at this location):</td>
<td>2</td>
</tr>
<tr>
<td>Do your deed restrictions or covenants prohibit this use?</td>
<td>NO</td>
</tr>
</tbody>
</table>
BUSINESS OWNER MUST READ AND INITIAL EACH NUMBERED STATEMENT BELOW

CT 1. The home occupation must be incidental and secondary to the use of the dwelling for residential purposes, and may not change the character of the residential dwelling where the business is conducted.

CT 2. All parking and maneuvering areas required to support the home occupation shall be located on site to the residence.

CT 3. The home occupation may not create excessive noise, dust, vibrations, smells, smoke, glare, electrical interference, hazardous storage or usage, impact the traffic patterns, create a fire hazard or nuisance to a more frequent extent than that usually experienced in the district on residentially zoned lots where no home occupation exists.

CT 4. Approved home occupations must meet applicable building code requirements.

CT 5. In-home daycare centers are only allowed to care for a maximum of five (5) children per Article V, Section 525 and must comply with Department of Social Services regulations.

By signing this application, I certify that I have read the conditions and that all information given above is correct and I acknowledge disclaimer pursuant to Section 1403 of the Zoning Ordinance all determinations by staff are subject to appeal to the Zoning Board of Appeals by any person aggrieved. *Failure to comply with the requirements of the Horry County Zoning Ordinance may result in fines or other legal action.

Signature of Business Owner

Signature of Agent (if applicable, allows Agent to act as representative for business owner)

4-29-20

Date

For official use only:

TMS/PIN #’s

Zoning District

Acres

HO Section #

Approved

Conditions of Approval:

5/5/2020

Renewed as H.O. parcel is less than 5 acres in size

(Heavy Equipment Operation)

RE
Section 531 – Home occupations
FA, LFA & CFA – 1 ½ Acres and above

Home occupations on one and one half acres and above shall be permitted as an accessory use to a residential dwelling in any FA, LFA and CFA zoning district.

1. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes.

2. The home occupation does not change the character of the residential dwelling when conducted within the dwelling.

3. The home occupation is conducted entirely within a residential dwelling and/or a structure or detached unenclosed structure for storage of products (such as pine straw, plants, etc.) and machinery on the same property.

4. The owner/operator of the home occupation must own the property and/or building in which the home occupation is operated. An occupant not owning the property or building in which they operate a home occupation must have notarized permission from the home owner/property owner.

5. No more than 35% of the floor space of the residential dwelling shall be used for the home occupation and no more than 3500 square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or a detached structure or both.

6. No more than three (3) home occupations per residence will be permitted and no more than two (2) non-residents per business may be employed in the home or detached structure. Does not apply to off site employees.

7. No more than five (5) service vehicles per residence will be permitted.

8. No storage shall be forward of the principle residence.

9. No home occupation shall create excessive noise, dust, vibrations, smells, smoke, glare, electrical interference, fire hazard or nuisance to any greater or more frequent extent than that usually experienced in the district on residentially used zoning lots where no home occupation exists.

10. One (1) permanent free-standing home occupation sign per road frontage, provided it is non-illuminated and no larger than 32 square feet in area and unless otherwise prohibited by deed restrictions; and meets all other requirements of Article X.

11. Any home occupation lawfully permitted prior to the adoption of this ordinance will be considered “legal non-confirming”. Any legal non-conforming home occupation that ceases to exist for a period of twelve (12) months after the business license expires shall lose its non-conforming status.
12. For applicants information only
   A. Please check with the Horry County Code Enforcement Department for applicable
      Building code requirements before completing the permitting process.
   B. Home occupations are hereby precluded from operating in subdivisions where deed
      restrictions or covenants may prohibit such uses. Please check with your appropriate
      home owners/property owners association.

13. **PROHIBITED USES** in FA, LFA, CFA zones one and one half acres and above:

   **Heavy Equipment Operations (does not apply if parcel is 5 acres or more)**
   - Ambulance Service
   - Taxi Service (does not apply if parcel is 5 acres or more)
   - Limousine Service (does not apply if parcel is 5 acres or more)
   - Trucking Companies (Exceptions: Companies with no more than 5 service vehicles parked in the side or rear yard
     and not forward of the house with no less than an 8 feet high privacy fence or natural
     vegetation)
     (Does not apply if parcel is 5 acres or more)
   - Retail Sales (On-site)
   - Welding Fabrication Shops (Except small welding operations for equipment or vehicle repair)
   - Industrial/Commercial Trade Shops (exception: off-site service related trades and on-site artisan or craftsman shops
     such as cabinet maker, furniture repair or hobby shops that do not mass produce or
     manufacture such product).
   - Auto/Body Repair Services (On-site)
   - Medical, Dental, Chiropractic or Veterinary Offices/Clinics
   - Health salons, Exercise Studios and Gyms
   - Restaurants or Taverns
   - Firearms (those occupations that entail the manufacturing, sale, lease or rental of firearms and/or ammunition)
   - Escort Services
   - Adult Oriented Businesses (examples: private modeling and uncertified massage services
   - Drug/Alcohol Counseling Services
   - Tattoo and Body Piercing
   - Swimming Pool Companies
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: I am wanting permission to have a home-based business and to maintain equipment on my property. Chippers, bobcat, stump grinder, utility trailers.

Required Front Setback: _____________ Requested Front Setback: _____________
Required Side Setback: _____________ Requested Side Setback: _____________
Required Rear Setback: _____________ Requested Rear Setback: _____________
Required Bldg. Separation: _____________ Requested Bldg. Separation: _____________
Required Minimum Lot Width: 4.91 Requested Min Lot Width: 4.91
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 property is surrounded by trees making it not visible from Road.

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

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

Applicants Signature __________________________ Date ____________

L·3·2020
Case # 2020-06-010
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-06-010</th>
<th>Zoning Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Travis Truett agent for, RSO Holdings, LLC</td>
<td>Zoning District</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>311-01-03-0010</td>
<td>Parcel Size</td>
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<tr>
<td>Site Location</td>
<td>1697 Hwy 17, Little River</td>
<td>Proposed Use</td>
</tr>
<tr>
<td>Property Owner</td>
<td>RSO Holdings, LLC</td>
<td></td>
</tr>
<tr>
<td>County Council District #</td>
<td>1 - Worley</td>
<td></td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicants are requesting a variance from Article VII, Section 723.7 G 2 regarding gas station canopy requirements in the Little River overlay zone.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gable or hip roof</td>
<td>Flat roof</td>
<td>100%</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicants are modifying the existing hip roof canopy at the new Minuteman gas station. This is currently the Cash & Dash station that was constructed in 1997. The parcel is located within the Little River Overlay which was adopted in 2006. Article VII, Section 723.7 G 2 states; gas stations and commercial convenience stores shall utilize either gable or hip roof structures. The applicant is requesting to change the existing hip roof of the gas canopy to a flat roof and install parapet walls for signage. The applicants are requesting a variance to allow them to install a flat roof canopy.

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 stations in the Little River overlay.

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?)

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.
010 Existing Canopy with Hip roof
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: We would like to file a variance request of approval a shell canopy structure without a 

gable roof.

<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>
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<tr>
<td>Required Minimum Lot Width:</td>
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</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td>Requested Min Lot Width/Bldg Site:</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>Requested Max Height of Structure:</td>
</tr>
</tbody>
</table>

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

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

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

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

![Detailed explanation of 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.

Applicants Signature: [Signature]

Date: [3/5/2020]
LETTER OF AGENCY

To: Horry County
Re: Horry County PIN No.: 311-01-03-0010

Property Location: 1697 Highway 17, Little River, SC 29582

Property Owners: RSO Holdings, LLC

In connection with the above referenced property, I hereby appoint the person shown below as my agent for purposes of filing such applications for zoning and zoning amendments, including site plans, rights-of-way and subdivision plats for the above referenced properties as may be required.

Authorized Agent: Robert S. Guyton of Robert S. Guyton, P.C. and Travis Truett of Skyline Signs

Agent’s Address: Guyton: 4605 B Oleander Drive, Suite 202 Myrtle Beach, SC 29577

Truett: 1135 E. Hwy 501 Conway, SC 29526

Agent’s Telephone: Guyton: (843) 839-2100

Truett: (843)234-0677

OWNER:

RSO HOLDINGS, LLC

By: [Signature]
Name: Wesley Campbell
Title: Member Manager

Address: 418 Peanut Road Elizabethtown, NC 28337
Phone: (910) 862-8423
Email: wcampbell@campbelloil.net
Responses to Five Conditions for Variance (Skyline Sign Application)

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.

_The property which is the subject of this application is presently improved with an older gas station, with an existing small canopy over a small pump area, which is not connected to the smaller building. In order to brand the gas station as a Shell Oil dispensary, the pump area must be expanded, and therefore the canopy must also be expanded. The existing small canopy includes a false hip roof, which is consistent with the overlay requirements. The proposed new expanded canopy as well as the existing building would be improved in accordance with the property improvement plans as required by Shell Oil, which would include connecting the new expanded canopy to the existing building, but would not include a hip roof or a false hip roof. The proposed canopy would be very similar to the canopy installed at the improved Phoenix Gas Station, directly across U.S. Highway 17 from the subject property, which also does not include a hip roof or false hip roof, though this property also lies within the Little River Overlay District._

2. These conditions to not generally apply to other property in the vicinity.

_All of the gas stations within the vicinity include a canopy without a hip roof or false hip roof. The only existing canopy with a hip roof is the older small canopy currently located on the subject property. As the other gas stations in the area have adopted national brands and the property improvement requirements of those national brands in order to compete in this market. In the particular case at hand, affiliation with a national oil brand is imperative to the ongoing operation of the property, and affiliation with a national oil brand excludes the inclusion of a hip roof or false hip roof canopy._

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 conditions which apply to the subject property have created an exclusion from the property improvement plan required by the national oil company. The expanded size of the canopy required to connect the canopy to the existing building presents a public safety issue in that both the wind sheer and the dynamic load of such a canopy are drastically increased by the inclusion of a hip roof or false hip roof. Without a national oil brand this property cannot continue to operate and cannot continue to employee residents, as all of the competing gas stations in the vicinity are either exempt or excluded from these requirements. The granting of a variance as to the hip roof requirements will insure the continued viability 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.

_The granting of the requested variance will have no impact on adjacent property, as the structure and improvements will mirror the improvements of all of the gas stations in the vicinity. The public good will be served by allowing the subject property to be adequately and effectively used to continue to employ residents, as opposed to allowing the rapidly declining current improvements to become an eyesore to the community._

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.

_The submitted request will not result in establishing a use not already permitted in the district, will not extend a physically nonconforming use of land and will not change the zoning district boundaries shown on the official zoning map. The result of a variance will be to provide for the operation of a gas station in exactly the same manner as the other gas stations in the vicinity, with the same canopy structure proposed for the subject property._
Proposed canopy
Case # 2020-06-011
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-06-011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Peter Cai, agent</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>469-03-02-0021 &amp; 469-03-02-0009</td>
</tr>
<tr>
<td>Site Location</td>
<td>11830 Frontage Road, Murrells Inlet</td>
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<tr>
<td>Property Owner</td>
<td>Southern Storage, LLC and Joseph Cuozzo</td>
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<tr>
<td>County Council District #</td>
<td>5 - Servant</td>
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</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>HC &amp; RE4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>4.18 Acres</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Commercial</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicant has requested a variance from Article VII, Section 723.6 regarding multiple requirements of the Burgess Area Overlay in the Highway Commercial (HC) zoning district.

Background/Site Conditions

The applicants are proposing to construct a three (3) floor storage facility on this parcel with a total of 89,700 sq. ft. The applicant will be combining these two parcels. The parcels are located within the Burgess Area overlay zone which was established in 2013. The storage facility has been here since 1996. The level of modifications is over 75% of the existing improvement value which requires all sections of the overlay to be brought into compliance. The variances requested are as follows:

**Landscaping:** There is limited street-scape landscaping along Frontage road and McDowell Shortcut. No foundation plantings on existing buildings along Frontage Road or the existing building that faces McDowell Shortcut.

**Landscaping and Buffer Requirements:**

723.6-D (5)-a: Foundation Landscaping: Landscaping shall be provided around the foundation of structures visible from any public right-of-way. Request relief from requiring foundation plantings to be incorporated into the existing structures, except existing along McDowell Shortcut (foundation plantings to be incorporated into site plan).

723.6-D (5)-b: Perimeter Landscaping: A landscape buffer shall be provided around the perimeter of parcels within the main corridor.

723.6-D (5)-b-1: The side and rear buffers shall be equal to the zoning district setbacks and improved in the following manner. Request for relief in specific areas of the site (10’ side setback and 15’ rear setback for both HC & RE4 Zoning Districts), the south parcel line associated with the existing building (along Frontage Rd.) proposes 5’ buffer where 10’ buffer required and along the north parcel where an existing building and parking lot are within the 10’ setback is reduced down to 8’ wide.

723.6-D (5)-b-2: Streetscape Landscaping: The buffer shall be 25 feet along the main corridor or reduced to 20 feet along roadways other than the main corridor. Said buffer area shall be grassed or mulched and automatically irrigated. Request for relief from required streetscape (20’ wide) along Frontage Road. Proposed 10’ buffer incorporated where existing driveways are not present.

**Building:**

723.6-D(1)-c: No portion of a building shall be treated with prefabricated steel panels, unless the visible finish is comprised of a suitable finish material. Request for relief to allow all existing storage buildings to keep metal façade, with the exception of the existing building along McDowell Shortcut, which will be brought into compliance. Request does not apply to proposed building.

723.6-D (1)-f: No length of any façade shall exceed 20 linear feet without including at least one of the following: pilasters, columns, offsets, reveals, projection ribs canopies / porticos, colonnades, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions. Request to allow existing building to remain, unaltered. Site consists of five (5) enclosed buildings. Façade lengths exist on all five buildings in excess of 120 linear feet without an architectural feature (excluding roll-up doors for storage units). Request to allow proposed building (260’ x 115”) without architectural features to break up the façade.
VARIANCE REVIEW SHEET

Impervious Surface Area:
723.6-D (4): In no instance shall impervious surfaces constitute more than 65% of total lot area unless parking areas utilize Low Impact Development (LID) standards as established in Section J.5. Request to allow existing extent of impervious area of 95%. Proposed project will marginally reduce impervious area with the development of landscaped buffers around project site.

Access to Pedestrian Facilities
723.6-E: Access to Pedestrian Facilities: (1) At least one internal pedestrian walkway with a min. width of 5 feet shall be provided from the primary building entrance to the public sidewalk system to provide a reasonable direct path for entrance/exit. If no public sidewalk system exists adjacent to the property then the pedestrian access shall be constructed up to the right of way. Request for relief from required pedestrian facilities as no sidewalk is proposed.

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 commercial properties within the Burgess Area overlay zone.

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

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

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

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

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

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

3. All other applicable County requirements shall be met.
Applicant Submittal
VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:
Article(s) Article VII Section(s) 723.6

Description of Request: To forego the requirements of the Burgess Area Overlay Zone, as it pertains to the development of a proposed storage facility building on Parcel 46900200031. Conditions of this variance request include:
1. Combining parcels 46900200031 & 46900200009 into one parcel. At such time the parcels are combined, this request includes eliminating the Burgess Area Overlay Zone requirements from the combined tract.
2. The developer agrees to enhance the western façade of the building facing McDowell Shortcut Road, to meet the intent of the Burgess Area Overlay Zone, as agreed upon by staff and the developer at a later date.

| Required Front Setback: 60 FT | Requested Front Setback: 60 FT |
| Required Side Setback: 10 FT | Requested Side Setback: 10 FT |
| 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: 60 FT | Requested Min Lot Width/Bldg Site: 60 FT |
| Required Max Height of Structure: 35 FT | Requested Max Height of Structure: 35 FT |

Are there Restrictive Covenants on this property that prohibit or conflict with this request? Y [X] 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)
Refer to attached Variance Request Summary

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)
"Horry County Variance Request Summary", Agent Authorization Form

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

[Signature]
Applicants Signature

06/02/20
Date
Southern Storage Variance Request Summary

06/03/2020

Variance Request

To forego the requirements of the Burgess Overlay, as it pertains to the development of a proposed storage facility building on Parcel 46903020021. Conditions of this variance request include:

1. Combining parcels 46903020021 & 46903020009 into one parcel. At such time the parcels are combined, this request includes eliminating the Burgess Overlay requirements from the combined tract.
2. The developer agrees to enhance the western façade of the building facing McDowell Shortcut Road, to meet the intent of the Burgess Overlay, as agreed upon by staff and the developer at a later date.

Variance Criteria per Horry County Requirements

To hear and decide appeals for variance from the requirements of the Zoning Ordinance when 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 findings:

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; and
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.

Variance Criteria Summary

1. The subject property does not front McDowell Shortcut Road and the existing buildings, and proposed building, are not contained within the overlay limits. The existing buildings on the subject property front Highway 17 Bypass (Frontage Road) and are hardly visible from McDowell Shortcut Road, yet the property is subject to the standards of the Overlay District because the northeast corner of the parcel is contained within the overlay. The Southern Storage business is located on two properties (46903020021 & 46903020009) which are connected by two vehicular paths and a shared gravel storage area.
2. There are only four other businesses located within the McDowell Shortcut Road portion of the Burgess Overlay which have their entrances/front doors, located off a road other than McDowell Shortcut Road, and none of them have the redevelopment potential that the subject property does. None of the other four businesses span across multiple properties.
3. The cost of the overlay defined façade improvements, on the four buildings fronting Highway 17 Bypass, has been quoted by a reputable SC licensed general contractor at $585,900. The price of such improvements makes redevelopment of the subject property impractical. Additionally, because the business spans across two properties, implementation of a perimeter landscape buffer between the two properties would eliminate the connectivity and harmony of the overall business.
4. The proposed building will meet the Burgess Overlay architectural standards and will shield the view of the four eastern buildings from McDowell Shortcut Road, creating a more aesthetic view along the business frontage. The new building will be three stories and will replace a portion of the existing gravel storage area, creating an aesthetically appealing focal point of the business, from adjoining property owners and all adjacent street frontages. Lastly, as a condition of the approval of this variance request, the developer is willing to enhance the western façade of the building facing McDowell Shortcut Road, on the adjacent parcel, even though no development is being proposed on this property and such improvements would not otherwise be required by the ordinance.
5. The existing and proposed use is permitted by right and will not create or extend a nonconforming use.

Conclusion

The purpose of the Burgess Overlay is to beautify McDowell Shortcut Road, however because of the configuration of the property and the language in the ordinance, this outcome would not be achieved by applying a strict interpretation of the code. By granting this variance, improvements to the aesthetic along McDowell Shortcut Road will be achieved and will fulfill the intent of the overlay.
March 31, 2020

RE: Agent Designation Authorization
Joseph A Cuozzo
11830 Frontage Road
Murrells Inlet, SC 29576

I, Joseph A Cuozzo, owner of the property located at 11830 Frontage Road and identified as Horry County Tax Map Numbers 46903020021 and 46903020009, hereby authorize and designate Carvass Capital to act as my agent for any matters relating to the proposed development to be built on the above-referenced property. This authorization includes, but is not limited to, submitting and providing documentation (permit applications, engineered drawings, exhibits, etc.) as needed for the proposed development. Representatives shall include, but is not limited to, engineering firm, architecture firm, contractors, etc.

By signing this document, I hereby acknowledge that I, Joseph A Cuozzo, am the legal property owner and possess the authority to execute this legally binding document.

[Signature]
Owner Signature
Site Plan

Applicant is aware of and has agreed to incorporating additional landscaping and fencing (i.e. McDowell Shortcut Road street scape and side landscape strips) if variances are approved.

Existing building with proposed façade improvements & foundation plantings.

Existing open storage (RV's & boats), no improvements proposed or required.

Existing storage buildings (4) without any façade improvements or foundation plantings proposed.

Proposed Building (3 stories) with façade improvements & foundation plantings.

Streetscape landscape strip reduced in width.

Side landscape strip (south) reduced in width.
Case # 2020-06-012
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-06-012</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Andres Ysordia, agent</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>440-09-02-0005</td>
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<tr>
<td>Site Location</td>
<td>5839 Creekside Drive, Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Patricia Klocke</td>
</tr>
<tr>
<td>County Council District #</td>
<td>6 - Crawford</td>
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Zoning Information

<table>
<thead>
<tr>
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<th>SF 40</th>
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<tbody>
<tr>
<td>Parcel Size</td>
<td>26,882 Sq. Ft.</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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Requested Variance(s)

The applicants are requesting a variance from Article V, Section 512, Article VII, Section 704 and Article VIII regarding setbacks and accessory building forward the primary use in the Residential (SF40) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Front setback</td>
<td>37.5'</td>
<td>12.5'</td>
<td>24.6'</td>
</tr>
<tr>
<td>Right Side setback</td>
<td>15'</td>
<td>12.3'</td>
<td>2.7'</td>
</tr>
</tbody>
</table>

Art. V, Section 512: Accessory uses shall not be located forward of the principal structure

Background/Site Conditions

The applicants are requesting variances for a storage building that was placed on the parcel between 2010 and 2014 without obtaining a permit. The 2010 aerials show a pool and another building near this same location that were removed in the 2014 aerials. This lot is substandard in size so the setbacks have been reduced by 25%. The building is located at 12.9' from the front property line instead of the required 37.5' for a variance of 24.6'; and 12.3' from the right side property line instead of the required 15' for a variance of 2.7'. Art. V, Section 512 does not allow accessory buildings forward of the primary use. The applicant is also asking for this 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 is another single family dwelling on this parcel that has been there since 1960 according to the Tax Assessor's records. Zoning considers this a legal non-conforming use due to minimum lot size requirements for an accessory dwelling unit; which would require this lot to be at least 80,000 sq. ft. in size.

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

These conditions apply to all parcels within this 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.

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

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

**Proposed Order/Conditions**

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

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

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

Article(s) Section(s) MSF40

Description of Request: Requesting to keep workshop (building in the front of lot) where it is and not have to move or demolish it.

I have attached a letter with a brief description

<table>
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<tr>
<th>Required Front Setback: 37.5</th>
<th>Requested Front Setback: 12.9</th>
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<td>Required Side Setback: 48&quot;</td>
<td>Requested Side Setback: 12.3</td>
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<td>Required Rear Setback: 22.5</td>
<td>Requested Rear Setback:</td>
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<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation:</td>
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<tr>
<td>Required Minimum Lot Width:</td>
<td>Requested Min Lot Width:</td>
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<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: 35</td>
<td>Requested Max Height of Structure:</td>
</tr>
</tbody>
</table>

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

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

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

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

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)

1. Latest Survey dated 6-2-20
2. Letter from homeowner Patricia Klocke

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 6-3-20

195
Explanation for Variance Request

June 3, 2020
Re: Letter from Homeowner,
Patricia Klocke

It has been there for a long time.
Survival tool for flooding.
Workshop for noisy renovations, and keeps things out of sight.
Moving workshop to be within setbacks, would put it in the middle of the lot on the driveway.
Demolishing is another financial hit, after previous repeated loss and displacement.
Destroying something that survived the floods and has been such a savior, seems to be a waste, and painful emotionally, to remove something that has actually helped us so much, and would help us in the future.

It is a necessity living on the waterway. Please allow us to keep it. We need storage that is protected from rain and humidity. Storage for Bikes, lawn care, boating equipment, auto maintenance equipment, home renovation supplies and maintenance and safe storage for generators, for surviving on the waterway.

Thank you for your consideration,

Patricia Klocke
June 19, 2019

The following garage on the front of my property located at 5839 Creekside Drive Myrtle Beach, SC. 29588, will meet the conditions that the structure will be removed or permitted properly prior to the final inspection on my house permit 99289. The existing accessory living quarters located on the property was constructed in 1960 and is an existing structure that will not be required to meet current setbacks. No alterations are being done at this time to the existing accessory living quarters. Any alterations to the accessory living quarters will be required to meet any zoning/building code regulations.

Thank you,

[Signature]

June 21, 2019

Patricia Klocke

Witnessed:

[Signature]

June 21, 2019

C. H. 6-21-19

A. Hopkins 6-21-19
Case # 2020-06-013
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-06-013</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Felix H. Pitts - G3 Engineering, agent</td>
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<tr>
<td>Parcel Identification (PIN) #</td>
<td>350-06-01-0147</td>
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<tr>
<td>Site Location</td>
<td>Ocean Mount Ct., North Myrtle Beach</td>
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<tr>
<td>Property Owner</td>
<td>Township Developers, LLC</td>
</tr>
<tr>
<td>County Council District #</td>
<td>9 - Prince</td>
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</table>

Zoning Information

<table>
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<th>Zoning District</th>
<th>GR-14</th>
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<tbody>
<tr>
<td>Parcel Size</td>
<td>3.64 acres</td>
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<td>Proposed Use</td>
<td>Commercial</td>
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</table>

Requested Variance(s)

The applicant is requesting a variance from Article XI, Section 1104 regarding parking requirements in the General Residential (GR) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-family parking spaces</td>
<td>107</td>
<td>85</td>
<td>22</td>
</tr>
</tbody>
</table>

Background/Site Conditions

This parcel is part of Carolina Yacht Landing Ph. 5. The applicants are proposing to construct 4 apartment buildings with 70 total units. This project was rezoned in 2004 and approved by Master plan in 2005. The required parking was not installed in Phase 5 according to the Master plan. The area to the far left side should have had 33 additional parks and the area near the entrance should have had 46 additional parking spaces. The current owner of this site cannot construct the parking on the other site because the property is now owned by the condo regime of Carolina Yacht Landing HOA, Inc. The required parking for the 70 units is 107 spaces they are proposing 85 spaces for a variance of 22 spaces.

Ordinance and Analysis

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

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

Parking was not installed per the Master plan on this project.

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

These conditions apply to all multi-family structures.

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

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?)

<p>| | |</p>
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5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or 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.
July 1, 2020

Horry County Planning & Zoning Department
Attn: Pam Thompkins, Zoning Administrator
P.O. Box 1236
Conway, SC 29526

Ms. Thompkins:

Please allow this letter to serve as a formal objection to the variance request from applicant, Felix Pitts-G3 Engineering, as agent for Township Developers, LLC, and case #2020-06-013. The Carolina Yacht Landing HOA, Inc. wishes to hereby strongly voice its objection to the requested appeal from Township Developers to change the permitted parking from the required 107 parking spaces to the requested 85 parking spaces, which in turn is the subject of this variance. Attached to this letter is a partial site plan showing the Township property in question along with some of the Carolina Yacht Landing HOA surrounding buildings, P, Q, and X, that would be most affected if the requested parking variance were to be approved.

This property was originally part of the Carolina Yacht Landing PUD, which was owned and developed by Doyle Properties. This particular parcel (known as “A-1”, or Phase V), ended up being foreclosed on by Carolina First Bank as the original lending institution, this Phase V constituting a portion of the property which secured the Doyle Properties construction loans and once foreclosed, then was eventually sold to Township Developers, LLC.

The original plats and documents called for two buildings to be similarly constructed on parcel A-1, also known as Phase V, as Carolina Yacht Landing Y & Z as shown on this plat. While this parcel is NOT a part of Carolina Yacht Landing HOA, you will notice that Carolina Yacht Landing HOA property in fact borders two sides of the “pie shaped” A-1 or Phase V parcel. The pond is also owned by Carolina Yacht Landing but is a common maintenance item for both our association and any future owner of parcel A-1 or Phase V. Because of the odd shape of the parcel, options for construction of a maximum of 72 units, including the currently required 107 parking spaces, could be limited. However, Township Developers property will have NO ability to use the parking owned by Carolina Yacht Landing HOA as the adjoining property owner. There would surely be a lack of parking on the Township property, if the requested variance were permitted.

Please note the fact that what these developers are requesting is to literally build 22 units of the requested 70 with no adequate parking provided for them. In effect, these developers will pocket the profit of such sales while leaving Carolina Yacht Landing HOA with the inevitable parking problem once sales are completed.

Finally, Carolina Yacht Landing has had a fair amount of contact with Township Developers over the last 18 months or so, but at no time has Township Developers shown Carolina Yacht Landing HOA or its Board members, development plans that deviate from the original two proposed buildings, that were similar in appearance to Carolina Yacht Landing P, Q & X buildings, to the newly proposed 4 smaller buildings while eliminating parking entirely for 22 of the units they propose to develop for sale. We are left to wonder if Township Developers was just trying to keep the current plans...
from Carolina Yacht Landing HOA until after the appeal was over because they know that Carolina Yacht Landing HOA is very familiar with the A-1 or Phase V parcel and the surrounding HOA property boundaries, so we would be opposed to this variance, as the choices for enough parking for their proposed 22 units of the 70 to be built, would be few and limited to trespasser parking on their neighbor.

Carolina Yacht Landing HOA, Inc. is therefore completely opposed to Township Developers obtaining a variance for 22 parking spaces and, if it matters at this point, the HOA is also opposed to the 4 buildings with smaller 1 and 2 bedroom units instead of the originally permitted 2 buildings being built, which were always to house larger 3 bedroom units.

So, in short, we would like to see buildings built consistent with the appearance of the others such as what was permitted for the original PUD. We also want adequate parking to county ordinance provided for each unit built. Carolina Yacht Landing HOA is primarily a residential and second homeowner community. That is why the original design is important to the community at large. Maximizing the number of units while sacrificing necessary components like parking, would seem to create a nuisance for the surrounding areas and will only mean trouble for the future. We ask you to deny the request.

Thank you for listening to our objection. This objection should be viewed as from the 355 unit owners of Carolina Yacht Landing HOA, which owns the property on two sides of this parcel owned by Township Developers, Inc.

Sincerely,

Tony Dempsey
Board President, Carolina Yacht Landing HOA, Inc.

Cc: Carolina Yacht Landing HOA, Inc.
Cc: Carolina Yacht Landing HOA Board of Directors
Cc: The Noble Company of South Carolina, L.L.C.
Phase II of CYL was never built. Trad SOLD to Town by Developers in 2015 by TD Bank through Brian Breemington.
Applicant Submittal
VARIANCE REQUEST

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

Article(s): XI  Section(s): 1104

Description of Request: Variance to allow reduction of required parking.

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<thead>
<tr>
<th>Required Front Setback: 30'</th>
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<tr>
<td>Required Side Setback: 20'</td>
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<tr>
<td>Required Rear Setback: 25'</td>
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<tr>
<td>Required Bldg. Separation: 20'</td>
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<tr>
<td>Required Minimum Lot Width: 100'</td>
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<td>Required Min Lot Width/Bldg Site: 100'</td>
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<td>Required Max Height of Structure: 120'</td>
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</tbody>
</table>

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

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

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

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

1. Demand for parking created by previous phases of development. Acting "real" demand is not that excessive with this development.
2. As a stand alone parcel should not be encumbered by other property owners parking requirements.
3. Property would be rendered undevelopable due to required on site parking.
4. Actual parking demand is less than county standard site plan.

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

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

Applicant's Signature: [Signature]

Date: [Date]
Master plan showing phases
Parking never installed

46 parking spaces never installed

33 parking spaces never installed
Case # 2020-06-014
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-06-014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Rebecca Beverly</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>440-08-03-0005</td>
</tr>
<tr>
<td>Site Location</td>
<td>125 Harbor Oaks Drive, Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Rebecca Beverly</td>
</tr>
<tr>
<td>County Council District #</td>
<td>6 - Crawford</td>
</tr>
</tbody>
</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>PDD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size</td>
<td>4,435 Sq. Ft.</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Residential</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicant is requesting a setback variance from the requirements of the Harbor Oaks PDD 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>15'</td>
<td>1.67'</td>
<td>13.33'</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicant will be constructing a single family home on this parcel located within the Harbor Oaks PDD. The proposed two story raised home will meet the 15’ front setback but the steps will not. Article IX Section 907 allows uncovered steps and landings to encroach no more than 3 ft. into the required setbacks. The steps will be located 1.67’ from the front property line instead of the required 15’ for a variance of 13.33’. The neighboring parcel to the left was issued a variance in 2017.

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 lot is located within a PDD which has specific dimensional standards.

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

In researching this PDD there have been ten other variances granted for encroachments into front and/or rear stairs and landings.

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 applicant has provided a letter of approval from the Harbor Oaks Marina POA.

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

**Proposed Order/Conditions**

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

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

Summary of Harbor Oaks Planned Development District (PDD) ORDINANCE # 45-01

HCPD Case # 06-11-002
TMS# 179-06-81-042 & 043

The Planned Development District (PDD) for Harbor Oaks by LDBD, LLC, includes the development of 13.41 acres located off Peachtree Road (SC Hwy. 611) in Horry County, South Carolina.

GENERAL PROVISIONS

1. Permitted Uses

   (a) Single family residential dwelling units including those of modular construction (not including mobile homes)

2. Dimensional Standards

   Single-family residential structures:

   (a) Setbacks*

   (b) Minimum separation 10 FT (as permitted by applicable codes)

      From 15 FT

      Side 10 FT

      Rear 15 FT

      PDD exterior 25 FT

      *PDD exterior perimeter lot lines require a 25 FT building setback

   (c) Maximum height 35 FT

   (d) Minimum lot size 4,350 square feet

   Single family accessory structures:

   (a) SETBACKS*

      Minimum separation 10 FT (as permitted by applicable codes)

      Front 15 FT

      Side 5 FT

      Corner side 7.5 FT from right of way

      Rear 5 FT

      Maximum height 15 FT

      *PDD perimeter exterior lot lines require a 25 FT building setback

   (b) Accessory uses shall include: covered or uncovered, enclosed or open accessory structures (i.e. garages, gazebos, elevated porches or decks, and shall be allowed in front, side and rear yards. Accessory structures do not have to be connected to the principal structure by means of a breezeway or load bearing wall. Spas, pools and storage buildings will be permitted in side and rear yards only.

LDBD, LLC for Harbor Oaks PDD (06-11-02)
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: encroachment for front stairway

| Required Front Setback: 15' | Requested Front Setback: 1' 8"
| Required Side Setback: 10' | Requested Side Setback: 10'
| Required Rear Setback: 15' | Requested Rear Setback: 15'
| 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)

House meets current setbacks, Requesting to allow steps to encroach 13' 4" into the front setback. Stairs will be set 1' 8" from the front property line.

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: 3/31/2020
June 10\textsuperscript{th}, 2020

TO: Horry County  
    Zoning Board of Appeals  

RE: Lot 15 in Harbor Oaks Marina Subdivision  
    125 Harbor Oaks Dr  
    Myrtle Beach SC 29588  
    PIN 440-08-03-0005  

The Harbor Oaks Marina POA approves of a variance for front steps to extend into the 
front setback for this lot owned by Rebecca Beverly.

I also approve this variance.

Kyong S. Harris  
Declarant  
VVSV, LLC.

Harbor Oaks Marina POA, Inc.