Horry County
SOUTH CAROLINA
Committed to Excellence

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
James Marshall Biddle
Kirk Truslow

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
Marnie Leonard, Planning Zoning Tech

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HORRY COUNTY ZONING BOARD OF APPEALS

October 12th, 2020

I. Call to Order – 5:30 p.m.

II. Invocation/Pledge of Allegiance

III. Communications

1. 2021 Meeting schedule..... 1-2

IV. Minutes

1. September 14th, 2020 – Regular Meeting Minutes 3- 13

V. Old Business 14

VI. New Business

Variances

1. **2020-09-002 – Rick Ruonala agent for BTS Little River Property,** LLC 15-26
3456 Sea Mountain Highway, Little River (Council Member Prince)

2. **2020-09-003 – John & Mary Cummings** 27-39
343 Arlington Circle, Murrells Inlet (Council Member Loftus)

3. **2020-09-004 – Jimmy D. Fowler Jr.** 40-51
5311 Bear Bluff Drive, Conway (Council Member Hardee)

4. **2020-09-005 – John Feaster** 52-62
123 Carter Circle, Myrtle Beach (Council Member DiSabato)

5. **2020-09-007 – Larry Beasley agent for, Walter A. Duran** 63-72
110 Ronald Court, Myrtle Beach (Council Member Crawford)

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6. **2020-09-008 – Gary Belush** 73-85
   183 Coral Beach Circle, Surfside Beach (Council Member Loftus)

7. **2020-09-009 – Venture Engineering, Inc. agent for, Natalie Ruperto Rogers** 86-96
   1044 Causey Road, Conway (Council Member Bellamy)

Special Exception

1. **2020-09-001 – Gary Pakozdy agent for Triple J. Realty III., LLC** 97-108
   2551 17 North, Little River (Council Member Worley)

VII. Adjourn

Communications

HORRY COUNTY
ZONING BOARD OF APPEALS

2021 MEETING SCHEDULE

APPLICATION DEADLINE	MEETING DATE
DECEMBER 3, 2020	JANUARY 11, 2021
DECEMBER 31, 2021	FEBRUARY 8, 2021
JANUARY 28, 2021	MARCH 8, 2021
MARCH 4, 2021	APRIL 12, 2021
APRIL 1, 2021	MAY 10, 2021
MAY 6, 2021	JUNE 14, 2021
JUNE 3, 2021	JULY 12, 2021
JULY 1, 2021	AUGUST 9, 2021
AUGUST 5, 2021	SEPTEMBER 13, 2021
SEPTEMBER 2, 2021	OCTOBER 11, 2021
SEPTEMBER 30, 2021	NOVEMBER 8, 2021
NOVEMBER 4, 2021	DECEMBER 13, 2021
DECEMBER 2, 2021	JANUARY 10, 2022

Meetings are held at 5:30 p.m. at the Horry County Government Center, Conference Room B, located at 1301 Second Avenue in Conway, South Carolina

Minutes

STATE OF SOUTH CAROLINA	)	HORRY COUNTY ZONING BOARD OF APPEALS
	)	
COUNTY OF HORRY	)	MINUTES – September 14, 2020

The Horry County Zoning Board of Appeals held its scheduled meeting on Monday, September 14, 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, Drew Parks, Michael Fowler, Mark Gouhin, William Livingston, Bobby Page, and John Brown.

Board Members Absent: 0

Staff present: Pam Thompkins, Charles Suggs, Marnie Leonard, David Jordan, Jordan Todd, and Nancy Tindall

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

Chairman Marion Shaw swore in staff.

COMMUNICATIONS

Pam Thompkins notified the Board that case 2020-07-005 Robert Wilfong, PE agent for Ross Holdings, LLC, had withdrawn their application.

REGULAR MEETING MINUTES - August 10, 2020

Chairman Marion Shaw asked if there was any additions, deletions or changes to the minutes. Robert Page made a motion to accept the minutes as written. William Livingston seconded. The motion carried unanimously. ***The minutes for August 10, 2020 were approved.***

OLD BUSINESS

The first case number was 2020-07-003 Nathan Taylor, agent for Michael & Laurie Reynolds. Pam Thompkins presented the case to the Board. PIN # 448-06-03-0005 identified the parcel located at 3851 Wilmonte Court, Myrtle Beach. The applicant was requesting a variance from Article VII, Section 707 and Article VIII regarding setback requirements in the Residential (SF 6) zoning district. This parcel was located within Glenmere Subdivision. The applicants were proposing to construct a 12' x 18' sunroom on the rear of the single family home. The

sunroom will be located 10' from the rear property line, instead of the required 15' for a variance of 5'. There is a 10' drainage easement on the rear of this parcel; the structure will not encroach into the easement. **(Please refer to the September 14, 2020 packet for further information.)**

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

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

Chairman Marion Shaw swore in Laurie Reynolds who explained the need for the variance, and stated that the proposed sunroom will not encroach into the drainage easement.
Chairman Marion Shaw swore in Michael Reynolds who stated, the proposed sunroom would be built on an existing slab.

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

NEW BUSINESS

The second case number was 2020-08-001 Michael J. Stachewicz. Pam Thompkins presented the case to the Board. PIN # 294-04-04-0006 identified the parcel located at 337 Basswood Court, Conway. The applicant was requesting a variance from Article VII, Section 706 and Article VIII regarding setback requirements in the Residential (SF10) zoning district. This parcel was located within Grier Crossing subdivision. Code Enforcement received a complaint on 2/25/2020 that a storage building had been placed in the setback. The 8'x8' storage building does not require a permit, but it does need a zoning compliance. Art. V, Section 512 allows one accessory structure at a single family residence, 200 sq. ft. or less in size to meet a 5' setback from any side and/or rear property line as long as there are no easements. There was a 10' drainage easement on the rear of this parcel that the building does not encroach into. The storage building was located, 3' from the right side property line, instead of the required 5' for a variance of 2'. **(Please refer to the September 14, 2020 packet for further information.)**

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

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

Chairman Marion Shaw swore in Michael Stachewicz who explained the need for the variance. Chairman Marion Shaw asked how long the building had been on the property. Mr. Stachewicz answered, 3 years.

Charles Suggs addressed the Board with staff concerns about trespassing issues with any future repairs that could come up if variance was approved.

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

The third case number was 2020-08-002 Bradley & Charity Keefer. Pam Thompkins presented the case to the Board. PIN number 468-07-03-0004 identified the parcel located at 512 Nautilus Drive, Murrells Inlet. The applicants were requesting a variance from the setback requirements in the Creek Harbour Planned Development District (PDD), located at, 512 Nautilus Drive, Murrells Inlet. This parcel was located within Creek Harbour Subdivision. The applicants were proposing to construct a single family home with a garage on this lot. The community boat landing was located on the adjoining parcel to the right. The home will be located 8' from the right side property line instead of the required 10' for a variance of 2'. **(Please refer to the September 14, 2020 packet for further information.)**

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

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

Chairman Marion Shaw swore in Charity Keefer who explained the need for the variance.

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

The fourth case number was 2020-08-003 Penny Blaske, agent for Thomas & Dawn Sprague. Pam Thompkins presented the case to the Board. PIN # 225-03-03-001 identified the parcel located at 3244 Daisy Road, Loris. The applicants were requesting a variance regarding setback requirements in the Forest Agricultural (FA) zoning district. The applicants were proposing to subdivide two existing parcels to create three parcels (A, B & C). The proposed Parcel B had an existing single family home, and a 10'x16' storage building on the lot. The existing home was located, 23.3' from the front property line, which included a shared private driveway easement, instead of the required 45.9' for a variance of 22.6'. The applicant will move the storage building out of the easement so it will meet all setbacks. The 10'x10' storage building located on Parcel C will also be moved out of the easement or onto another lot meeting the required setbacks. **(Please refer to the September 14, 2020 packet for further information.)**

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommended 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. The two storage sheds will need to be moved out of the easements. The one on Parcel C will need to be relocated on another lot with a single family home meeting the required setbacks.
4. All other applicable County requirements shall be met.

Chairman Marion Shaw swore in Penny Blaske who explained she wanted to be able to split the land into two separate lots, for family members.

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

The fifth case number was 2020-08-004 Benita Sue Cardinali. Pam Thompkins presented the case to the Board. PIN # 459-10-04-0095 identified the parcel located at 223 Obi Lane, Myrtle Beach. The applicant was requesting a variance regarding setback requirements in the Residential (SF 6) zoning district. The applicant was proposing to construct a 28'x12' pergola to the rear of the existing single family home. The pergola will be located 13' from the rear property, instead of the required 15' for a variance of 2'. There is a 12' private pond maintenance easement on the rear of this lot. The structures does not encroach into the easement. **(Please refer to the September 14, 2020 packet for further information.)**

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

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

Chairman Marion Shaw swore in Benita Cardinali who explained that she was wanted to put up a pergola and needed a variance to do so.

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 sixth case number was 2020-08-005 Bonifacio Rodriguez. Pam Thompkins presented the case to the Board. PIN # 427-12-04-0021 identified the parcel located at 3517 Reavis Lane, Myrtle Beach. The applicant was requesting a variance regarding setback requirements in the Residential (SF10) zoning district. This parcel was located within Whispering Pines subdivision, which was grandfathered to allow mobile homes. The applicant had constructed a 10'x24' porch on the side of the existing single family home without obtaining a building permit. The parcel

was substandard in size with 9,308 sq. ft., instead of the required 10,000 sq. ft. in the SF10 zoning district. This allows for a 25% reduction in setbacks. The porch was located 3.4' from the left side property line, instead of the required 7.5' for a variance of 4.1'. There was a 16'x12' (192 sq. ft.) shed located on the rear of the property, which was encroaching into the 20' private drainage easement. The shed had been there since the 2005 aerials. If the shed was replaced, it would be required to meet the 20' rear setback. **(Please refer to the September 14, 2020 packet for further information.)**

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

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

Chairman Marion Shaw swore in Bonifacio Rodriguez who explained he did not know the shed was in the drainage easement and will have it removed. He also stated that he did not know he needed a permit to build a porch.

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

The seventh case number was 2020-08-006 ELI Baker agent for BT - OH LLC. Pam Thompkins presented the case to the Board. PIN # 426-03-04-0006 identified the parcel located at 200 George Bishop Pkwy, Myrtle Beach. The applicant was requesting a variance regarding setback requirements in the Limited Industrial (LI) zoning district. The applicants were proposing to replace an existing modular distribution unit on the front of the UPS building. On October 16, 2000 the Zoning Board granted a variance for a 54' x 13' modular unit to be 42' from the front property line under Case 2000-09-005. The proposed modular distribution unit is 59' x 14' (826 sq. ft.) in size with stairs that are 4' in width. The unit including stairs will be located 34' from the front property line, instead of the required 50' for a variance of 16'. **(Please refer to the September 14, 2020 packet for further information.)**

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

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

Chairman Marion Shaw swore in Eli Baker who explained they wanted to replace a wood structure with a metal structure.

Chairman Marion Shaw swore in James Barr who explained the stairs located in the setback.

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

The eighth case number was 2020-08-008 The EarthWorks agent for Robert C. Harrison. Pam Thompkins presented the case to the Board. PIN # 441-07-03-0044 identified the parcel located at 317 Hwy 707, Surfside Beach. The applicants were requesting a variance regarding the fencing requirements in the High Bulk Retail (RE4) zoning district, located at 317 Hwy 707, Surfside Beach. **(Please refer to the September 14, 2020 packet for further information.)**

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

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

Chairman Marion Shaw swore in Mark Donivan who explained that the owner of the property was wrong in removing the trees, and putting up a fence, without the permission from the County. He stated the owner did not understand the Socastee Overlay Ordinance, but is willing to put slats in the fence for screening.

Drew Parks asked staff is there were any concerns.
Charles Suggs answered yes with the vision clearance and site distance.
Bobby Page asked staff is there were any other chain link fences.
Charles Suggs answered only with properties that are non-conforming.

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

The ninth case number was 2020-08-011 Steve Powell, agent for Ralph Pandure. Pam Thompkins presented the case to the Board. PIN # 311-08-01-0026 identified the parcel located at 4309 Mineola Avenue, Little River. The applicants were requesting a variance regarding landscape buffer requirements in the Highway Commercial (HC) zoning district. The applicants were proposing to construct a restaurant on this site. There was an existing office building located on the right side of the property that had been there since 1970. The parcel was located within the boundaries of the Little River Overlay. The applicants were requesting to reduce the foundation planting strip along the front and right side of the proposed restaurant building to 0' instead of the required 7' for a variance of 7'. This location was where the ADA sidewalk was located. The foundation planting strip on the left and right side of the existing office building is 0' instead of the required 7' for a 7' variance. The right side of the existing office building had a

3' landscape strip instead of the required 5' for a variance of 2'. **(Please refer to the September 14, 2020 packet for further information.)**

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

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

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

Chairman Marion Shaw asked how wide the driveway would be. Mr. Powell answered 22'.

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

Special Exceptions

The tenth case number was 2020-08-010 Rustic Ventures LLC, agent for Keenan Mitchell. Pam Thompkins presented the case to the Board. PIN # 383-15-02-0012 identified the parcel located at 182 Waccamaw Medical Park Court, Conway. The applicants were requesting special exception approval regarding on site consumption of alcohol for a Restaurant/ Bar in the Highway Commercial (HC) zoning district. **(Please refer to the September 14, 2020 packet for further information.)**

Should the Board find that the special exception request for **Rustic Roast** meets the required conditions of Section 534, the standard conditions imposed by the Board are:

1. No outdoor entertainment or amplified outdoor speakers unless a special event permit has been obtained from Public Safety;
2. No hosting of vendors during spring and fall bike rallies;
3. No burnout pits;
4. No outdoor displays or tents on the property;
5. No temporary banners or signs on the property;
6. No spotlight advertising;
7. No adult entertainment, or temporary adult entertainment permits;
8. Hours of operation - **Monday thru Thursday from 6:00 AM until 9:00 PM, Friday from 6:00 AM until 10:00 PM, Saturday from 8:00 am until 10:00 PM**;
9. Any changes in character or hours shall result in the suspension of this approval and a rehearing of the ZBA shall be required;
10. Applicant will comply with all State and local laws;
11. All future buildings and building additions must conform to Horry County regulations;

12. No outdoor dining;
13. No sweepstakes and/or internet gaming permitted at any time.

Chairman Marion Shaw swore in Keenan Mitchell who explained the type of business would be a casual establishment gearing towards the locals, which would host local entertainment and local beer and wine vendors.
Chairman Marion Shaw swore in Victoria Williams who was the co-owner and said she was there to answer any questions the Board might have.

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

Rural Tourism

The eleventh case number was 2020-08-007 Anthony & Megan Simmons. Pam Thompkins presented the case to the Board. PIN # 184-13-02-0007 & 183-00-00-0042 identified the parcel located at 280 Liberty Church Road, Loris. The applicants were requesting special exception approval regarding rural tourism in the Forest Agriculture (FA) zoning district. The applicants were requesting special exception approval to establish rural tourism activities on this 65.50 acre parcel. The proposed venue name was Beachwoods Estates. The proposed hours of operation were Monday - Sunday 9:00 AM until 10:00 PM. The Operation Plan events were listed as weddings, birthday parties, and corporate events. **(Please refer to the September 14th, 2020 packet for further information.)**

Should the Board find that the special exception request for **Beachwoods Estates** meets the required conditions of Section 1304.1, the standard conditions imposed by the Board are:

1. The applicant will comply with the Master Plan and Operational Plan submitted with this application;
2. Hours of Operation – Monday thru Sunday 9:00 AM until 10:00 PM
3. Temporary vendors are required to obtain a vendor permit from the Code Enforcement Department and pay any fees associated with the permit;
4. No event is to exceed 499 persons in attendance unless a Special Event Permit is obtained from Horry County Public Safety;
5. The requirements of Chapter 13, Article III (Noise Control) of the county code shall be met;
6. No event will be allowed in any building until a certificate of occupancy has been issued by Code Enforcement;
7. No adult entertainment, or temporary adult entertainment permits;
8. No sweepstakes and/or internet gaming permitted at any time;
9. If acreage of parcel or parcels is reduced to less than 20 acres this permit shall be revoked;
10. Exemption from landscaping and buffering requirements of Article V, Section 527 and from parking requirements of Article XI of the Horry County Zoning Ordinance;
11. Applicant will comply with all state and local laws;

12. All other applicable County requirements shall be met;
13. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained;
14. Any change in activities, events and hours of operation shall result in the suspension of this approval and a rehearing of the ZBA shall be required.

Chairman Marion Shaw swore in Anthony Simmons who explained the type of events he would permit on his property, and also explained that the customers would have to provide their own vendors for their events along with any permits that need to be pulled.

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

Rural Tourism

The twelfth case number was 2020-08-009 Angelia R. Miller. Pam Thompkins presented the case to the Board. PIN # 258-00-00-0020 identified the parcel located at, 856 Highway 9 W, Longs. The applicant was requesting a special exception approval regarding rural tourism in the Forest Agriculture (FA) zoning district. The applicant was requesting a special exception approval to establish rural tourism activities on this 70.33 acre parcel. The proposed venue name was Magnolia Bloom Estates. The proposed hours of operation were Monday - Sunday 9:00 AM until 10:00 PM. The Operation Plan events were listed as harvest market, seasonal activities and events, classes, and natural retail. **(Please refer to the September 14th, 2020 packet for further information.)**

Should the Board find that the special exception request for **Magnolia Bloom Estates** meets the required conditions of Section 1304.1, the standard conditions imposed by the Board are:

1. The applicant will comply with the Master Plan and Operational Plan submitted with this application;
2. Hours of Operation - **Monday thru Sunday from 9:00 AM until 10:00 PM**;
3. Temporary vendors are required to obtain a vendor permit from the Code Enforcement Department and pay any fees associated with the permit;
4. No event is to exceed 499 persons in attendance unless a Special event permit is obtained from Horry County Public Safety;
5. Any outdoor amplified sound must be in compliance with the County Noise Ordinance, specifically Section 13-33;
6. No event will be allowed in any building until a certificate of occupancy has been issued by Code Enforcement;
7. No adult entertainment, or temporary adult entertainment permits;
8. No sweepstakes and/or internet gaming permitted at any time;
9. If acreage of parcel or parcels is reduced to less than 20 acres this permit shall be revoked;
10. Exemption from landscaping and buffering requirements of Article V, Section 527 and from parking requirements of Article XI of the Horry County Zoning Ordinance;

11. On-site consumption of alcohol is not allowed unless a special exception is granted by the Zoning Board of Appeals;
12. Applicant will comply with all state and local laws;
13. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained;
14. Any change in activities, events and hours of operation shall result in the suspension of this approval and a rehearing of the ZBA shall be required.

Chairman Marion Shaw swore in Angelia Miller who explained that she just wanted to be an asset to the local community along with a place for our local Military Veterans to gather.

Drew Parks made a motion to grant the variance with the conditions as stated by staff. John Brown seconded the motion. The motion carried unanimously. ***The Rural Tourism was approved with conditions.***

With no further business, a motion to adjourn was made and seconded. The meeting was adjourned at approximately 6:50pm.

Old Business

New Business

Case # 2020-09-002

VARIANCE REVIEW SHEET

Property Information

Variance Request #	2020-09-002
Applicant	Rick Ruonala, agent
Parcel Identification (PIN) #	313-10-01-0010
Site Location	3456 Sea Mountain Highway, Little River
Property Owner	BTS Little River Property, LLC
County Council District #	9 - Prince

Zoning Information

Zoning District	HC
Parcel Size	2.2 Acres
Proposed Use	Commercial

Requested Variance(s)

The applicants are requesting a variance from Article V, Section 527.2 and Article XI, Section 1102 regarding the landscape and parking requirements in the Highway Commercial (HC) zoning district.

	Requirement	Requested	Variance Needed	Percentage
Art. V, Section 527.2 Table 4 Streetscape buffer				
Buffer length	245'	93'	152'	62%
Canopy trees	8	5	3	38%
Understory trees	8	3	5	63%
Shrubs	49	24	25	51%
Art. V, Section 527.2 D 3 i- 2 Parking spaces over 50' from trunk of a planted tree				
1 park	50'	55'	5'	10%
1 park	50'	52'	2'	4%
Art. XI, Section 1102 Parking-maneuvering room for 11 parking spaces	22'	17.3'	4.7'	22%

Background/Site Conditions

Black's Tire & Auto have construct a 9000 sq. ft. metal building on this parcel. This expansion requires the site to come into compliance with all zoning requirements. The applicants will meet the required landscaping along the foundation of the building and three sides of the property. They would like to ask for a variance on the required landscaping and parking requirements along the front section on Sea Mountain Hwy. Art. V, Section 527.2 Table 4 streetscape buffer requires a 245' buffer length, they are proposing a 93' buffer length on site for a variance of 152'. Within this streetscape buffer 8 canopy trees are required, 5 canopy trees are proposed for a variance of 3 canopy trees; 8 understory trees are required, 3 are proposed for a variance of 5 understory trees; and 49 shrubs are required, 24 are proposed for a variance of 25 shrubs. Art. V, Section 527.2 D 3 i requires every parking space to be within 50 ft. of a planted tree. 2 parks in the row of 12 parks along Sea Mountain Hwy are beyond 50'; 1 park is 55' for a 5' variance and 1 park is 52' for a 2' variance. Art. XI, Section 1102 requires 22' of maneuvering room for 90° angle parking spaces and 2 way traffic flow; 17.3' has been provided for a variance of 4.7'.

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?)
This site has been used commercially since 1987.

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

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.

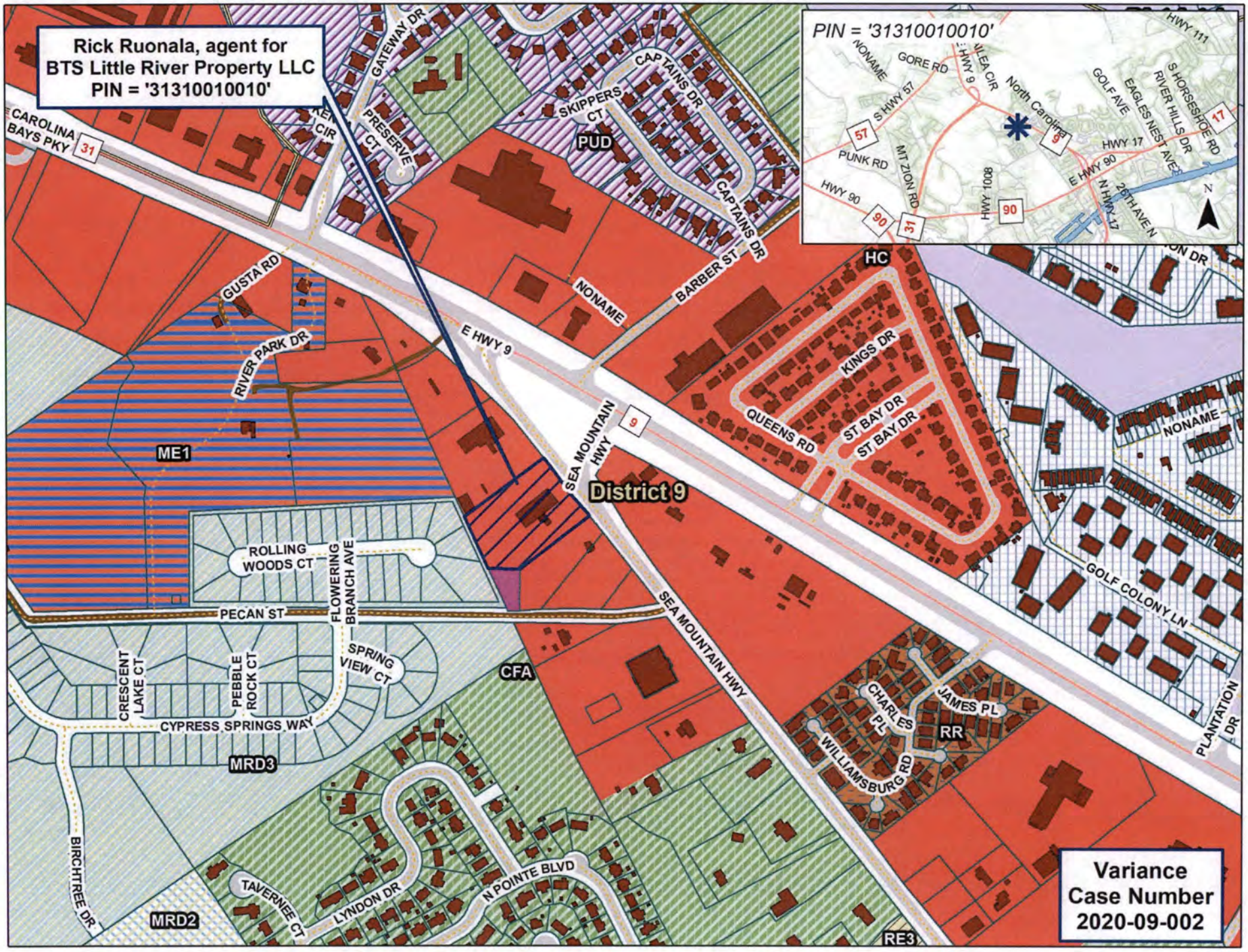
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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.


Rick Ruonala, agent for
BTS Little River Property LLC
PIN = '31310010010'
PIN = '31310010010'
Variance
Case Number
2020-09-002
District 9
CAROLINA BAYS PKY
GATEWAY DR
PRESERVE CT
SKIPPERS CT
CAPTAINS DR
PUD
GUSTA RD
RIVER PARK DR
NONAME
BARBER ST
E HWY 9
HC
KINGS DR
QUEENS RD
ST BAY DR
SEA MOUNTAIN HWY
ME1
ROLLING WOODS CT
FLOWERING BRANCH AVE
PECAN ST
SPRING VIEW CT
CRESCENT LAKE CT
PEBBLE ROCK CT
CYPRESS SPRINGS WAY
MRD3
CFA
GOLF COLONY LN
CHARLES PL
JAMES PL
WILLIAMSBURG RD
RR
PLANTATION DR
BIRCHTREE DR
TAVERNEE CT
LYNDON DR
N POINTE BLVD
MRD2
RE3
HWY 111
S HORSESHOE RD
RIVER HILLS DR
EAGLES NEST AVE
GOLF AVE
HWY 17
E HWY 90
N HWY 17
26TH AVE N
HWY 1008
MT ZION RD
PUNK RD
HWY 90
S HWY 57
GORE RD
NONAME
North Carolina

Rick Ruonala, agent for
BTS Little River Property LLC
PIN = '31310010010'
002 Aerial
E HWY 9
SEA MOUNTAIN HWY
SEA MOUNTAIN HWY
ROLLING WOODS CT
PECAN ST
PIN = '31310010010'
NONAME
GORE RD
S HWY 57
PUNK RD
MT ZION RD
HWY 90
HWY 1008
North Carolina
GOLF AVE
EAGLES NEST AVE
RIVER HILLS DR
S HORSESHOE RD
HWY 111
HWY 17
E HWY 90
N HWY 17
26TH AVE N
N
Variance
Case Number
2020-09-002

Sections where they are requesting landscape & parking variances

New Building

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: Relief from Sea Mountain Highway (frontage) landscaping requirements

Required Front Setback: _____ Requested Front Setback: _____

Required Side Setback: _____ Requested Side Setback: _____

Required Rear Setback: _____ Requested Rear Setback: _____

Required Bldg. Separation: _____ Requested Bldg. Separation: _____

Required Minimum Lot Width: _____ Requested Min Lot Width: _____

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

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

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

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

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

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

The existing pavement and parking has been there for over thirty years.
There is an extreme amount of traffic / congestion with several businesses sharing the common entry points.

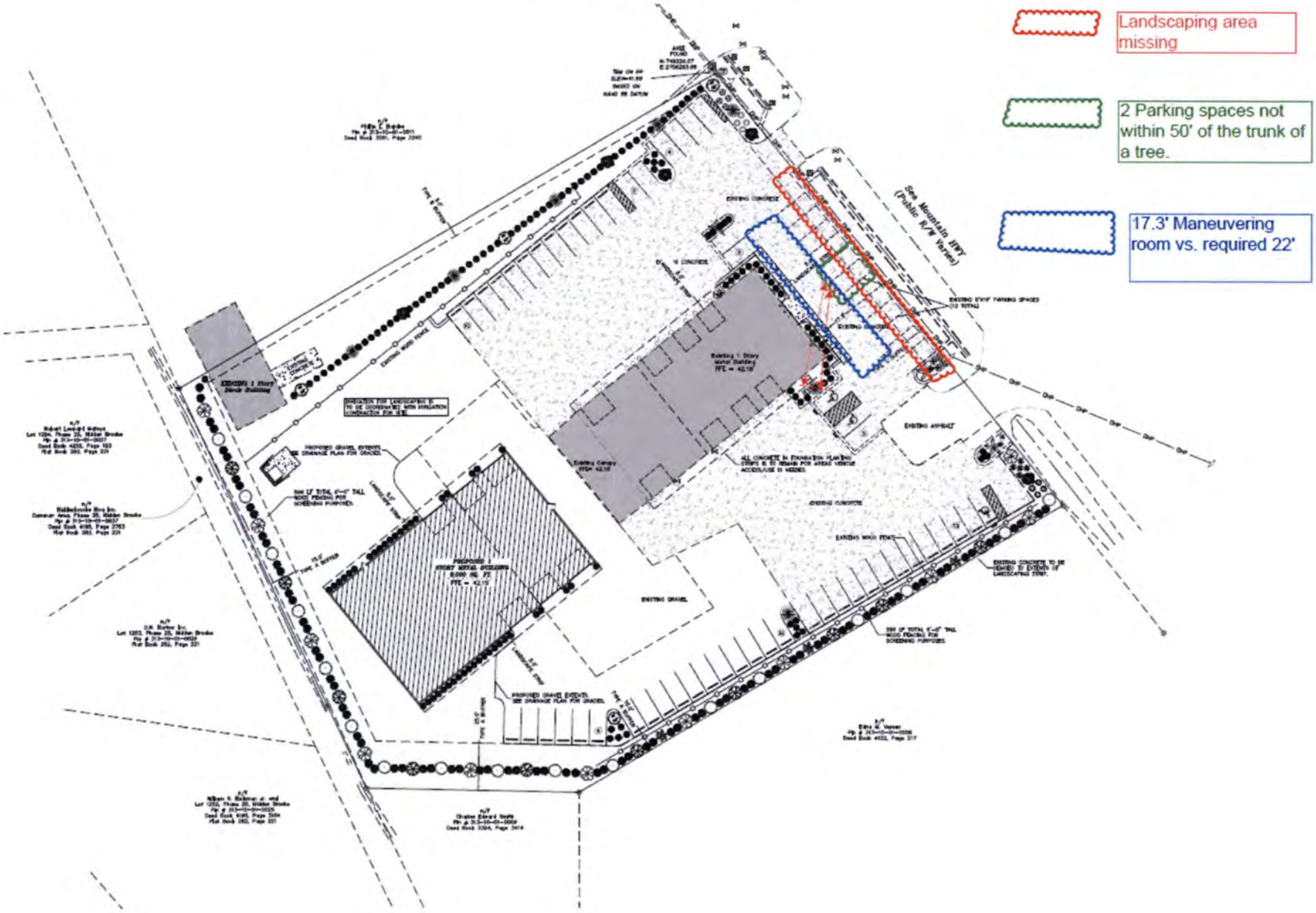
The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)

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.

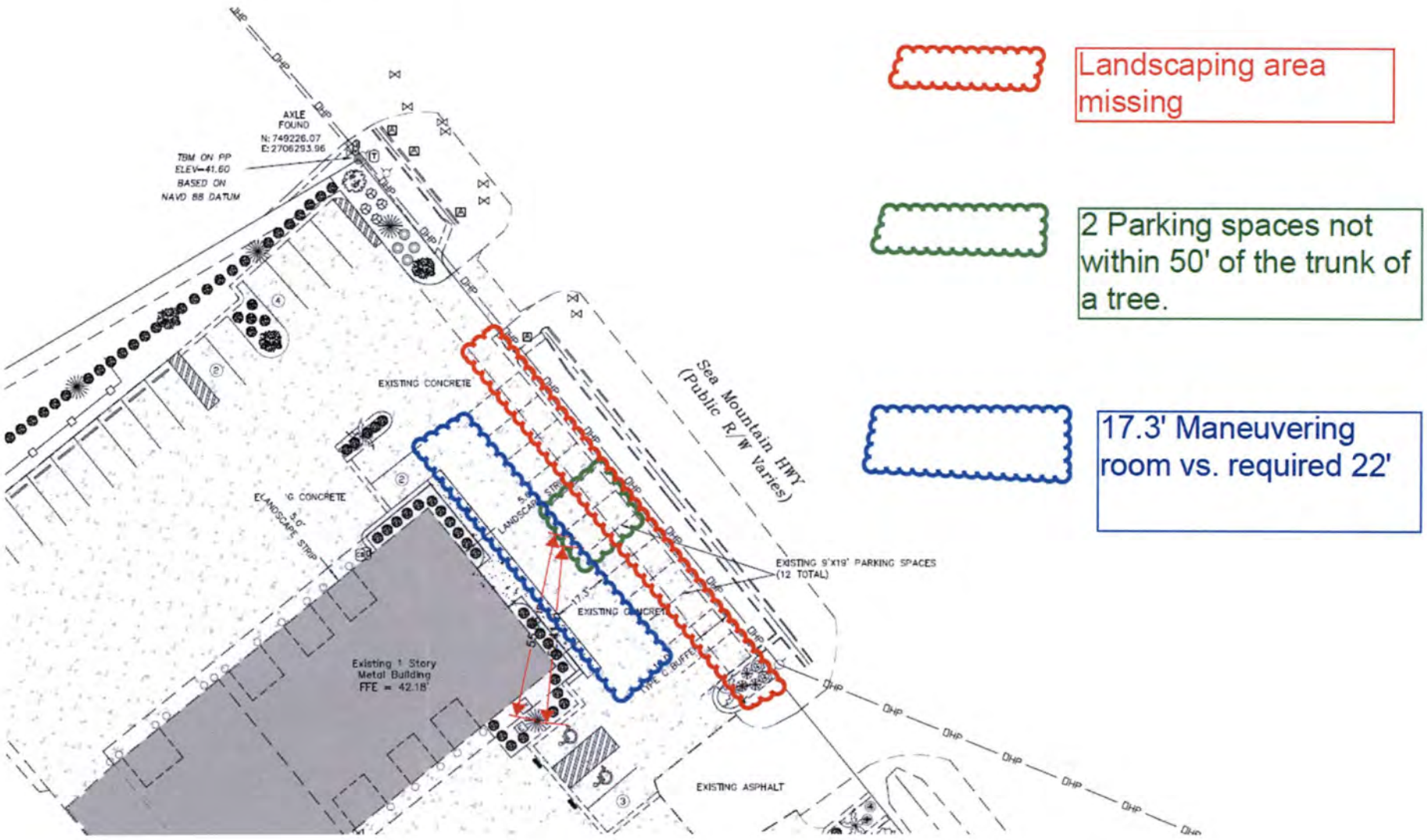
Ryan Barton
Applicant's Signature

8/24/20
Date

Site Plan


Landscaping area missing
2 Parking spaces not within 50' of the trunk of a tree.
17.3' Maneuvering room vs. required 22'

Site Plan – zoomed in view



Case # 2020-09-003

VARIANCE REVIEW SHEET

Property Information

Variance Request #	2020-09-003
Applicant	John & Mary Cummings
Parcel Identification (PIN) #	468-04-04-0086
Site Location	343 Arlington Circle, Murrells Inlet
Property Owner	John & Mary Cummings
County Council District #	4 - Loftus

Zoning Information

Zoning District	PDD
Parcel Size	5968 Sq. Ft.
Proposed Use	Residential

Requested Variance(s)

The applicants are requesting a variance from the requirements in the Stonegate @ Prince Creek PDD zoning district.

	Requirement	Requested	Variance Needed	Percentage
Rear setback	15'	8'	7'	47%

Background/Site Conditions

This parcel is located within Stonegate subdivision within Prince Creek. The applicants are requesting to construct a 16'x10' screen porch on the rear of the single family home. The porch will be located 8' from the rear property line instead of the required 15' for a variance of 7'.

Ordinance and Analysis

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

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

There are none.

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

These conditions apply to all 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.

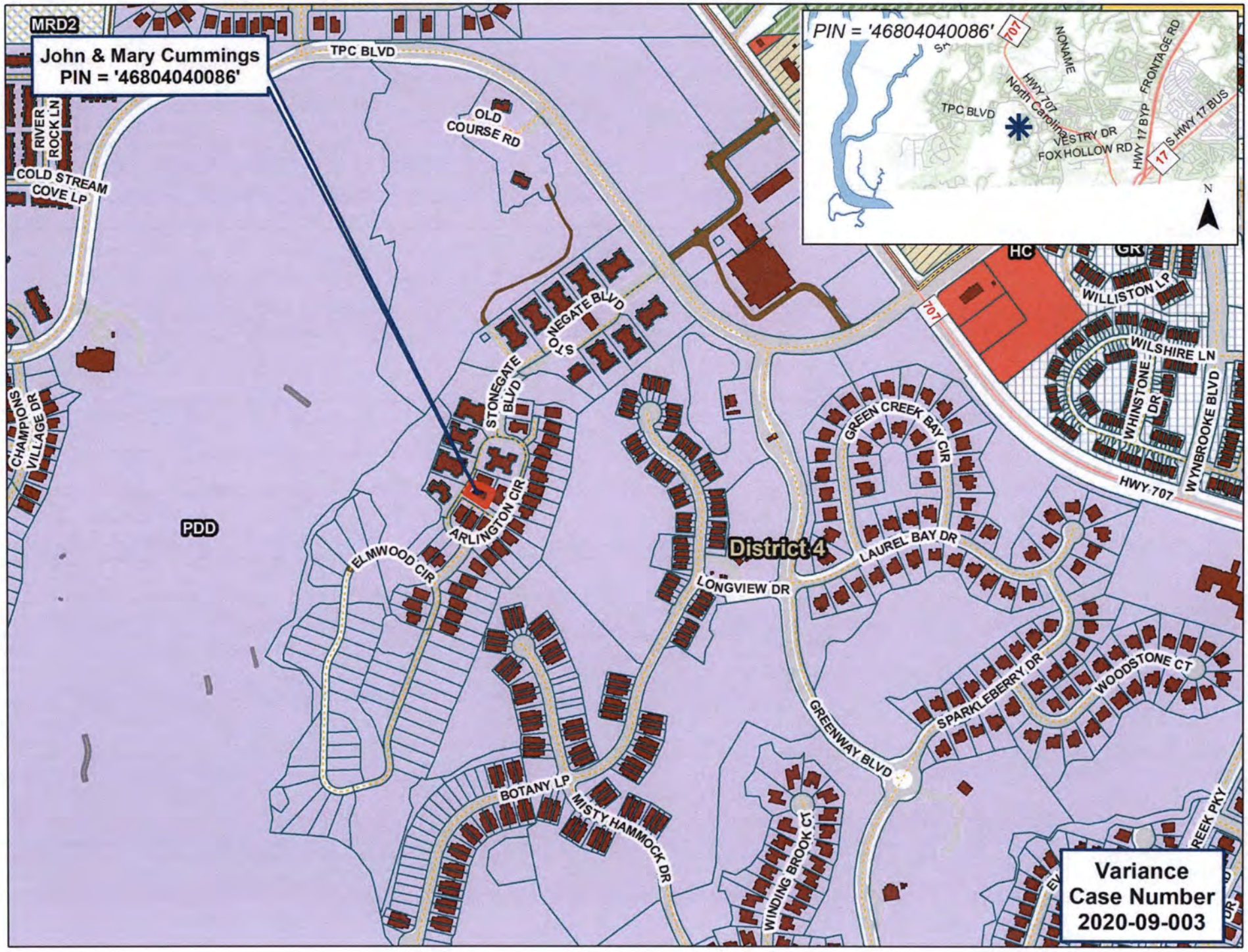
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)
The applicants have submitted a letter of approval from The Garden Homes at Stonegate HOA.

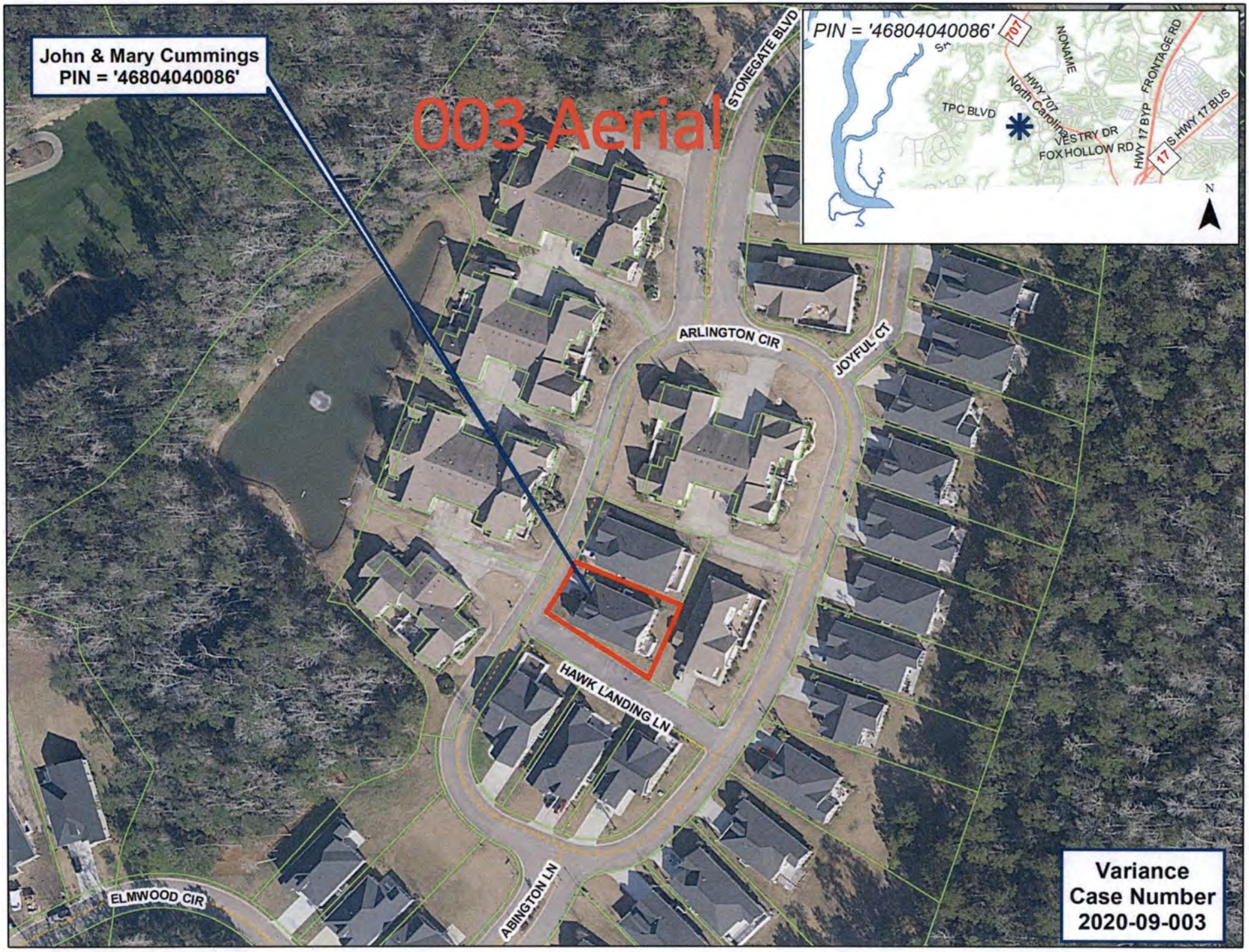
5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may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


MRD2
John & Mary Cummings
PIN = '46804040086'
TPC BLVD
OLD COURSE RD
RIVER ROCK LN
COLD STREAM COVE LP
CHAMPIONS VILLAGE DR
PDD
STONEGATE BLVD
STONEGATE BLVD
ARLINGTON CIR
ELMWOOD CIR
District 4
LONGVIEW DR
GREEN CREEK BAY CIR
LAUREL BAY DR
GREENWAY BLVD
SPARKLEBERRY DR
WOODSTONE CT
BOTANY LP
MISTY HAMMOCK DR
WINDING BROOK CT
HC
GR
WILLISTON LP
WILSHIRE LN
WHINSTONE DR
WYNBROOKE BLVD
HWY 707
707
PIN = '46804040086'
NONAME
HWY 707
North Carolina
TPC BLVD
VESTRY DR
FOX HOLLOW RD
HWY 17 BYP
FRONTAGE RD
S HWY 17 BUS
17
N
Variance
Case Number
2020-09-003


John & Mary Cummings
PIN = '46804040086'
003 Aerial
PIN = '46804040086'
707
NONAME
FRONTAGE RD
HWY 707
North Carolina
TPC BLVD
VESTRY DR
FOX HOLLOW RD
HWY 17 BYP
S HWY 17 BUS
17
N
STONEGATE BLVD
ARLINGTON CIR
JOYFUL CT
HAWK LANDING LN
ABINGTON LN
ELMWOOD CIR
Variance
Case Number
2020-09-003

Area of proposed screen porch

Neighbor on the rear

Neighbor across the street

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 rear property variance for screened in porch over existing 16'x10' concrete patio. No additional impediments will exist, if granted.

Required Front Setback:	Requested Front Setback:
Required Side Setback:	Requested Side Setback:
Required Rear Setback: 15'	Requested Rear Setback: 7
Required Bldg. Separation:	Requested Bldg. Separation:
Required Minimum Lot Width:	Requested Min Lot Width:
Required Min Lot Width/Bldg Site:	Requested Min Lot Width/Bldg Site:
Required Max Height of Structure:	Requested Max Height of Structure:

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

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

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

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

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

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 / Mary Cummins

8/19/2020
Date

Garden Homes at Stonegate

at PRINCE CREEK

HOMEOWNERS ASSOCIATION, INC

August 7, 2020

John S & Mary V Cummings
343 Arlington Circle
Murrells Inlet, SC 29576

Re: Modification Application
343 Arlington Circle

Dear John S & Mary V Cummings:

I am writing on behalf of the Board of Directors for The Garden Homes at Stonegate Homeowners Association, Inc. regarding your request to screen in existing patio at your property.

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. Please note also that material used must coordinate with home and trim. 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.

Thank you for participating in the review process with these enhancements to your home and community. If there is any question regarding this letter, please call the office at (843) 237-9551 so that the matter may be looked into further.

Your cooperation is always appreciated.

On behalf of the Board of Directors,

Waccamaw Management, LLC, AAMC
Managing Agent

Marilyn McHone
Community Association Manager

Managed by
www.waccamawmanagement.com
info@waccamawmanagement.com

WACCAMAW MANAGEMENT

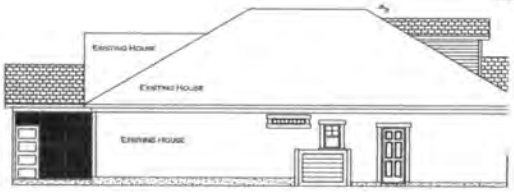
Pawleys Island Office
P.O. Box 2308
Pawleys Island, SC 29585
843.237.9551

Carolina Forest Office
P.O. Box 51558
Myrtle Beach, SC 29579
843.903.9551

Briarwood Office
605 Briarwood Drive, Suite C
Myrtle Beach, SC 29572
843.272.8705

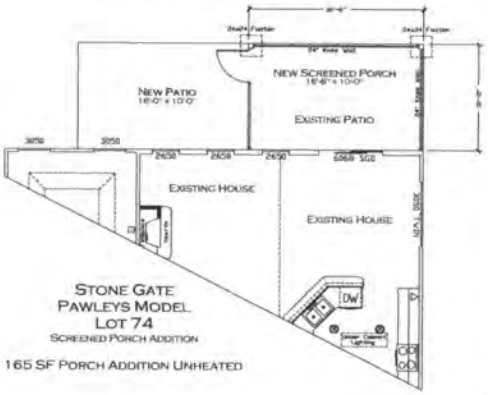
RIGHT ELEVATION
SCALE: 3/16"=1'-0"

STONE GATE
LOT #74 - SITE PLAN
SCALE: 1"=20'



LEFT ELEVATION
SCALE: 3/16"=1'-0"

REAR ELEVATION
SCALE: 1/4"=1'-0"



STONE GATE
PAWLEYS MODEL
LOT 74
SCREENED PORCH ADDITION

165 SF PORCH ADDITION UNHEATED

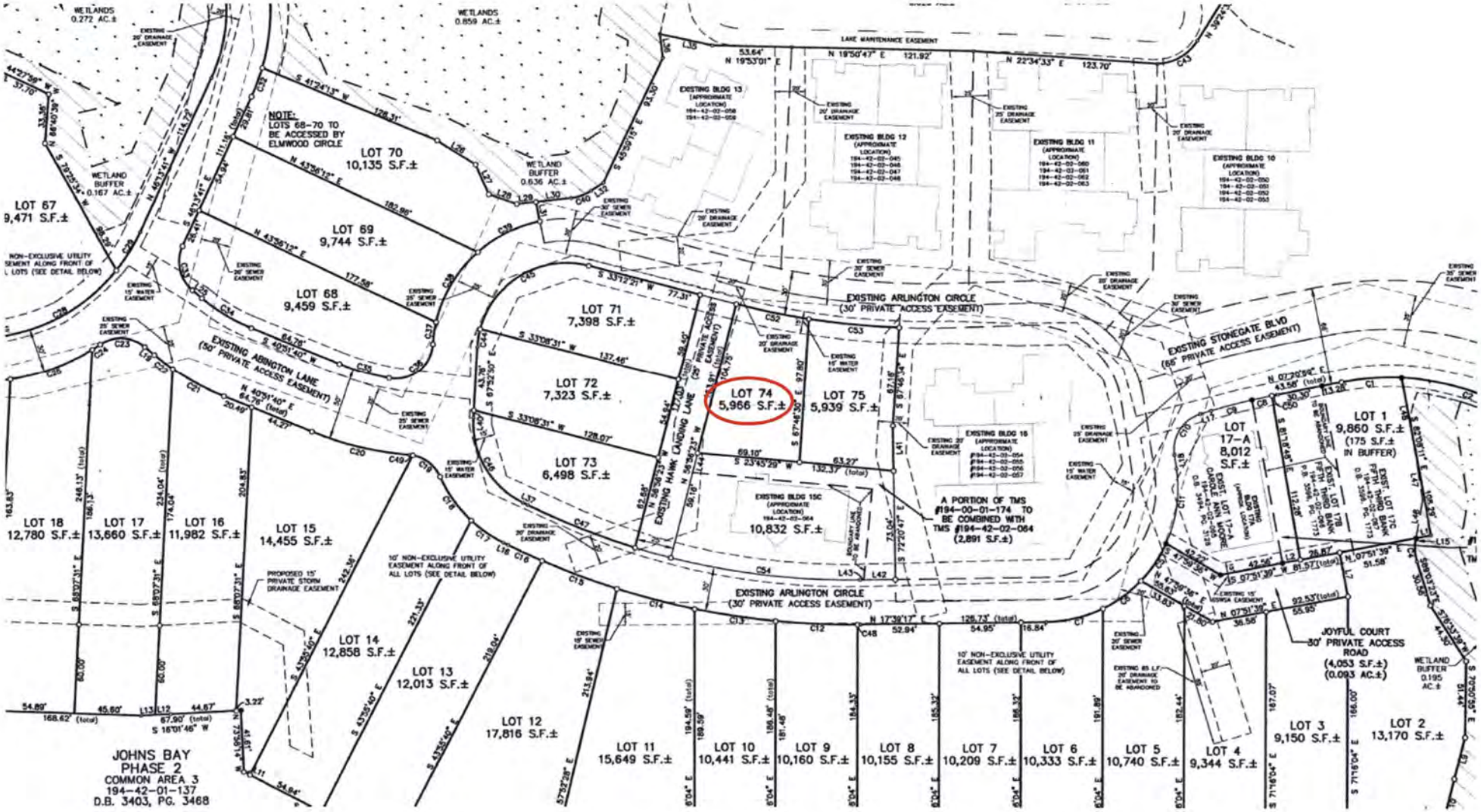
FLOOR PLAN
SCALE: 1/4"=1'-0"

STONE GATE

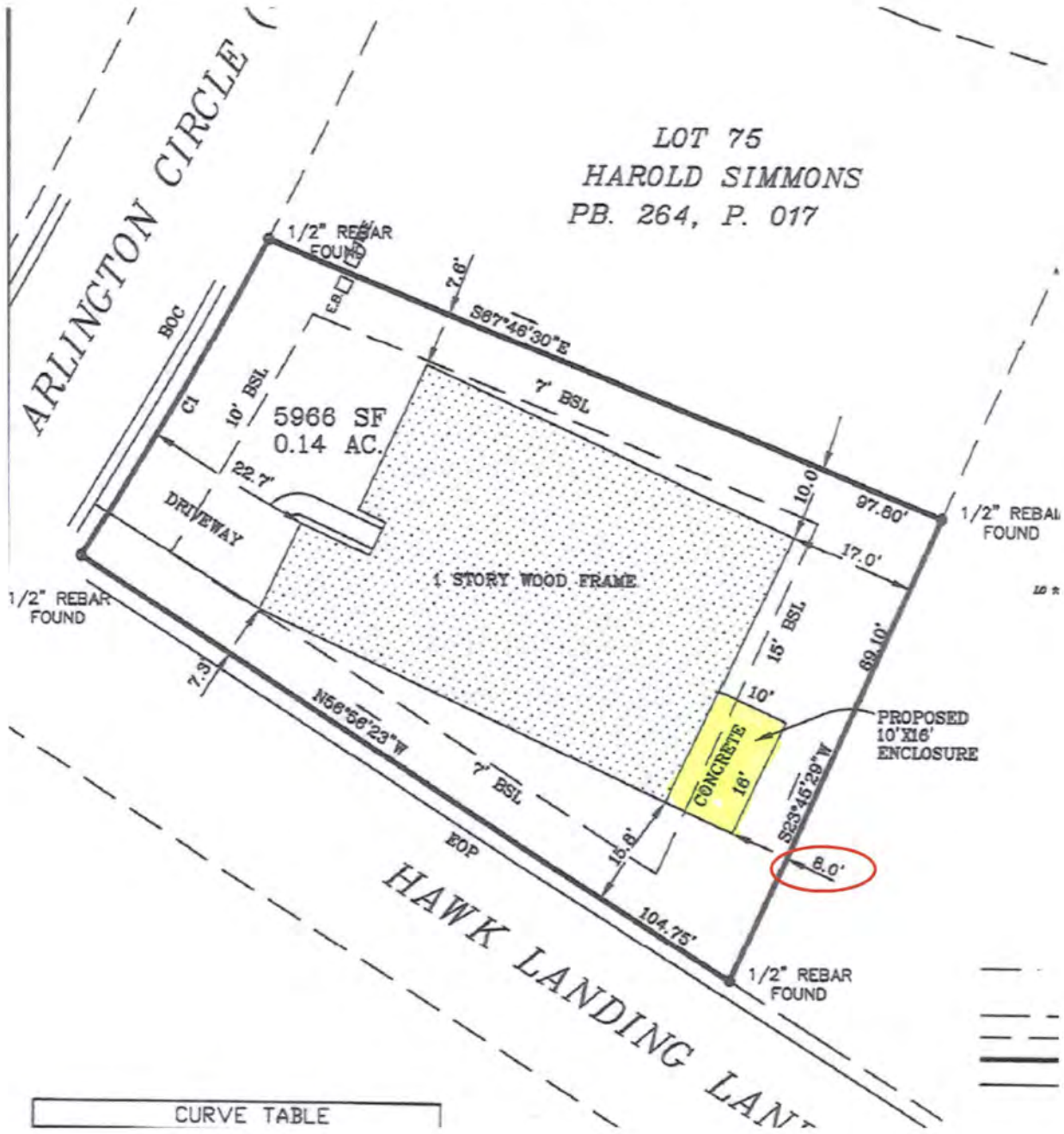
STONE GATE - PORCH ADDITION
PAWLEYS MODEL - LOT 74
MYRTLE BEACH, SOUTH CAROLINA
DRAWN BY: GVH
AUGUST 5, 2020

A1
FLOOR PLAN & SITE PLAN

Stonegate Ph. 2-A final plat



Site Plan



ARLINGTON CIRCLE
LOT 75
HAROLD SIMMONS
PB. 264, P. 017
1/2" REBAR FOUND
7.6'
S67°46'30"E
7' BSL
BOC
C1
10' BSL
5966 SF
0.14 AC.
22.7'
DRIVEWAY
1 STORY WOOD FRAME
10.0
97.80'
17.0'
1/2" REBAR FOUND
15' BSL
69.10'
10'
PROPOSED
10'X16'
ENCLOSURE
CONCRETE
16'
S23°45'29"W
8.0'
1/2" REBAR FOUND
7.3
N56°56'23"W
7' BSL
15.8'
EOP
104.75'
1/2" REBAR FOUND
HAWK LANDING LAN
CURVE TABLE

Case # 2020-09-004

VARIANCE REVIEW SHEET

Property Information

Variance Request #	2020-09-004
Applicant	Jimmy D. Fowler Jr.
Parcel Identification (PIN) #	343-04-04-0032
Site Location	5311 Bear Bluff Drive, Conway
Property Owner	Jimmy D. Fowler Jr.
County Council District #	10- Hardee

Zoning Information

Zoning District	SF40
Parcel Size	29,521 Sq. Ft.
Proposed Use	Residential

Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 704 and Article VIII regarding setback requirements in the Residential (SF40) zoning district.

	Requirement	Requested	Variance Needed	Percentage
Right side setback	15'	10'	5'	34%

Background/Site Conditions

This parcel is located within Bear Bluff Plantation. The applicant has constructed a cabana and fireplace on the rear of this property without obtaining a building permit. The structure will be located 10' from the right side property line instead of the required 15' for a variance of 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 accessory structures 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.

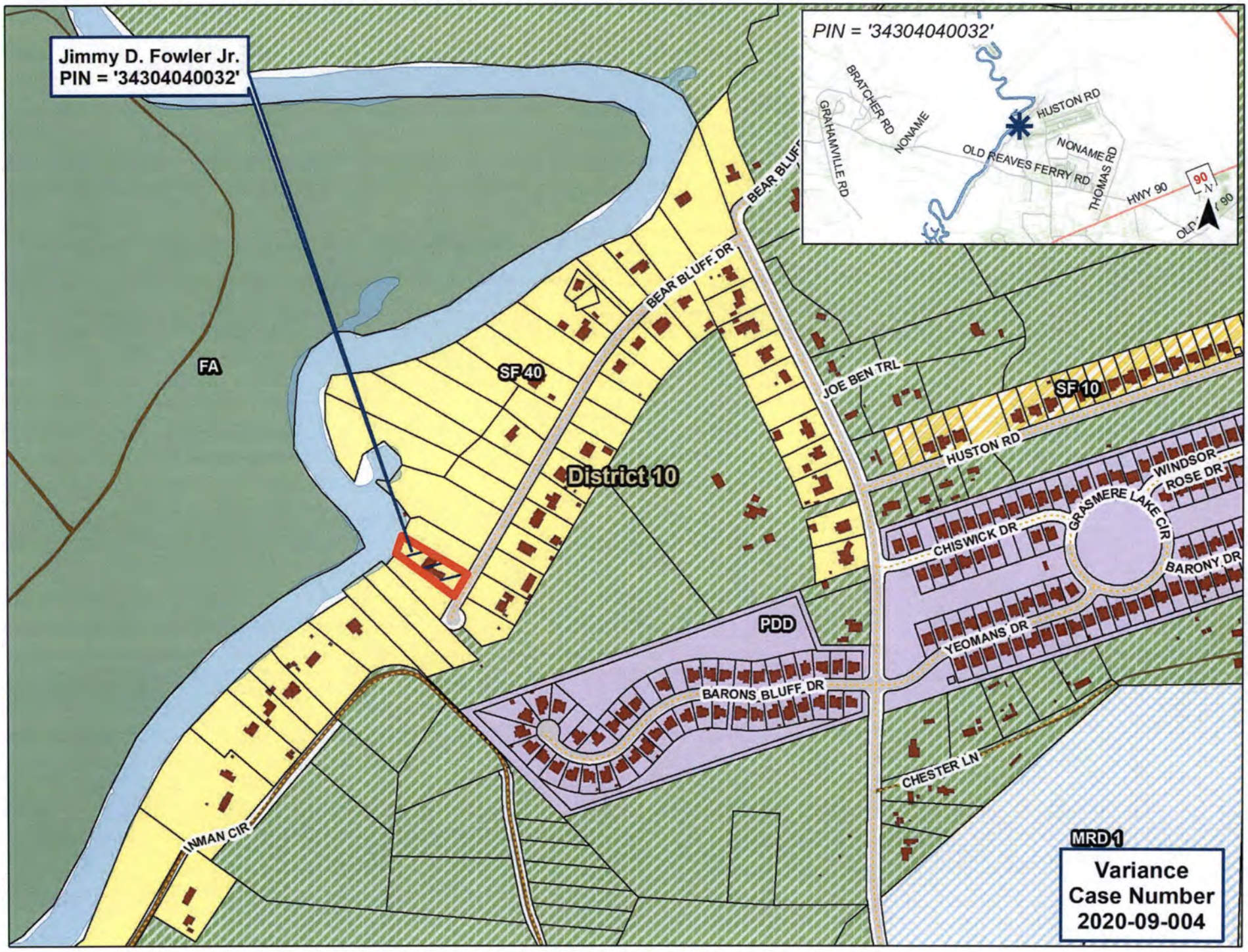
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

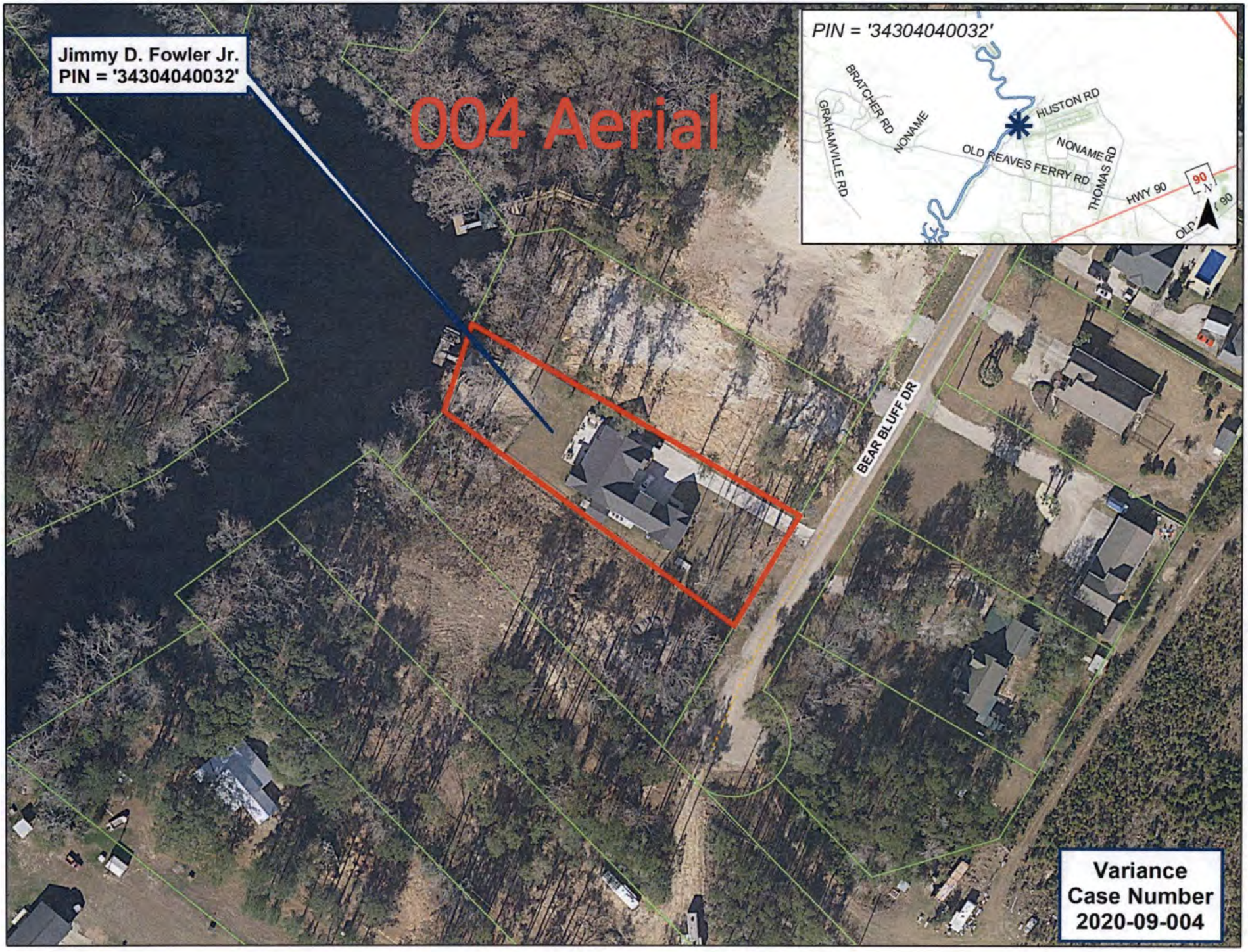
5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may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

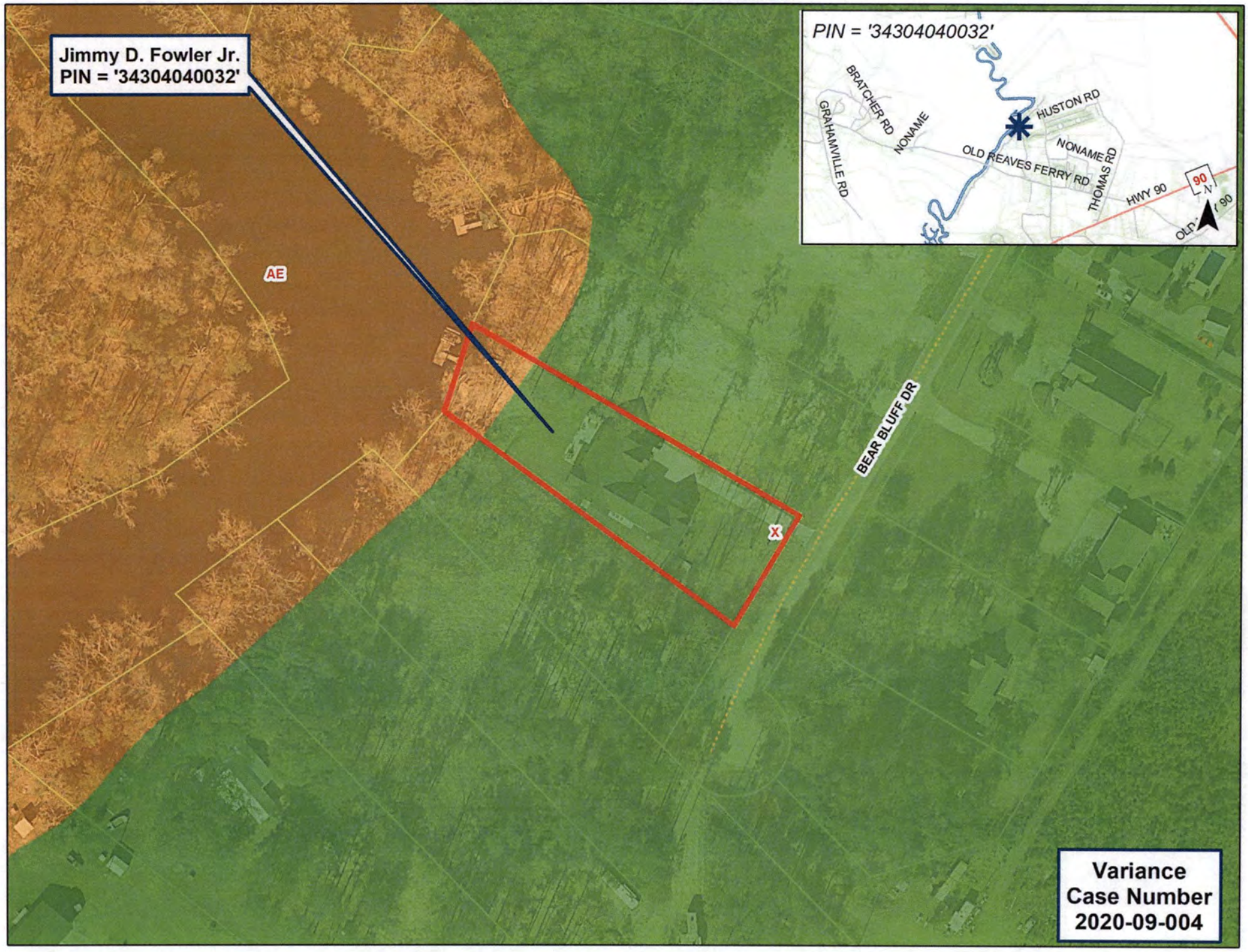
Proposed Order/Conditions

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.


Jimmy D. Fowler Jr.
PIN = '34304040032'
PIN = '34304040032'
BRATCHER RD
GRAHAMVILLE RD
NONAME
HUSTON RD
OLD REAVES FERRY RD
NONAME RD
THOMAS RD
HWY 90
90
N
OLD
FA
SF 40
BEAR BLUFF DR
District 10
JOE BEN TRL
SF 10
HUSTON RD
WINDSOR
ROSE DR
GRASMERE LAKE CIR
CHISWICK DR
BARONY DR
PDD
YEOMANS DR
BARONS BLUFF DR
CHESTER LN
LNMAN CIR
MRD 1
Variance
Case Number
2020-09-004


Jimmy D. Fowler Jr.
PIN = '34304040032'
004 Aerial
PIN = '34304040032'
BRATCHER RD
GRAHAMVILLE RD
NONAME
HUSTON RD
OLD REAVES FERRY RD
NONAME RD
THOMAS RD
HWY 90
90
N
BEAR BLUFF DR
Variance
Case Number
2020-09-004


Jimmy D. Fowler Jr.
PIN = '34304040032'
AE
X
BEAR BLUFF DR
PIN = '34304040032'
BRATCHER RD
GRAHAMVILLE RD
NONAME
HUSTON RD
OLD REAVES FERRY RD
NONAME RD
THOMAS RD
HWY 90
90
N
Variance
Case Number
2020-09-004

Site

Cabana/ Fireplace addition

Right side

Rear

Applicant Submittal

VARIANCE REQUEST

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

Description of Request: requesting side setbacks to be 10ft. This will allow full use of our irregular river lot. This will not impede any neighbors or character of neighborhood.

Required Front Setback: 37.5 (Substandard lot size) Requested Front Setback: —

Required Side Setback: 15 Requested Side Setback: 10 Cabana

Required Rear Setback: 22.5 Requested Rear Setback: —

Required Bldg. Separation: _____ Requested Bldg. Separation: _____

Required Minimum Lot Width: _____ Requested Min Lot Width: _____

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

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

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

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

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

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

Please 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.

Applicants Signature _____ Date 8-28-2020

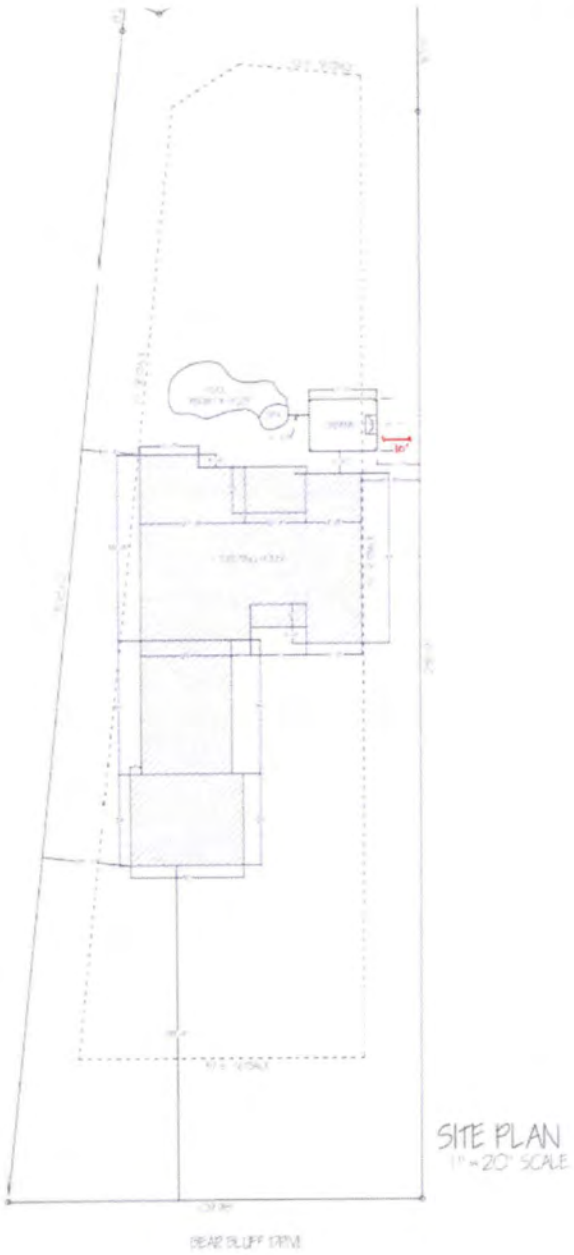
Jimmy Fowler
5311 Bear Bluff Drive
Conway SC 29526

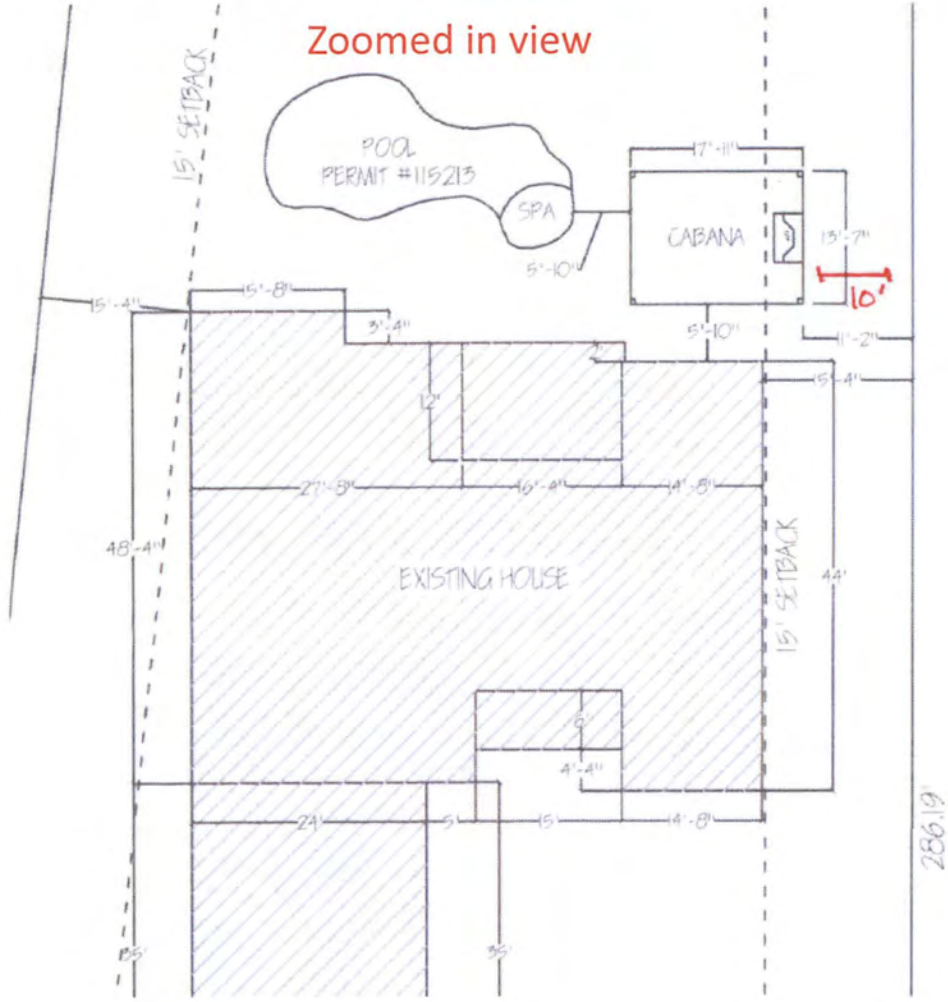
The current setbacks on our lot (#17) are 15 feet on the sides however other property in the across the street, in the same neighborhood are 10 feet on the sides. The lot is an irregular lot size and becomes very narrow on the river side and sides towards the rear of the lot.

The authorization of a variance will not be a detriment to the adjacent property or to the public good. The character of the district will not be harmed by allowing this additional 5 feet of variance for the cabana cover on the sides.

I also have 3 other homes in this same neighborhood located on (5360, 5354, 5360) Bear Bluff Drive that I currently own and I would never jeopardize the reputation of the neighborhood we have grown to love.

Site Plan


SITE PLAN
1" = 20' SCALE


Zoomed in view
15' SETBACK
POOL
PERMIT #115213
SPA
CABANA
10'
EXISTING HOUSE
15' SETBACK
286.19

Case # 2020-09-005

VARIANCE REVIEW SHEET

Property Information

Variance Request #	2020-09-005
Applicant	John Feaster
Parcel Identification (PIN) #	418-09-02-0005
Site Location	123 Carter Circle, Myrtle Beach
Property Owner	John Feaster
County Council District #	3 - DiSabato

Zoning Information

Zoning District	SF10
Parcel Size	29,032 Sq. Ft.
Proposed Use	Residential

Requested Variance(s)

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

	Requirement	Requested	Variance Needed	Percentage
Left Side setback	10'	9.7'	.3'	3%

Background/Site Conditions

The applicant purchased this parcel in 2012 with an existing concrete foundation located on the site. The foundation and slab plumbing received approval in 2008 under Permit 140830 but the home was never completed. The existing foundation is located 9.7' from the left side property line instead of the required 10' for a variance of .3'. Post foundation surveys were not required by the County until 2011.

Ordinance and Analysis

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

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

There are none.

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

The 10' side setbacks apply to all properties within the SF10 zoning district.

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

The foundation and slab plumbing for the home is existing and any change would require the applicant to alter his building plans.

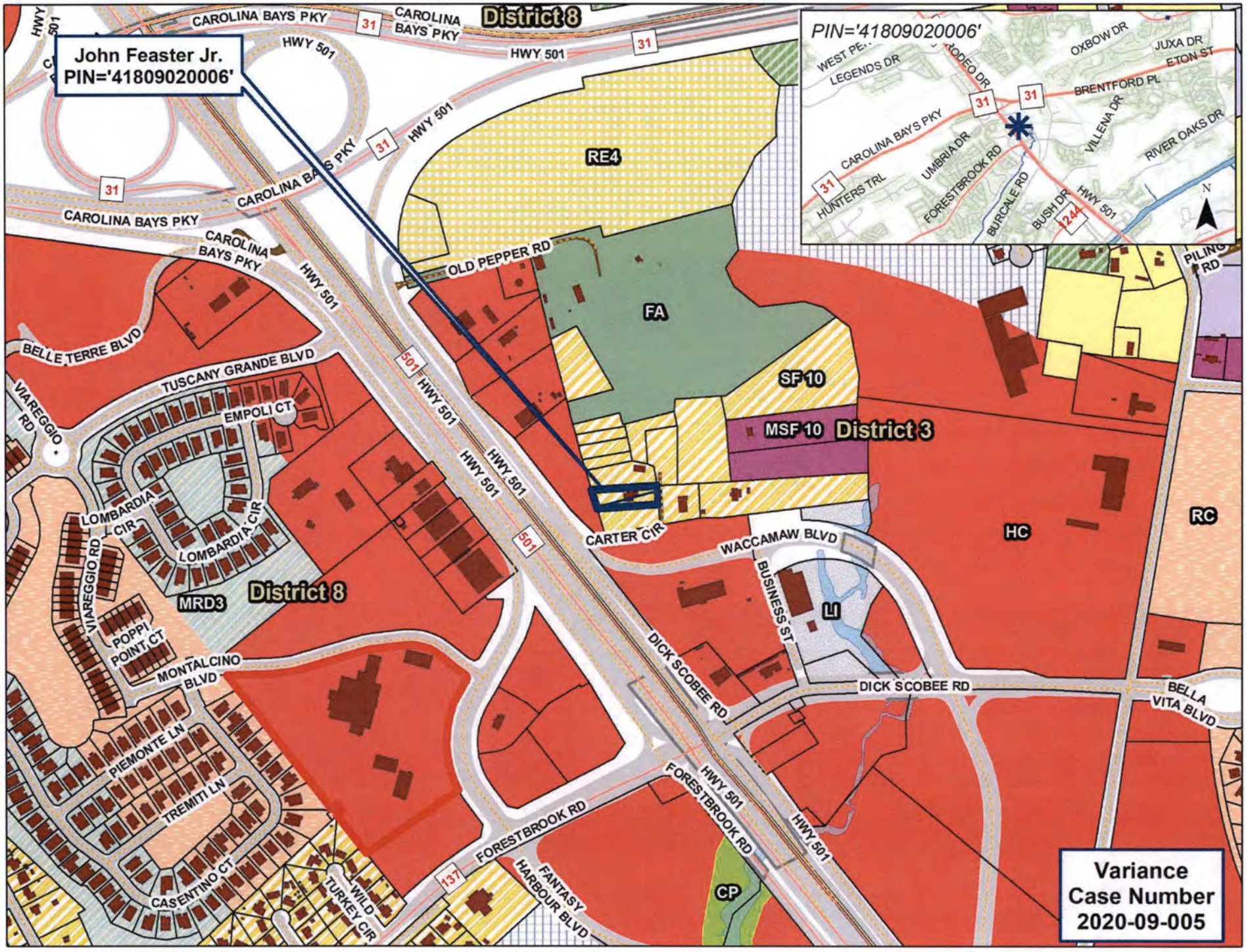
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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.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District 8
District 3
District 8
RE4
FA
SF 10
MSF 10
HC
RC
LI
CP
MRD3
CAROLINA BAYS PKY
HWY 501
OLD PEPPER RD
BELLE TERRE BLVD
TUSCANY GRANDE BLVD
EMPOLI CT
VIAREGGIO RD
LOMBARDIA CIR
POPPI POINT CT
MONTALCINO BLVD
PIEMONTE LN
TREMITI LN
CASENTINO CT
WILD TURKEY CIR
FOREST BROOK RD
FANTASY HARBOUR BLVD
CARTER CIR
WACCAMAW BLVD
BUSINESS ST
DICK SCOBEE RD
BELLA VITA BLVD
PILING RD
WEST PE
LEGENDS DR
RODEO DR
OXBOW DR
JUXA DR
ETON ST
BRENTFORD PL
VILLENA DR
RIVER OAKS DR
HUNTERS TRL
UMBRIA DR
BURCALE RD
BUSH DR
Variance
Case Number
2020-09-005

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005 Aerial
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WEST PE...
LEGENDS DR
RODEO DR
OXBOW DR
JUXA DR
ETON ST
BRENTFORD PL
CAROLINA BAYS PKY
UMBRIA DR
FORESTBROOK RD
VILLENA DR
RIVER OAKS DR
HUNTERS TRL
BURCALE RD
BUSH DR
HWY 501
31
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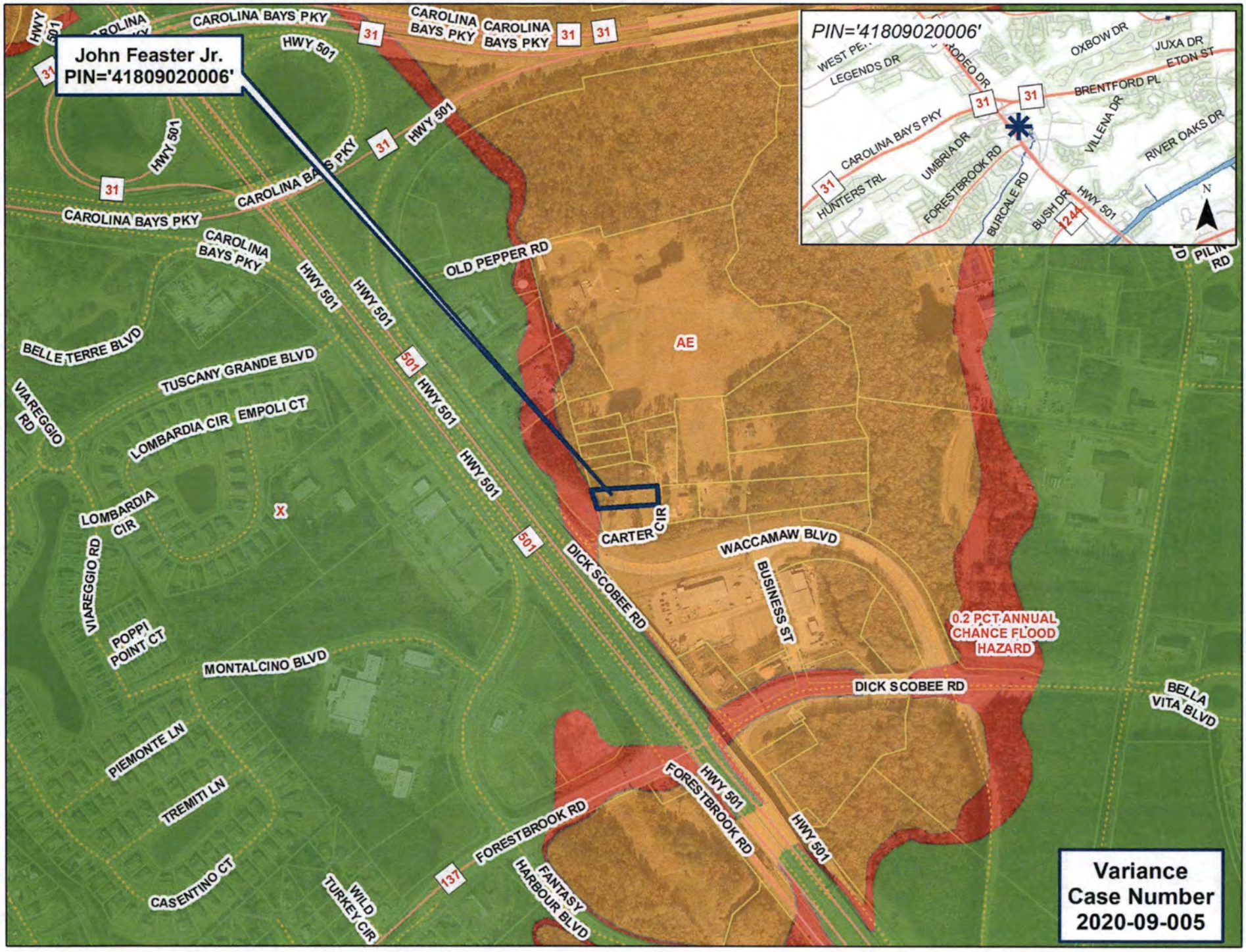
BELLE TERRE BLVD
Variance
Case Number
2020-09-005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POPPI POINT CT
MONTALCINO BLVD
PIEMONTE LN
TREMITI LN
CASENTINO CT
WILD TURKEY CIR
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FANTASY HARBOUR BLVD
CARTER CIR
DICK SCOBEE RD
WACCAMAW BLVD
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BELLA VITA BLVD
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JUXA DR
ETON ST
BRENTFORD PL
LEGENDS DR
RODEO DR
VILLENA DR
RIVER OAKS DR
HUNTERS TRL
UMBRIA DR
BURCALE RD
BUSH DR
N
Variance
Case Number
2020-09-005

Site

Left Side of foundation

Entrance- Carter Circle

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 into Setback (6")

Required Front Setback: 10'	Requested Front Setback:
Required Side Setback: ~~10' 6"~~ Left	Requested Side Setback: 9.7'
Required Rear Setback:	Requested Rear Setback:
Required Bldg. Separation:	Requested Bldg. Separation:
Required Minimum Lot Width:	Requested Min Lot Width:
Required Min Lot Width/Bldg Site:	Requested Min Lot Width/Bldg Site:
Required Max Height of Structure:	Requested Max Height of Structure:

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

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

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

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

To whom it may concern (Zoning Board of Appeals), my name is John Feaster. I purchased property located at 123 Carter Circle, Myrtle Beach, SC 29579. I purchased this property with a raised slab and rough-in plumbing completed. The original permit was in 2008 and construction did not progress after the slab was poured. Presently I am trying to get a permit for said property to resume construction and it was brought to my attention that the foundation is encroaching 6" into the setback on the left side. Please approve my variance. Thanks. I was not aware of encroachment until I had a survey done.

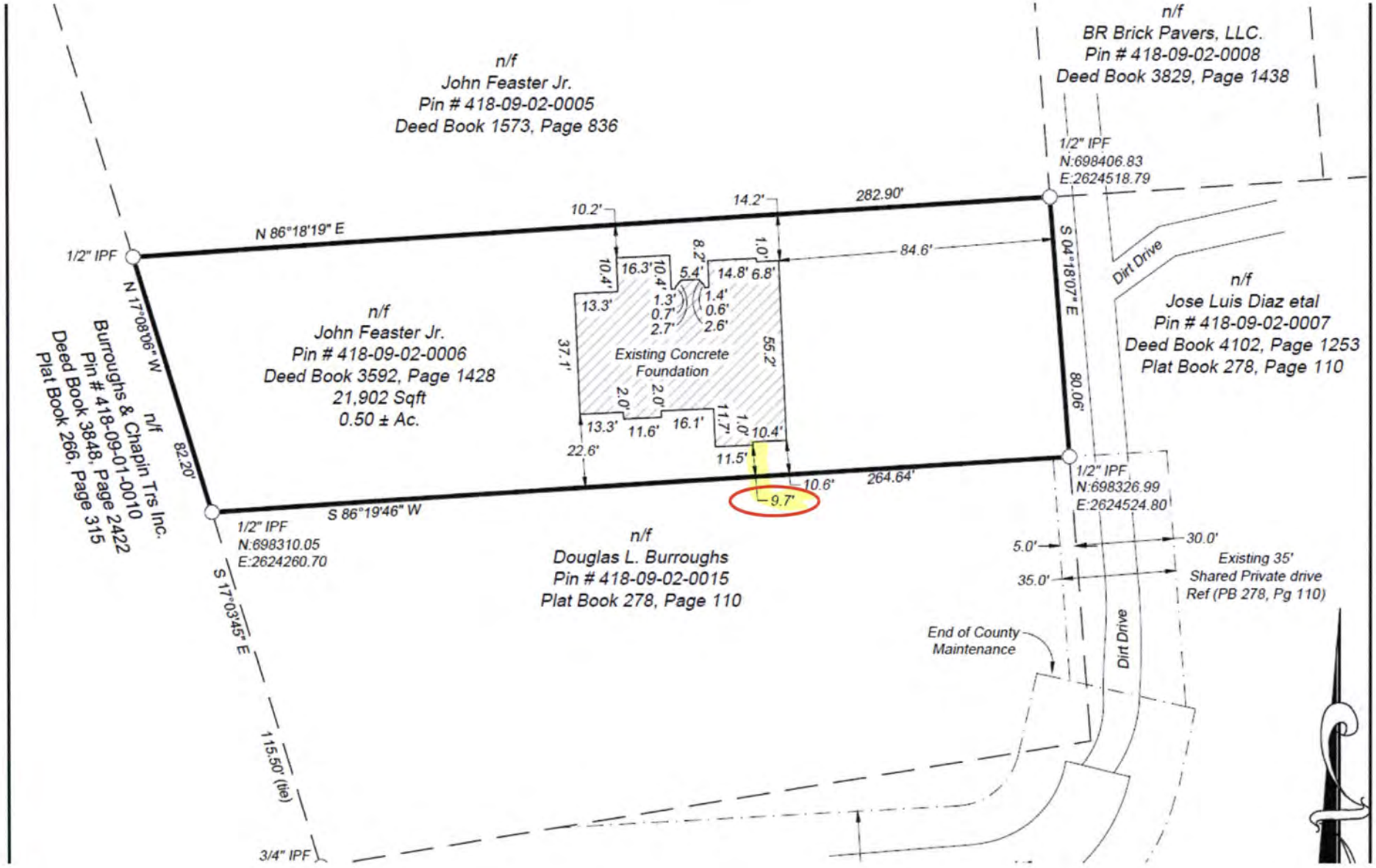
The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)

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.

John Feaster Jr
Applicants Signature

8/31/20
Date

Site Plan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John Feaster Jr.
Pin # 418-09-02-0005
Deed Book 1573, Page 836
n/f
BR Brick Pavers, LLC.
Pin # 418-09-02-0008
Deed Book 3829, Page 1438
1/2" IPF
N:698406.83
E:2624518.79
N 86°18'19" E
282.90'
14.2'
10.2'
84.6'
S 04°18'07" E
80.06'
1/2" IPF
N 17°08'06" W
82.20'
n/f
John Feaster Jr.
Pin # 418-09-02-0006
Deed Book 3592, Page 1428
21,902 Sqft
0.50 ± Ac.
Existing Concrete
Foundation
37.1'
55.2'
22.6'
264.64'
10.6'
9.7'
11.5'
S 86°19'46" W
1/2" IPF
N:698310.05
E:2624260.70
n/f
Burroughs & Chapin Trs Inc.
Pin # 418-09-01-0010
Deed Book 3848, Page 2422
Plat Book 266, Page 315
n/f
Douglas L. Burroughs
Pin # 418-09-02-0015
Plat Book 278, Page 110
S 17°03'45" E
115.50' (tie)
3/4" IPF
Dirt Drive
n/f
Jose Luis Diaz etal
Pin # 418-09-02-0007
Deed Book 4102, Page 1253
Plat Book 278, Page 110
1/2" IPF
N:698326.99
E:2624524.80
5.0'
30.0'
35.0'
Existing 35'
Shared Private drive
Ref (PB 278, Pg 110)
End of County
Maintenance
Dirt Drive

Case # 2020-09-007

VARIANCE REVIEW SHEET

Property Information

Variance Request #	2020-09-007
Applicant	Larry Beasley, agent
Parcel Identification (PIN) #	449-02-02-0006
Site Location	110 Ronald Court, Myrtle Beach
Property Owner	Walter A. Duran
County Council District #	6 - Crawford

Zoning Information

Zoning District	SF 20
Parcel Size	28,884 Sq. Ft.
Proposed Use	Residential

Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 706 and Article VIII regarding setback requirements in the Residential (SF20) zoning district.

	Requirement	Requested	Variance Needed	Percentage
Rear setback	25'	20'	5'	20%

Background/Site Conditions

The applicants have constructed a 31.8' x 16' porch addition on the rear of the single family home without obtaining a building permit. The screen porch will be located 20' from the rear property line instead of the required 25' for a variance of 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 setbacks apply to all parcels in the SF20 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.

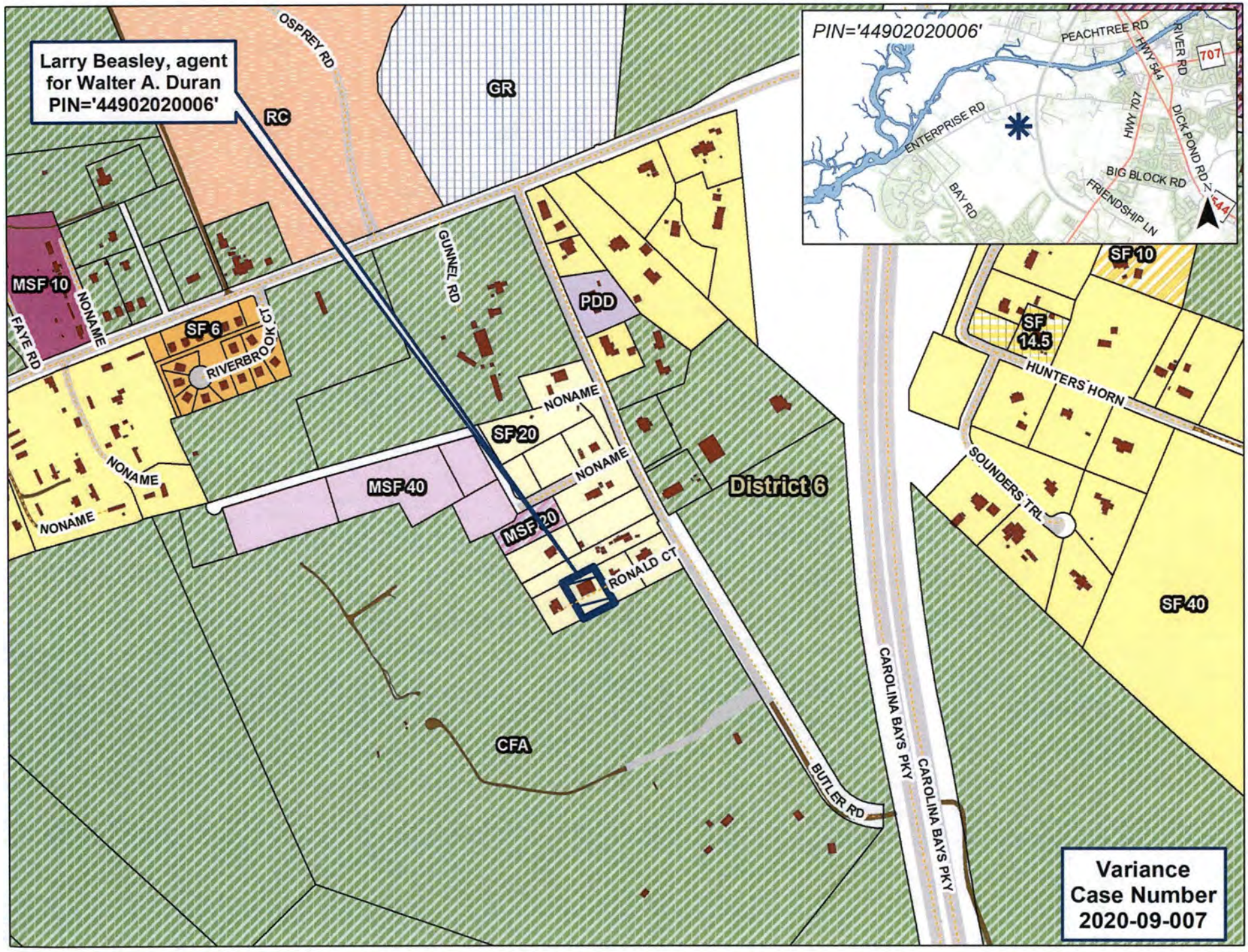
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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.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for Walter A. Duran
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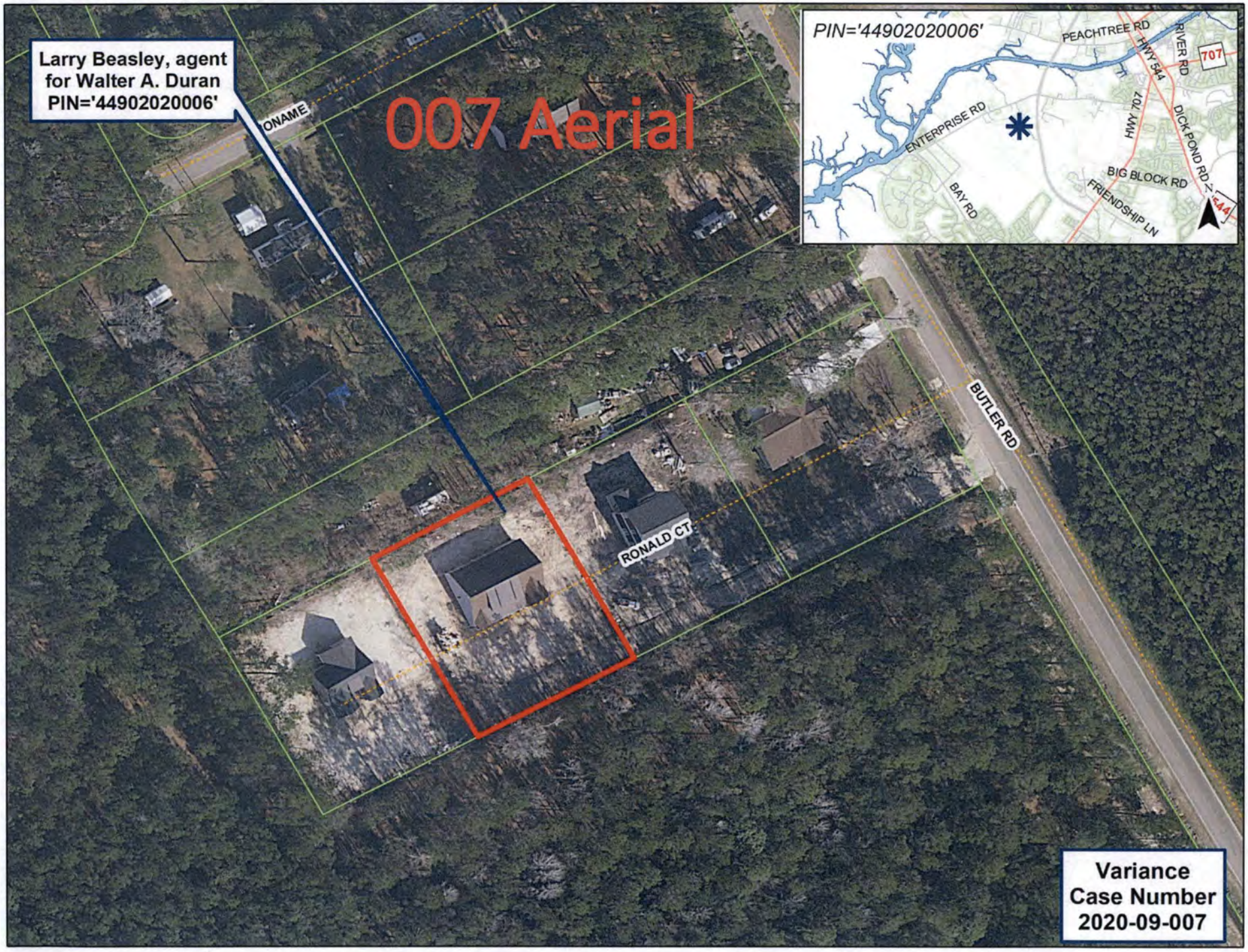
OSPREY RD
GR
RC
GUNNEL RD
MSF 10
NONAME
FAYE RD
SF 6
RIVERBROOK CT
NONAME
NONAME
MSF 40
SF 20
NONAME
NONAME
MSF 20
RONALD CT
PDD
District 6
CFA
BUTLER RD
CAROLINA BAYS PKY
CAROLINA BAYS PKY
SF 10
SF 14.5
HUNTERS HORN
SOUNDERS TRL
SF 40
PEACHTREE RD
HWY 544
RIVER RD
707
HWY 707
DICK POND RD N
ENTERPRISE RD
BIG BLOCK RD
FRIENDSHIP LN
BAY RD
544
Variance
Case Number
2020-09-007


Larry Beasley, agent
for Walter A. Duran
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007 Aerial
ONAME
RONALD CT
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HWY 544
RIVER RD
707
HWY 707
DICK POND RD
ENTERPRISE RD
BIG BLOCK RD
FRIENDSHIP LN
BAY RD
544
Variance
Case Number
2020-09-007

Porch Addition – right side

Rear

Applicant Submittal

VARIANCE REQUEST

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

Description of Request: REAR COVERED PATIO ROOF ENCROACHMENT INTO 25' REAR SETBACK

Required Front Setback: 40' from Shared Private Drive	Requested Front Setback: 87.5
Required Side Setback: 15'	Requested Side Setback: ~~39.8~~
Required Rear Setback: 25'	Requested Rear Setback: 20'
Required Bldg. Separation:	Requested Bldg. Separation:
Required Minimum Lot Width:	Requested Min Lot Width:
Required Min Lot Width/Bldg Site:	Requested Min Lot Width/Bldg Site:
Required Max Height of Structure:	Requested Max Height of Structure:

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

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

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

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

The 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)

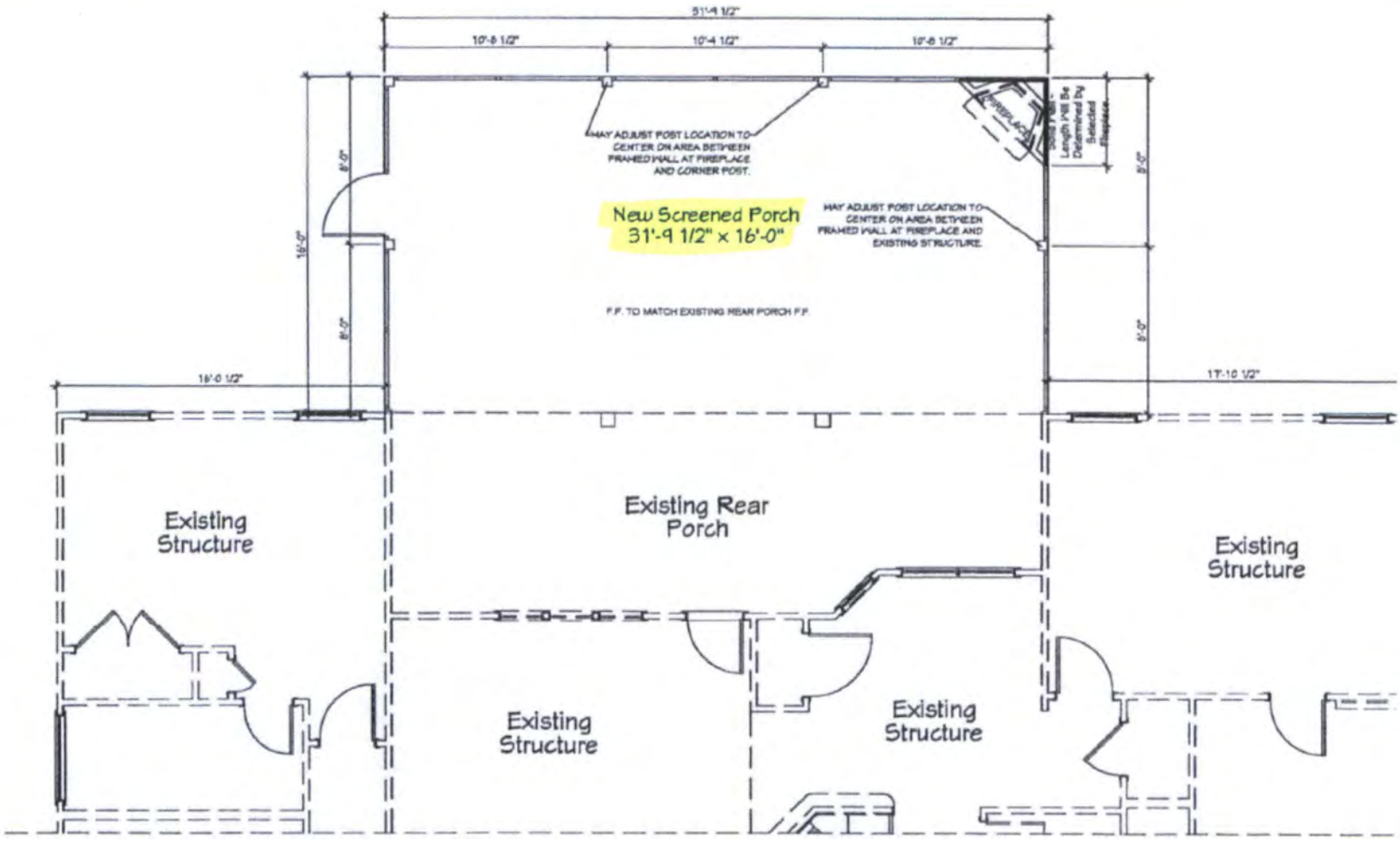
FINAL AS BUILT SURVEY

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.

Applicant's Signature

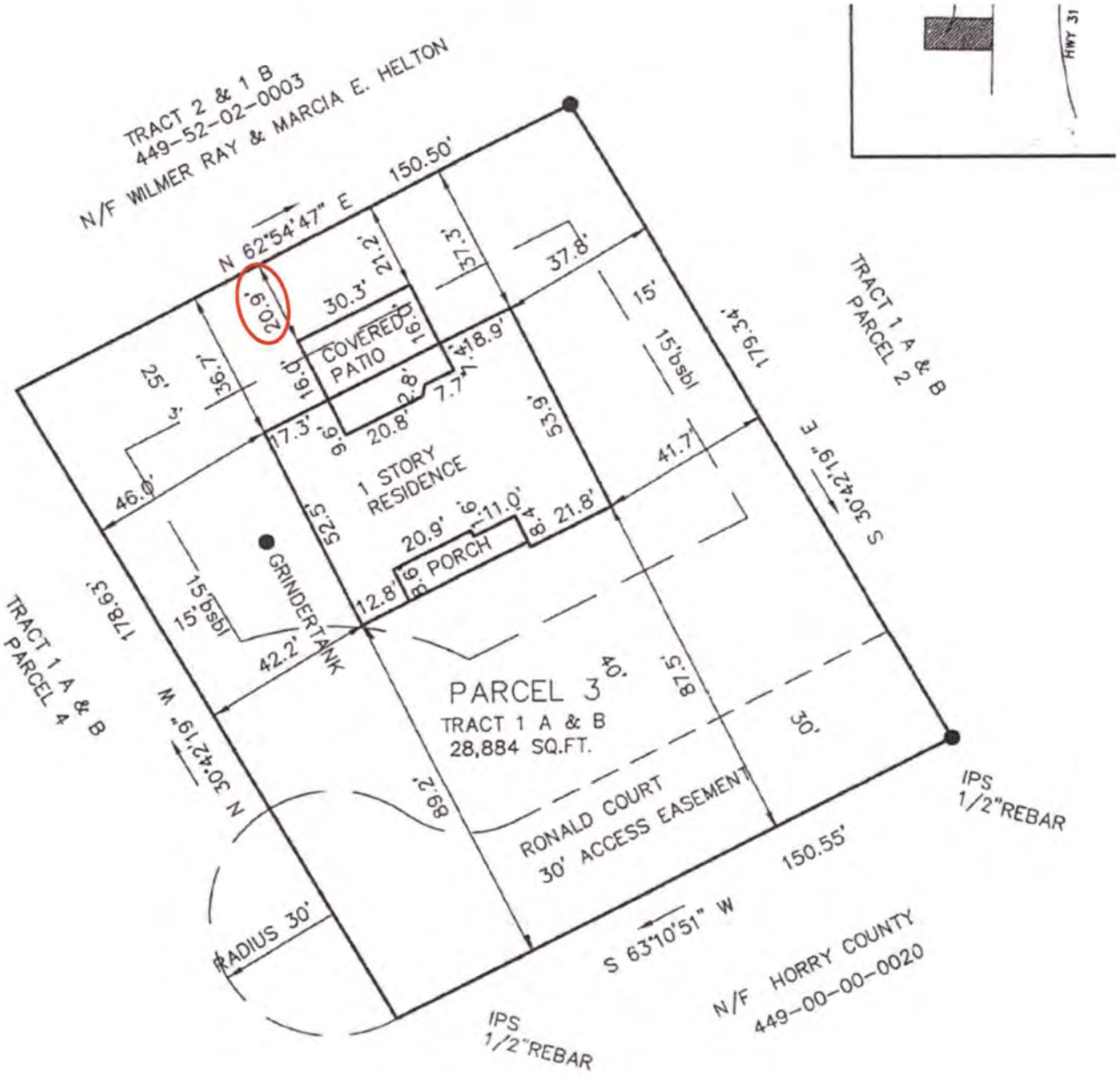
9-1-2020
Date

Screen Porch



FLOOR PLAN
SCALE: 1/4"=1'-0"

Site Plan



TRACT 2 & 1 B
449-52-02-0003
N/F WILMER RAY & MARCIA E. HELTON
N 62°54'47" E
150.50'
TRACT 1 A & B
PARCEL 2
S 30°42'19" E
179.34'
COVERED PATIO
1 STORY RESIDENCE
PORCH
GRINDERTANK
PARCEL 3
TRACT 1 A & B
28,884 SQ.FT.
RONALD COURT
30' ACCESS EASEMENT
TRACT 1 A & B
PARCEL 4
N 30°42'19" W
178.63'
RADIUS 30'
S 63°10'51" W
150.55'
IPS
1/2"REBAR
N/F HORRY COUNTY
449-00-00-0020
HWY 31

Case # 2020-09-008

VARIANCE REVIEW SHEET

Property Information

Variance Request #	2020-09-008
Applicant	Gary Belush
Parcel Identification (PIN) #	446-16-02-0057
Site Location	183 Coral Beach Circle, Surfside Beach
Property Owner	Gary Belush
County Council District #	4 - Loftus

Zoning Information

Zoning District	GR-8
Parcel Size	6,880 Sq. Ft.
Proposed Use	Residential

Requested Variance(s)

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

	Requirement	Requested	Variance Needed	Percentage
Rear setback	15'	5'	10'	67%

Background/Site Conditions

This parcel is located within Bermuda Gardens subdivision. The applicant is requesting to construct a 20' x 10' screen porch on the rear of the single family home. The porch will be located 5' from the rear property line instead of the required 15' for a variance of 10'. There will be no encroachment into the 10' private drainage easement on the left side of this parcel.

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.

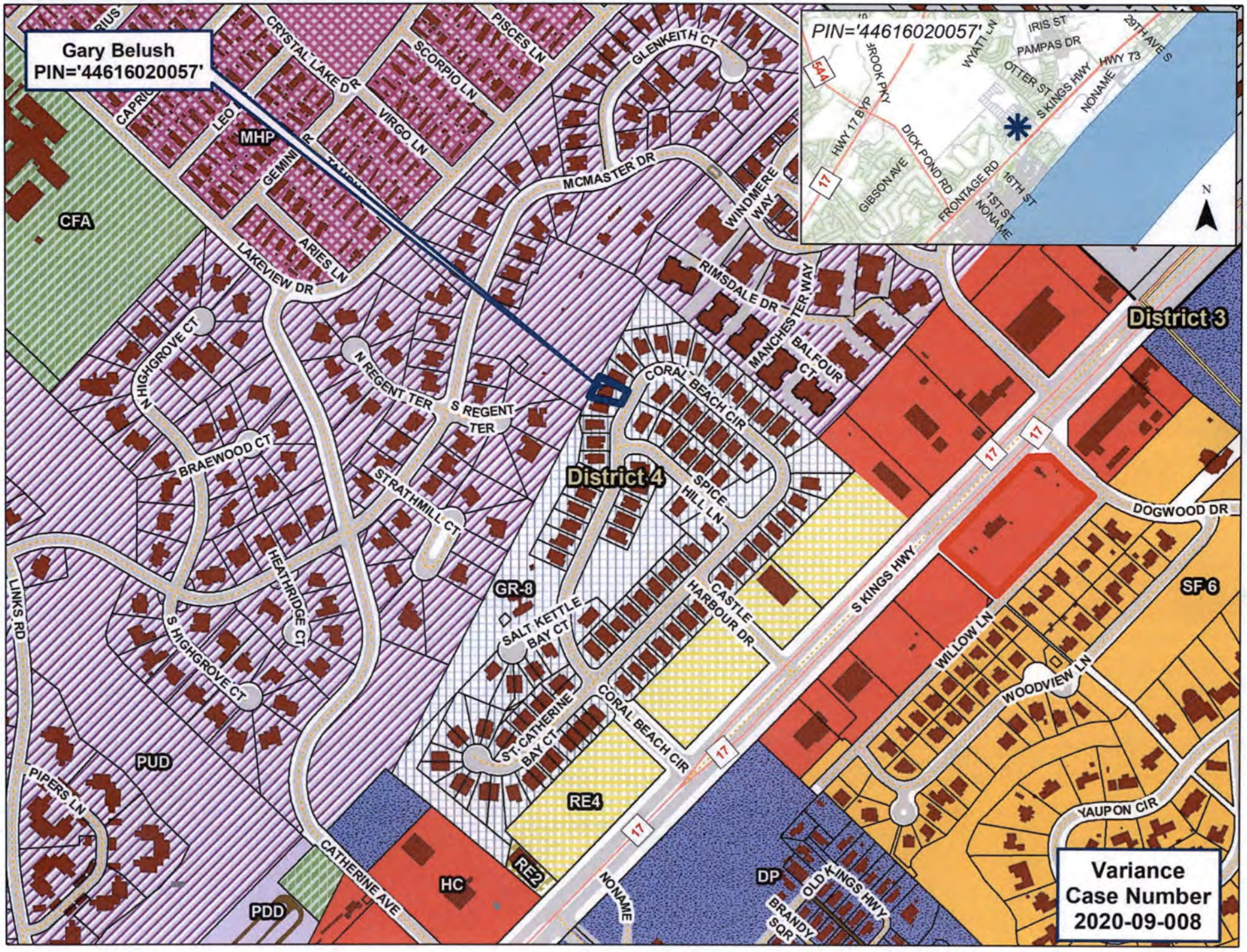
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)
The applicant has provided a letter of 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.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MHP
PUD
PDD
HC
RE2
RE4
GR-8
DP
SF 6
CRYSTAL LAKE DR
SCORPIO LN
PISCES LN
GLENKEITH CT
VIRGO LN
ARIES LN
LAKEVIEW DR
MCMASTER DR
WINDMERE WAY
RIMSDALE DR
MANCHESTER WAY
BALFOUR CT
CORAL BEACH CIR
N HIGHGROVE CT
N REGENT TER
S REGENT TER
BRAEWOOD CT
STRATHMILL CT
SPICE HILL LN
HEATHRIDGE CT
S HIGHGROVE CT
LINKS RD
SALT KETTLE BAY CT
CASTLE HARBOUR DR
ST. CATHERINE BAY CT
PIPERS LN
CATHERINE AVE
NONAME
S KINGS HWY
DOGWOOD DR
WILLOW LN
WOODVIEW LN
YAUPON CIR
OLD KINGS HWY
BRANDY SQR
IRIS ST
PAMPAS DR
WYATT LN
OTTER ST
S KINGS HWY
HWY 73
28TH AVE S
NONAME
BROOK PKY
HWY 17 BYP
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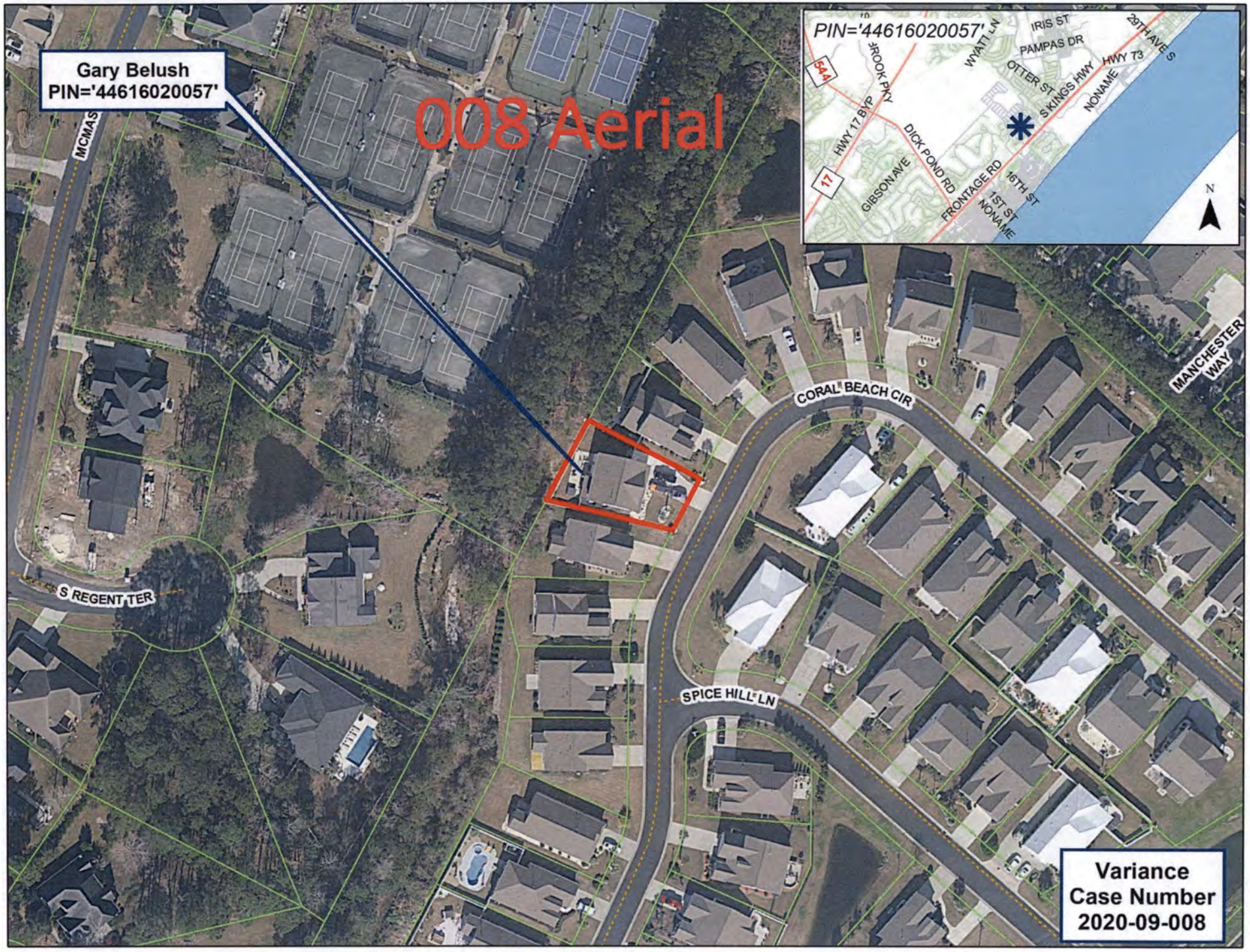
Variance
Case Number
2020-09-008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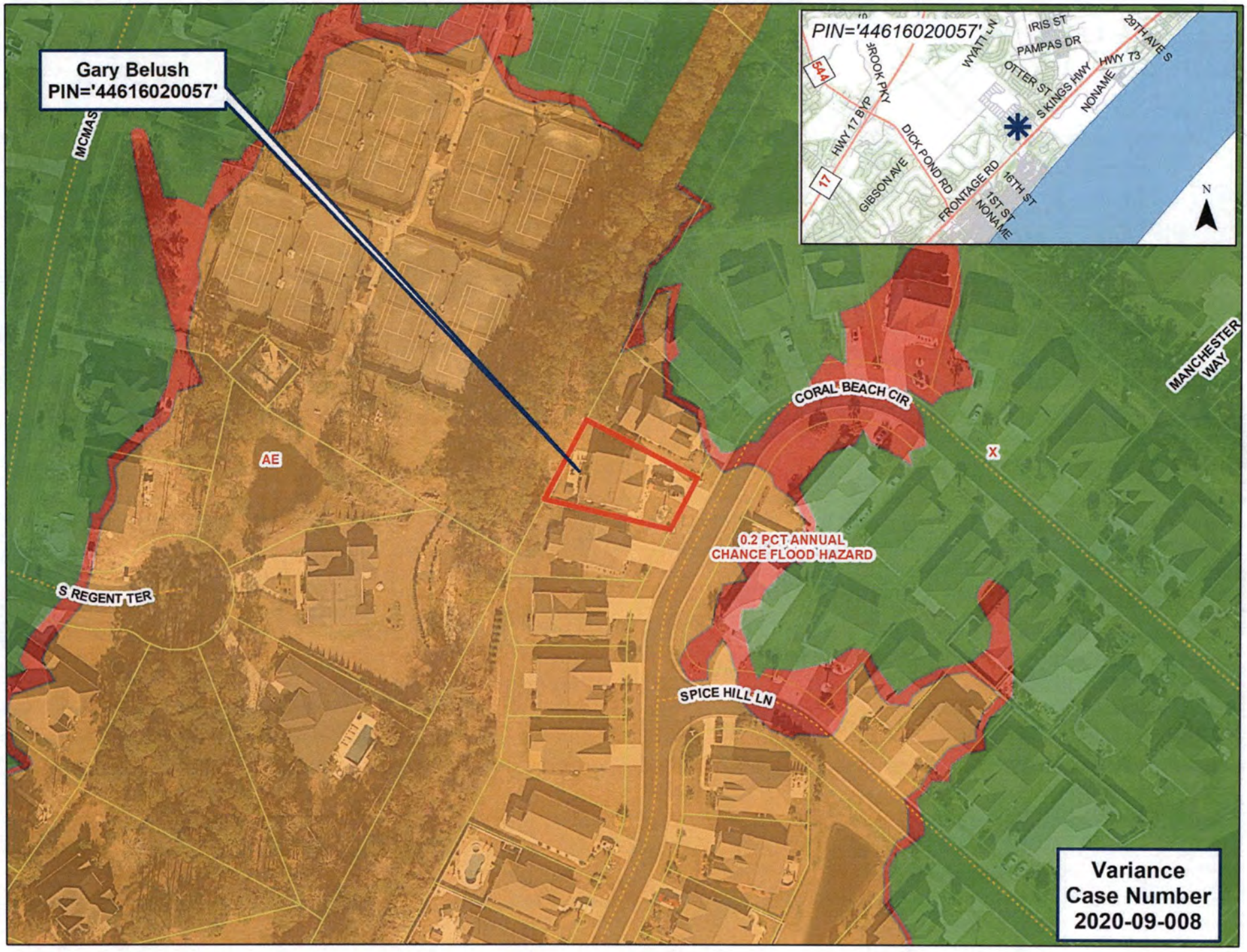
Case Number
2020-09-008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DICK POND RD
GIBSON AVE
FRONTAGE RD
16TH ST
1ST ST
NONAME
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Variance
Case Number
2020-09-008

Porch area

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: Add a screen Porch 10' x 20'

Required Front Setback: 20'	Requested Front Setback:
Required Side Setback: 10'	Requested Side Setback:
Required Rear Setback: 15'	Requested Rear Setback: 5'
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) build on to rear of home a screen Porch. see attached Doc.

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 _____

Ocean Walk

August 17, 2020

Gary Belush
183 Coral Beach Circle
Surfside Beach, SC 29575

Re: Architectural Review Application
183 Coral Beach Circle

Dear Gary Belush:

We are writing on behalf of the Board of Directors for Ocean Walk regarding your request to install 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,
An Associa® Company
Managing Agent

Managed by:
www.waccamawmanagement.com
info@waccamawmanagement.com

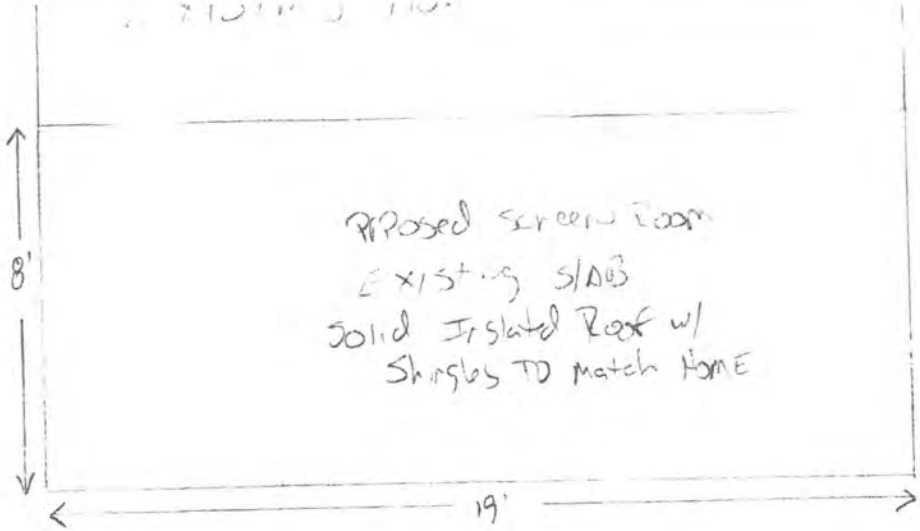
WACCAMAW MANAGEMENT
An Associa® Company

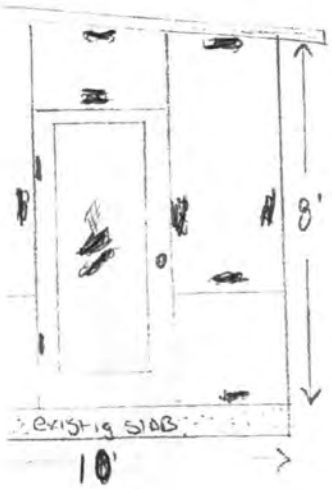
❒ **Pawleys Island Office**
P.O. Box 2308
Pawleys Island, SC 29585
843.237.9551

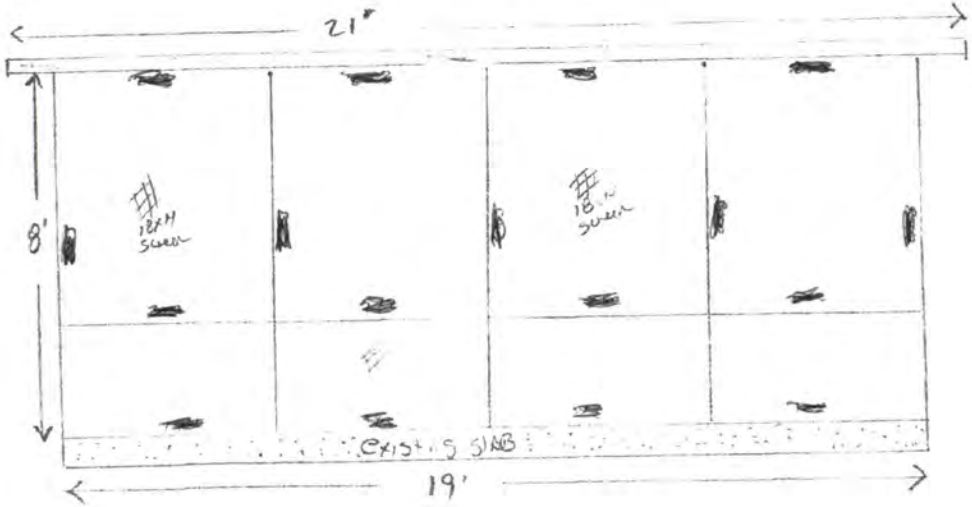
❒ **Carolina Forest Office**
P.O. Box 51558
Myrtle Beach, SC 29579
843.903.9551

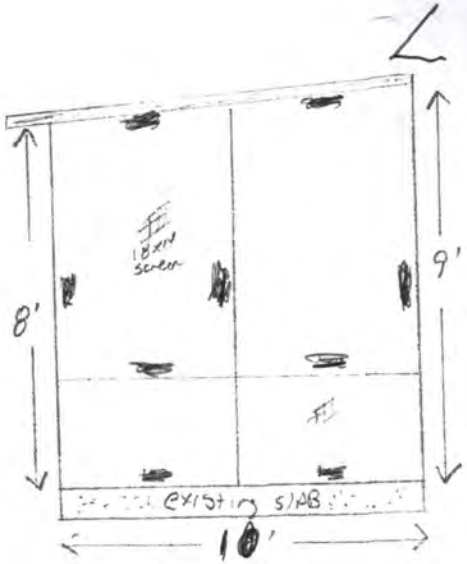
❒ **Briarwood Office**
605 Briarwood Drive, Suite C
Myrtle Beach, SC 29572
843.272.8705

183 Coral Beach Cir
Surfside Beach SC-29575
843-808-9939

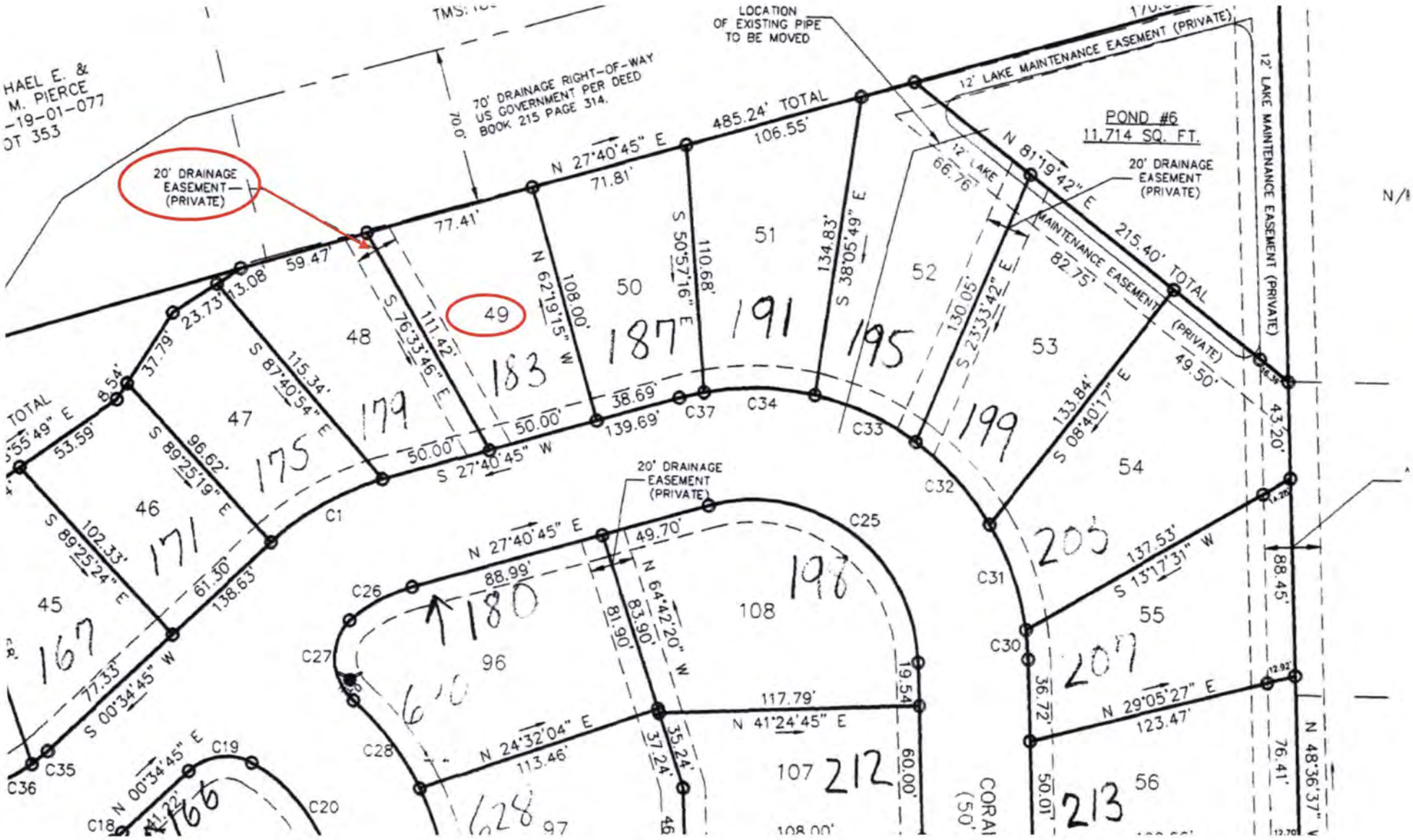




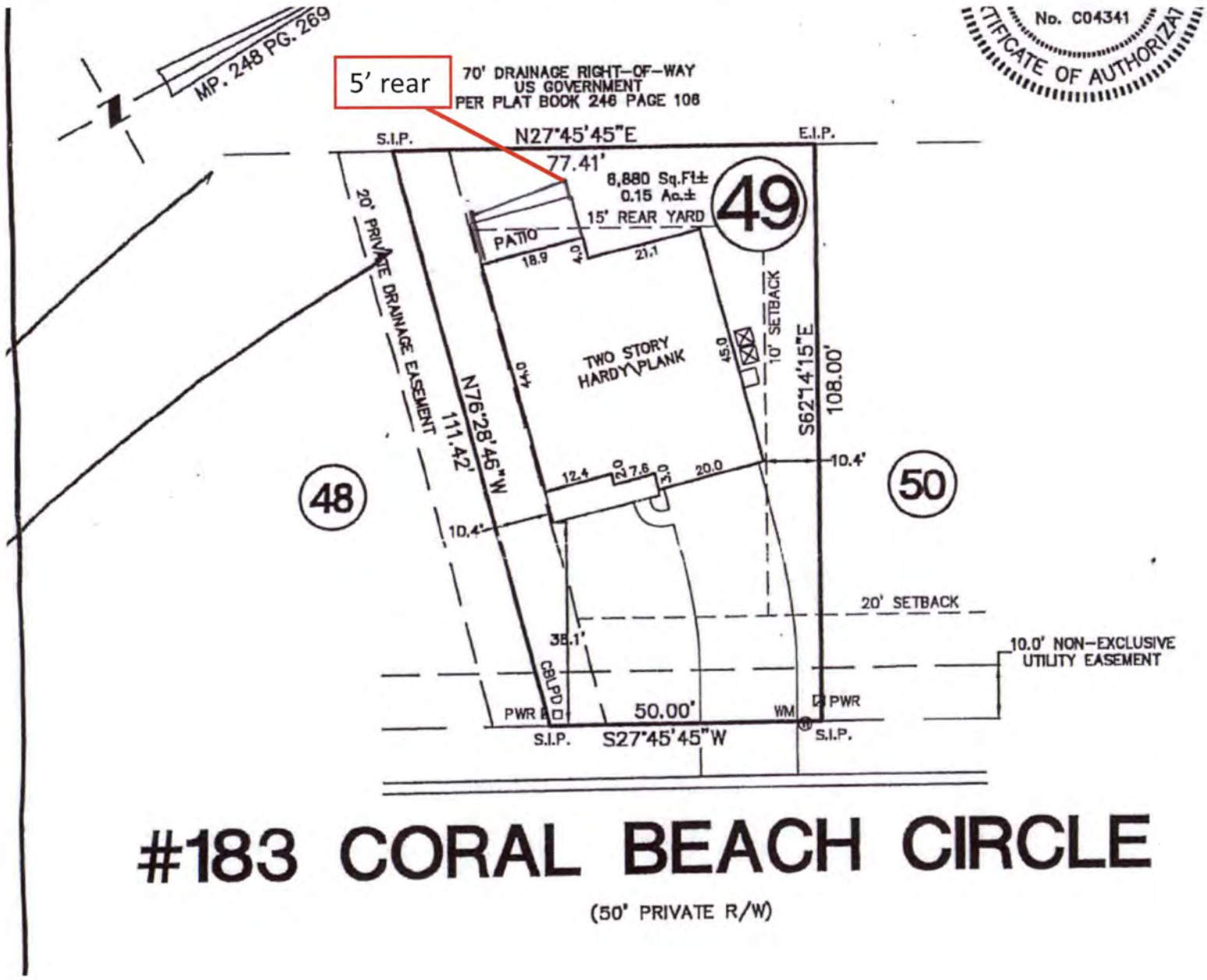




Bermuda Gardens Ph. 2 final plat



Site Plan


MP. 248 PG. 269
5' rear
70' DRAINAGE RIGHT-OF-WAY
US GOVERNMENT
PER PLAT BOOK 246 PAGE 108
No. C04341
CERTIFICATE OF AUTHORIZAT
S.I.P.
N27°45'45"E
E.I.P.
77.41'
6,880 Sq.Ft±
0.15 Ac.±
15' REAR YARD
49
PATIO
18.9
4.0
21.1
20' PRIVATE DRAINAGE EASEMENT
TWO STORY
HARDY PLANK
45.0
10' SETBACK
S62°14'15"E
108.00'
N76°28'46"W
111.42'
12.4
27.6
3.0
20.0
10.4'
48
50
20' SETBACK
35.1'
10.0' NON-EXCLUSIVE
UTILITY EASEMENT
CBLPD
PWR
50.00'
WM
PWR
S.I.P.
S27°45'45"W
S.I.P.
#183 CORAL BEACH CIRCLE
(50' PRIVATE R/W)

Case # 2020-09-009

VARIANCE REVIEW SHEET

Property Information

Variance Request #	2020-09-009
Applicant	Venture Engineering Inc., agent
Parcel Identification (PIN) #	382-03-02-0006
Site Location	1044 Causey Road, Conway
Property Owner	Natalie Ruperto Rogers
County Council District #	7 - Bellamy

Zoning Information

Zoning District	Pending MRD-2 Current MSF 20
Parcel Size	39,321 Sq.Ft.
Proposed Use	Commercial

Requested Variance(s)

The applicants are requesting a variance from Article VII Section 752 and Article VIII regarding separation and lot size requirements in the Multi Residential (MRD2) zoning district.

	Requirement	Requested	Variance Needed	Percentage
Minimum lot size	43,560 sq. ft.	39,321 sq. ft.	4,239 sq. ft.	10%
Separation between structures	20'	10'	10'	50%

Background/Site Conditions

The applicants are in the process of rezoning this parcel from Residential (MSF20) to Multi-Residential (MRD2) to bring the site into compliance with the type of uses on site. This variance is contingent on the parcel being rezoned. According to the Tax Assessor records the buildings have been there since 1972. The 2017 inspection by HC Code Enforcement showed Bldg. 1 had 4 meter services (multi-family use) and Bldg. 2 had 1 meter service for a single family home use. Code Enforcement issued a stop work order on the two buildings because a permit had not been received for alterations on the buildings. Alterations included interior alterations, plumbing, electrical, framing, additions to each building and replacing roofing and windows. Bldg. 1 had been changed to a triplex and Bldg. 2 to a duplex. MRD-2 zoning requires a 1 acre (43,560 sq. ft.) lot size for multi-family use the parcel is 39,321 sq. ft. in size for a variance of 4,239 sq. ft. The site plan shows the buildings are 11.5' apart. The applicant is requesting a variance for a 10' separation instead of the required 20' 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 exceptional condition would be that the use was established before zoning.

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

These conditions do not apply to properties in this area because they are being used for single family homes.

VARIANCE REVIEW SHEET

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 buildings were considered legal non-conforming and were allowed to stay as is, any expansion would require rezoning to a district that will allow the multi-family use.

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. Variance is contingent on approval of the rezoning to MRD2.
4. All other applicable County requirements shall be met.

Horry County Inspection Worksheet

Infrastructure and Regulation

Code Enforcement Department
1301 Second Ave Conway, SC 29526
Phone: (843) 915-5090 Fax: (843) 915-6090

Case Number:

Project:

Inspection Number: **INSP-6518023-2017**

Project Number:

Inspection Date: **9/8/17 10:59 am**

Inspection Type: **CE-BWOP Inspection**

Primary Inspector: **Knoch, Daniel**

Plan Type:

Addtional Inspector(s):

Weather:

Temperature:

Engineer: _____

Ownership:

Job Addres: _____

Inspection Attendees:

Contractor(s):

Parcel Number: _____

Code Enforcement Department Comments

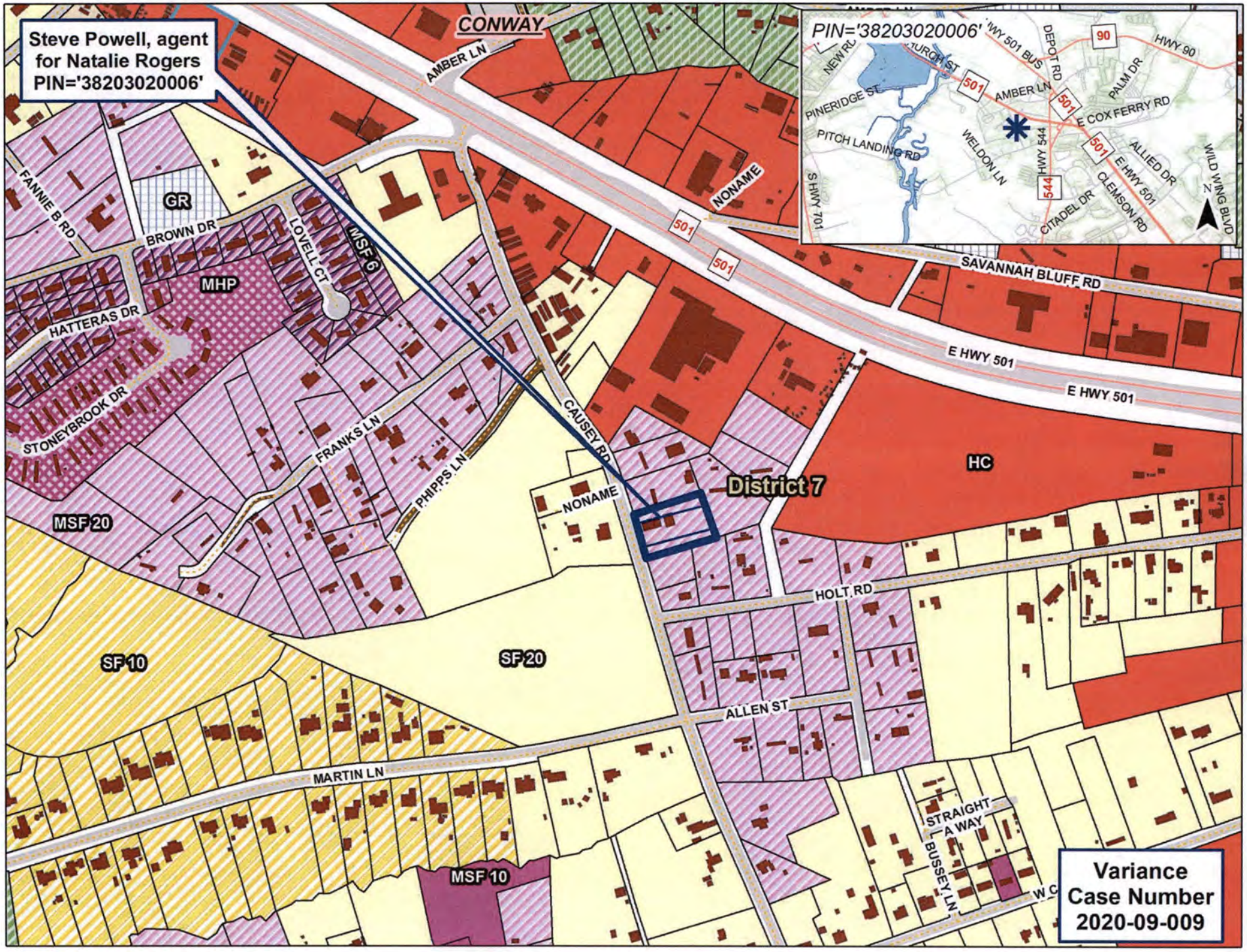
Inspection Status: Incomplete

Inspection Criteria	Comments	Status
Inspector Comments	5 apartment units (2 buildings), interior alterations, plumbing, electrical, framing, mechanical. Replacing roofing and windows. Will need permitted within 5 working days. Ok to complete roofing. No other work. Due to anticipated weather conditions.	Failed/Incomplete

_____
Daniel Knoch

Schedule and View your Inspection Status Online at: http://www.horrycounty.org/

* All approved inspections are valid for 30 days. In the event that weather or construction activities result in changes to approve conditions, re-inspection shall be required before proceeding to the next stage of construction .



Variance
Case Number
2020-09-009

Steve Powell, agent
for Natalie Rogers
PIN='38203020006'
009 Aerial
PHIPPS
CAUSEY RD
NONAME
HOLT RD
PIN='38203020006'
NEW RD
CHURCH ST
HWY 501 BUS
DEPOT RD
90
HWY 90
PINERIDGE ST
501
AMBER LN
PALM DR
E COX FERRY RD
PITCH LANDING RD
WELDON LN
HWY 544
544
ALLIED DR
E HWY 501
CITADEL DR
CLEMSON RD
S HWY 701
WILD WING BLVD
N
Variance
Case Number
2020-09-009

Site

Structures

Applicant Submittal

VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:
Article(s) VII Section(s) 752. G. 2 & 4

Description of Request: Request Variance to allow 10 ft building separation vs 20'

Request variance to reduce required standard lot size from 1 ac to 0.88 ac

Required Front Setback: _____ Requested Front Setback: _____

Required Side Setback: _____ Requested Side Setback: _____

Required Rear Setback: _____ Requested Rear Setback: _____

Required Bldg. Separation: 20' Requested Bldg. Separation: 10'

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)

Existing Triplex building and Duplex building to be grandfathered in current code calls for 6 units / ac. With these buildings the allowed is 5.2798 units for the 0.88 ac site which is in compliance with 5 units. Current code calls for 20' bldg separation. We are requesting 10 ft while currently buildings are 11'4" apart. There is no detriment in allowing the request as the buildings have been in place for years

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)

Variance Application, Letter of Agency and Site Plan

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 9/3/2020

LETTER OF AGENCY

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

Re: Rezoning, Permitting & Applications: PIN: 38203020006 (0.88 ac)

Property Location: H1044 Causey Road, Conway, SC 29526

Property Owner (s): Natalie Ruperto Rogers
(Please Print Name)

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; Kimberly Taylor Malcolm;
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

Natalie Ruperto
Property Owner (Please print full name)

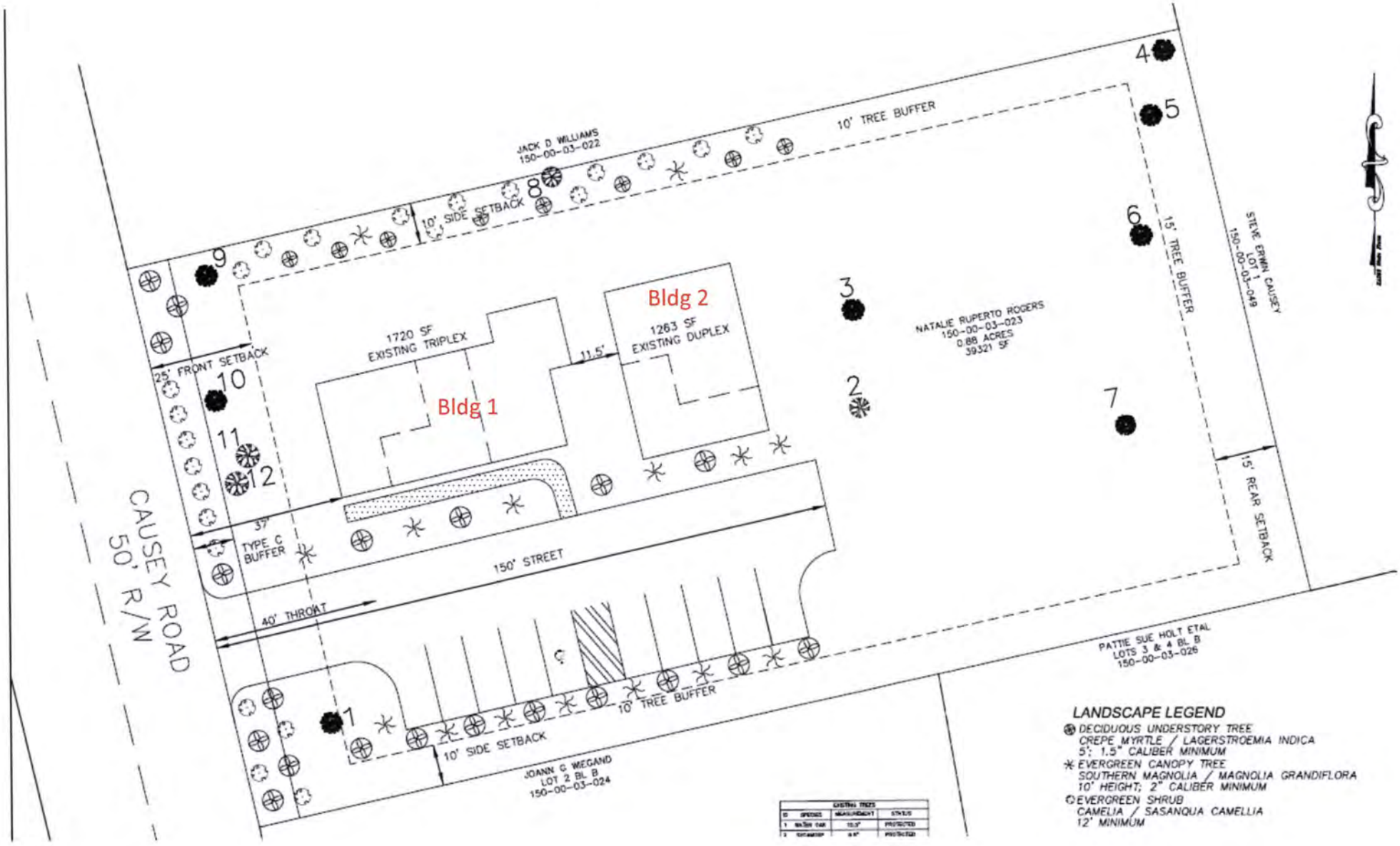
Owner
Title

Signature of property owner

8/25/20
Date

Letter of agency submitted must be original. No copies accepted.

Site Plan


JACK D WILLIAMS
150-00-03-022
10' TREE BUFFER
10' SIDE SETBACK
25' FRONT SETBACK
1720 SF
EXISTING TRIPLEX
Bldg 1
Bldg 2
1263 SF
EXISTING DUPLEX
11.5'
NATALIE RUPERTO ROGERS
150-00-03-023
0.88 ACRES
39321 SF
15' TREE BUFFER
STEVE ERWIN CAUSEY
LOT 1
150-00-03-049
15' REAR SETBACK
37'
TYPE C
BUFFER
150' STREET
40' THROAT
CAUSEY ROAD
50' R/W
PATTIE SUE HOLT ETAL
LOTS 3 & 4 BL B
150-00-03-026
10' TREE BUFFER
10' SIDE SETBACK
JOANN G WIEGAND
LOT 2 BL B
150-00-03-024
LANDSCAPE LEGEND
DECIDUOUS UNDERSTORY TREE
CREPE MYRTLE / LAGERSTROEMIA INDICA
5'; 1.5" CALIBER MINIMUM
EVERGREEN CANOPY TREE
SOUTHERN MAGNOLIA / MAGNOLIA GRANDIFLORA
10' HEIGHT; 2" CALIBER MINIMUM
EVERGREEN SHRUB
CAMELIA / SASANQUA CAMELLIA
12' MINIMUM

Case # 2020-09-001

SPECIAL EXCEPTION REVIEW SHEET

Property Information

Special Exception Request #	2020-09-001
Applicant	Gary Pakozdy, agent
Parcel Identification (PIN) #	307-11-03-0013
Site Location	2551 Hwy. 17 North, Little River
Property Owner	Triple J Realty III, LLC
County Council District #	1 - Worley

Zoning Information

Zoning District	HC
Parcel Size	2.62 acres
Proposed Use	Bar & Grill

Distance from Residential

Abutting Heather Lakes residential PUD to the rear

Requested Special Exception

The applicants are requesting special exception approval from Article V, Section 534 regarding on site consumption of alcohol for a Restaurant/ Bar in the Highway Commercial (HC) zoning district.

Background/Site Conditions

The applicants are requesting special exception approval to allow on premise consumption of alcohol at the Harley's Bar & Grill. This parcel is abutting the Heather Lakes residential PUD to the rear. The proposed hours of operation are Monday thru Sunday from 11:00 AM until 12:00 AM. This location has been a restaurant/bar since 2001 however, the business license for Empire Nite Life was closed in August 2019. Since it was closed longer than a year a special exception is required. The previous businesses were Julian's Sports Bar & Grill, Jimmagans End Zone Sports Bar and Empire Nite Life.

Ordinance and Analysis

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

1. That the special exception complies with all applicable development standards, including off-street parking and dimensional requirements.
This site was developed in 1996 and met zoning requirements at that time.

2. That the special exception will be in substantial harmony with the area in which it is to be located.
There has been a bar/restaurant in this location since 2001.

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

4. That the special exception will contribute to the economic vitality and promote the general welfare of the community.
The restaurant will provide a service to the community.

5. That the special exception will not discourage or negate the use of surrounding property for use(s) permitted by right.
Restaurants and bars are permitted uses within the HC zoning district.

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

Proposed Order/Conditions

Should the Board find that the special exception request for **Harley's Sports Bar and Grill** meets the required conditions of Section 534, the standard conditions imposed by the Board are:

1. No outdoor entertainment or amplified outdoor speakers unless a special event permit has been obtained from Public Safety;
2. No hosting of vendors during spring and fall bike rallies;
3. No burnout pits;
4. No outdoor displays or tents on the property;
5. No temporary banners or signs on the property;
6. No spotlight advertising;
7. No adult entertainment, or temporary adult entertainment permits;
8. Hours of operation - **11:00 AM until 12:00 AM, Monday thru Sunday;**
9. Any changes in character or hours shall result in the suspension of this approval and a rehearing of the ZBA shall be required;
10. Applicant will comply with all State and local laws;
11. All future buildings and building additions must conform to Horry County regulations;
12. No outdoor dining;
13. No sweepstakes and/or internet gaming permitted at any time.

Business Accounts Inquiry [HORRY COUNTY, SC]

Back | Search | Browse | Excel | Word | Email | Schedule | (1) Attach | Map | Q Query Name | L Licenses | H History | M Mass Charges

Business

Account ID *	2001776	DBA	EMPIRE NITE LIFE
	Out of Local Area	Status	INACTIVE
Mall/Development		Municipality	
Location	2551 Unit	Area	O - OUTSIDE CITY
Street	HWY 17	Type	LLC LLC
Zip/City/State	29566 LITTLE RIVER SC	AS400 HF Acct #	
Pin #	30711030013	Last maint	10/31/2019 By bellt
Location Descr		Last audit	
P/P ID	0	Assoc business	
Source	Munis		

BUSINESS INFO | NAICS/SIC | CONTACT INFO | TEXT/COMMENTS | OTHER | FACILITY

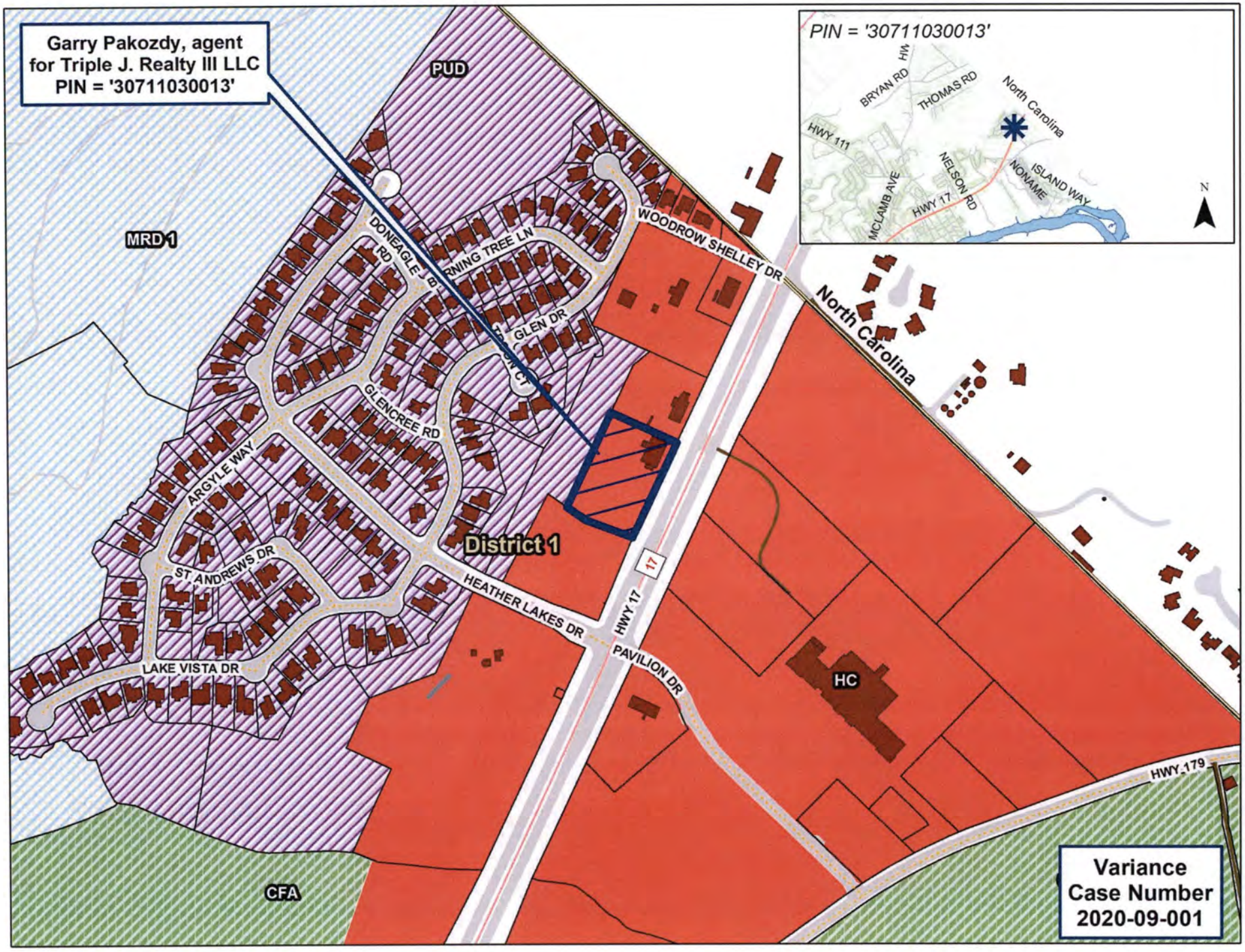
Business Owner	2367 EMPIRE NITE LIFE LLC	AS400 BL ID#	
DBA *	EMPIRE NITE LIFE	Fiscal Month/Dates *	1 -
	License CIDs	Insurance	
R/E Owner	0	Bus Start/Close	05/08/2017 08/31/2019
		Lease End	Leased
Agent/Operator	2367 EMPIRE NITE LIFE LLC	Bankruptcy	
		Last License	05/14/2019
Other CID	0	Filing history limit	0
			Allow account update in BL Self Service

Text | Special Conditions | Approvals | Open Lic Items | Prepayments

1 of 2

Query businesses by name.

100


Garry Pakozdy, agent
for Triple J. Realty III LLC
PIN = '30711030013'
PIN = '30711030013'
PUD
MRD 1
CFA
District 1
HC
North Carolina
WOODROW SHELLEY DR
DONEAGLE RD
GLEN DR
GLENCREE RD
ARGYLE WAY
ST ANDREWS DR
LAKE VISTA DR
HEATHER LAKES DR
PAVILION DR
HWY 17
HWY 179
BRYAN RD
THOMAS RD
HWY 111
MCLAMB AVE
NELSON RD
ISLAND WAY
NONAME
N
Variance
Case Number
2020-09-001

Garry Pakozdy, agent
for Triple J. Realty III LLC
PIN = '30711030013'
001 Aerial
TROON CT
HWY 17
17
PIN = '30711030013'
BRYAN RD
THOMAS RD
North Carolina
HWY 111
NELSON RD
ISLAND WAY
NONAME
MCLAMB AVE
HWY 17
N
Variance
Case Number
2020-09-001

Site

Applicant Submittal

SPECIAL EXCEPTION REQUEST

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

Applicant hereby appeals for a special exception from the requirements of the following provisions of the Zoning Ordinance: Article(s): V Section(s): 534

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

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

Name of Business: Hanley's Sports BAR and grill

Type of Business: Sports BAR + grill

Hours of Operation: 11 (AM/PM) until 12 (AM/PM)

Days of the Week: 7

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

The Board of Zoning Appeals shall consider the following criteria for special exceptions:

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

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

We feel there will be no impact on traffic, also no impact on vehicle and pedestrian safety. With the heavy tree buffer between subject property and residential properties there will be little to no impact of noise lights, fumes, or obstruction of air flow. The tree buffer will and has acted as screening from view

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

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

Applicant/Agent's Signature
(If in LLC or Corp. name please provide authorization to sign)

Date 8/11/20

HARLEY'S SPORTS BAR

APPETIZERS

BASKET OF FRIES $4
LOADED FRIES (CHILI - CHEESE - BACON) $9
BASKET OF ONION RINGS $5
EGG ROLLS (3) $6
MOZZARELLA STICKS (6) $7
CORNDOGS (2) WITH FRIES $7
CHICKEN TENDERS WITH FRIES $9
STEAK NACHOS (SALSA & SOUR CREAM) $9.50
FRIED MUSHROOMS $5

WINGS

6 FOR $6 - 12 FOR $11
-COMES WITH CELERY & CARROTS-
-RANCH OR BLEU CHEESE-
EXTRA DRESSING .50
EXTRA CELERY & CARROTS $1
NAKED - MILD - MEDIUM - HOT - TERIYAKI - HOTYAKI - BBQ
HOT BBQ - HOT HONEY GARLIC - GARLIC PARMESAN

SAMPLER PLATTER

4 MOZZARELLA STICKS WITH MARINARA, 2 CHICKEN TENDERS,
5 FRIED MUSHROOMS, FRIES OR ONION RINGS $12

SALADS

SIDE HOUSE SALAD $4 - HOUSE SALAD $6 - CHEF SALAD $10
GRILLED CHICKEN SALAD $9.50 - FRIED CHICKEN SALAD $9
RANCH - BLEU CHEESE - ITALIAN - 1000 ISLAND - HONEY MUSTARD

-ASK ABOUT OUR DAILY SPECIAL-
TOGO ORDERS AVAILABLE 843-399-2735

SANDWICHES

-COMES WITH HOMEMADE CHIPS-
ADD A SIDE OF FRIES $2.00 OR SIDE OF ONION RINGS $3.00
EXTRA DRESSING .50 - SLAW $1 - CHILI $2 - BACON $3
MAKE ANY SANDWICH INTO A WRAP FOR $1

PHILLY CHEESESTEAK (AMERICAN CHEESE, GREEN PEPPERS, GRILLED ONIONS & MUSHROOMS) $9.50

GRILLED CHICKEN PHILLY (CHEESE, GREEN PEPPERS, GRILLED ONIONS & MUSHROOMS) $10

REUBEN (CORNED BEEF, SAUERKRAUT, SWISS & 1000 ISLAND ON RYE) $9.50

FRENCH DIP (ROAST BEEF & PROVOLONE WITH HOMEMADE AU JUS) $9

CHEESE BURGER (BUILD IT YOURSELF) $9

BACON CHILI CHEESE BURGER $11

PATTY MELT (SWISS CHEESE & GRILLED ONION ON GRILLED WHITE) $9

FRIED CHICKEN SANDWICH (BUILD IT YOURSELF) $9

GRILLED CHICKEN SANDWICH (BUILD IT YOURSELF) $9

BLT (BACON, LETTUCE & TOMATO) $9

CLUB SANDWICH (TURKEY, BACON, HAM, ROAST BEEF, CHEESE, LETTUCE, TOMATO & MAYO ON WHITE) $10

TURKEY MELT (BACON, TOMATO, 1000 ISLAND & AMERICAN CHEESE) $9

AMERICAN GRILLED CHEESE $6

GRILLED HAM & CHEESE $7.50

GRILLED CHEESE & BACON $8

CONEY DOG (CHILI & CHEESE) $5

CAROLINA DOG (SLAW, CHILI, MUSTARD & ONION) $5

NATHANS HOT DOG $3

Floor Plan

STORAGE
EXIT
MENS BATHROOM
OFFICE
Kitchen
EXIT
EXIT
Ladies BATH ROOM
STORAGE
STORAGE
DECK
EXIT
SEATING
BAR
HARLEY'S SPORTS
BAR AND GRILL
SEATING
FRONT DOOR
POOL Tables
POOL Tables
GAME ROOM