



# HORRY COUNTY ZONING BOARD OF APPEALS

## Meeting Dates

January 9, 2023  
February 13, 2023  
**March 13, 2023**  
April 10, 2023  
May 8, 2023  
June 12, 2023  
July 10, 2023  
August 14, 2023  
September 11, 2023  
October 9, 2023  
November 13, 2023  
December 11, 2023

## Members

Drew Parks, Chairman  
James Marshall Biddle, Vice Chairman  
Jeffrey Miller  
Jody Nyers  
Robert Page  
Kirk Truslow  
Neal Hendrick  
Blake Arp

## Staff

Pam Thompkins, Zoning Administrator  
Marnie Leonard, Asst. Zoning Admin.  
David P. Jordan, Planning Director  
Stewart Miller, County Attorney  
Desiree Jackson, Senior Planner  
Stevie Brown, Deputy Planning Director  
David Gilreath, Asst. County Admin  
Brandon Gray, Senior Planner  
Taylor Jones, Planning Tech.



**HORRY COUNTY ZONING BOARD OF APPEALS**  
**Agenda**

*March 13, 2023*

- I. Call to Order – 5:30 p.m.**
  
- II. Invocation/Pledge of Allegiance**
  
- III. Communications**
  
- IV. Minutes**
  - February 13, 2023– Regular Meeting Minutes ..... 1-16
  
- V. Old Business**
  - 1. Reconsideration 2022-12-005 – Venture Eng., agent for Pinnacle Storage Hwy 9 LLC ..... 17-29**  
Located off of Hwy 9, Longs (Council Member Causey)
  
  - 2. 2022-12-010 – Venture Engineering, agent for Princefield LLC. **WITHDRAWN****  
Hwy 747, Loris (Council Member Causey)
  
  - 3. 2022-12-011 – Emma Hernon, agent for James Daniels ..... 30-41**  
4701 Holmestown Rd., Myrtle Beach (Council Member Servant)
  
  - 4. 2022-12-014 - Venture Engineering, agent for Lakeside Investments, LLC ..... 42-55**  
Corner of Church St. & Chaucer Ln, Myrtle Beach (Council Member Howard)
  
  - 5. 2023-01-002–Bertha Georgina Blenis ..... 56-68**  
3951 Evens Estate Drive, Little River (Council Member Causey)
  
  - 6. 2023-01-012–Venture Engineering, agent for Carl Meares Jr. **WITHDRAWN****  
1568 Watson Ave., Little River (Council Member Dukes)



**VI. New Business**

**Variances**

- 1. 2023-02-002–Jeff Edney, agent for Sovran Acquisition LP ..... 69-80**  
2687 Beaver Run Blvd., Surfside Beach (Council Member Loftus)
- 2. 2023-02-004–Venture Engineering, agent for Gale Properties LLC ..... 81-89**  
785 Jason Blvd. Myrtle Beach (Council Member Loftus)
- 3. 2023-02-005–Rainbow Construction, Inc. .... 90-99**  
Inlet Square Drive, Myrtle Beach (Council Member Servant)
- 4. 2023-02-006–Vincent Collareta ..... 100-108**  
715 Bonnie Dr., Myrtle Beach (Council Member Crawford)
- 5. 2023-02-007–The Earthworks Group, agent for MC & WKM, LLC ..... 109-119**  
Recreation Road, Myrtle Beach (Council Member Crawford)
- 6. 2023-02-008–Tom Miller, agent for Kingston Resort owner LLC ..... 120-129**  
115 Ninety Park Drive, Conway (Council Member Hardee)
- 7. 2023-02-009–Diamond Shores, agent for Ashwood Holdings, LLC ..... 130-138**  
Located on Allsbrook Road (Council Member Hardee)
- 8. 2023-02-010–Dylan Andrew, agent for Barry Evans and Cam Flowers ..... 139-149**  
4233 Black Island Road, Galivants Ferry (Council Member Allen)
- 9. 2023-02-011–Sean Williams, agent for S&H Investments ..... 150-158**  
Hwy. 319, Conway (Council Member Anderson)
- 10. 2023-02-012–Robert Guyton, agent for Darren and Kimberly Gore ..... 159-167**  
1065 CBI Road, Loris (Council Member Causey)
- 11. 2023-02-013– Jenna Mac, LLC ..... 168-177**  
2678 Highway 544, Conway (Council Member Masciarelli)



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- 13. 2023-02-014–Venture Engineering, agent for Carl Meares Jr. **Withdrawn****  
1568 Watson Ave., Little River (Council Member Dukes)

**Special Exceptions**

- 14. 2023-02-001–Greg Tyler, agent for D&E Real Estate LLC ..... 178-187**  
3140 Hwy 17 Murrells Inlet (Council Member Servant)

**Rural Tourism**

- 15. 2023-02-003–Melissa & Victor Nobles, agent for Nobles Farm LLC ..... 188-202**  
3500 Nobles Farm Road, Aynor (Council Member Allen)

**VII. Adjourn**



# Communications



# Minutes

STATE OF SOUTH CAROLINA    )   HORRY COUNTY ZONING BOARD OF APPEALS  
  )  
COUNTY OF HORRY                )   MINUTES – February 13, 2023

The Horry County Zoning Board of Appeals held its scheduled meeting on Monday, February 13, 2023 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: Kirk Truslow, Robert Page, J. Marshall Biddle, Neal Hendrick, Drew Parks, Blake Arp and Jody Nyers

Board Members Absent: Jeffrey Miller

Staff present: Pam Thompkins, Marnie Leonard, Stewart Miller, Jordan Todd, Brandon Gray and Taylor Jones

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

Chairman Drew Parks swore in staff.

**COMMUNICATIONS**

Chairman Drew Parks asked the board if anyone wanted to make the motion to reconsider Case 2022-12-005 Black Bear Storage Center. Robert Page made a motion to reconsider. J. Marshall Biddle seconded the motion. The motion carried anonymously. Case 2022-12-005 would be reconsidered at the March 13, 2023 meeting.

2022-12-010 John McKewen – Deferred to the March 13, 2023 meeting.

2023-01-006 Ken Haynes, agent for Richard Edwards – Withdrawn by applicant.

**REGULAR MEETING MINUTES - January 9, 2023**

Chairman Drew Parks asked if there were any additions, deletions or changes to the minutes. Vice Chairman J. Marshall Biddle made a motion to accept the adjusted minutes. Blake Arp seconded. The motion carried unanimously. *The minutes for January 9, 2023 were approved as amended.*

**OLD BUSINESS**

**The first case number was 2022-10-013 Danny Allen.** Pam Thompkins presented the case to the Board. PIN 207-01-03-0003 identified the parcel located at 193 Demo Place, Galivants Ferry. The applicant was requesting a variance from Article V, Section 504 C regarding the landscaping requirements in the Agricultural (AG2) zoning district. This was the location of Allen's Demolition & Workhouse Industries. This case was denied by the Zoning Board of Appeals at the Dec. 12, 2022 meeting. The applicant attended the January 9, 2023 meeting and respectfully asked the board to reconsider his request because he inadvertently missed the December meeting. The Board made a motion and voted to reconsider this case at the Feb. 13th meeting. The parcel was rezoned by Council on May 15, 2018 to AG2 to allow a commercial contractor's office and warehouse. The outdoor storage had not been approved by Planning & Zoning. Before final inspection could be given to the building and outdoor storage the required landscaping and screening is required. The applicants requested the following variances of Art V, Section 504 C : 1) Type B spatial buffers on the left side property line variance of 7 understory trees and 64 shrubs; 2) Type B spatial buffers on the right side property line variance of 7 understory trees and 56 shrubs; 3) 100% relief from the Type C streetscape buffer along the front/cul-de-sac; 4) Foundation landscaping; 5) 100% relief from having all parks location within 50' of the trunk of a tree; 6) 100% relief from supplemental plantings within 100' of a hose bib or be automatically irrigated; and 7) Supplemental plantings to be stabilized with a bedding material such as pine straw or mulch. A 100% relief from Art. IV, Section 411 which required outdoor storage to be screened by a completely opaque fence a minimum 6' in height. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 Drew Parks swore in Danny Allen who stated that he started the rezoning process for the purpose of his commercial business. Mr. Allen stated that he only had three employees in the office, and the only other home in the vicinity was his own. Mr. Allen said he was unaware that he would have to plant so many shrubs, as he had already planted 60 oak trees.

There were no board or staff comments.

There was no public input.

Jody Nyers made a motion to grant the variance with the conditions as stated by staff. Vice Chairman J. Marshall Biddle seconded the motion. The motion carried with a 4-3 vote, with Robert Page, J. Marshall Biddle and Neal Hendrick voting in opposition. ***The variance was approved with conditions.***

**NEW BUSINESS**



**The second case number was 2023-01-001 Nakita Stevens, agent for Isaac Brown Jr. & Sr.** Pam Thompkins presented the case to the Board. PIN 177-14-02-0003 identified the parcel located at 6298 Hwy. 66, Loris. The applicants requested a variance from Article II regarding setback requirements in the Forest Agriculture (FA) zoning district. The applicants requested to permit two mobile homes on this parcel. The site plan showed three mobile homes on the parcel. This parcel size will only allow two dwellings therefore the abandoned mobile home would need to be removed. The mobile home on the front of the parcel would be located 21' from the front property line instead of the required 40' for a variance of 19'. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 Drew Parks swore in Rodney Cox who stated the what Mrs. Thompkins explained was correct.

There was a concern that Mr. Rodney Cox was not the applicant or the listed agent, but the property owner was present and stated that Mr. Cox could speak on his behalf.

There was no public input.

Jody Nyers made a motion to grant the variance with the conditions as stated by staff. Neal Hendrick seconded the motion. The motion carried 5-2 with J. Marshall Biddle and Neal Hendrick voting in opposition. ***The variance was approved with conditions.***

**The third case number was 2023-01-002 Bertha Georgina Blenis.** Pam Thompkins presented the case to the Board. PIN 313-16-01-0007 identified the parcel located at 3951 Evans Estate Dr., Little River. The applicant requested a variance from Article II regarding the setback requirements in the Commercial Forest Agriculture (CFA) zoning district. The applicant proposed a 12'x16' addition to an existing storage building. On March 14, 2022 the applicant received a variance (Case 2022-02-006) to allow this addition to be 10' from the right-side property line. However, a foundation survey showed the addition was located 7.5' from the right-side property line instead of the required 10' for a variance of 2.5'. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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.

The applicant was absent.

Kirk Truslow made a motion to defer the request until the March meeting. Blake Arp seconded the motion. The motion carried unanimously. *The variance was deferred.*

**The fourth case number was 2023-01-003 Debbie Jenkins with Tyson Sign Co., agent for Anderson Brothers Bank.** Pam Thompkins presented the case to the Board. PIN 396-12-04-0018 identified the parcel located at International Dr. & McLeod Health Blvd., Myrtle Beach. The applicants requested a variance from Article VI, Section 608 B 1 regarding the commercial subdivision sign requirements in the Highway Commercial (HC) zoning district. The applicants proposed to install a monument sign for Anderson Brothers Bank. This was Lot 30 located within the Towne Centre Commons commercial subdivision. Art. VI, Section 608 B 1 allowed a monument sign 8' in height for out-parcels that are part of a commercial subdivision. The proposed monument sign would be 16.3' in height instead of the required 8' for a variance of 8.3' in height. The applicants provided a letter of approval from the Towne Centre Commons POA. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 Drew Parks swore in Debbie Jenkins, Tyson Sign Co. Mrs. Jenkins stated that the front of the building faced International Dr., and there were multiple signs higher than the one needing the variance, including Taco Bell, Lowes Food, and Murphy's. Mrs. Jenkins also indicated that they had approval from the Towne Center Commons POA.

There were no board or staff comments.

There was no public input.

Neal Hendrick made a motion to grant the variance with the conditions as stated by staff. Vice Chairman J. Marshall Biddle seconded the motion. The motion carried unanimously. *The variance was approved with conditions.*

**The fifth case number was 2023-01-004 Sierra Abbot.** Pam Thompkins presented the case to the Board. PIN 469-04-04-0011 identified the parcel located at 901 Inlet Square Dr., Murrells Inlet. The applicant requested a variance from Article IV, Section 411 and 412 B regarding fencing requirements in the Highway Commercial (HC) zoning district. This site was known as Inlet Trade Center and had been used for offices, car sales, storage buildings and repair services. The applicant was requesting to also have outdoor storage of RV/boats/cars, equipment storage and a tree service business. Art. IV, Section 412B stated a privacy fence must meet a 10' setback from any front or corner side property lines abutting a road right of way. Art. IV, Section 411 requires all outdoor storage to be screened with a 6' fence or wall. The applicant stated they will screen the fencing but are asking for a variance to keep the existing fence that is located 0' from

the front property line instead of 10' for a variance of 10'. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 Drew Parks swore in Sierra Abbott who explained that he just wanted to keep the property functioning as it was. Mr. Abbott had been using the property for outdoor storage, when he found out that he did not have the outdoor storage approved.

There were no board or staff comments.

There was no public input.

Vice Chairman J. Marshall Biddle made a motion to grant the variance with the conditions as stated by staff. Jody Nyers seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

**The sixth case number was 2023-01-005 Robert “Shep” Guyton, agent for CCC-Myrtle Beach LLC.** Pam Thompkins presented the case to the Board. PIN 395-00-00-0031 identified the parcel located at 716 Houston St., Myrtle Beach. The applicants requested a variance from Article II regarding setback requirements in the Multi-Residential District (MRD3) zoning district. This was the location of the Cottages at Myrtle Beach, in-common development, consisting of a mixture of 290 single family and duplex units. The property was rezoned Nov. 17, 2020 (Ord. 56-2020) and amended on March 2, 2021 (Ord.29-2021). The Zoning Board also granted a variance (Case 2022-06-011) on July 11, 2022 for setbacks on the freestanding sign. The MRD3 required a 25' setback from all exterior property lines. A post foundation survey showed Cottage/Unit 166 located 20' from the left side exterior property line instead of the required 25' for a variance of 5'. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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.

Attorney Shep Guyton, represented the owner, stated that originally this project was supposed to be 2 phases, but the applicant can no longer develop phase two. Mr. Guyton said since phase two can not be developed, that leaves a cottage 5' into the setbacks.

There were no board or staff comments.

There was no public input.

Vice Chairman J. Marshall Biddle made a motion to grant the variance with the conditions as stated by staff. Blake Arp seconded the motion. The motion carried unanimously. *The variance was approved with conditions.*

**The seventh case number was 2023-01-007 Carolina Home Exteriors, agent for Don & Joyce Vogler.** Pam Thompkins presented the case to the Board. PIN 298-10-04-0040 identified the parcel located at 515 Whiddy Loop, Conway. The applicants requested a variance from Article II regarding setback requirements in the Shaftesbury Glenn PDD Zoning District. This parcel was Lot 22 at The Landing at Shaftesbury Glen. The home (permit #124420) was built in 2021 and the pool (permit # 124420) was constructed in 2022. The applicants proposed to construction of a pool enclosure. The pool enclosure would be located 12' from the rear property line instead of the required 15' for a variance of 3'. There was a 12' private lake maintenance easement on the rear of this parcel that the pool will abut but not encroach into. The applicants have obtained an approval letter from The Landing at Shaftesbury Glen POA. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 Drew Parks swore in Mike Kinsey, Carolina Home Exteriors, agent for Don & Joyce Vogler, who stated that the home was built in 2021 and the pool was built in 2022. Mr. Kinsey explained that the homeowners were diabetic and allergic to bug bites. Mr. Kinsey also explained that the variance was only for 3' and the home owners association had given their approval.

There were no board or staff comments.

There was no public input.

Jody Nyers made a motion to grant the variance with the conditions as stated by staff. Neal Hendrick seconded the motion. The motion carried unanimously. *The variance was approved with conditions.*

**The eighth case number was 2023-01-008 Kenneth Moss, agent for Highway Ninety Investors & Waterfall Circle, Little River.** Pam Thompkins presented the case to the Board. PIN 34903010022 , 31414040056, 31414040036, 34903010007, 34903010013, 34903010023, 34903010008, 34903010010, 31414040041, 31414040053, 34903010012, 31414040054, 31414040062, 31414040059, 34903010020, 34903010017, 31414040037, 31414040061, 31414040043, 31414040044, 34903010014, 34903010024, 34903010009, 31414040038,

31414040047, 34903010019, 31414040040, 31414040051, 31414040060, 34903010011, 31415030003, 34903010015, 31414040046, 31414040035, 31414040058, 31414040063, 31414040042, 31414040045, 31414040034, 31414040033, 34903010021, 31414040064, 31414040065, 31414040055, 31414040039, 34903010018, 31414040048, 31414040052, 31415030001, 31414040049, 31415030002, 34903040019, 31414040057, 31414040050, 34903010016, 34902020001, 34903040018, 34903040017, 34903040016, 34903040015, 34903040014, 34903040013, 34903040011, 34903010070, 34903010069, 34903010068, 34903010067, 34903010066, 34903010065, 34903010064, 34903010063, 34903010062, 34903010061, 34903010060, 34903010059, 34903010058, 34903010057, 34903010056, 34903010055 & 34903010054 identified the parcel located at Waterfall Cir., Little River. The applicants requested a variance from setbacks and buffer requirements in the Waterfall PUD zoning district. The Waterfall Subdivision was rezoned to a Residential PUD by County Council on February 16, 1999 (Ord 8-99). The PUD required a 25' buffer along the perimeter of the entire subdivision.

The Zoning Board of Appeals granted a variance on Feb. 14, 2005 (Case 2005-01-006) to reduce the 25' PUD buffer requirement to a 0' PUD buffer with the following conditions: 1) The developer must maintain the landscape berm until such time as it turns it over to the POA and then the POA must maintain it; and 2) Other than the retaining wall, no other structures of any kind (including, but not limited to, fencing) be placed on the berm. Exhibit B was presented by the applicant showing a 15' setback for all exterior lots which included a berm with a wall built at the 15' setback line. In 2018 the Zoning Department recognized that the berm and retaining walls were not being constructed in the correct location. There were lots that had walls constructed on the property line with no berm. There were also pools being built within the required 15' setback. Staff along with the County Attorney recommended that the POA ask for a variance for the entire subdivision to have a 10' rear setback which would clear up any non-conformities.

The ZBA granted five (5) variances for pools and walls in the subdivision since 2005 and denied an appeal in 2021. The Waterfall POA met on May 21, 2021 and agreed to seek a variance for the 80 exterior lots. The applicants and their attorney requested the following variances for all exterior lots within this PUD. 1) Allow the masonry wall without a berm to be located on the rear property line instead of the required 15' for a variance of 15'. 2) Allow the pools to be located 10' from the rear property line instead of the required 15' for a variance of 5'. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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.

Attorney Kenneth Moss represented the Highway Ninety Investors & Waterfall POA Inc., who stated that the board had approved a variance for lots 21 and 25. Mr. Moss explained that he and

the applicants had taken staff's recommendation and the variance requested included all exterior lots of the Waterfall Subdivision.

There was no board or staff comments.

There was no public input.

Vice Chairman J. Marshall Biddle made a motion to grant the variance with the conditions as stated by staff. Blake Arp seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

**The ninth case number was 2023-01-009 Palmetto Architecture, agent for 128 East Main Street-Duncan LLC.** Pam Thompkins presented the case to the Board. PIN 401-04-04-0007 identified the parcel located at 1571 Hwy. 544, Conway. The applicants requested a variance from Article VII, Section 704 regarding parking requirements for medical offices in the RE1 zoning district. This was the location of Grand Strand Dentistry. The applicants proposed a 2,155 sq. ft. addition to the building. Medical office uses required five (5) parks per treatment room. The medical office use with a total of 16 treatment rooms required 80 parking spaces the applicants provided 62 (3.5 parks per treatment room) for a variance of 18. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 Drew Parks swore in Robin Roberts, Palmetto Architecture, who stated the location was previously a bank and that the parking was existing. Mr. Roberts explained that they had figured out a way to add 1 parking spot and passed out a revised sketch plan to show the new parking space.

Brandon Gray stated that he couldn't verify if the site plan would meet the ordinance.

Mr. Robin Roberts asked if they could keep the variance as requested, instead of taking into the consideration the 1 parking space they could add.

There was no public input.

Vice Chair J. Marshall Biddle made a motion to grant the variance with the conditions as stated by staff. Jody Nyers seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

**The tenth case number was 2023-01-010 Tarr Group LLC, agent for WMG Exchange LLC.** Pam Thompkins presented the case to the Board. PIN 457-10-02-0049 identified the parcel

located at 9608 Hwy. 707, Myrtle Beach. The applicants requested a variance from Article VII, Section 704 regarding parking requirements in the RE3 zoning district. This was the proposed location of Myrtle Beach 707 Dental office with 12 treatment rooms. The parking ordinance required five (5) parking spaces per treatment room. The applicants proposed 34 parking spaces (2.83 spaces per treatment room) instead of the required 60 for a variance of 26. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 Drew Parks swore in Kevin Pulis, Tarr Group LLC, who explained that this was a new build, of a national chain dental office. Mr. Pulis explained that they had done extensive studies, and they found that 1 space per 130 sq. ft. was more than enough. Mr. Pulis stated that this would be only 26 parking spaces; but they have 8 additional spaces including 2 handicap spaces.

There were no board or staff comments.

There was no public input.

Blake Arp made a motion to grant the variance with the conditions as stated by staff. Kirk Truslow seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

**The eleventh case number was 2023-01-011 Thomas and Hutton, agent for Lennar Carolinas, LLC.** Pam Thompkins presented the case to the Board. PIN 43906010036, 43906040076, 43906040077, 43906040078, 43906030008, 43906030009, 43906030010, 43906030011, 43906030012, 43906030013, 43906030014, 43906030015, 43906030016, 43906030017, 43906030018, 43906030019, 43906030117, 43906030118, 43906030119, 43906030120, 43906030121, 43906030122, 43906030123, 43906030124, 43906030125, 43906030126, 43906030127 identified the parcel located at Coopers Bluff Ph. 4 & 5 lots located between Peach Tree Rd. and Swing Bridge Way, Myrtle Beach. The applicants requested a variance from Article IV, Section 412.B 4 a regarding fence requirements in the Multi-Residential (MRD3) zoning district. These lots were part of the Cooper's Bluff subdivision in Phases 4 & 5. There were 27 single family lots abutting Peachtree Rd within these phases. Phases 4 & 5 were approved in 2021 which did not require the streetscape buffer, however the plans were approved with a 10' private landscape easement on the rear of these parcels, not a fence. Art. IV Section 412 B 4 a requires any privacy fence or wall installed in a front and/or corner side yard to meet a 10' setback from the front and corner side property lines abutting the right of way. The applicants requested a variance to allow a privacy fence along these 27 lots to be 0' from the front property line of Peachtree Rd instead of the required 10' for a variance of 10'. A letter of approval was provided from Waccamaw Management stating there were no restrictive covenants that prohibit the fence in these phases. Andy Markunas, County Engineer, reviewed

the site triangle map and states vision of traffic on Peachtree from both side street intersections would be less restricted if the fence had not been installed, but available site distance at both locations were still well in excess of minimum requirements- even with the fence in place.

**(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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. Revised plans to be submitted showing fence instead of previously approved landscape easement.
4. All other applicable County requirements shall be met.

Chairman Drew Parks swore in John Danford, Thomas and Hutton, who stated that the privacy fence was on the property line, the applicants had a letter from the Waccamaw Management in approval for the fence to stay, and that if there were any real traffic concerns he would not be at the meeting. Mr. Danford explained that the residents' homes were roughly 26 ½' from the fence, and if the fence were moved, it would make the residents have to install additional fence to tie into the existing fences.

Chairman Drew Parks swore in William Ward, who stated the fence only bothered him at night, if the applicants could just move the fence two foot into the property and landscape the outside of the fence it could block the light/glare.

Chairman Drew Parks swore in Maria Leonard, who explained that moving the fence 2' back would not make a difference to Mr. Ward, if anything it would be taking away a portion of the homeowners' backyards. Mrs. Leonard also stated that Mr. Ward didn't even live there, he had tenants that resided across the road from the fence. Mrs. Leonard offered the idea of maybe painting the fence so the light and glare wouldn't be as troublesome.

Chairman Drew Parks swore in John Smith, who expressed concerns about if the existing privacy fence in question were taken down, he would have to install fence to match his existing fence that ties into the privacy fence.

Chairman Drew Parks swore in Barbara Watson, who stated that the fence provides security and doesn't allow pedestrians to walk into their yards. Mrs. Watson stated if the fence were to be taken down it would create a hardship for the property owners.

Chairman Drew Parks swore in Micah Saunders, who explained the headlights of oncoming traffic would be in their windows and would be a nuisance. Mr. Saunders also asked what would the cost of landscaping and additional fencing would be if the fence were removed.

John Danford stated that he heard the glare issues, but moving the fence 2' back would not help the issues, being there was already a 5' sidewalk, a 10' private landscape easement, and a 40' road.



Vice Chairman J. Marshall Biddle made a motion to grant the variance with the conditions as stated by staff. Robert Page seconded the motion. The motion carried unanimously. *The variance was approved with conditions.*

At this time Kirk Truslow left the meeting.

**The twelfth case number was 2023-01-012 Venture Engineering, agent for Carl Meares Jr.** Pam Thompkins presented the case to the Board. PIN 311-08-03-0086 identified the parcel located at 1568 Watson Ave., Little River. The applicants requested a variance from Article V, Section 505 C regarding the removal of a live oak specimen tree in the RC zoning district. The applicants proposed to develop this 8-acre parcel for boat charter/tours. Commercial plans for the Intracoastal Fishing Village were approved for development in December 2019. There was a protected live oak tree located near the location of the proposed office building. The live oak was inspected by the Zoning Department on Jan. 11, 2023. Our inspection showed the tree was a 31.5" DBH which will require 19 replacement trees at 2.5" caliper or a \$2,850 fee in lieu. **(Please refer to the February 13, 2023 packet for further information.)**

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

1. The removed tree shall be replaced according to the mitigation and planting requirements or a fee in lieu as outlined the Zoning Ordinance.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Chairman Drew Parks swore in Cassidy Callaghan, Venture Engineering, who requested a deferral of this case.

There were no board or staff comments.

There was no public input.

Jody Nyers made a motion to defer the variance to the March 13<sup>th</sup> meeting. Blake Arp seconded the motion. The motion carried unanimously. *The variance was deferred.*

**The thirteenth case number was 2023-01-013 Venture Engineering, agent for Carl Meares, Jr.** Pam Thompkins presented the case to the Board. PIN 311-08-03-0086 identified the parcel located at 1568 Watson Ave., Little River. The applicants requested a variance from Article V, section 504.C regarding buffer requirements in the Resort Commercial (RC) zoning district. The applicants proposed to develop this 8-acre parcel for boat charter tours. Commercial plans for the Intracoastal Fishing Village were approved for development in December 2019. Jan. 4, 2022 the perimeter buffers were increased by Council. The applicants requested the following perimeter buffer variances. 1) Watson Avenue - front required a 10' streetscape buffer, the applicants proposed 7' for a variance of 3'; 2) The right side, adjoining residential SF6, required a 25' opaque buffer, the applicants proposed 12' for a variance of 13'; and 3) Right side variance on 3

understory trees and 66 shrubs. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 building and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Chairman Drew Parks swore in Cassidy Callaghan, Venture Engineering, who stated they wanted to keep the plans that were originally proposed and approved in 2019.

There were no board or staff comments.

There was no public input.

Jody Nyers made a motion to grant the variance with the conditions as stated by staff. J. Marshall Biddle seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

**The fourteenth case number was 2023-01-017 The Earthworks Group, agent for Ronaldo Nogueira.** Pam Thompkins presented the case to the Board. PIN 429-13-02-0042 identified the parcel located at 4127 Jeremy Loop, Myrtle Beach. The applicants requested a variance from Article V, Section 504.C regarding the landscaping and buffer requirements in the Retail with Accessory Outdoor Storage (RE4) zoning district. The applicants received a permit (#140877) to construct a 50' x 25' garage in May 2022. This parcel was located within the Hwy. 544 overlay with roads on all sides. The Zoning Board of Appeals granted a variance on Dec. 14, 2020 to reduce the perimeter landscape buffer on Jeremy Loop to 15' and 10' on Joe Mill Trail. The required perimeter buffer width was 25' along all roads. The applicants requested to reduce the perimeter buffer on Jeremy Loop to 10' instead of the required 15' for a variance of 5'. They requested no reduction in plantings. There was a carport structure located to the rear of the garage that did not have a permit. A permit would need to be obtained and the structure must meet all zoning requirements. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board decide that this variance request satisfied 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 carport structure will need to be permitted.
4. All other applicable County requirements shall be met.

Chairman Drew Parks swore in Ronaldo Nogueira who stated they needed to reduce the buffer to allow more parking. Mr. Nogueira stated that they would get a permit for the carport, and that reducing the buffer requirements would give more room for the drive isle.

There were no board or staff comments.

There was no public input.

Vice Chairman J. Marshall Biddle made a motion to grant the variance with the conditions as stated by staff. Blake Arp seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

**The fifteenth case number was 2023-01-014 Chang Yan Lin.** Pam Thompkins presented the case to the Board. PIN 458-04-02-0007 identified the parcel located at 124 Loyola Dr., Myrtle Beach. The applicants requested special exception approval from Article XI, Section 1106 regarding on site consumption of alcohol for a Restaurant/Bar in the Queens Harbour PUD zoning district. This was the proposed location of Korean Hot Pot & BBQ. The applicants requested a special exception to allow on-site consumption of alcohol. The closest residential parcel was 275 ft. across Hwy 17 Bypass in the Sunscapes multi-family project. The proposed hours of operation were 11:00 AM until 11:00 PM, Monday thru Sunday. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board find that the special exception request for **Korean Hot Pot and BBQ** 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 outdoor displays or tents on the property;**
- 4. No temporary banners or signs on the property;**
- 5. No spotlight advertising;**
- 6. No outdoor dining or beverage services allowed;**
- 7. Hours of operation – Monday thru Sunday 11:00 am to 11:00 pm;**
- 8. Applicant will comply with all State and local laws;**
- 9. All future buildings and building additions must conform to Horry County regulations;**
- 10. Any changes in character or hours shall result in the suspension of this approval and a rehearing of the Zoning Board of Appeals shall be required.**

Applicant was not present.

There were no board or staff comments.

There was no public input.

Vice Chairman J. Marshall Biddle made a motion to grant the special exception with the conditions as stated by staff. Neal Hendrick seconded the motion. The motion carried unanimously. *The special exception was approved with conditions.*

**The sixteenth case number was 2023-01-015 Erikka Parlin, agent for Ralph Pandure, Jr.** Pam Thompkins presented the case to the Board. PIN 311-08-02-0015 identified the parcel located at 4311 Mineola Ave., Little River. The applicants requested special exception approval from Article XI, Section 1106 regarding on site consumption of alcohol for a Restaurant/ Bar in the Neighborhood Retail Services (RE1) zoning district. This was the proposed location of Fresh Brunch restaurant. The applicants requested a special exception to allow on-site consumption of alcohol. The closest residential parcel is the adjacent parcel on the right. The proposed hours of operation were 7:30 AM until 3:00 PM, Tuesday thru Sunday. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board find that the special exception request for **Fresh Brunch** 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 outdoor displays or tents on the property;**
4. **No temporary banners or signs on the property;**
5. **No spotlight advertising;**
6. **Outdoor dining or beverage services allowed on the outdoor deck only;**
7. **Hours of operation – 7:30 am until 3:00 pm; Tuesday - Sunday;**
8. **Applicant will comply with all State and local laws;**
9. **All future buildings and building additions must conform to Horry County regulations;**
10. **Any changes in character or hours shall result in the suspension of this approval and a rehearing of the Zoning Board of Appeals shall be required.**

Chairman Drew Parks swore in Erikka Parlin who stated that she had made a small residential home into a small cottage-like restaurant, and she planned to serve mimosas with the brunch menu.

There were no board or staff comments.

There was no public input.

Jody Nyers made a motion to grant the special exception with the conditions as stated by staff. Blake Arp seconded the motion. The motion carried unanimously. *The special exception was approved with conditions.*

**The seventeenth case number was 2023-01-016 Omar David Satavia, agent for Hickman Road LLC.** Pam Thompkins presented the case to the Board. PIN 300-01-03-0001 identified the parcel located at 6100 Red Bluff Rd., Loris. The applicants requested special exception approval

from Article XI, Section 1106 regarding on site consumption of alcohol for a Restaurant/ Bar in the Smugglers Island PDD zoning district. This parcel was rezoned April 17, 2007 (Case 2007-02-010) to allow a restaurant and single-family home on the same parcel. The Old Oyster Shack restaurant operated from 2003-2006, Smuggler's Island Tiki Bar & Grill from 2006-2014, and El Abuelo Tomy Mexican from Sept. 2022 to Dec. 2022. This parcel was abutting Chase Cottages subdivision which was zoned Residential (SF10). The applicants requested to amend the previous special exception to revise the hours of operation for on-site consumption of alcohol. The proposed hours of operation were Sunday thru Thursday 11:00 am to 9:00 pm and Friday and Saturday 11:00 am until 11:00 pm. **(Please refer to the February 13, 2023 packet for further information.)**

Should the Board find that the special exception request for **Las Glorias Mexican Restaurant** 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 outdoor displays or tents on the property;**
4. **No temporary banners or signs on the property;**
5. **No spotlight advertising;**
6. **No outdoor dining or beverage services allowed;**
7. **Hours of operation – Sunday – Thursday 11:00 am to 9:00 pm and Friday 11:00 am to 11:00 pm;**
8. **Applicant will comply with all State and local laws;**
9. **All future buildings and building additions must conform to Horry County regulations;**
10. **Any changes in character or hours shall result in the suspension of this approval and a rehearing of the Zoning Board of Appeals shall be required.**

Chairman Drew Parks swore in James Anderson who stated they were just looking to amend the hours of the previous variance.

There were no board or staff comments.

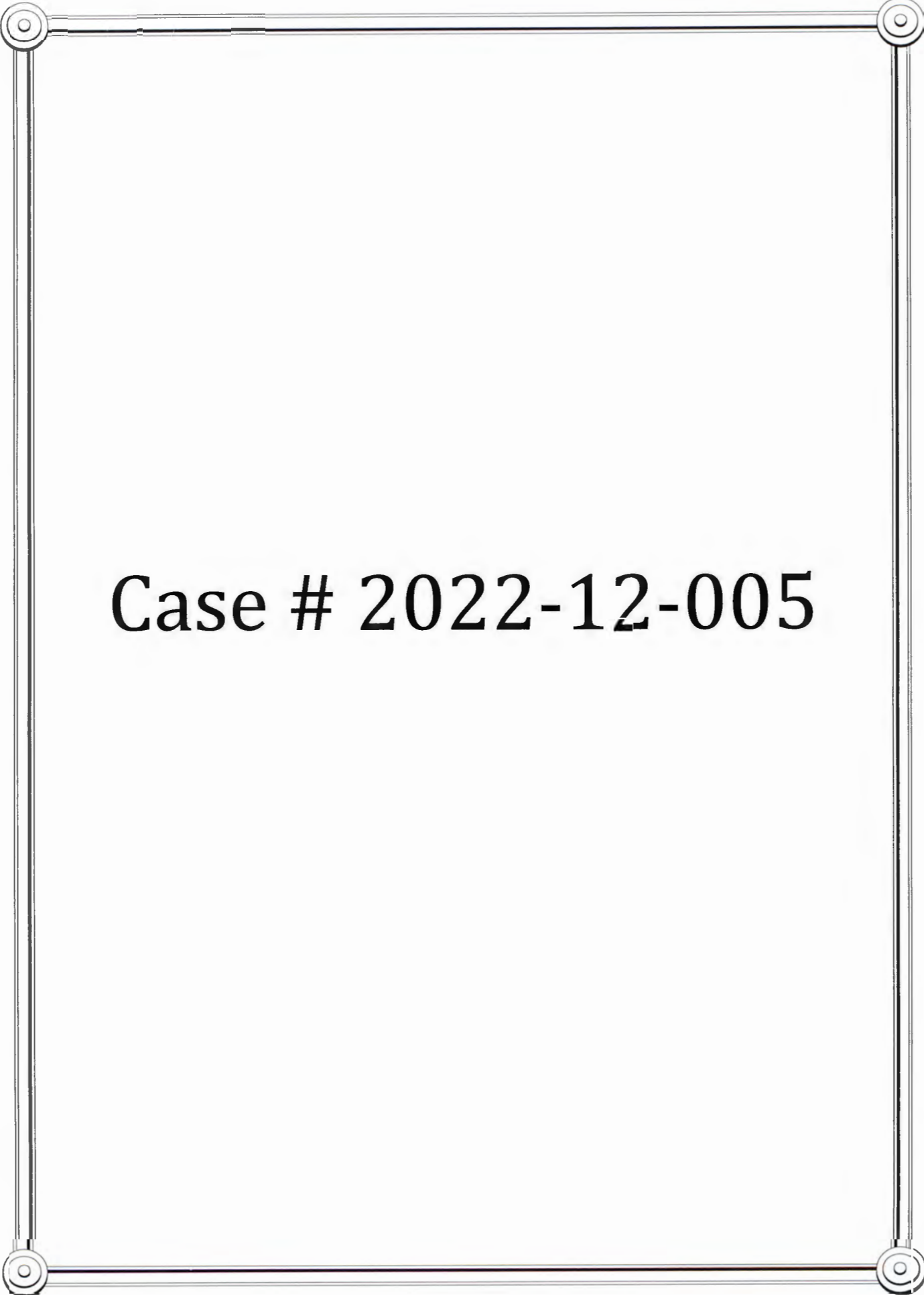
There was no public input.

Blake Arp made a motion to grant the special exception with the conditions as stated by staff. Jody Nyers seconded the motion. The motion carried unanimously. ***The special exception was approved with conditions.***

With no further business, a motion to adjourn was made and seconded. The meeting was adjourned at approximately 7:15 pm.



# Old Business

A rectangular frame with a double-line border and decorative corner pieces at each of the four corners. The text "Case # 2022-12-005" is centered within the frame.

**Case # 2022-12-005**

## VARIANCE REVIEW SHEET TREE PRESERVATION

### Property Information

Variance Request #	2022-12-005	<b>Zoning Information</b>	
Applicant	Venture Engineering, Inc., agent	Zoning District	PDD
Parcel Identification (PIN) #	216-14-02-0015	Parcel Size	9.36 acres
Site Location	Located off of Hwy 9 in Longs	Proposed Use	Storage Facility
Property Owner	Pinnacle Storage Hwy 9 LLC		
County Council District #	9 - Causey		

### Requested Variance(s)

The applicants are requesting a variance from Article V, Section 504C regarding the removal of live oak specimen trees in the Black Bear PDD.

### Background/Site Conditions

The Zoning Board denied this variance at the January 9, 2023 meeting. At the Feb. 13, 2023 the Zoning Board granted a reconsideration of this case. This is a commercial tract located within the Black Bear PDD. The applicants are proposing a Storage Facility on the property with a total of 5 buildings. The applicants are requesting to remove five (5) specimen live oak trees from this site. The live oak trees were inspected by the Zoning Department on November 30th. Our inspection shows each trees DBH as follows: **Tree 2 is 25"** , **Tree 3 is 30.2"** , **Tree 4 is 24"** , **Tree 70 is 27.5"** and **Tree 71 is 24.3"** for a total of **131" DBH which will require 80 replacement trees at 2.5" caliper or pay the required fee in lieu of \$12,000.**

### Ordinance Requirements

Article V, Section 505 C states that it shall be unlawful to injure, participate in, authorize or cause the removal of any specimen live oaks 24" or greater. Authorization to do so shall require a variance from the Horry County Zoning Board of Appeals finding that the tree:

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

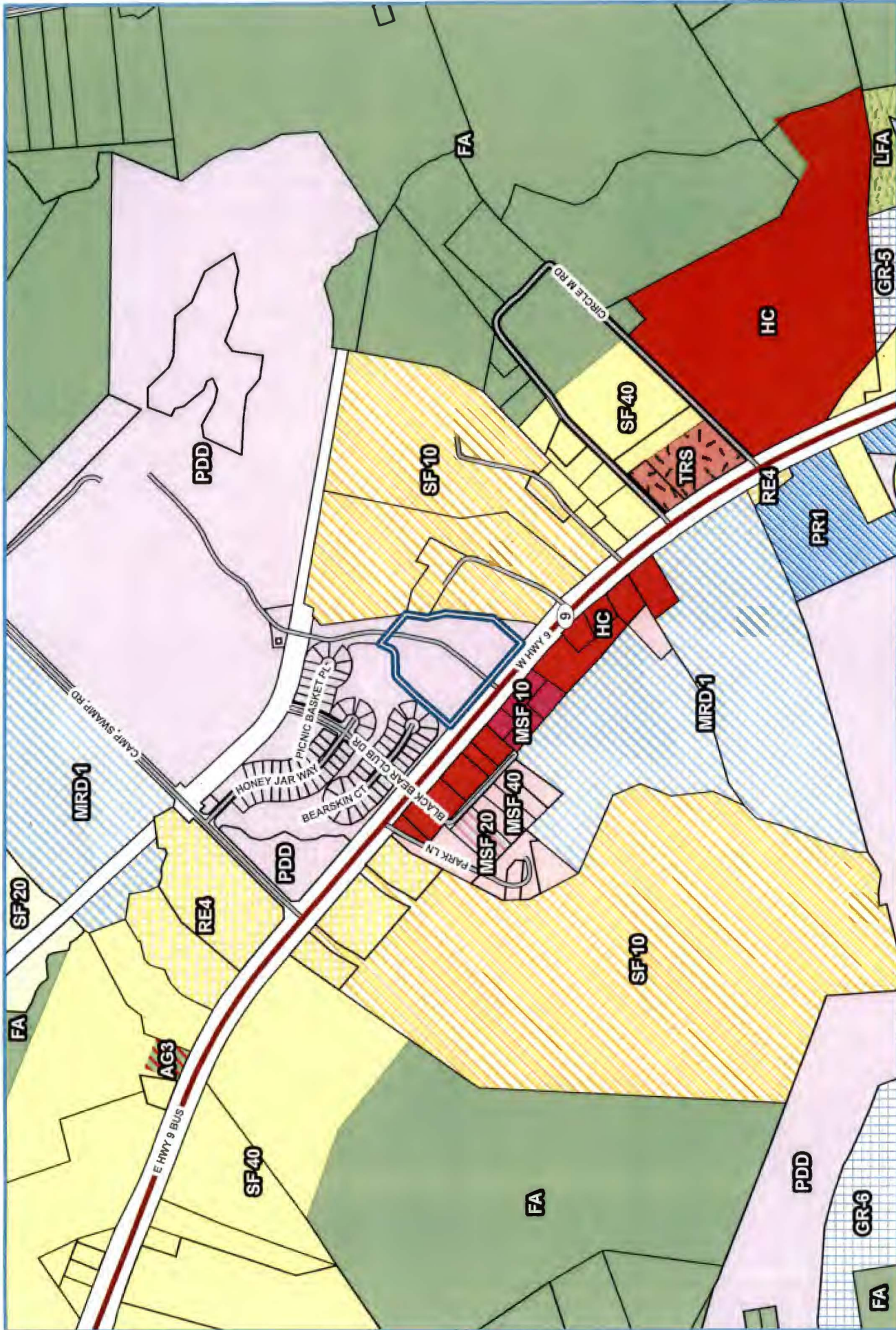
If approval to remove Live Oak specimen tree is given, the removed trees shall be replaced according to the provisions of these regulations. Individuals failing to obtain the proper tree permit shall be cited as provided for herein.

### Proposed Order/Conditions

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

1. The removed tree shall be replaced according to the mitigation and planting requirements or a fee in lieu as outlined in the Zoning Ordinance.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.





**Zoning Map**

Variance Case Number  
2022-12-005

Venture Engineering agent for  
Pinnacle Storage Hwy 9 LLC  
PIN: 21814020015




HC Government

Parcel for Consideration  
Parcel Boundary  
Major Road  
Road

0 500 1000 Feet

N



-  Parcel for Consideration
-  Major Road
-  Road

**Aerial Map**  
 Variance Case Number  
 2022-12-005  
 Venture Engineering agent for  
 Pinnacle Storage Hwy 9 LLC  
 PIN: 21614020015





Live Oak Locations

View of All 5 Live Oak Trees



View of Right Side of Property



View of Front of Property On Hwy 9



View of Left Side of Property


Horry County Government

<b>Case Number:</b>	VAR-11-22-060193	<b>Case Module:</b>	Plan
<b>Inspection Date:</b>	Wed Nov 30, 2022	<b>Inspection Status:</b>	Passed
<b>Inspector:</b>	Tyler, Justin	<b>Inspection Type:</b>	PZ-Zoning Compliance

<b>Job Address:</b>	2630 W HWY 9 Longs, SC, 29568	<b>Parcel Number:</b>	21614020015
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Contact Type	Company Name	Name
Applicant	Venture Engineering	Rodes, Jordan

Checklist Item	Status
Inspector Comments - Inspector Comments	Passed
<p>1.) Upon inspection, the Live oaks that were marked on the plans remain.</p> <p>2.) Some of the trees were misidentified as live oaks and were water oaks and willow oaks.</p> <p>3.) The live oak measurements were as following: 24, 25, 30.2, 27.5, and 24.3 inches in diameter.</p> <p>4.) The willow oaks were 38 and 39.5 inches in diameter.</p> <p>5.) The water oaks were 25.2, 32, 33, 37.7, 29, and 31.7 inches in diameter.</p> <p>6.) Photos attached in energov.</p>	




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Tyler, Justin



# Applicant Submittal

VARIANCE REQUEST

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

Article(s): V Section(s): 527.3 (Tree Protection)

2. Description of Request: Please see attached narrative

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<u>Required</u>	<u>Requested</u>
Front Setback: _____	Front Setback: _____
Side Setback: _____	Side Setback: _____
Rear Setback: _____	Rear Setback: _____
Minimum Lot Width: _____	Minimum Lot Width: _____
Min Lot Width @ Bldg. Site: _____	Min. Lot Width @ Bldg. Site: _____
Max Height of Structure: _____	Max Height of Structure: _____

Other Variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. **The failure to completely answer these questions will render your application incomplete and your case will not be heard.**

a. What extraordinary and exceptional conditions pertain to this particular piece of property?  
Please see attached narrative

b. Why do these conditions not apply to other properties in the vicinity?  
Please see attached narrative

c. Why do the conditions listed in 2a and 2b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?  
Please see attached narrative

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?  
Please see attached narrative

**\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.**

4. Are there Restrictive Covenants on this property that prohibit or conflict with this request? YES  NO

5. 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.

See attached letter of agency  
Applicant's Signature

11/29/2022  
Date

**Horry County  
Variance Application**

**for**

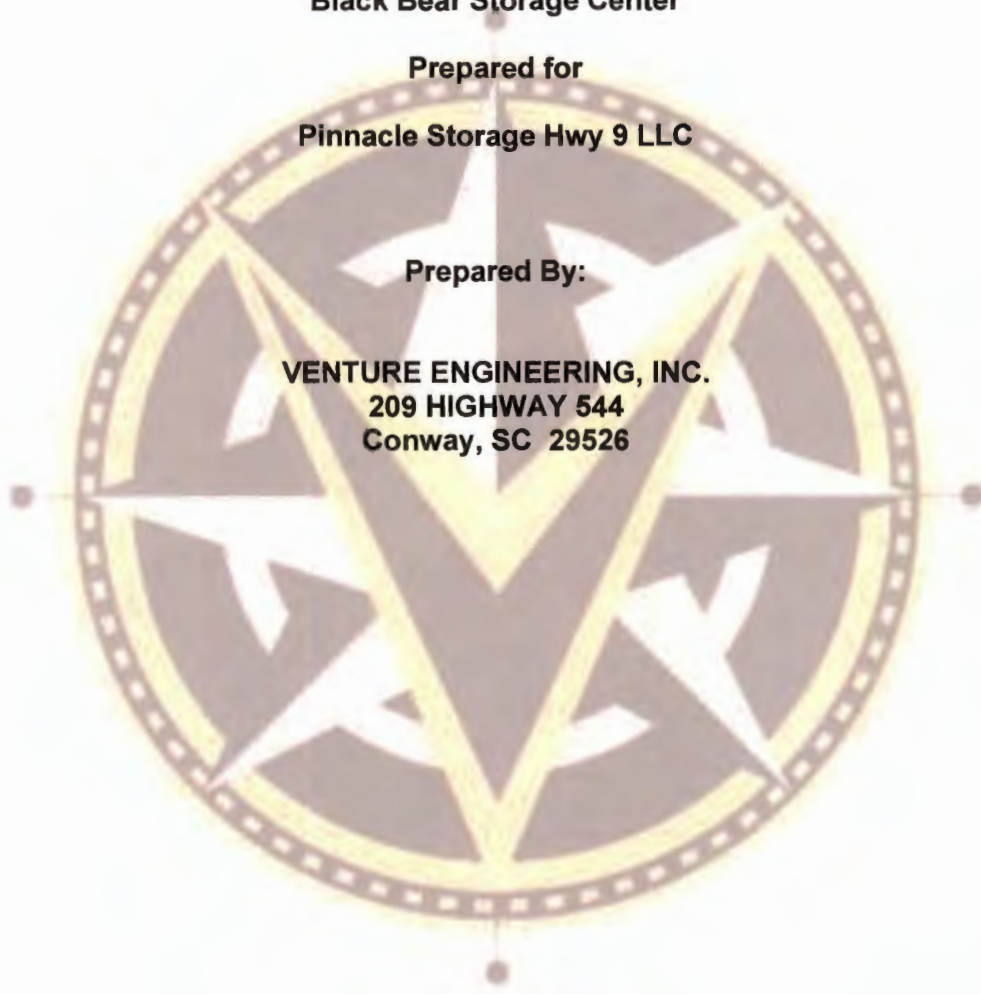
**Black Bear Storage Center**

**Prepared for**

**Pinnacle Storage Hwy 9 LLC**

**Prepared By:**

**VENTURE ENGINEERING, INC.  
209 HIGHWAY 544  
Conway, SC 29526**



Black Bear Mini Storage

## **Background**

Horry County is one of the fastest growing counties in South Carolina. Many of these newcomers are from the north, where they have basements and extra spaces to store their items. The proposed Black Bear Mini Storage facility would help ease these new South Carolinians in the moving transition by providing a place to store their beloved items, especially since it will be directly near the Black Bear Subdivision. The majority of the trees happen to lay on the outskirts of development, however, there are a few Live Oaks that can potentially stop the storage center from being developed. This particular variance is for tree numbers 2 (25" Live Oak), 3 (30.2" Live Oak), 4 (24" Live Oak), 70 (27.5" Live Oak), and 71 (24.3" Live Oak).

## **Variances Requested**

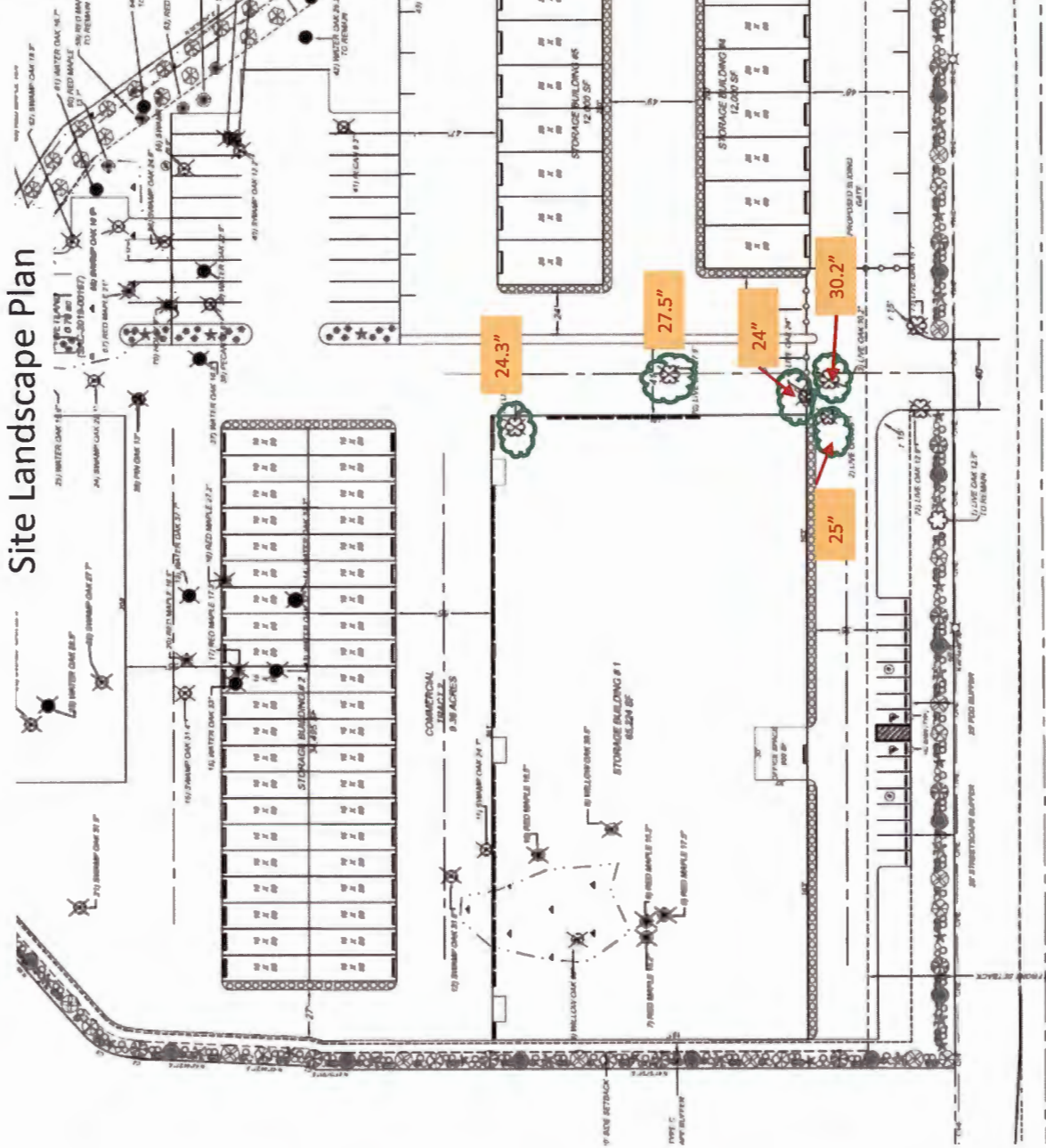
- Article V General Provisions, 527.3 Tree Protection, C. Live Oak Standards
  - *It is unlawful to injure, participate in, authorize, or cause the removal of any Specimen Live Oak (DBH of twenty-four (24) inches or greater). Authorization to do so shall come from a variance granted by the Zoning Board of Appeals finding that the tree:*
    - a. *Presented a safety hazard to pedestrian or vehicular traffic, buildings, structures or utility structures;*
    - b. *Reasonable use of the property would be significantly impaired*
  - These conditions do not generally apply to other properties in the area because they have been previously cleared and developed. There are numerous new subdivisions popping up along Highway 9 and the surrounding areas. Since the property was previously a golf course, the trees were left on site during that development to add to the difficulty of the course. Please note that we are not clear cutting the site, there is an ample amount of protected and specimen trees that will be preserved.
  - Not allowing the property owner to remove this Live Oak would unreasonably restrict the utilization of the property and significantly impact the development of the main storage building onsite. These trees are almost directly in the middle of storage buildings 1, 2, and 3; so there is no designing around them. The client is willing to pay a mitigation fee for any of the lost specimen and protected trees.
  - The authorization of a variance will not be of any detriment to adjacent properties or to the public good, and the character of the district will not be harmed by the granting of the variance. The removal of these trees will not affect any of the neighboring properties.
  - Due to these reasons surrounding this property, we appeal for a variance for the removal of trees 2 (26.1" Live Oak), 3 (31.6" Live Oak), 4 (24.3" Live Oak), 70 (27.5" Live Oak), and 71 (24.3" Live Oak).



# Site Landscape Plan

LANDSCAPING SCHEDULE (SEE FOOD REGULATIONS)

NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			



NO.	DATE	DESCRIPTION	BY
1			
2			
3			

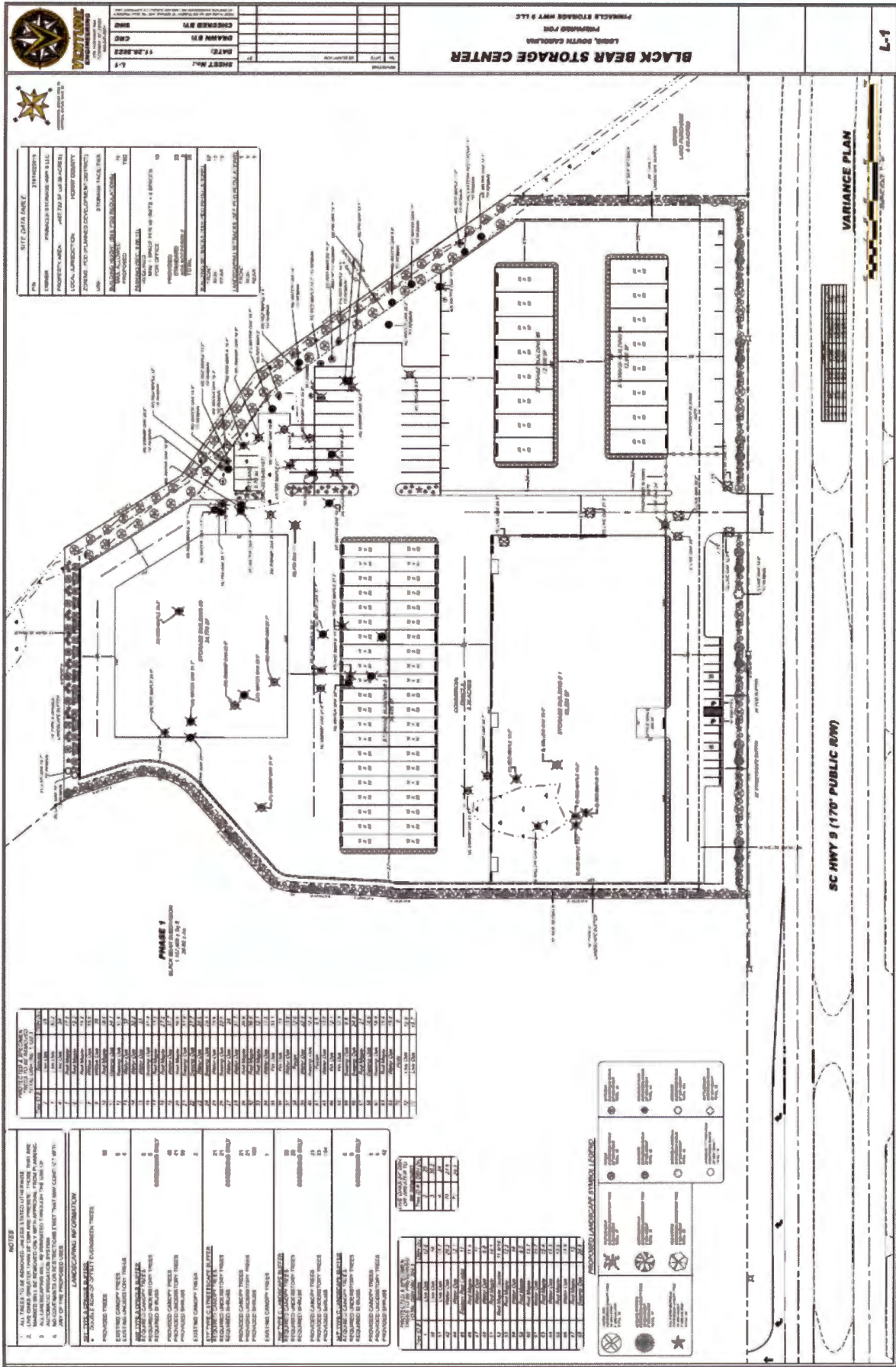
SC HWY 9 (170' PUBLIC R/W)

VARIANCE PLAN



BLACK BEAR STORAGE CENTER  
LOUIS, SOUTH CAROLINA

# Overall Site Plan



Property Information

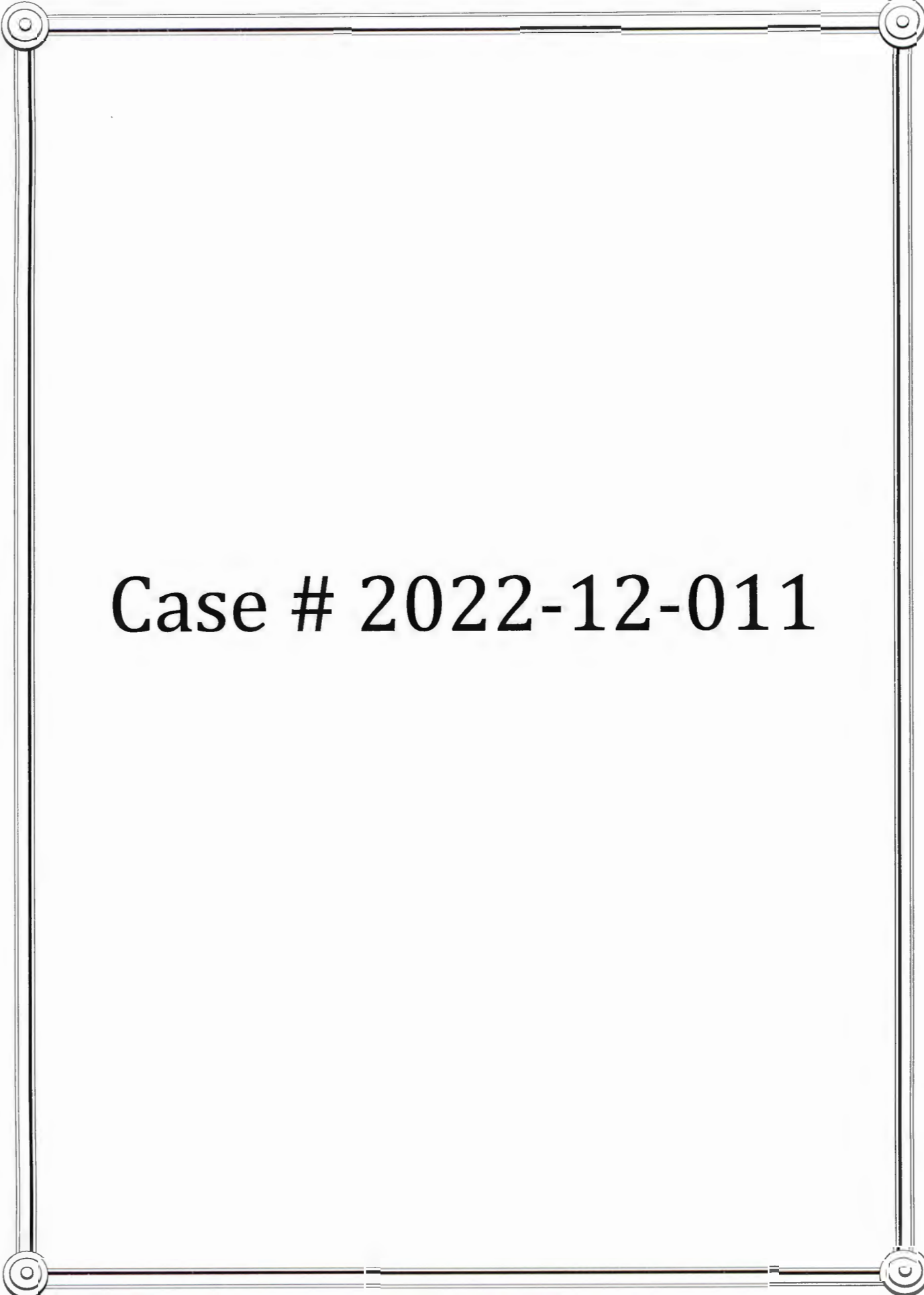
Variance Request #	2022-12-010
Applicant	Venture Engineering, agent
Parcel Identification (PIN) #	177-00-00-0011
Site Location	Hwy 747 & Hwy 66, Loris
Property Owner	Princefield, LLC
County Council District #	9 - Causey

Zoning Information

Zoning District	MSF10
Parcel Size	31.72
Proposed Use	Single Family Subdivision

Requested Variance(s)

**THIS VARIANCE WAS WITHDRAWN BY THE APPLICANT**



**Case # 2022-12-011**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2022-12-011	<b>Zoning Information</b>	
Applicant	Parkers Kitchen - Emma Hernon, agent	Zoning District	NC
Parcel Identification (PIN) #	457-11-01-0022	Parcel Size	1.41 acres
Site Location	4701 Holmestown Rd., Myrtle Beach	Proposed Use	Convenience store
Property Owner	James E. Daniels		
County Council District #	5 - Servant		

### Requested Variance(s)

The applicants are requesting a variance from Article IV, Section 408 and Article VIII, Section 804 B regarding dumpster and parking requirements in the Hwy. 707 overlay zoning district.

	Requirement
Art. IV, Section 408 - Dumpsters	All dumpsters shall be stored on the property behind the front building line of the principal structure
Art. VIII, Section 804 B - Hwy. 707 Overlay	No more than 50% of total parking may be located in front of the principal building

### Background/Site Conditions

The applicants are proposing a Parkers Kitchen Convenience store on this site. The parcel is located within the Hwy. 707 overlay district at the corner of Hwy. 707 and Holmestown Rd. The Zoning Board denied a previous variance (Case 2020-07-006) on August 10, 2020 for this site. Article IV, Section 408 requires dumpsters to be stored on the property behind the front building line of the principal structures. The applicants are requesting a variance to allow the dumpster to be forward of the principle structure on Holmestown Rd. Art. VIII, Section 804 B of the Hwy. 707 overlay requires no more than 50% of total parking to be located in front of the principal building. The applicants are requesting a variance to allow all parking to be forward the principal building.

### Ordinance and Analysis

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

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

This is a corner lot located on Hwy. 707.

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

These conditions apply to all commercial parcels within the Hwy. 707 overlay.

## 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.

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.

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF HORRY )  
 In re: AXIS Infrastructure, LLC,  
 Agent for James E. Daniels )  
 \_\_\_\_\_ )

**BEFORE THE BOARD OF  
 ZONING APPEALS**  
 Case No.: 2020-07-006

**ORDER OF THE BOARD**

Hearing was held before this Board on August 10, 2020, pursuant to the request of the applicant for a variance from Article V, Section 512 and Article VII, Section 723.5 (D) 5 b 8 and (J) 1 regarding buffer and parking requirements in the Hwy. 707 overlay zone. The property is identified by PIN 457-11-01-0022 and is located at 4701 Holmestown Road in the Myrtle Beach area of Horry County. The applicant has requested the following variances from the requirements:

	Requirement	Requested	Variance Needed
<b>Art. VII, Section 723.5 D (5) b 8- Storm water encroachments in perimeter buffer:</b>			
<b>North East Corner of property</b>	10%	100%	90%
<b>South property line</b>	10%	76%	66%
<b>Art. VII, Section 723.5 (J) 1 - Parking in front of building</b>	50%	100%	50%
<b>Art. V, Section 512</b>	Accessory uses shall not be located forward of the principal structure		

The applicants and the zoning administrator were given the opportunity to offer witnesses and exhibits and to make argument for the record. A public hearing was held and all interested parties were invited to comment before the Board.

Under the South Carolina Code of Laws 6-29-800 (A) (2), a variance from the requirements of the Zoning Ordinance may only be granted in an individual case of unnecessary hardship upon the following findings: (a) extraordinary and exceptional conditions pertaining to the property at issue; (b) the extraordinary and exceptional conditions do not generally apply to other property in

the vicinity; (c) because of the extraordinary and exceptional conditions, application of the ordinance to the property, would, in effect prohibit or unreasonably restrict the property owner's utilization of the property; (d) authorization of a variance will not be of a substantial detriment to adjacent property or the public good or harm to the character of the zoning district; and (e) a variance may not be granted which in effect, would establish a use not otherwise permitted in the zoning district or physically extend a non-conforming use. The statute also provides that the fact that the property may be utilized more profitably if a variance is granted is not grounds for a variance.

#### FINDINGS OF FACT

1. The property is identified by PIN 457-11-01-0022. It is zoned Neighborhood Commercial (NC) and is located at 4701 Holmestown Road in the Myrtle Beach area of Horry County.
2. The applicants are proposing to construct a convenience store on this site.
3. This parcel is located within the Hwy. 707 overlay zone and must meet the requirements within.
4. Article V, Section 512 states accessory uses shall not be located forward of the principal structure. The applicants are requesting a variance to allow the dumpster to be located forward of the building.
5. In the overlay stormwater facilities are allowed to encroach no more than 10% into the total required width of the buffer. The stormwater pond on the North East corner property line is encroaching 100% into the perimeter buffer for a variance of 90%. The stormwater pond on the South property line is encroaching 76% into the perimeter buffer for a variance of 66%.
6. No more than 50% of total parking may be located in front of a building. They are requesting to allow all parking (100%) to be in front of the building for a variance of 50%.

#### CONCLUSIONS OF LAW

The Board finds that the request **does not meet** the criteria set forth in Horry County Code § 1404 (B) and S.C. Code Ann. §6-29-800. Therefore, the **variance is denied**.


**AND IT IS SO ORDERED**, this 10<sup>th</sup> day of August, 2020.



AND IT IS SO ORDERED, this 10<sup>th</sup> day of August, 2020.

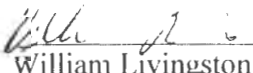
  
Marion Shaw, Chairman

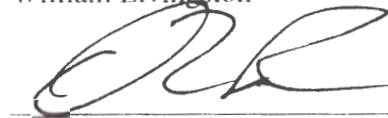
\_\_\_\_\_  
John Brown

  
Mark Gouhin

  
Robert Page

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Michael Fowler

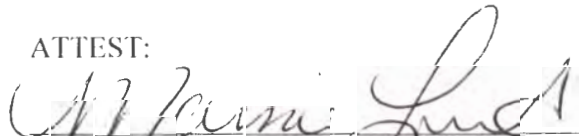
  
William Livingston

  
Drew Parks

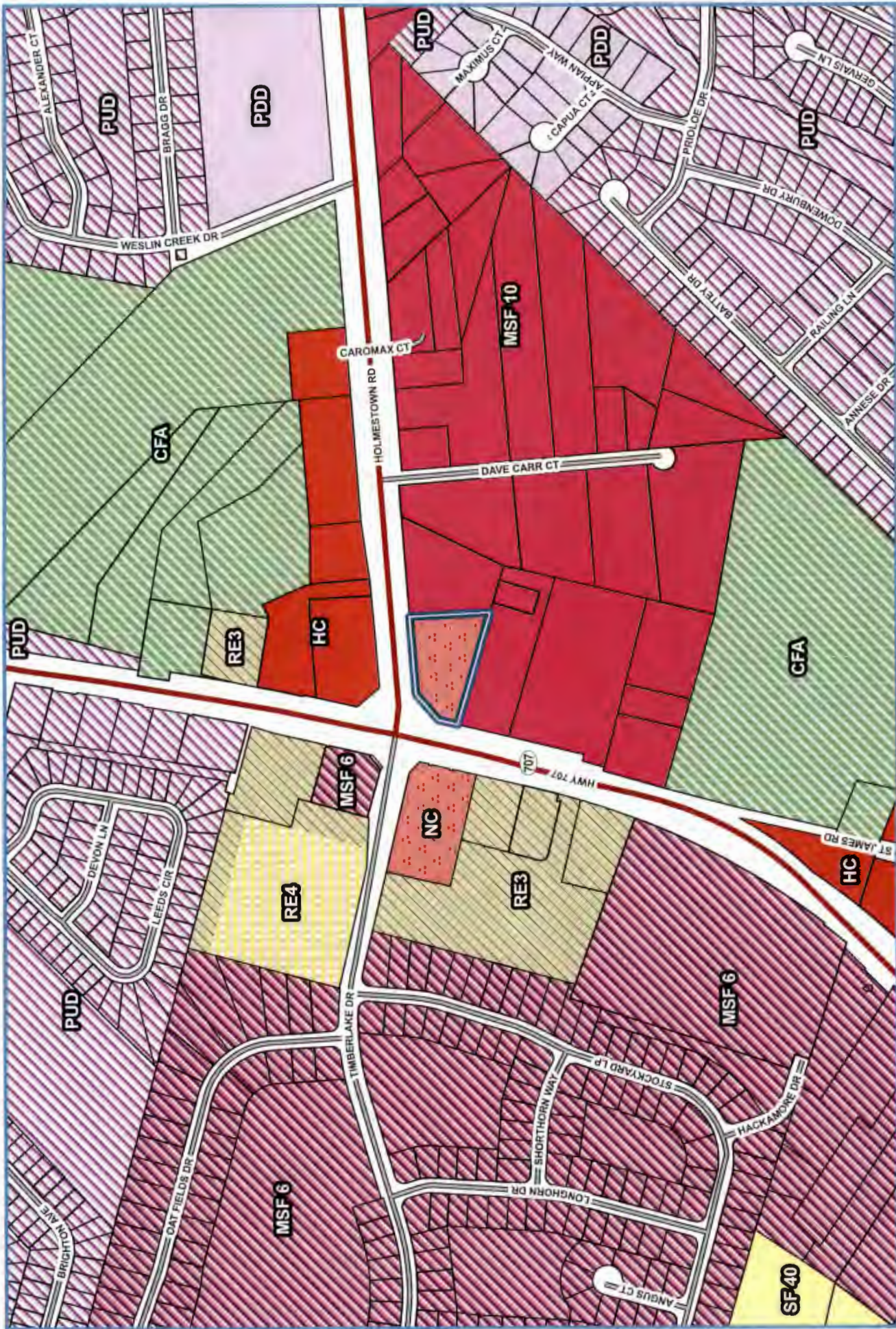
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John D. Brown

\_\_\_\_\_  
Kevin Doolittle

ATTEST:

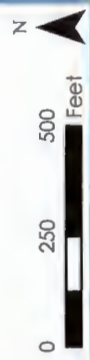
  
Marrie Leonard / Zoning Board Secretary

\*\* All orders may be revised until the following meeting of the Zoning Board of Appeals.






**Zoning Map**  
 Variance Case Number  
 2022-12-011  
 Emma Hannon agent for  
 James Daniels  
 PIN: 45711010022


- Parcel for Consideration
- Parcel Boundary
- Major Road
- Road






-  Parcel for Consideration
-  Major Road
-  Road

**Aerial Map**  
 Variance Case Number  
 2022-12-011  
 Emma Hermon agent for  
 James Daniels  
 PIN: 45711010022

 **HC Government**

0 50 100 Feet

N 



*Intersection of Holmestown Rd. & Hwy 707*



*Property Across Holmestown Rd.*



*Site*





# Applicant Submittal

VARIANCE REQUEST

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

Article(s): IV & VIII Section(s): 402 & 804

2. Description of Request: Parker's Kitchen requests a variance to allow the dumpster enclosure to be located forward of the principal structure. Parker's Kitchen also requests a variance to allow 100% of the parking to be located in front of the principal building.

Table with 2 columns: Required and Requested. Rows include Front Setback, Side Setback, Rear Setback, Minimum Lot Width, Min Lot Width @ Bldg. Site, and Max Height of Structure.

Other Variances: Required: Accessory uses shall not be located forward of the principal structure. Requested: Dumpster enclosure to be located forward of the principal structure, between Holmestown Rd and the side facade of the building. Required: No more than 50% of the total parking may be located in front of the principal building. Requested: 100% of the parking to be located in front of the principal building.

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application incomplete and your case will not be heard.

- a. What extraordinary and exceptional conditions pertain to this particular piece of property?
b. Why do these conditions not apply to other properties in the vicinity?
c. Why do the conditions listed in 2a and 2b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?
d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?

\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

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

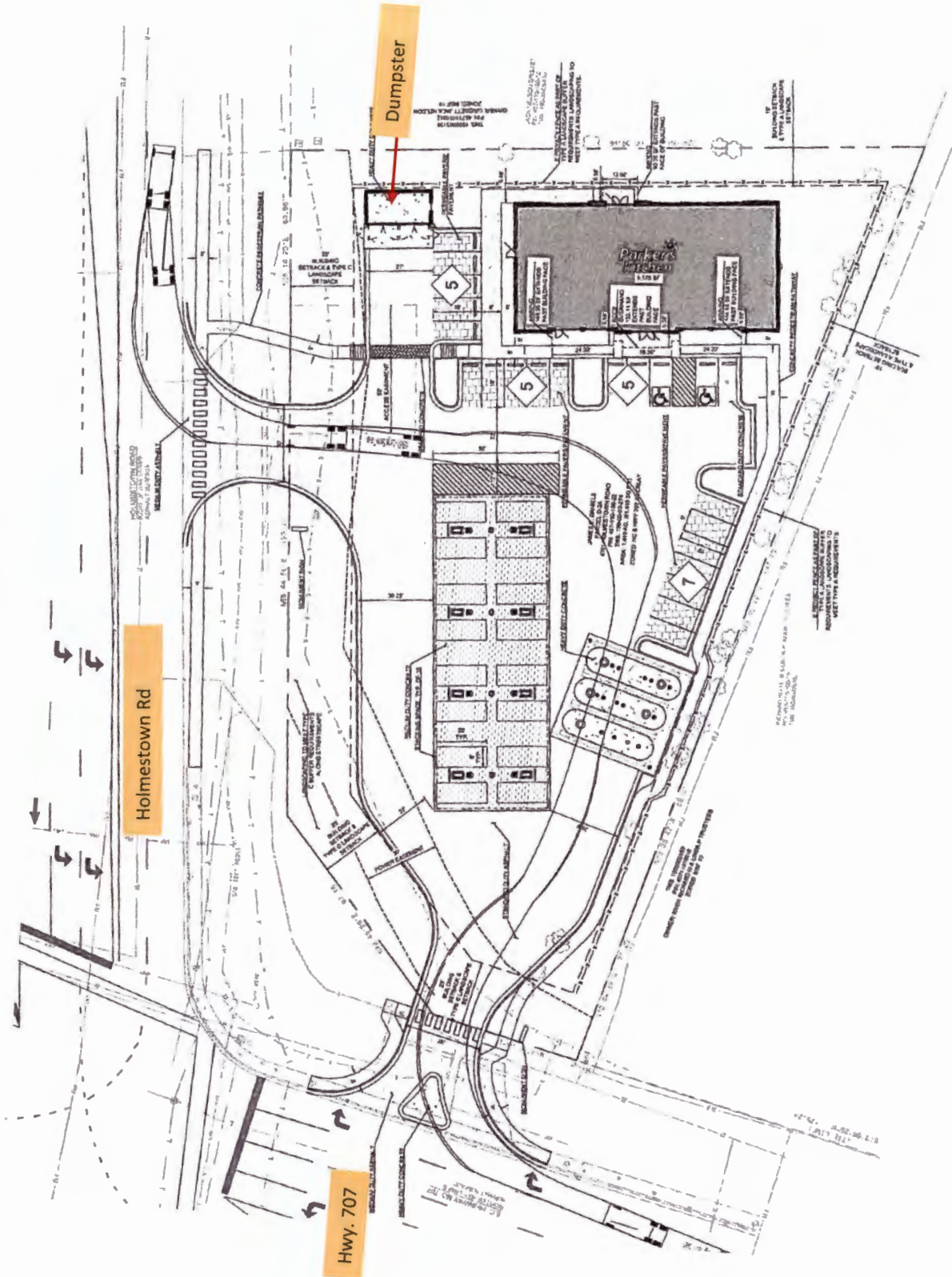
YES NO checkboxes, with NO checked.

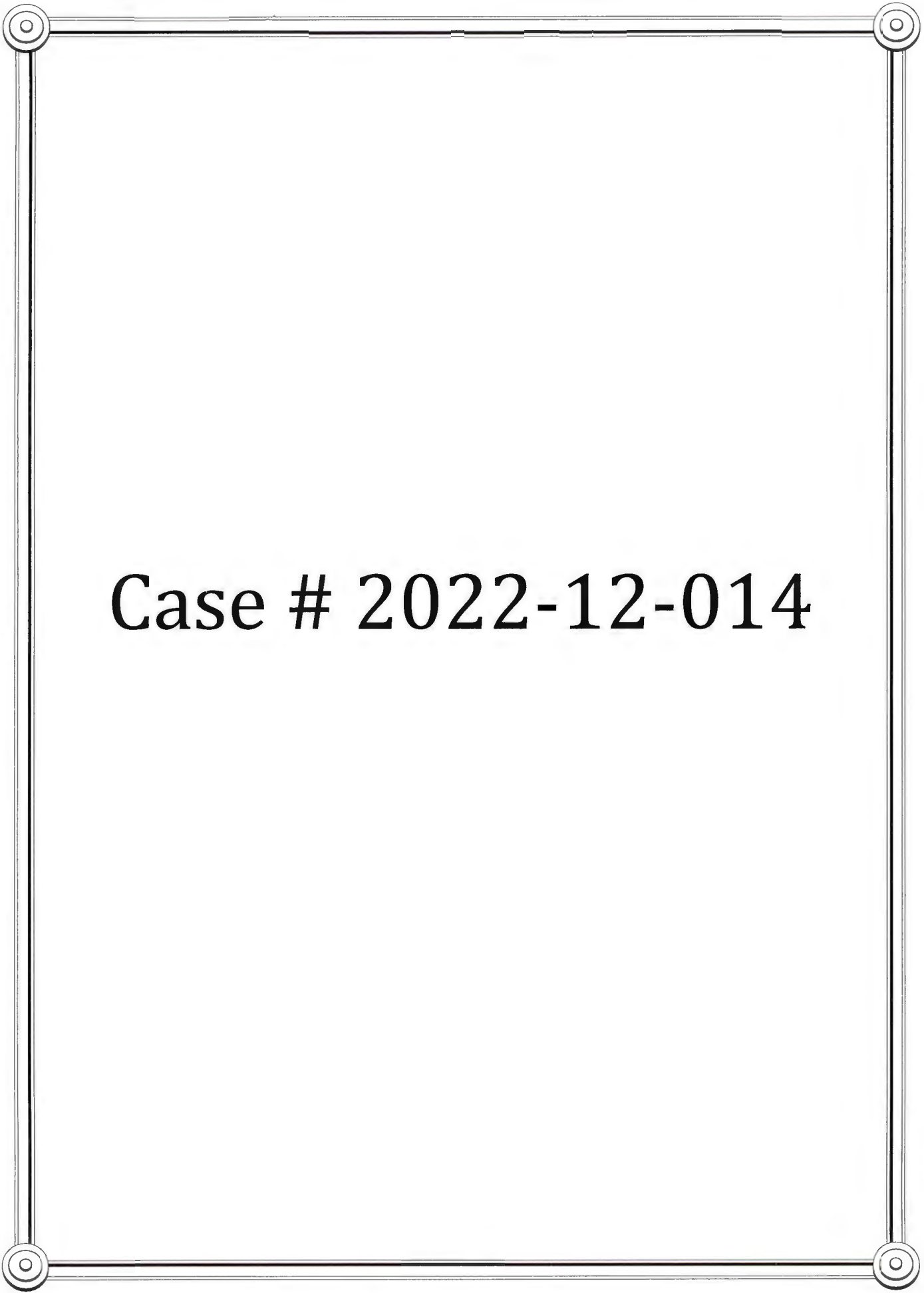
5. Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

Applicant's Signature (with handwritten signature)

Date 12/1/2022

# Site Plan





**Case # 2022-12-014**



## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2022-12-014
Applicant	Venture Engineering, Inc., agent
Parcel Identification (PIN) #	420-16-03-0052
Site Location	Intersection of Church St. and Chaucer Ln., Myrtle Beach
Property Owner	Lakeside Investments LLC
County Council District #	2 - Howard

### Zoning Information

Zoning District	GR
Parcel Size	1.35 acres
Proposed Use	Townhomes

### Requested Variance(s)

The applicants are requesting a variance from Article II and Article V, Section 504 C regarding setbacks, minimum lot area per unit and perimeter landscape buffers requirements in the General Residential (GR) zoning district.

	Requirement	Requested	Variance Needed	Percentage
<b>Art. II Dimensional Standards</b>				
Front setback on Old Bryan Dr.	30'	20'	10'	34%
Front/corner side setback on Chaucer Ln.	30'	20'	10'	34%
<b>Art. II, Table 2-3, GR Multi-family &amp; Townhome Density Limits</b>				
Minimum Lot Area 22 Units requires 3,175 sq.ft. per unit (2 story building / 3 bedroom unit)	69,850 sq.ft.	58,783 sq.ft.	11,067 sq.ft.	16%
<b>Art. V, Section 504 C - Type C Streetscape Perimeter buffers</b>				
Old Bryan Dr.	25'	20'	5'	20%
Chaucer Ln.	25'	20'	5'	20%

### Background/Site Conditions

The applicants are proposing four (4) multi-family buildings with twenty-two (22) townhomes on this site. Planning has only reviewed a sketch plan on this site and are not sure if there will be more variances. General Residential (GR) requires a 30' setback along all three roads. Buildings 1 and 3 will be located 20' from Old Bryan Dr. instead of the required 30' for a variance of 10'. Buildings 2 and 4 will be located 20' from Chaucer Ln. instead of the required 30' for a variance of 10'. The density limit in GR is configured using a minimum lot area per unit, the proposed development would require 3,175 sq.ft. per unit for 3 bedroom/ 2 story units x 22 units = 69,850 sq.ft.. The applicant has requested to provide a minimum lot area of 58,783 sq.ft. (18 units) instead of the required 69,850 sq.ft. for a variance of 11,067 sq.ft. A 25' Type C streetscape buffer is required along all roads. The applicants are proposing a 20' streetscape buffer on Old Bryan Dr. and Chaucer Ln. instead of the required 25' for a variance of 5'. The applicant states they will plant the required amount of trees and shrubs for a 25' buffer.

### Ordinance and Analysis

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

## VARIANCE REVIEW SHEET

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

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 townhouse projects within the GR 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.

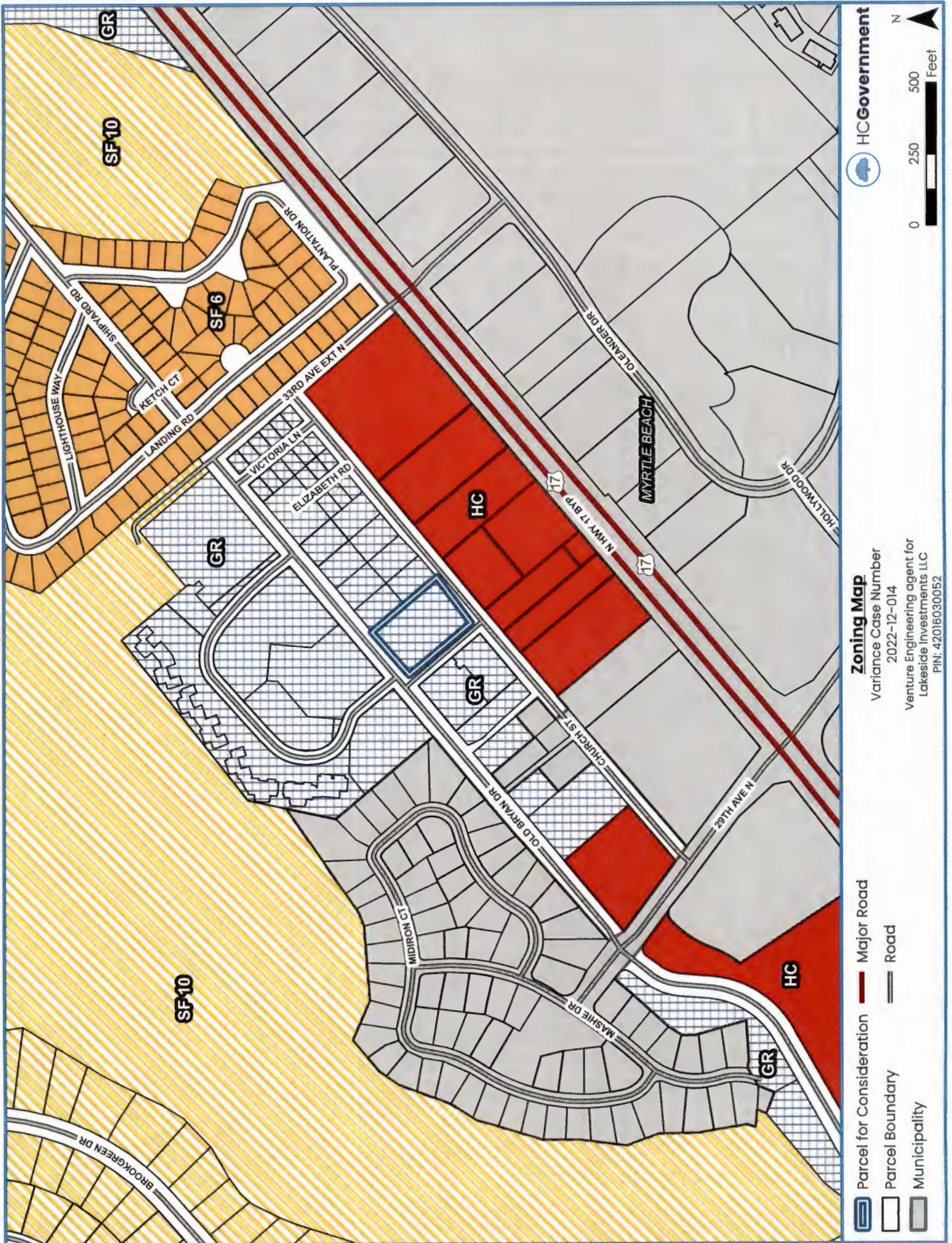
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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.



**Zoning Map**  
 Variance Case Number  
 2022-12-014  
 Venture Engineering agent for  
 Lakeside Investments LLC  
 PIN: 42016030052

- Parcel for Consideration
- Major Road
- Parcel Boundary
- Road
- Municipality



-  Parcel for Consideration
-  Major Road
-  Road

**Aerial Map**  
 Variance Case Number  
 2022-12-014  
 Venture Engineering agent for  
 Lakeside Investments LLC  
 PIN: 42016030052

 **HC Government**

0 100 200 Feet

N 



*View of the Property Off Old Bryan Drive*



*View of Property Off Church Street*



*Adjacent Property Across Chaucer Lane*



*Adjacent Property Across Old Bryan Drive*



# Applicant Submittal

VARIANCE REQUEST

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

Article(s): V Section(s): 527.2

2. Description of Request: Please see attached narrative

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<u>Required</u>	<u>Requested</u>
Front Setback: 30'	Front Setback: _____
Side Setback: 30'	Side Setback: 20'
Rear Setback: (front on Old Bryan St) 30'	Rear Setback: 20'
Minimum Lot Width: _____	Minimum Lot Width: _____
Min Lot Width @ Bldg. Site: _____	Min. Lot Width @ Bldg. Site: _____
Max Height of Structure: _____	Max Height of Structure: _____

Other Variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. **The failure to completely answer these questions will render your application incomplete and your case will not be heard.**

a. What extraordinary and exceptional conditions pertain to this particular piece of property?  
Please see attached narrative

b. Why do these conditions not apply to other properties in the vicinity?  
Please see attached narrative

c. Why do the conditions listed in 2a and 2b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?  
Please see attached narrative

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?  
Please see attached narrative

**\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.**

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

YES  NO

5. 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.

See attached letter of agency *Jordan E Rodes*  
Applicant's Signature

11/29/2022  
Date

**LETTER OF AGENCY**

To: Horry County Planning & Zoning, SCDHEC, SCDOT, Grand Strand Water & Sewer Authority, Horry County Code Enforcement, Horry County Stormwater, Horry County Engineering

Re: Rezoning, Permitting & Applications:  
PIN: 42016030052 (1.35 acres)

Property Location: Intersection of Old Bryan Drive, Chaucer Lane, and Church Street  
in Myrtle Beach, SC

Property Owner (s): Lakeside Investments LLC  
(Please Print Name) Don Smith

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, Jordan Rodes  
Reason for Agency: County/Water & Sewer Application & Permitting  
DHEC Applications & Permitting  
Horry County Review & Permitting  
SCDOT Encroachment Permitting, Rezoning & Variance  
Business License #: 4394  
Agent's Address: 209 Hwy 544, Conway, SC 29526  
Agent's Telephone Number: (843) 347-5851

Kate Jackson  
Witness

Lakeside Investments, LLC  
Property Owner (Please print full name) Don Smith, Mr.

Member/Manager  
Title

Don Smith for Lakeside Investments, LLC  
Signature of property owner

11-29-22  
Date

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



**Horry County  
Variance Application**

**for**

**Rick Thomas Townhomes**

**Prepared for**

**Lakeside Investments, LLC**

**Prepared By:**

**VENTURE ENGINEERING, INC.  
209 HIGHWAY 544  
Conway, SC 29526**



Rick Thomas Townhomes-Lakeside Investments, LLC

## Background

Horry County is one of the fastest growing counties in South Carolina, and the need for housing is quite evident. Many of these newcomers are from the north, where they are used to the city dwelling style of close homes and minimal yards. These townhomes would be a beneficial addition to Myrtle Beach, an area that undoubtedly demonstrates a need for housing. We are requesting four variances to be approved in order for this project to proceed.

## Variations Requested

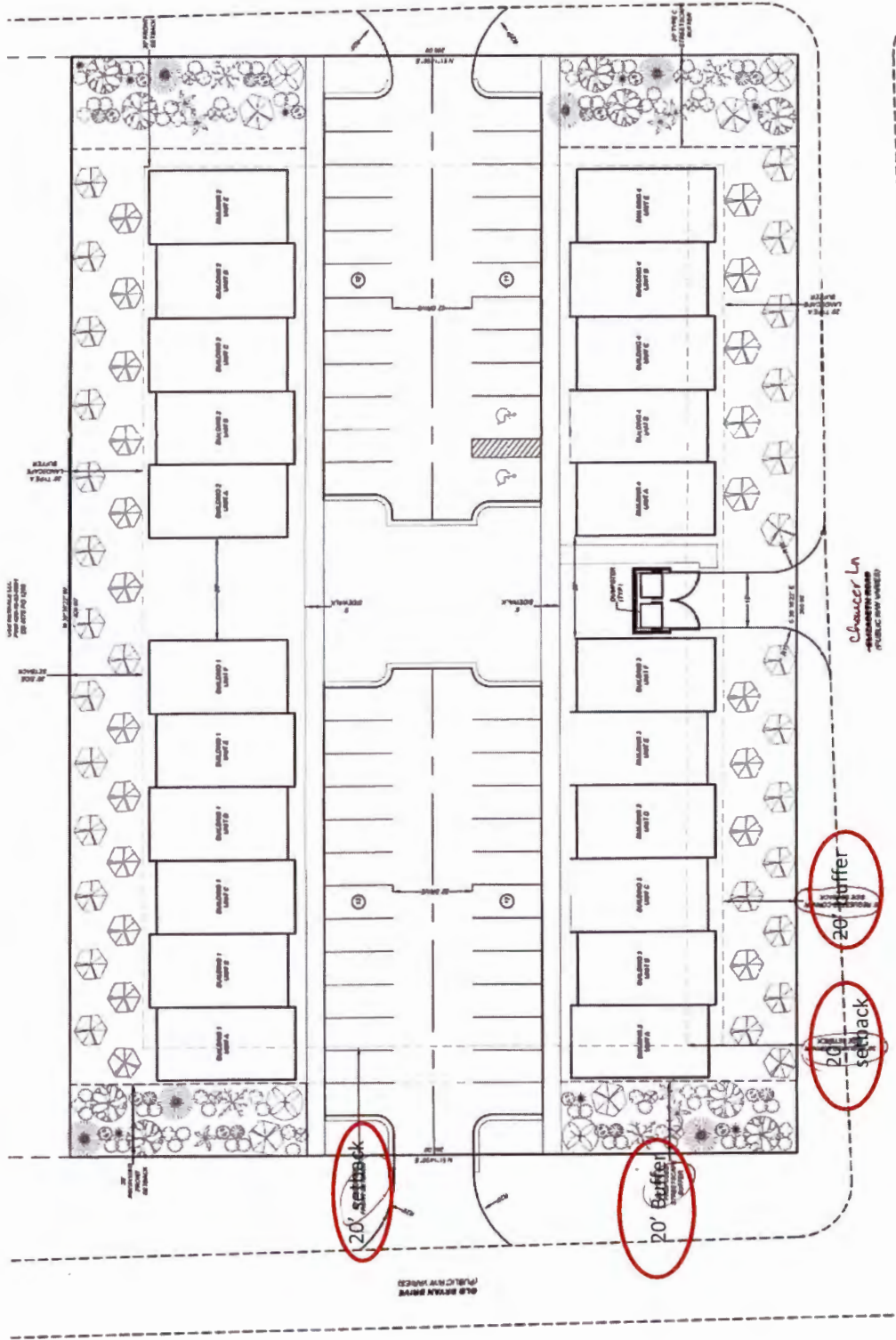
- Article V General Provisions, 527.2 Landscape Design Standards, C. Perimeter Buffer Requirements
  - *Intent: c) Streetscape: to enhance the visual character and transition between property and street, access or public right-of-way.* This section of Article V goes on to discuss the physical appearance of the Type C Streetscape buffer. According to Table 4 (Perimeter Buffer Type Requirements), the streetscape buffer for this specific property requires a 25 foot buffer, with 6 canopy trees, 6 understory trees, and 30 shrubs (all per 100 linear feet). We are requesting that instead of a 25 foot buffer, a 20 foot buffer would be implemented, with the same amount of trees and shrubs required. This buffer would only apply to the rear of the property and entrance that fronts on Old Bryan Drive. The front entrance on Church Street has ample space for the 25 foot streetscape strip.
  - These conditions do not generally apply to other properties in the area because they have been previously developed prior to the implementation of this ordinance. In fact, the townhomes directly across the street follow the same design as we have proposed, minus the additional landscaping we would be planting onsite. By adding this additional landscaping, the character of the area will be enhanced.
  - Not allowing the property owner to reduce the size of the streetscape buffer would unreasonably restrict the utilization of the property and significantly impact the development of needed housing in the Myrtle Beach area. We are willing to adhere to the other requirements regarding landscaping in the municode. We have even provided more than required landscaping in the buffers to compensate.
  - The authorization of a variance will not be of any detriment to adjacent properties or to the public good, and the character of the district will not be harmed by the granting of the variance because there is nothing detrimental being done to the adjacent properties, since this is a streetscape buffer, not a landscape property buffer.
  - Due to these reasons surrounding this property, we request a variance for the reduction of the 25 foot streetscape buffer to 20 feet in the rear of the property, without reducing the number of trees and shrubs required per linear feet.
- Article VIII Area, Yard, Height & Density Requirements, 800 Setback and Density Charts
  - This section of Article VIII discusses the maximum density allowed for a project. The parcel we are requesting a variance for is 58,783 square feet. We are looking to build 4 buildings, with a total of 22 units. Each building will be 2 stories and have 3 bedrooms per unit. According to Table 8-3 in the municode, the minimum

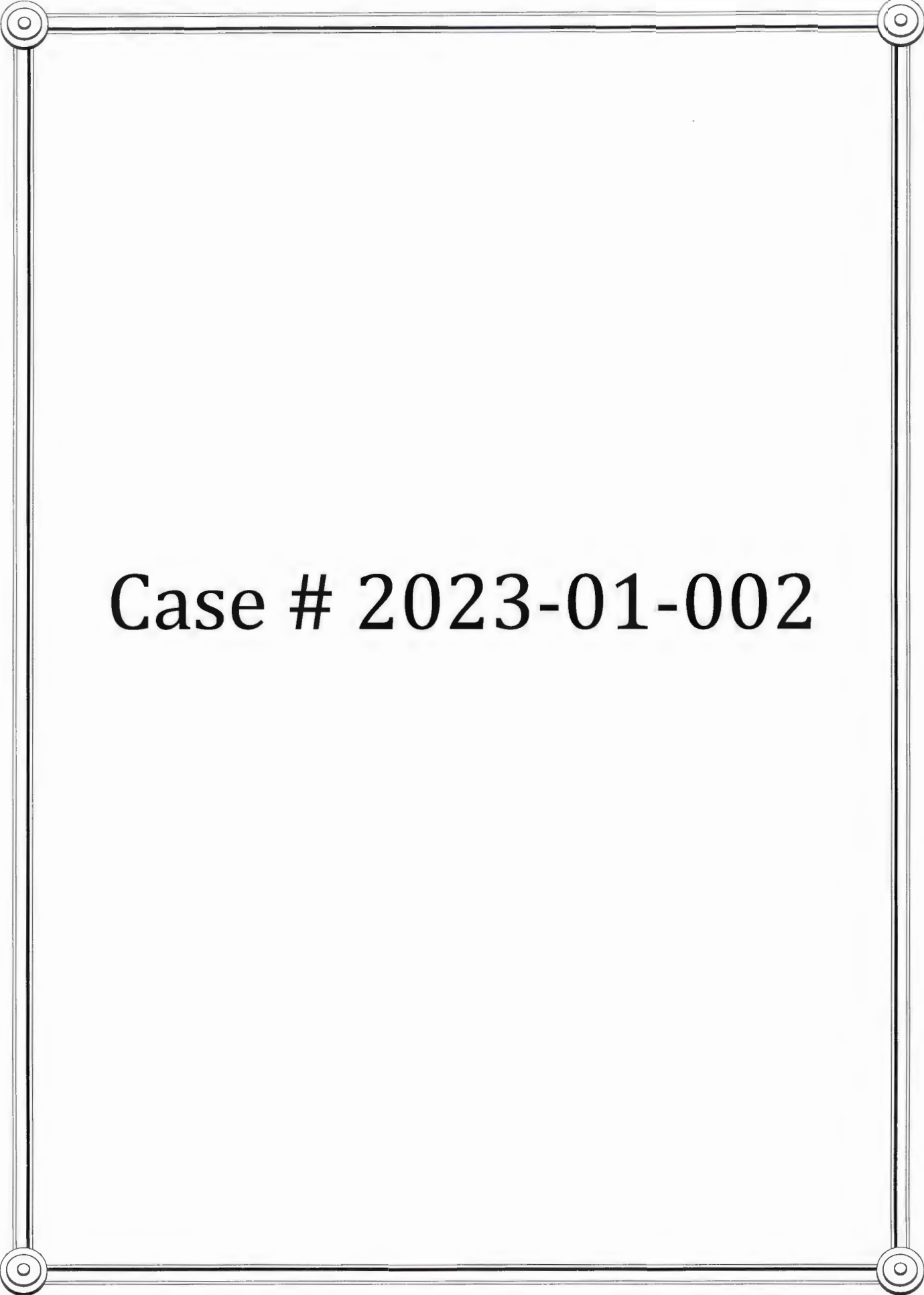
lot area per unit for a 3 bedroom, 2 story townhome is 3,175, which totals 69,850 square feet for our specific project. We are requesting that the maximum density be lowered in order to meet the needs for this project.

- These conditions do not generally apply to other properties in the area because many of the properties in the area have been previously developed before the enforcement of new ordinances. We are mirroring what the surrounding properties look like, while also elevating the physical appearance of the property.
- Not allowing the property owner to increase the density requirement would unreasonably restrict the utilization of the property and significantly impact the development of needed housing in the Myrtle Beach area. This property is centrally located in Myrtle Beach and will prove to be an excellent location for housing.
- The authorization of a variance will not be of any detriment to adjacent properties or to the public good, and the character of the district will not be harmed by the granting of the variance. The property across the street is the exact same footprint and has less square footage than ours, which means their density was higher than what we are presenting.
- Due to these reasons surrounding this property, we request a variance for the minimum lot area per unit in the General Residential zoning to be lowered from 69,850 square feet to what we are proposing: 58,783 square feet.
- Article VIII Area, Yard, Height & Density Requirements, 800 Setback and Density Charts
  - This section references the zoning districts area, yard and height requirements. For townhomes in the General Residential district, the front setback is 30', the side setback is 20', the rear setback is 20' and the corner setback is 30'. We are asking for a setback reduction regarding the property line along Old Bryan Drive. This is considered to be a front setback because of the separate entrance. We are asking for a 20' front setback instead of 30' on Old Bryan Drive.
  - These conditions do not generally apply to other properties in the area because there is not more than one point of access, other than the property across the street that we are attempting to mirror. Aside from those townhouses, the other properties only have one "front" setback line, therefore allowing them to apply the lesser rear setback to the property.
  - Not allowing the property owner to decrease the front setback line facing Old Bryan Street would unreasonably restrict the utilization of the property and significantly impact the development of needed housing in the Myrtle Beach area. If the original setback is kept, the amount of units would have to decrease because of the parcel size, which in return, makes less housing available to those who need it.
  - The authorization of a variance will not be of any detriment to adjacent properties or to the public good, and the character of the district will not be harmed by the granting of the variance. The properties in the area do not have two entrances, so they do not present the need of having two front setbacks on their property. The other properties also do not front on three (3) different streets, which also eliminates the need for multiple front setbacks.
  - Due to these reasons surrounding this property, we request a variance for a setback reduction regarding the property line along Old Bryan Drive. We are asking for a 20' front setback instead of a 30' front setback, which we have illustrated on the attached site plan.

- Article VIII Area, Yard, Height & Density Requirements, 800 Setback and Density Charts
  - This section references the zoning districts area, yard, and height requirements. For townhomes in the General Residential district, the corner setback is 30'. We are asking for a setback reduction regarding the property line along Elizabeth Street. We are asking for a 20' corner side setback instead of the 30' setback.
  - These conditions do not generally apply to other properties in the area because the majority of the parcels do not front on three (3) different roads. This property is unique because of this situation and this large corner side setback makes the property extremely difficult to build on, which in return eliminates needed housing in the area.
  - Not allowing the property owner to decrease this corner side setback facing Elizabeth Street would unreasonably restrict the utilization of the property and significantly impact the development of needed housing in the Myrtle Beach area. The large 30' corner side setback, combined with the large front setbacks, cuts off the majority of the property. These two setbacks do not allow for proper development to occur.
  - The authorization of a variance will not be of any detriment to adjacent properties or to the public good, and the character of the district will not be harmed by the granting of the variance. The other properties in the area do not front on multiple streets, which eliminates the need for multiple front setbacks and corner side setbacks.
  - Due to these reasons surrounding this property, we request a variance for a setback reduction regarding the property line along Elizabeth Street. We are asking for a 20' corner side setback instead of a 30' setback, which we have illustrated on the attached site plan.

# Site Plan



A rectangular frame with a double-line border and decorative corner pieces at each of the four corners. The text "Case # 2023-01-002" is centered within the frame.

**Case # 2023-01-002**

# VARIANCE REVIEW SHEET

## Property Information

Variance Request #	2023-01-002
Applicant	Bertha Georgina Blenis
Parcel Identification (PIN) #	313-16-01-0007
Site Location	3951 Evans Estate Drive, Little River
Property Owner	Bertha Georgina Blenis
County Council District #	9 - Causey

## Zoning Information

Zoning District	CFA
Parcel Size	1.01 Acres
Proposed Use	Residential

## Requested Variance(s)

The applicant is requesting a variance from Article II regarding the setback requirements in the Commercial Forest Agriculture (CFA) zoning district.

	Requirement	Requested	Variance Needed	Percentage
Side setback	10'	7.5'	2.5'	25%

## Background/Site Conditions

The applicant is proposing a 12'x16' addition to an existing storage building. On March 14, 2022 the applicant received a variance (Case 2022-02-006) to allow this addition to be 10' from the right side property line. However, a foundation survey shows the addition is located 7.5' from the right side property line instead of the required 10' for a variance of 2.5'.

## 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 residential lots in the CFA zoning district.

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

## VARIANCE REVIEW SHEET

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

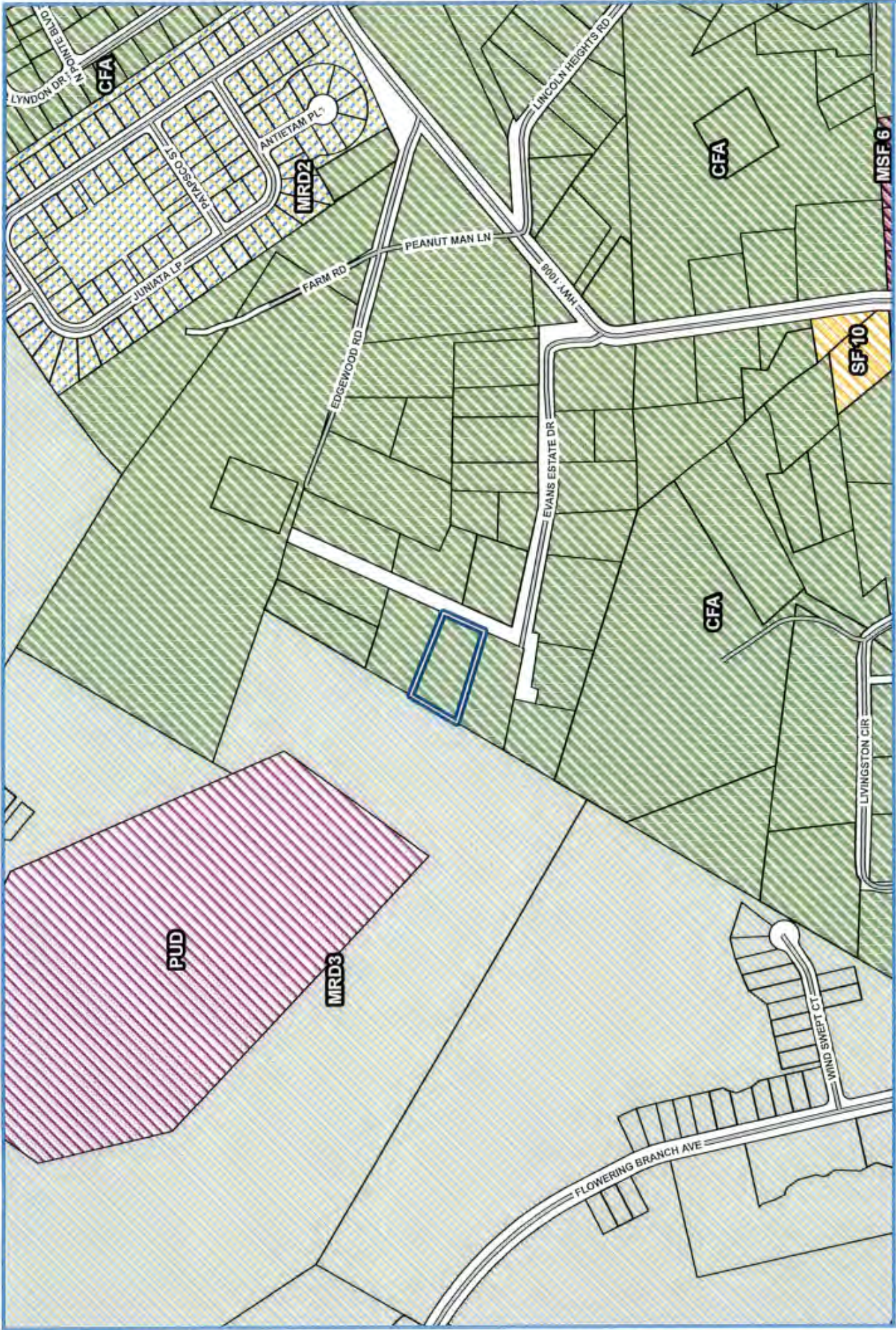
5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may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



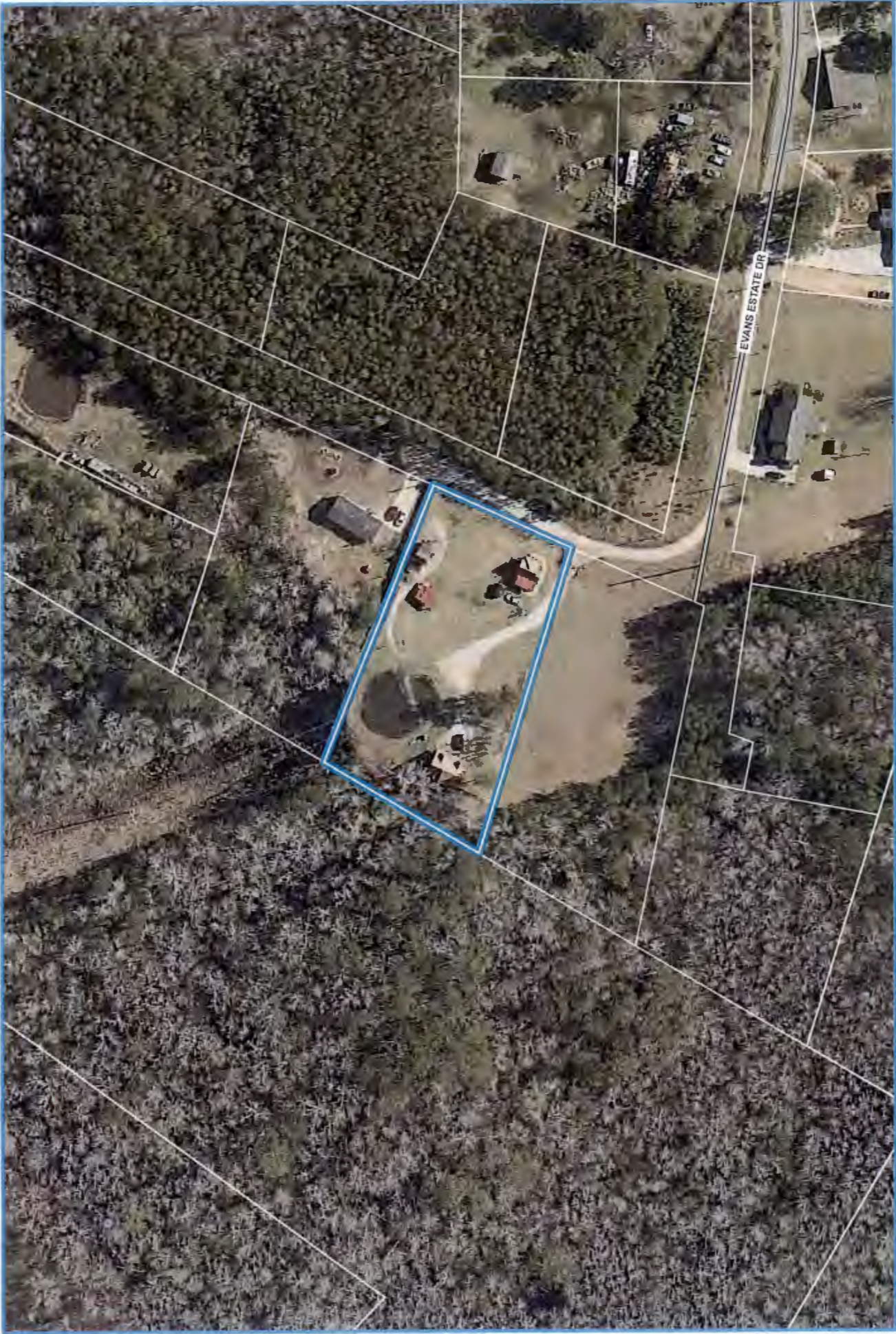




**Zoning Map**  
 Variance Case Number  
 2023-01-002  
 Bertha Georging Blenis  
 PIN: 17774020003

HC Government


0 250 500 Feet

Parcel for Consideration  
 Parcel Boundary  
 Road



 Parcel for Consideration  
 Road

**Aerial Map**  
Variance Case Number  
2023-01-002  
Bertha Georging Blenis  
PIN: 17714020003

 **HC Government**  
0 75 150 Feet  
N 



*Front Street View of Property*



*Street View of Evans Estate Drive*



*Front View of Property Across Evans Estate Drive*



*Storage addition*

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF HORRY )  
 In re: Bertha Georgina Blenis )  
 )  
 )

**BEFORE THE BOARD OF  
 ZONING APPEALS**  
 Case No.: 2022-02-006

**ORDER OF THE BOARD**

Hearing was held before this Board on March 14, 2022, pursuant to the request of the applicant for a variance from Article VIII regarding the setback requirements in the Commercial Forest Agricultural (CFA) zoning district. The property is identified by PIN 313-16-01-0007 and is located at 3951 Evans Estate Drive in the Little River area of Horry County. The applicant has requested the following variances from the requirements:

	Requirement	Requested	Variance Needed	Percentage
Side setback for storage bldg. addition	15'	10'	5'	33%

The applicants and the Zoning Administrator were given the opportunity to offer witnesses and exhibits and to make argument for the record. A public hearing was held and all interested parties were invited to comment before the Board.

Under the South Carolina Code of Laws 6-29-800 (A) (2), a variance from the requirements of the Zoning Ordinance may only be granted in an individual case of unnecessary hardship upon the following findings: (a) extraordinary and exceptional conditions pertaining to the property at issue; (b) the extraordinary and exceptional conditions do not generally apply to other property in the vicinity; (c) because of the extraordinary and exceptional conditions, application of the ordinance to the property, would, in effect prohibit or unreasonably restrict the property owner's utilization of the property; (d) authorization of a variance will not be of a substantial detriment to adjacent property or the public good or harm to the character of the zoning district; and (e) a variance may not be granted which in effect, would establish a use not otherwise permitted in the zoning district or physically extend a non-conforming use. The statute also provides that the fact that the property may be utilized more profitably if a variance is granted is not grounds for a variance.

## FINDINGS OF FACT

1. The property is identified by PIN 313-16-01-0007.
2. It is zoned Commercial Forest Agricultural (CFA) and is located at 3951 Evans Estate Drive in the Little river area of Horry County.
3. The applicant is proposing a 12'x16' addition to an existing storage building.
4. On January 4, 2022 Council passed Ord# 153-2021 which increased the side setbacks in the agricultural zoning districts from 10' to 15'.
5. The addition will be located 10' from the right-side property line instead of the required 15' for a variance of 5'.

## CONCLUSIONS OF LAW

The Board finds that the request **meets** the criteria set forth in Horry County Code § 1404 (B) and S.C. Code Ann. §6-29-800. Therefore, the **variance is granted, provided that the following conditions are met:**

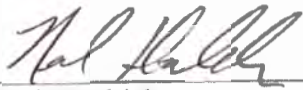
1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

AND IT IS SO ORDERED, this 14<sup>th</sup> day of March, 2022.

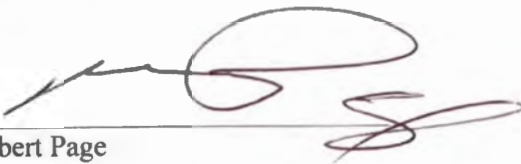
  
Marion Shaw, Chairman

\_\_\_\_\_  
Jeffrey Miller

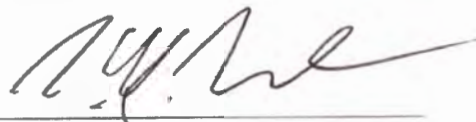
  
Jody Nyers

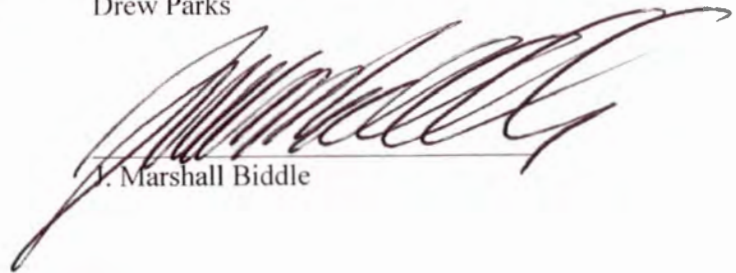
  
Neal Hendrick

  
William Livingston

  
Robert Page

  
Drew Parks

  
Kirk Truslow

  
J. Marshall Biddle

ATTEST:  
  
Marnie Leonard / Assistant Zoning Administrator

\*\* All orders may be revised until the following meeting of the Zoning Board of Appeals.



# Applicant Submittal

**VARIANCE REQUEST**

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

Article(s): \_\_\_\_\_ Section(s): \_\_\_\_\_

2. Description of Request: I would appreciate very much if you could kindly grant me a 2 1/2' variance on a 10ft setback on only one corner of my new building being built.  
Thanks

<u>Required</u>	<u>Requested</u>
Front Setback: <u>40 ft</u>	Front Setback: <u>40 ft</u>
Side Setback: <u>10 ft</u>	Side Setback: <u>7 1/2</u>
Rear Setback: <u>25 ft</u>	Rear Setback: <u>25 ft</u>
Minimum Lot Width: <u>90'</u>	Minimum Lot Width: _____
Min Lot Width @ Bldg. Site: _____	Min. Lot Width @ Bldg. Site: _____
Max Height of Structure: <u>85</u>	Max Height of Structure: <u>35</u>

Other Variances: N/A

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. **The failure to completely answer these questions will render your application incomplete and your case will not be heard.**

- What extraordinary and exceptional conditions pertain to this particular piece of property?  
10ft set back on building an addition of a recreation room
- Why do these conditions not apply to other properties in the vicinity?  
Because I am encroaching on my own setback of 10ft by only 2 1/2 feet on one corner only.
- Why do the conditions listed in 2a and 2b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?  
Because I am encroaching on the setback in one corner only. Sorry
- Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?  
Not at all

**\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.**

4. Are there Restrictive Covenants on this property that prohibit or conflict with this request? YES  NO

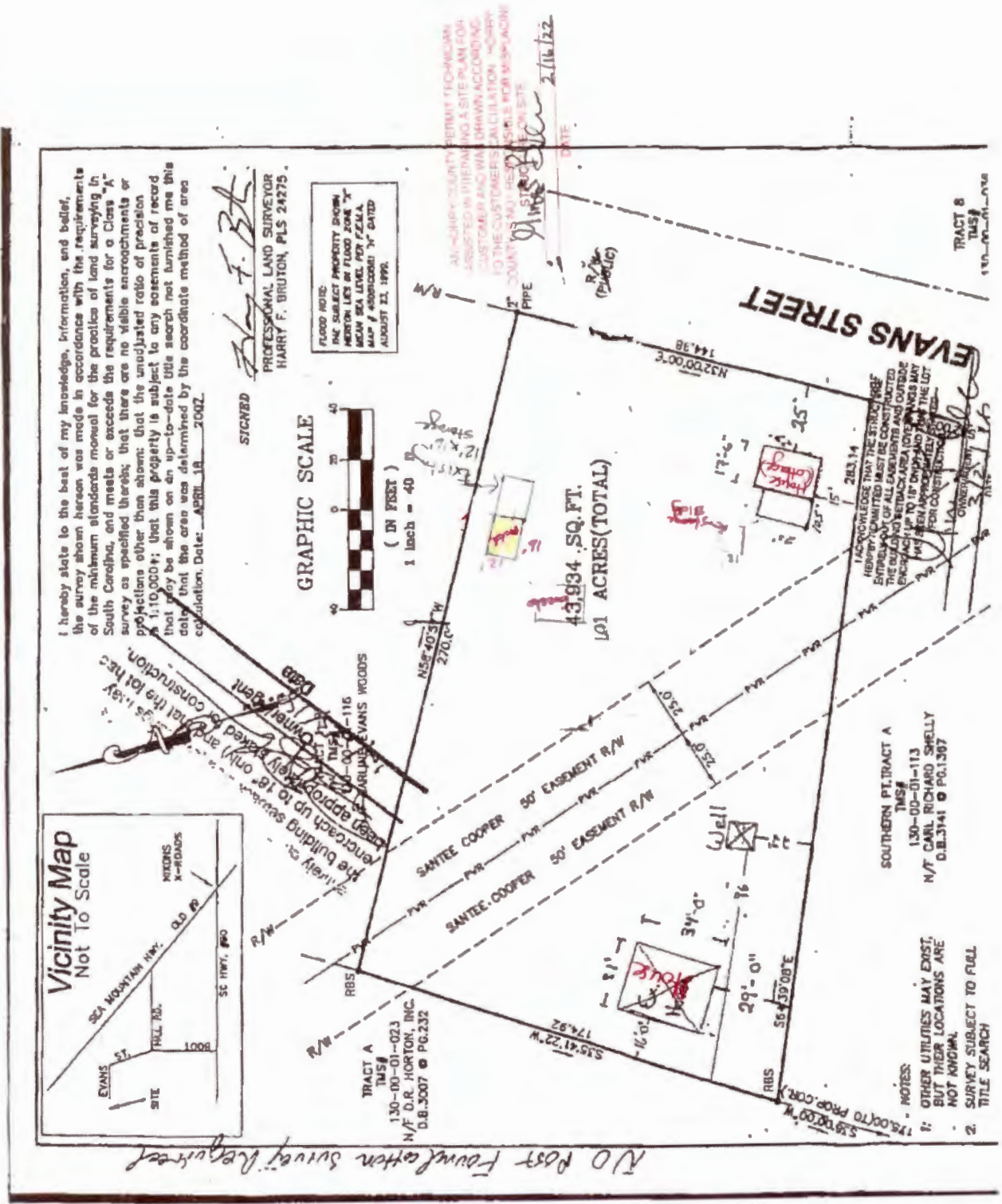
5. Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

Mina Blew  
 Applicant's Signature

12/6/22  
 Date



# Site Plan showing all structures





VARIANCE REVIEW SHEET  
TREE PRESERVATION

Property Information

Variance Request #	2023-01-012
Applicant	Venture Engineering
Parcel Identification (PIN) #	311-08-03-0086
Site Location	1568 Watson Ave. Little River
Property Owner	Carl Meares Jr.
County Council District #	1 - Dukes

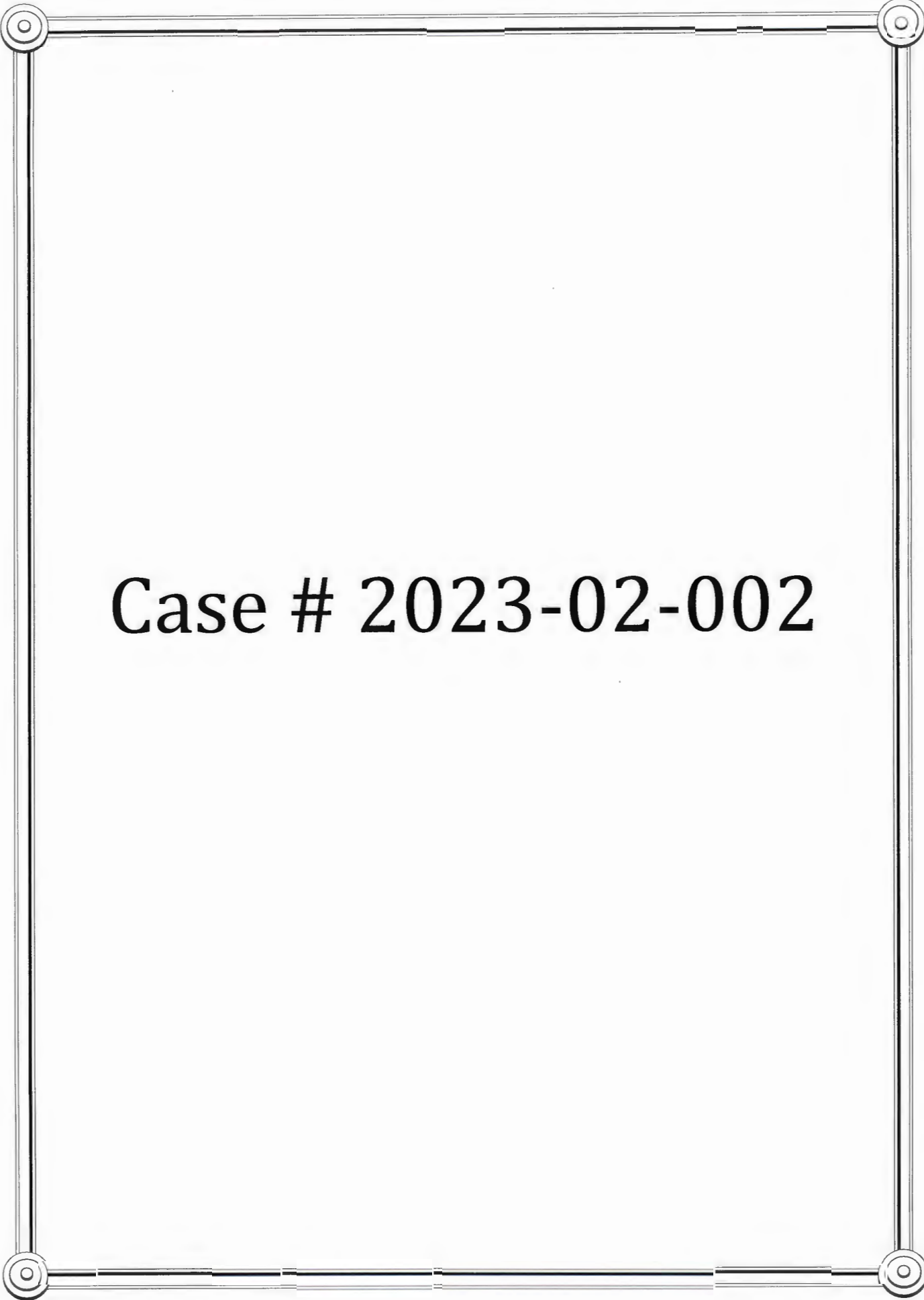
Zoning Information

Zoning District	RC
Parcel Size	8.3 Acres
Proposed Use	Boat Charter/tours

**Case has been withdrawn by applicant**



# New Business

A rectangular frame with a double-line border. At each of the four corners, there is a decorative circular element consisting of a small inner circle and a larger outer circle, resembling a rivet or a corner fastener.

**Case # 2023-02-002**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-002	<b>Zoning Information</b>	
Applicant	Jeff Edney, agent	Zoning District	HC
Parcel Identification (PIN) #	447-00-00-0021	Parcel Size	10.36
Site Location	2687 Beaver Run Blvd., Surfside Beach	Proposed Use	Storage Facility
Property Owner	Sovran Acquisition LP		
County Council District #	4 - Loftus		

### Requested Variance(s)

The applicants are requesting a variance from Article V Section 504 C regarding the landscaping and buffer requirements in the Highway Commercial (HC) zoning district.

	Requirement	Requested	Variance Needed	Percentage
<b>Buffer A</b> ( <i>Along Beaver Run Blvd</i> ) - <b>Type C Streetscape Buffer</b>	10' in width 500' in length 15 Canopy 15 Understory 100 Shrubs	0' in width 0' in length 0 Canopy 0 Understory 0 Shrubs	10' in width 500' in length 15 Canopy 15 Understory 100 Shrubs	<b>100%</b>
<b>Buffer B</b> ( <i>adjacent to PIN 44716020008</i> ) - <b>Type B Spatial Buffer</b>	5' in width 390' in length 8 Canopy 8 Understory 78 Shrubs	0' in width 0' in length 0 Canopy 0 Understory 0 Shrubs	5' in width 390' in length 8 Canopy 8 Understory 78 Shrubs	<b>100%</b>
<b>Buffer C</b> ( <i>adjacent to PIN 44700000022</i> ) - <b>Type B Spatial Buffer</b>	5' in width 350' in length 7 Canopy 7 Understory 70 Shrubs	0' in width 0' in length 0 Canopy 0 Understory 0 Shrubs	5' in width 350' in length 7 Canopy 7 Understory 70 Shrubs	<b>100%</b>
<b>Buffer D</b> ( <i>Adjacent to PIN 44700000022</i> ) - <b>Type B Spatial Buffer</b>	5' in width 689' in length 14 Canopy 14 Understory 138 Shrubs	0' in width 0' in length 0 Canopy 0 Understory 0 Shrubs	5' in width 689' in length 14 Canopy 14 Understory 138 Shrubs	<b>100%</b>
<b>Buffer E</b> ( <i>Adjacent to PIN 44700000022</i> ) - <b>Type B Spatial Buffer</b>	5' in width 459' in length 10 Canopy 10 Understory 92 Shrubs	0' in width 0' in length 0 Canopy 0 Understory 0 Shrubs	5' in width 459' in length 10 Canopy 10 Understory 92 Shrubs	<b>100%</b>
<b>Buffer F</b> ( <i>Adjacent to PIN 44716040005</i> ) - <b>Type B Spatial Buffer</b>	6 Canopy 6 Understory 59 Shrubs	10 Canopy 0 Understory 71 Shrubs	0 Canopy 6 Understory 0 Shrubs	<b>0%</b> <b>100%</b> <b>0%</b>
<b>Buffer G</b> ( <i>Along Beaver Run Blvd</i> ) - <b>Type C Streetscape Buffer</b>	5 Understory	6 Canopy 0 Understory 29 Shrubs	5 Understory	<b>100%</b>

## VARIANCE REVIEW SHEET

<b>Buffer H</b> ( <i>Adjacent to PIN 444716030022</i> ) - <b>Type B Spatial Buffer</b>	7 Canopy 7 Understory 66 Shrubs	7 Canopy 0 Understory 48 Shrubs	0 Canopy 7 Understory 18 Shrubs	<b>0%</b> <b>100%</b> <b>27%</b>
<b>Buffer I</b> ( <i>Adjacent to PIN 444716030022 &amp; 44716030023</i> ) - <b>Type B Spatial Buffer</b>	5' in width 555' in length 12 Canopy 12 Understory 111 Shrubs	0' in width 0' in length 0 Canopy 0 Understory 0 Shrubs	5' in width 555' in length 12 Canopy 12 Understory 111 Shrubs	<b>100%</b>
<b>Foundation Buffer Requirements</b>	A landscape area of at least five (5) feet in width shall be provided adjacent to buildings along the foundation or between the foundation and the back of the curb separating the			<b>100%</b>
<b>Vehicle Use Area Parking Islands</b> <i>Art. V, Sec. 504 D 3 c i</i>	Every parking space must be within fifty (50) feet from a planted tree.			<b>100%</b>
<b>Vehicle Use Area Parking Islands</b> <i>Art. V, Sec. 504 D 3 c ii</i>	For every fifteen (15) parking spaces in a row, a parking island is required and must include one (1) tree and five (5) shrubs, perennials or ornamental grasses.			<b>100%</b>

### Background/Site Conditions

The applicants are proposing to construct a 36,000 sq. ft. two story storage structure on the existing Life Storage Facility. The storage facility began in 1999 according to the Tax Assessor's records. The level of modifications requires the site to come into compliance with the landscape ordinance. The

applicant has requested relief from the following items:

**Buffer A** - Type C Streetscape Buffer - The applicant has requested 100% relief from this requirement.

**Buffer B** - Type B Spatial Buffer - The applicant has requested 100% relief from this requirement.

**Buffer C** - Type B Spatial Buffer - The applicant has requested 100% relief from this requirement.

**Buffer D** - Type B Spatial Buffer - The applicant has requested 100% relief from this requirement.

**Buffer E** - Type B Spatial Buffer - The applicant has requested 100% relief from this requirement.

**Buffer F** - Type B Spatial Buffer - The applicant will provide 10 canopy trees, 0 Understory trees & 71 Shrubs for partial relief.

**Buffer G** - Type C Streetscape Buffer - The applicant will provide 6 Canopy trees, 0 Understory trees & 29 Shrubs for partial relief.

**Buffer H** - Type B Spatial Buffer - The applicant will provide 7 Canopy trees, 0 Understory trees, & 48 shrubs for partial relief.

**Buffer I** - Type B Spatial Buffer - The applicant has requested 100% relief from this requirement.

**Foundation Buffer** - The applicant has requested 100% relief from this requirement.

**Vehicle Use Areas -Art. V, Sec. 504 D 3 c i** - The applicant has requested 100% relief from this requirement.

**Vehicle Use Areas -Art. V, Sec. 504 D 3 c ii** - The applicant has requested 100% relief from this requirement.

### Ordinance and Analysis

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

## VARIANCE REVIEW SHEET

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

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 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?)

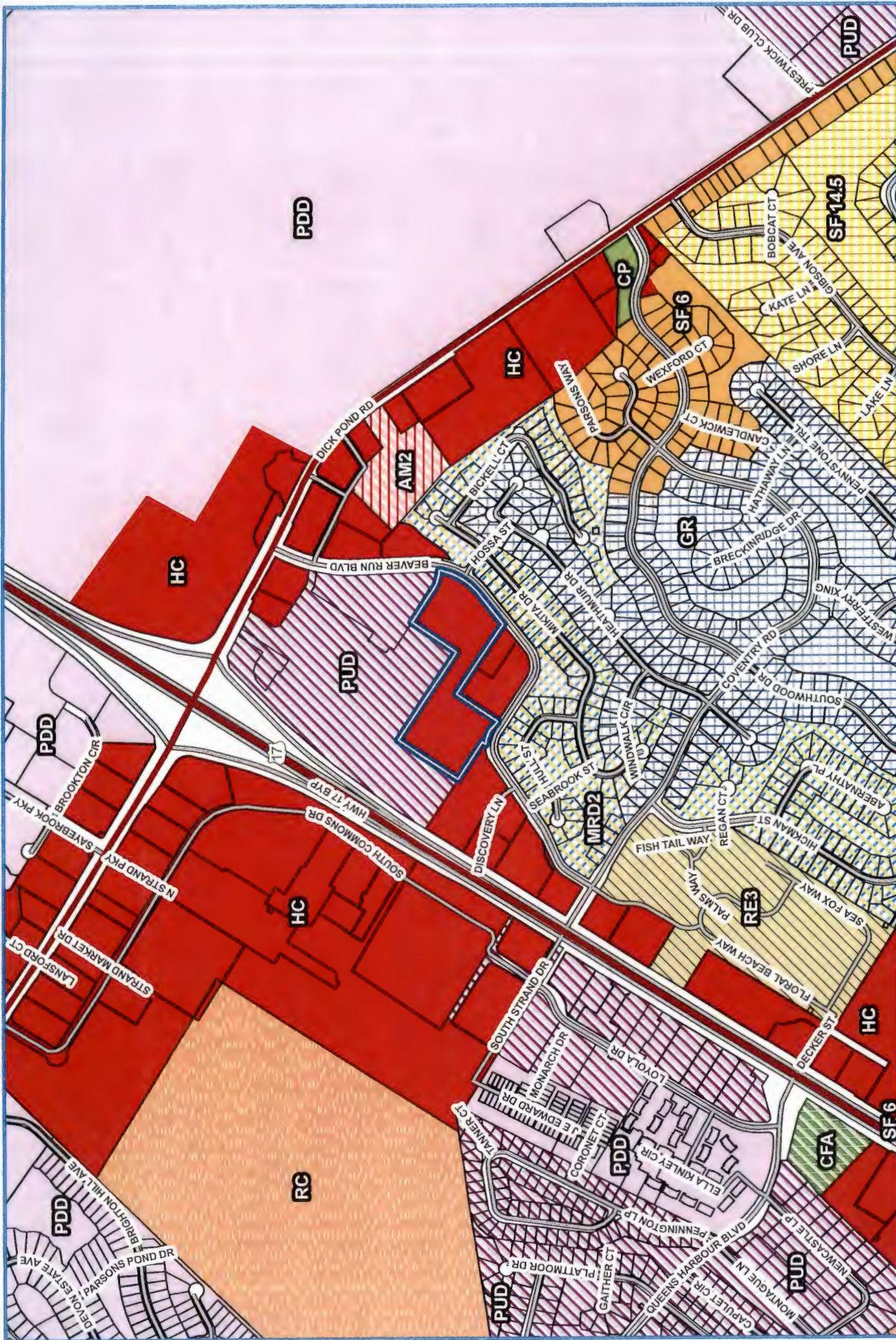
5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may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





**Zoning Map**  
 Variance Case Number  
 2023-02-002  
 Jeff Eaney agent for  
 Sovran Acquisition LP  
 PIN: 447-00-00-0021

HC Government




Parcel for Consideration  
 Parcel Boundary  
 Major Road  
 Road

0 500 1000 Feet

N



**Aerial Map**  
Variance Case Number  
2023-02-002  
Jeff Edney agent for  
Sovran Acquisition LP  
PIN: 447-00-00-0021

-  Parcel for Consideration
-  Major Road
-  Road



*Site*



*Front on Beaver Run Blvd*



*Rear property line*



*Area of new building*



# Applicant Submittal

VARIANCE REQUEST

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

Article(s): v

501.A 504.1.C

Section(s): 527. B. 1 & 527.2 . C

2. Description of Request:

The total valuation of the recent 2017 addition (\$2,856,000) and the current proposed addition (\$3,240,000) is \$6,096,000. This is approximately 65% of the market value of \$9,424,000 listed on the Horry County Land Records website which is over the 50% which requires the entire site to be brought up to current landscaping requirements. However the 2017 addition and current proposed addition only consists of 76,300 sf of building which is only 43% of the existing building (158,349 sf) and covered (20,000 sf) square footage. Improvement area is also only on 2.4 AC of the total 10.36 AC of the site which is only 23%. Due to recent escalated construction costs the cost comparison is not reasonable. Also the 5' rear buffer requirement (527.2.C) is along a boundary with no current buffer and already buffered by an existing 350' wide adjacent pond. Buffer would also not allow the required 20' fire access around the building.

Required

Requested

Front Setback: \_\_\_\_\_ Front Setback: \_\_\_\_\_
Side Setback: \_\_\_\_\_ Side Setback: \_\_\_\_\_
Rear Setback: \_\_\_\_\_ Rear Setback: \_\_\_\_\_
Minimum Lot Width: \_\_\_\_\_ Minimum Lot Width: \_\_\_\_\_
Min Lot Width @ Bldg. Site: \_\_\_\_\_ Min. Lot Width @ Bldg. Site: \_\_\_\_\_
Max Height of Structure: \_\_\_\_\_ Max Height of Structure: \_\_\_\_\_

Other Variances: \_\_\_\_\_

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application incomplete and your case will not be heard.

a. What extraordinary and exceptional conditions pertain to this particular piece of property?

Significant existing infrastructure would have to be removed to be compliant to bring site to current Landscape code. Also significant construction cost escalation. Five foot rear buffer would not allow for a full 20' fire access around the proposed building as required.

b. Why do these conditions not apply to other properties in the vicinity?

Existing built infrastructure is not prohibitive as is on this site and site has an existing pond buffering the rear unlike others.

c. Why do the conditions listed in 2a and 2b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?

They would not allow for the renovation/addition.

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?

No. The proposed addition the variance would allow is of the same use and character and would actual improve the character of the district.

\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

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

YES NO
[ ] [x]

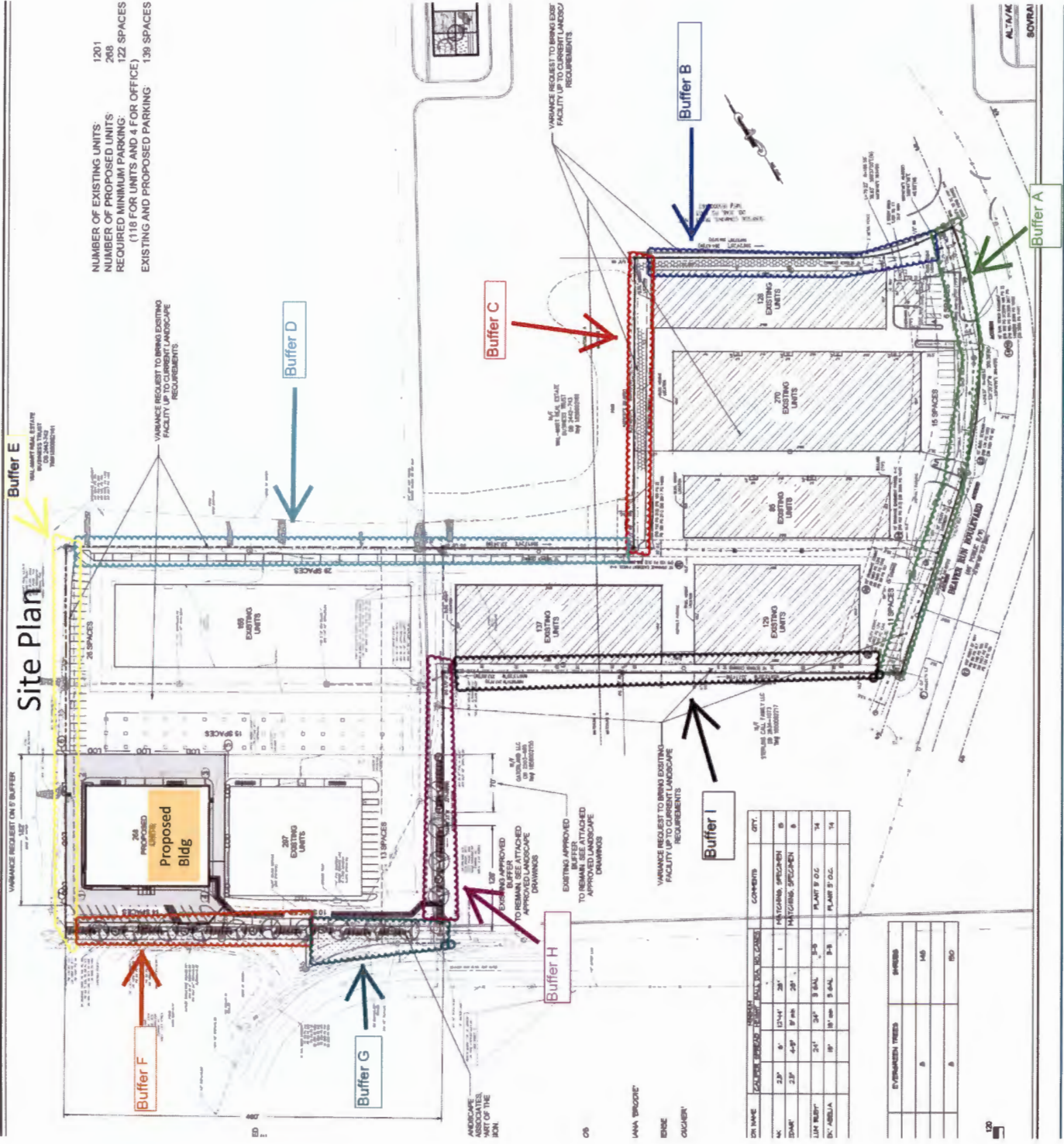
5. Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

[Signature]
Applicant's Signature

12-8-2022
Date

# Site Plan

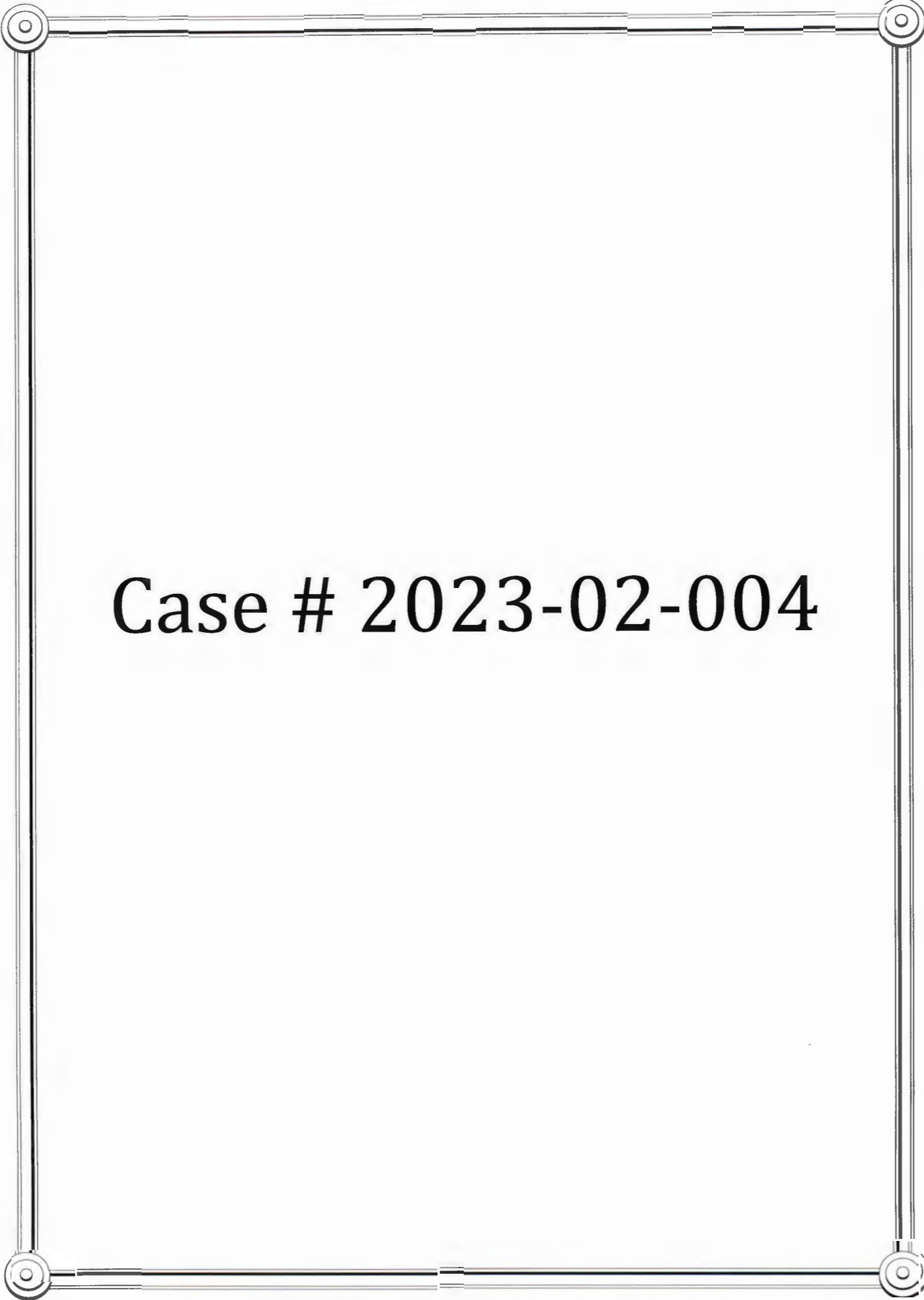
NUMBER OF EXISTING UNITS: 1201  
 NUMBER OF PROPOSED UNITS: 268  
 REQUIRED MINIMUM PARKING: 122 SPACES  
 (118 FOR UNITS AND 4 FOR OFFICE)  
 EXISTING AND PROPOSED PARKING: 130 SPACES



DRY NAME	COLOR	PERCENT	HEIGHT	WALK DIST. TO CORNER	COMMENTS	QTY.
AK	2.0"	8'	12'x14'	20'	PLANTING SPECIMEN	8
BAKE	2.0"	4.0"	8'x10'	20'	MATURING SPECIMEN	8
LAN BERT	2.1"	3.4"	8'x10'	2.5'	PLANT E.O.C.	14
RY/ABBA	1.0"	10' max	8'x10'	2.5'	PLANT F.O.C.	14

EVERGREEN TREES	SPACES
A	140
B	80



A rectangular frame with a double-line border. At each of the four corners, there is a decorative circular element consisting of three concentric circles, resembling a rivet or a bolt head.

**Case # 2023-02-004**



## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-004	<b>Zoning Information</b>	
Applicant	Venture Engineering, agent	Zoning District	HC
Parcel Identification (PIN) #	425-07-04-0002	Parcel Size	5.52 Acres
Site Location	758 Jason Blvd. Myrtle Beach	Proposed Use	Car Dealership
Property Owner	Gale Properties, LLC		
County Council District #	4 - Loftus		

### Requested Variance(s)

The applicants are requesting a variance from Article V, Section 504C regarding buffer requirements in the Highway Commercial (HC) zoning district.

	Requirement	Requested	Variance Needed	Percentage
<b>East / Right side Buffer - Type B Spatial Buffer</b> <i>(adjacent to PIN 42507040005 &amp; 42507040004)</i>	5' in width	0' in width	5' in width	<b>100%</b>
	435' in length	0' in length	435' in length	
	9 Canopy	0 Canopy	9 Canopy	
	9 Understory	0 Understory	9 Understory	
	87 Shrubs	0 Shrubs	87 Shrubs	

### Background/Site Conditions

This is the location of Myrtle Beach Chrysler Jeep car dealership. The applicants are proposing to add a 12,662 sq. ft. addition to the existing building. Due to the level of modification the site is subject to comply with the landscape buffer requirements around the entire property. The applicant has requested 100% relief from the eastern/ right side Type B spatial buffer. There is a ditch along that side of the property, and the applicant does not want to decrease the existing pavement area to allow the required buffer.

### 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 car dealership has been here since 1996.

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

These conditions apply to all commercial properties that are expanding or modifying their site.

## 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.

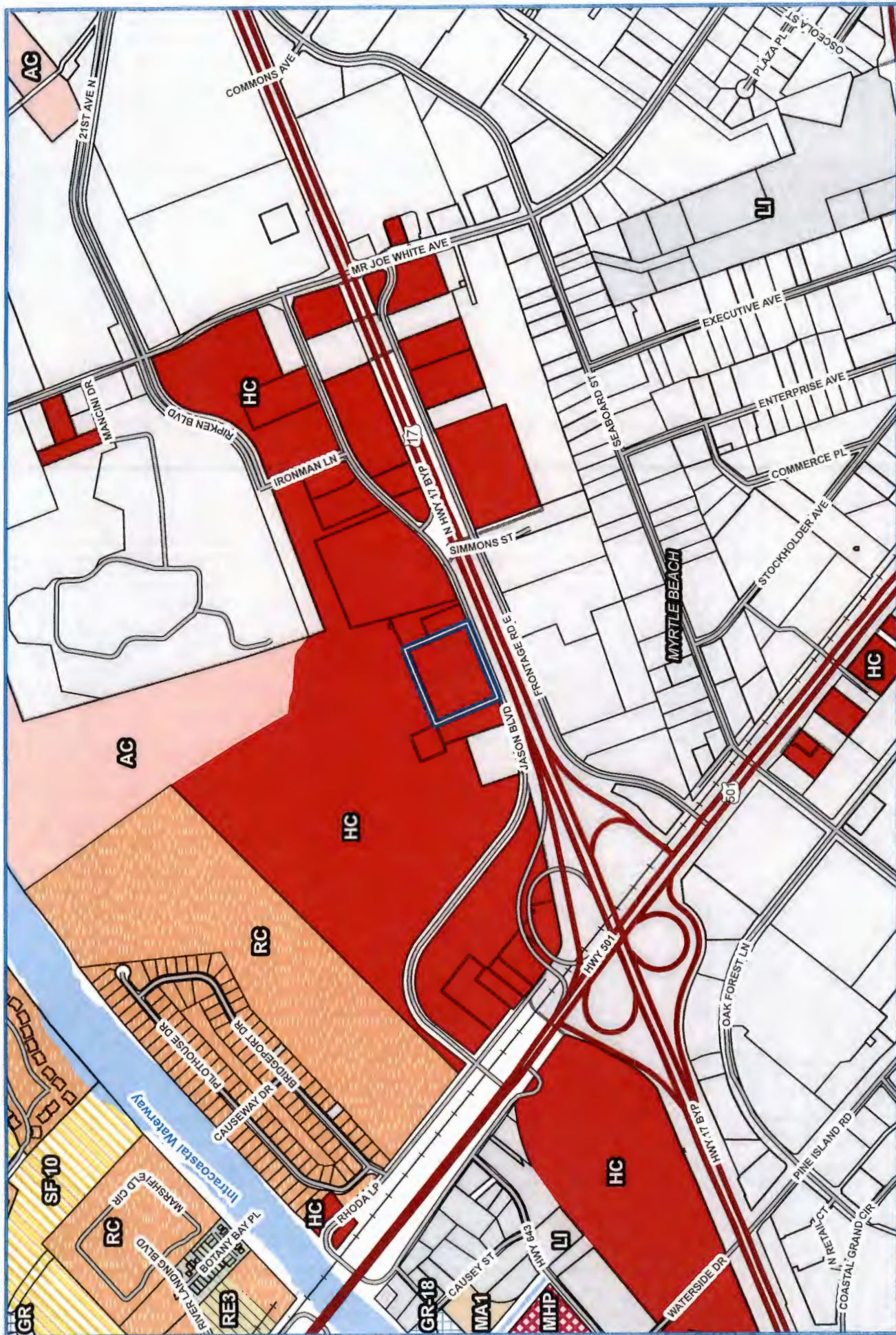
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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.



**HC Government**

**Zoning Map**  
 Variance Case Number  
 2023-02-004  
 Venture Engineering agent for  
 Bobby Gale  
 PIN: 425-07-04-0002

Legend:  
 Parcel for Consideration (Blue outline)  
 Parcel Boundary (Black outline)  
 Municipality (Grey outline)  
 Waterbody (Blue fill)  
 Major Road (Thick red line)  
 Road (Thin black line)  
 Railroad (Black line with cross-ticks)

Scale: 0 500 1000 Feet  
 North Arrow



**Aerial Map**  
 HC Government

Parcel for Consideration  
 Major Road  
 Road

Variance Case Number  
 2023-02-004  
 Venture Engineering agent for  
 Bobby Gate  
 PIN: 425-07-04-0002

0 100 200 Feet

N



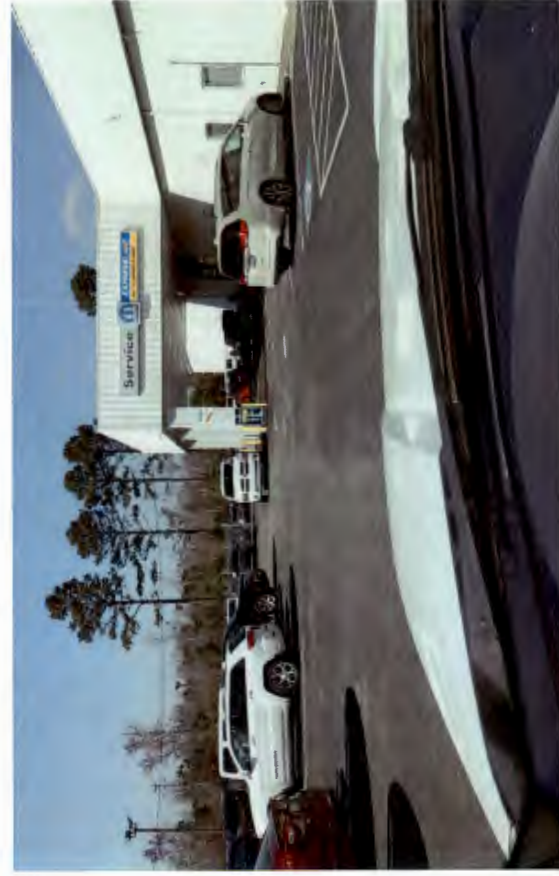
*Right side property line*



*Across Hwy. 17 Bypass*



*Front on Jason Blvd.*



*Area of addition*



# Applicant Submittal

VARIANCE REQUEST

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

Article(s): V. Section(s): Sec. 527.2 C Table 3: Perimeter Buffer Type

2. Description of Request: We are requested relief from the perimeter landscape buffer on the eastern side of the project due to an existing ditch. Enforcing the perimeter buffer would negatively effect drainage on both the project side and the neighboring parcels.

Table with 2 columns: Required and Requested. Rows include Front Setback, Side Setback, Rear Setback, Minimum Lot Width, Min Lot Width @ Bldg. Site, and Max Height of Structure.

Other Variances:

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application incomplete and your case will not be heard.

a. What extraordinary and exceptional conditions pertain to this particular piece of property? There is an existing ditch on the eastern side of this property which do not impact surrounding properties. We want to make sure we aren't affecting this ditch and therefore are asking for a landscape variance.

b. Why do these conditions not apply to other properties in the vicinity? The ditch is not on all neighboring properties and therefore they do not have the same limiting factors as our project.

c. Why do the conditions listed in 2a and 2b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property? It would unreasonably restrict the utilization of the property as it is already in existence without this landscaping and adding it in will negatively affect stormwater.

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district? The authorization of the variance will not cause any detriment to adjacent properties, public good, or harm the character of the district.

\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

4. Are there Restrictive Covenants on this property that prohibit or conflict with this request? YES NO [ ] [x]

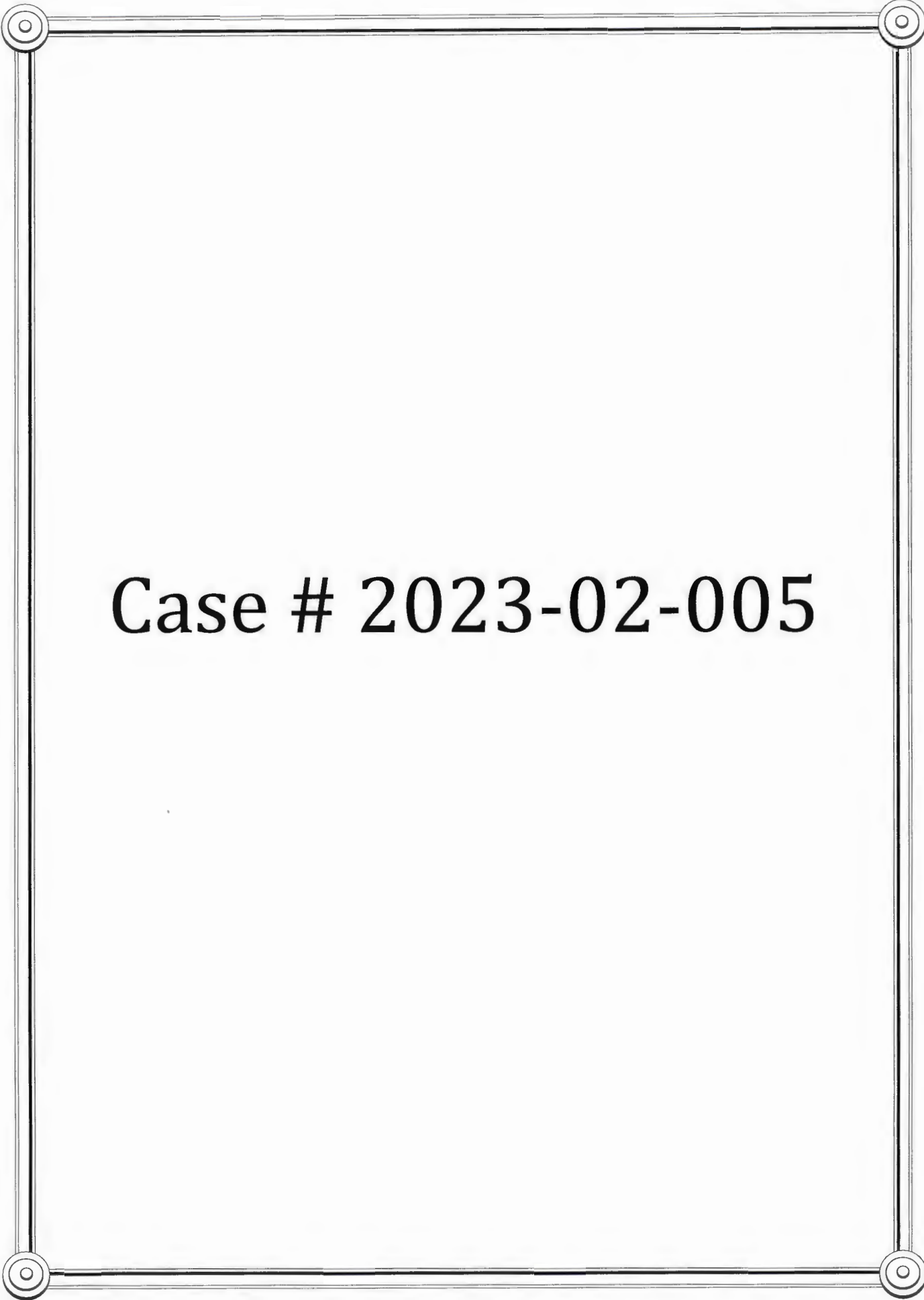
5. Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

See attached letter of agency Applicant's Signature

Date





A rectangular frame with a double-line border. At each of the four corners, there is a decorative circular element consisting of three concentric circles.

**Case # 2023-02-005**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-005
Applicant	Rainbow Construction Inc.
Parcel Identification (PIN) #	469-04-04-0013
Site Location	Inlet Square Drive, Myrtle Beach
Property Owner	Rainbow Construction Inc.
County Council District #	5 - Servant

### Zoning Information

Zoning District	HC
Parcel Size	.82 Acre
Proposed Use	Commercial Center

### Requested Variance(s)

The applicants are requesting a variance from Article V, Section 504C regarding buffer requirements in the Highway Commercial (HC) zoning district.

	Requirement	Requested	Variance Needed	Percentage
<b>Art. V, Section 504 C Perimeter buffer requirements</b>				
Front - Type C Streetscape buffer	10'	5'	5'	50%

### Background/Site Conditions

The applicants are proposing to construct a 9,300 sq. ft. commercial center on this site. The site requires a 10' streetscape buffer on the front property line on Inlet Square Dr. The applicants are requesting a 5' buffer for a variance of 5'. The applicant did not request any relief from the planting requirements.

### 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 buffers 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.**

## VARIANCE REVIEW SHEET

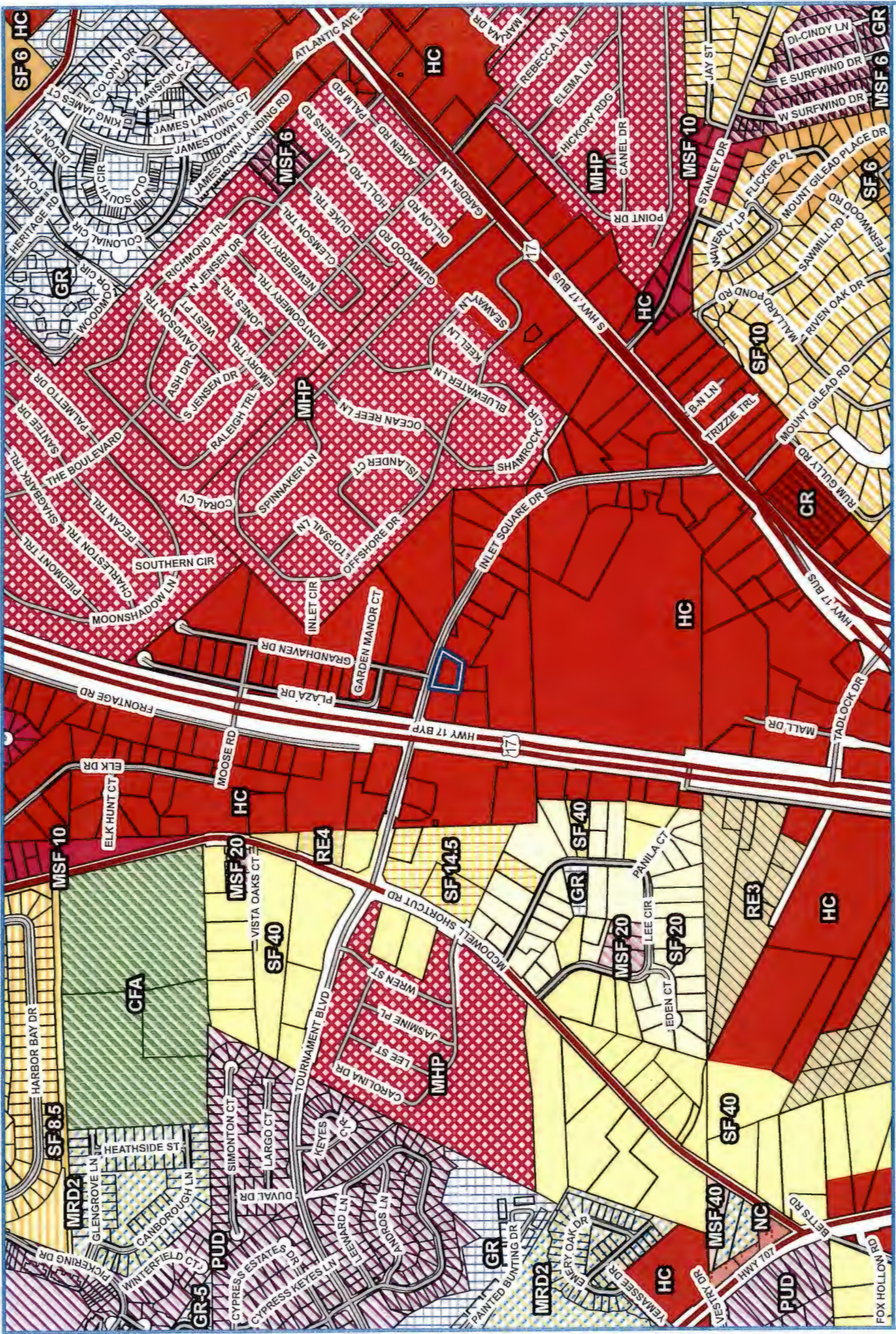
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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

### Proposed Order/Conditions

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

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



**Zoning Map**  
 Variance Case Number  
 2023-02-005  
 Rainbow Construction Inc.  
 PIN: 469-04-0013




**HC Government**

Parcel for Consideration  
 Parcel Boundary  
 Major Road  
 Road


0 500 1000 Feet

N




-  Parcel for Consideration
-  Major Road
-  Road

**Aerial Map**  
 Variance Case Number  
 2023-02-005  
 Rainbow Construction Inc.  
 PIN: 469-04-04-0013

 HC Government

0 50 100 Feet

N 



*Front on Inlet Square Dr*



*Site*



*Left side*



*Parcel to the rear with Pond*



# Applicant Submittal

VARIANCE REQUEST

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

Article(s): \_\_\_\_\_ Section(s): \_\_\_\_\_

2. Description of Request: Allow a 5 foot streetscape buffer vs. 10 feet requirement.

<u>Required</u>	<u>Requested</u>
Front Setback: _____	Front Setback: _____
Side Setback: _____	Side Setback: _____
Rear Setback: _____	Rear Setback: _____
Minimum Lot Width: _____	Minimum Lot Width: _____
Min Lot Width @ Bldg. Site: _____	Min. Lot Width @ Bldg. Site: _____
Max Height of Structure: _____	Max Height of Structure: _____

Other Variances: Streetscape buffer is required to be 10'. Since other parcels in the area and adjoining properties are at 5 feet, request a variance to allow us to match them and so enable us to have parking space.

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. **The failure to completely answer these questions will render your application incomplete and your case will not be heard.**

a. What extraordinary and exceptional conditions pertain to this particular piece of property?

It has a cross easement running along front of property.

b. Why do these conditions not apply to other properties in the vicinity?

They do not have cross easements taking away space in front of their properties

c. Why do the conditions listed in 3a and 3b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?

Because it will cause us to loose all the parking spaces in front and this also impacting

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district? proposed building

No

**\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.**

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

YES  NO

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

Applicant's Signature

Date

1/27/23







**Case # 2023-02-006**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-006
Applicant	Vincent Callareta
Parcel Identification (PIN) #	441-01-03-0042
Site Location	715 Bonnie Drive, Myrtle Beach
Property Owner	Vincent Callareta & Samantha Lester
County Council District #	6 - Crawford

### Zoning Information

Zoning District	SF10
Parcel Size	14,079 sq. ft.
Proposed Use	Personal Garage

### Requested Variance(s)

The applicant is requesting a variance from Article II Section 205 regarding setback requirements in the Single Family (SF10) zoning district.

	Requirement	Requested	Variance Needed	Percentage
Left Side setback	10'	4.5'	5.5'	55%

### Background/Site Conditions

This is Lot 13 located within Watson's Riverside subdivision. A building permit for a 24'x24' detached garage was obtained in Sept. 2020. A foundation survey indicated that the left corner of the garage was encroaching into the required setback. Code Enforcement issued a stop work order on 2/3/2023. The garage is located 4.5' from the left side property line instead of the required 10' for a variance of 5.5'.

### 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?)**

This is a corner lot.

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

These setbacks apply to all SF10 zoned 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.**

## VARIANCE REVIEW SHEET

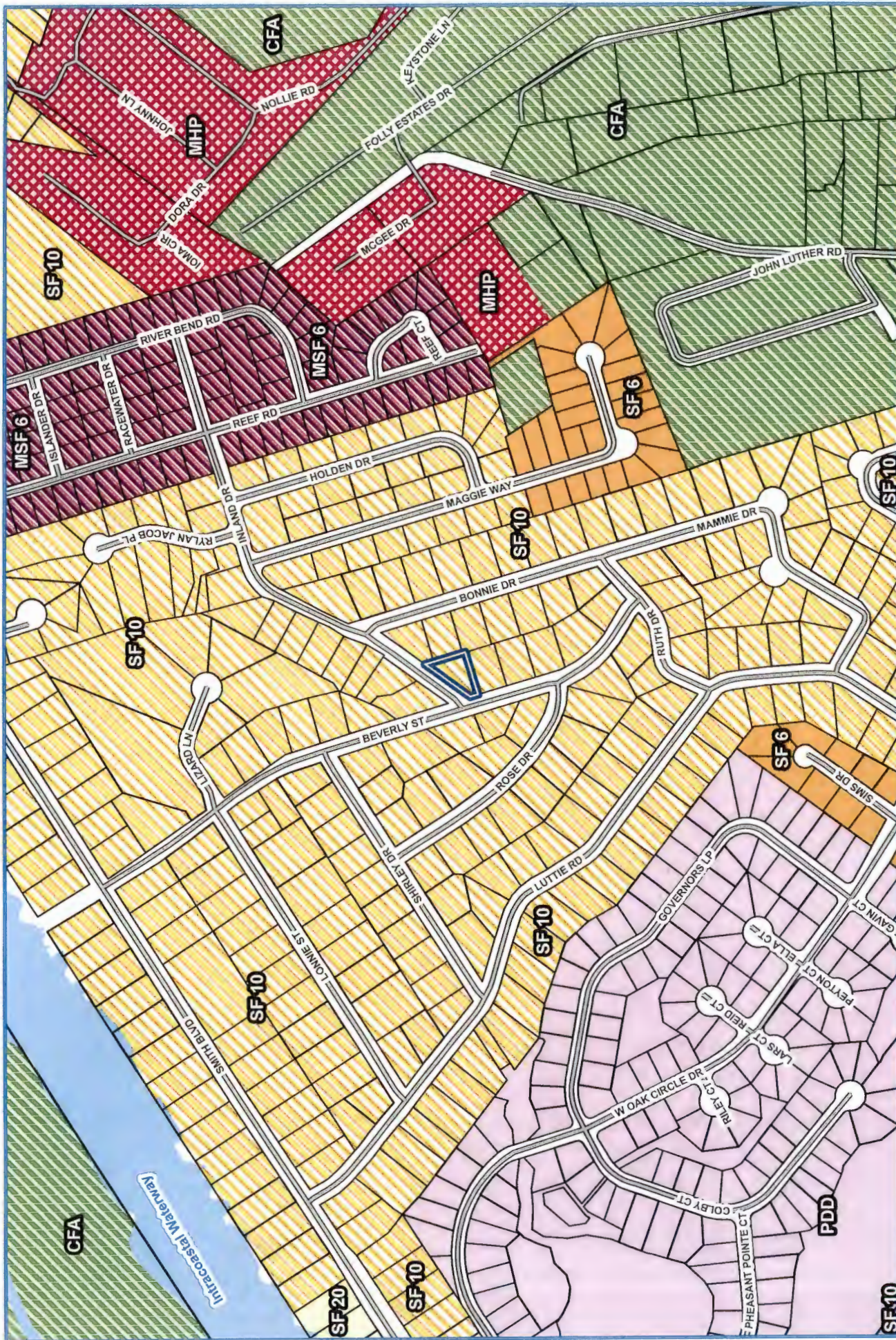
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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

### Proposed Order/Conditions

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

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



**HC Government**

**Zoning Map**  
 Variance Case Number  
 2023-02-006  
 Vincent Collareta  
 PIN: 441-01-03-0042

Legend:  
 Parcel for Consideration (Blue Triangle)  
 Parcel Boundary (Black Line)  
 Waterbody (Blue Area)  
 Road (Grey Line)

Scale: 0, 250, 500 Feet  
 North Arrow



 Parcel for Consideration  
 Road

**Aerial Map**  
Variance Case Number  
2023-02-006  
Vincent Collareta  
PIN: 441-01-03-0042

 HC Government

0 50 100 Feet

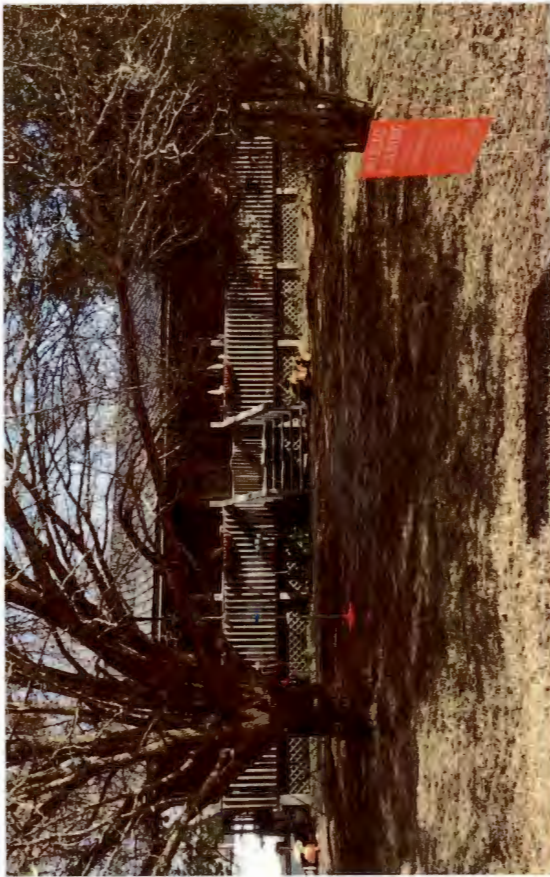
N 



*Left side*



*Left side corner encroachment*



*Front on Bonnie Dr*



*Garage location*





# Applicant Submittal

VARIANCE REQUEST

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

Article(s): II Section(s): 205

2. Description of Request: Variance request to reduce side setback from 10' to 4.5' to allow the permitted concrete slab to remain. 24x24 GARAGE

Table with 2 columns: Required and Requested. Rows include Front Setback, Side Setback, Rear Setback, Minimum Lot Width, Min Lot Width @ Bldg. Site, and Max Height of Structure.

Other Variances: N/A

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application incomplete and your case will not be heard.

- a. What extraordinary and exceptional conditions pertain to this particular piece of property?
b. Why do these conditions not apply to other properties in the vicinity?
c. Why do the conditions listed in 3a and 3b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?
d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?

\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

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

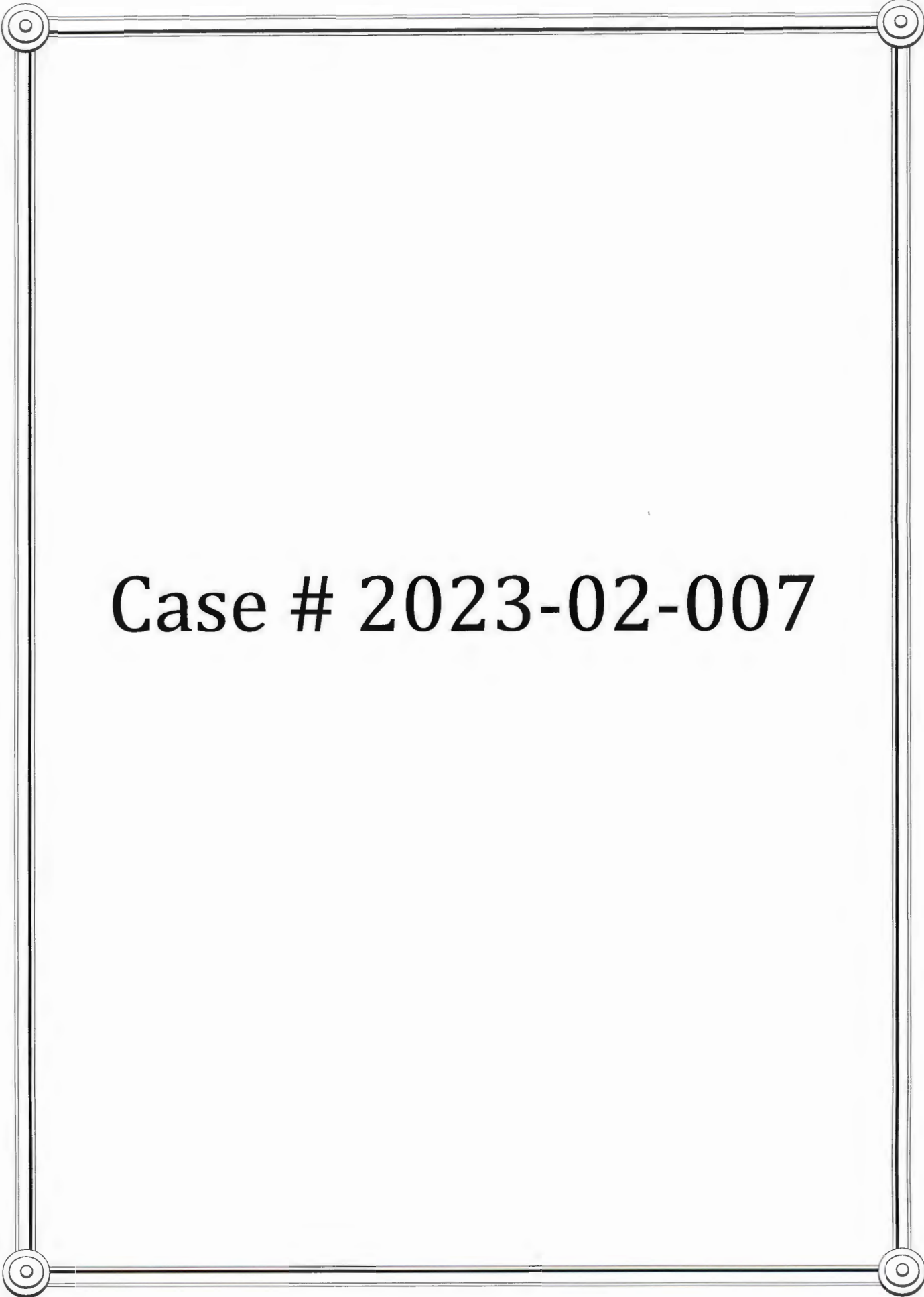
YES NO checkboxes

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

Applicant's Signature

Date 2/1/23





**Case # 2023-02-007**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-007	<b>Zoning Information</b>	
Applicant	The Earthworks Group, agent	Zoning District	BO1
Parcel Identification (PIN) #	440-10-01-0001	Parcel Size	5.16 Acres
Site Location	5782 Recreation Road, Myrtle Beach	Proposed Use	Commercial Dry stack Marina
Property Owner	MC & WKM, LLC		
County Council District #	6 - Crawford		

### Requested Variance(s)

The applicants are requesting a variance from Article V, Section 504 E regarding buffer requirements in the Boating/ Marine Commercial District (BO1).

	Requirement	Requested	Variance Needed	Percentage
<b>Building A</b> - Foundation buffer - <i>North, West &amp; South sides</i>	5' in width 57 Shrubs	0' in width 0 Shrubs	5' in width 57 Shrubs	<b>100%</b>
<b>Building B</b> - Foundation buffer - <i>North, East &amp; South sides</i>	5' in width 57 Shrubs	0' in width 0 Shrubs	5' in width 57 Shrubs	<b>100%</b>

### Background/Site Conditions

This parcel was rezoned in 2019 (Ord. 61-19) to allow for a commercial marina. The applicants are requesting a variance on the foundation landscaping requirements around the dry stack buildings. The applicant states the removal of the 5' landscape buffer will allow a larger turn radius for the forklift when moving boats and give full access to the racks. The applicants are going to install all perimeter buffers required for the site. The applicant has requested 100% relief from the foundation buffer requirements on Dry stack building A and B.

### 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 foundation plantings are required for all commercially developed parcels.

## 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.

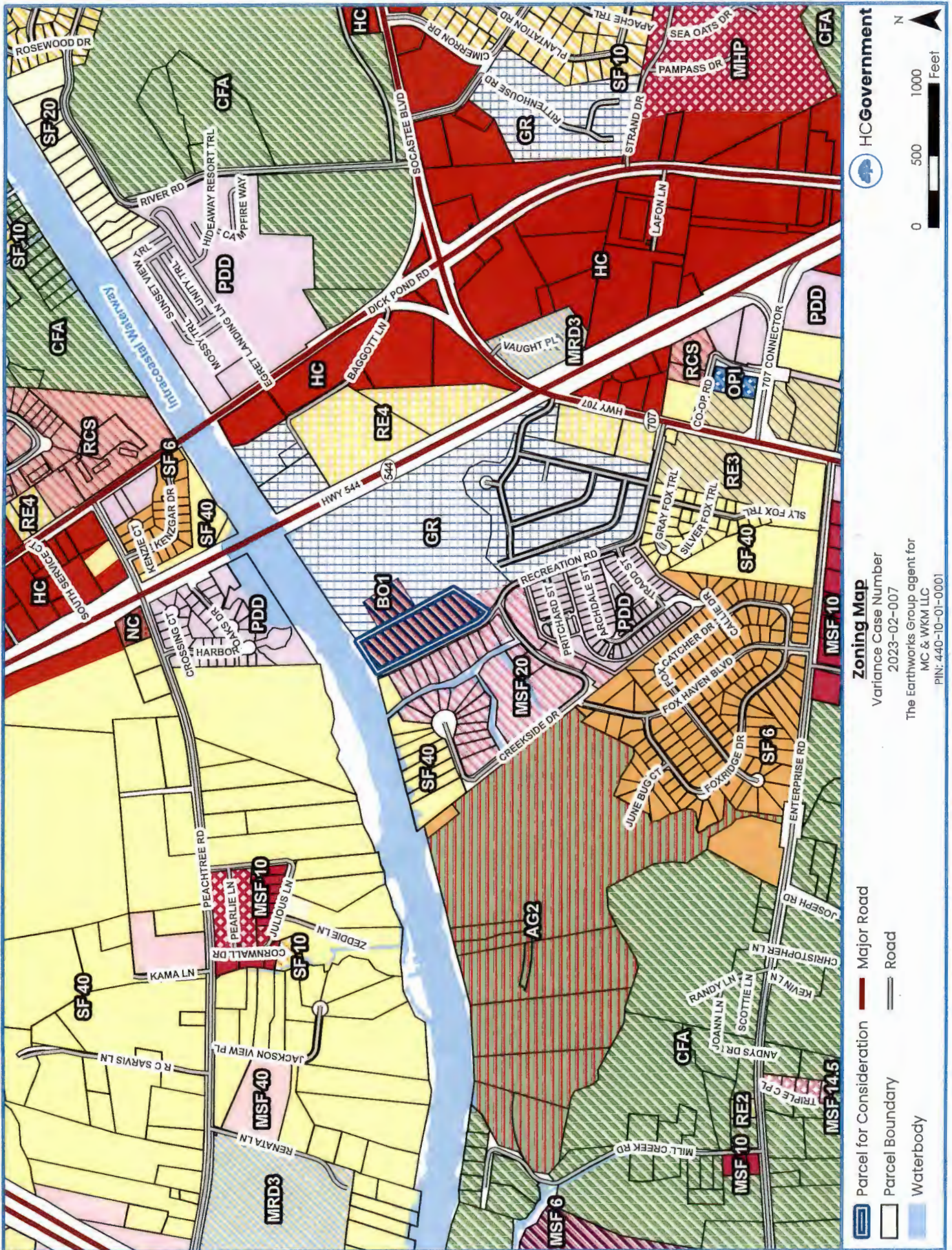
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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.

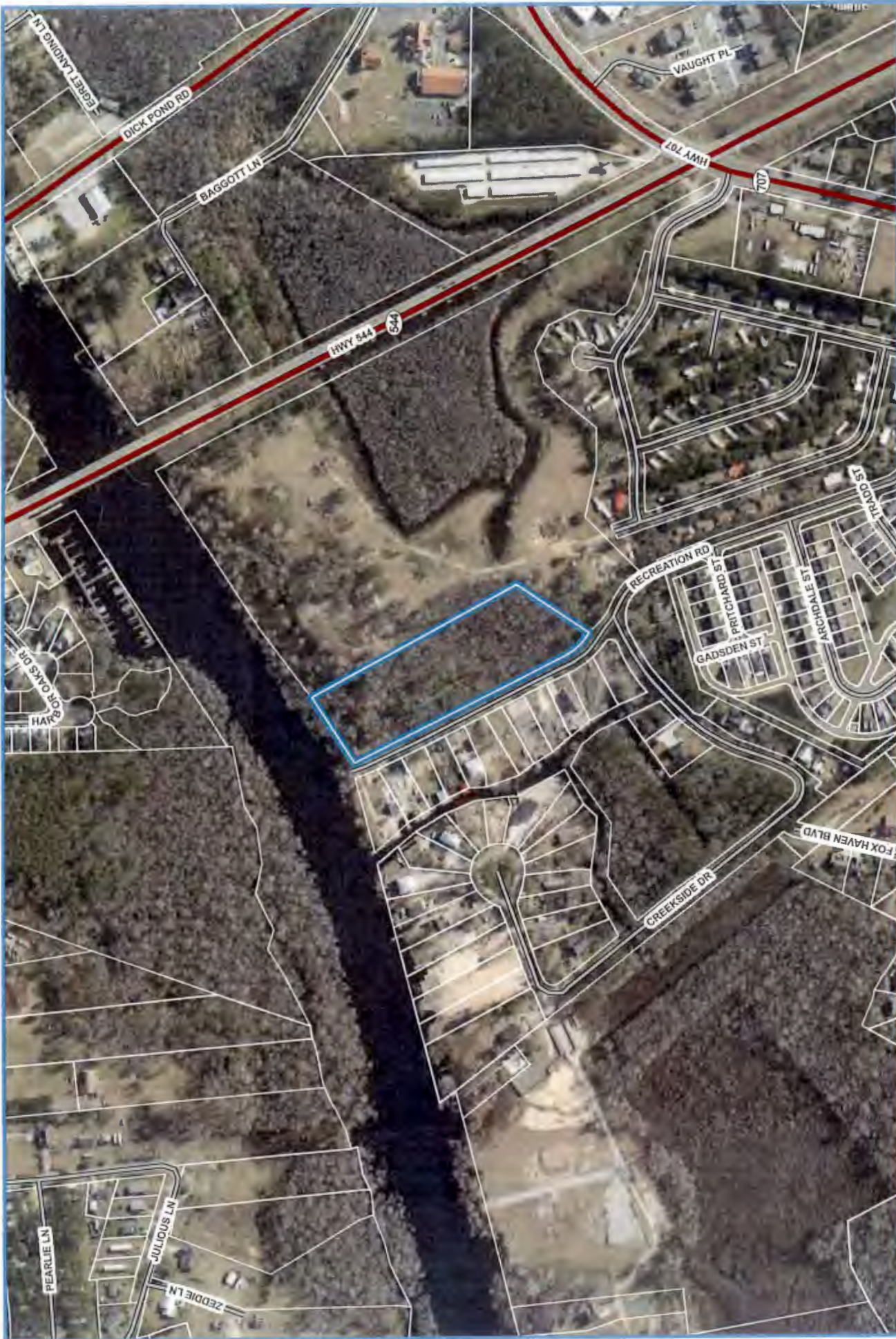
### Proposed Order/Conditions

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.



**Zoning Map**  
 Variance Case Number  
 2023-02-007  
 The Earthworks Group agent for  
 MC & WKM LLC  
 PIN: 440-10-01-0001



**Parcel for Consideration**  
**Major Road**  
**Road**

**Aerial Map**  
 Variance Case Number  
 2023-02-007  
 The Earthworks Group agent for  
 MC & WKM LLC  
 PIN: 440-10-01-0001

**HC Government**

0 250 500 Feet

N





*Across Recreation Rd*



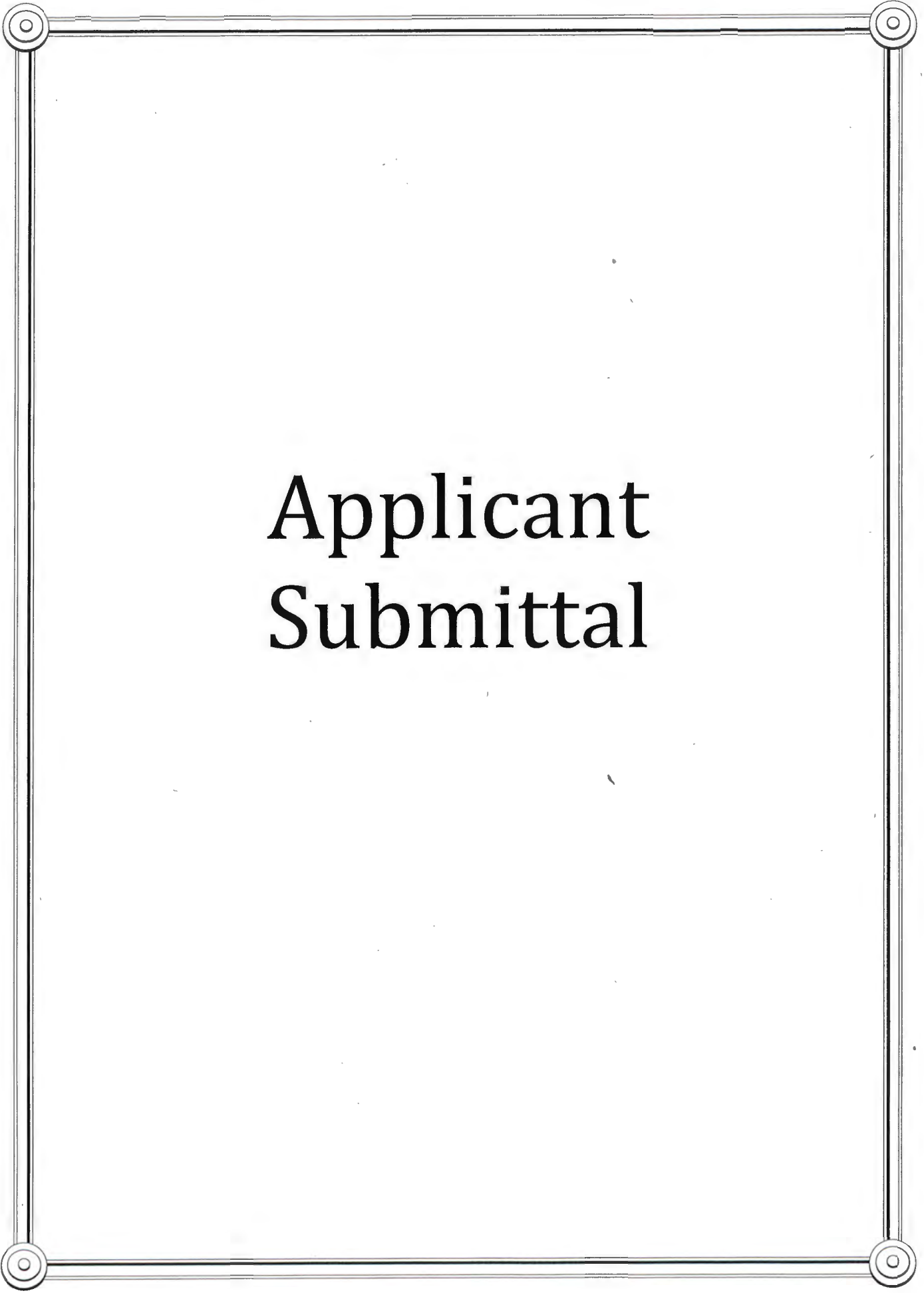
*Side on Intracoastal Waterway*



*Front on Recreation Rd*



*Site*



# Applicant Submittal

**VARIANCE REQUEST**

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

Article(s): V Section(s): 504.E.3.a

2. Description of Request: See Attached Narrative

<u>Required</u>	<u>Requested</u>
Front Setback: <u>N/A</u>	Front Setback: <u>N/A</u>
Side Setback: <u>N/A</u>	Side Setback: <u>N/A</u>
Rear Setback: <u>N/A</u>	Rear Setback: <u>N/A</u>
Minimum Lot Width: <u>N/A</u>	Minimum Lot Width: <u>N/A</u>
Min Lot Width @ Bldg. Site: <u>N/A</u>	Min. Lot Width @ Bldg. Site: <u>N/A</u>
Max Height of Structure: <u>N/A</u>	Max Height of Structure: <u>N/A</u>

Other Variances: \_\_\_\_\_

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. **The failure to completely answer these questions will render your application incomplete and your case will not be heard.**

a. What extraordinary and exceptional conditions pertain to this particular piece of property?

The extraordinary and exceptional conditions that apply to this site include the location adjacent to the AIWW, the limited space due to the protected wetlands, and the current zoning (BO1) create a location that does not apply to any other facility.

b. Why do these conditions not apply to other properties in the vicinity?

No other properties are zoned to allow a drystack marina in the vicinity. No other properties in the vicinity have the necessary permits to have a similar vicinity.

c. Why do the conditions listed in 3a and 3b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?

The geometry of the site and the limitations created by requiring 5 ft of foundation piling in addition to perimeter buffers and protected wetland buffers restrict the utilization of the site for modern boat lift equipment based on similar operations without tight spaces. The variance would allow full utilization of the rack storage and provide better turning radius for the equipment.

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?

See Attached Narrative

\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

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

YES  NO

5. 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.

*Colvin M*  
Applicant's Signature  
*MC & WK M LLC*

1-30-23  
Date

## DESCRIPTION OF REQUEST

We would like relief for the foundation planting around the building. Original plan was for a 25 Ft deep drystack building, which would have metal panels on 3 sides (front and 2 ends) from the 2nd level to the roof. The first level would be open on all sides to allow any floodwaters to pass unimpeded. The largest boats will be stored on the ground level, and the bow of the boats may extend out beyond the metal panels above. Only steel columns will extend to the ground from the perimeter screening wall. The site is unusually shaped, and the driveways are located on both sides of the drystack building for fire access. The site geometry limits the width of the space between dry stack racks (the fairway). The boat forklift had not been selected at the time of the site design, and the forklift equipment has changed since that time.

There are a few reasons we are requesting a variance. The first reason we are asking for a variance to eliminate the landscaping around the dry stack (which will be about 5') is so that we can shift the boat racks back 5' to allow for a larger turn radius for our loaded forklifts. The loaded forklift will be approximately 48' with a 30' boat on its forks. Presently, we only have 33', which doesn't give us quite enough clearance for turning the loaded forklift into the building. The purpose of the first floor of the dry stack is for larger boats.

When looking at the plans from Recreation Road, there is the area with the Type C Streetscape Buffer that is decorated for buffering the view from recreation road. We are not requesting any sort of variance on the perimeter landscaping of the parking lot.

Currently, up next to the building plans show a 5-foot bed that is going to be under the bow of the boats. The wall (when we do add them in the future) will need to stop above the first row of boats due to length and also due to the possibility of flooding. So these plants will be next to the metal columns of the boat stacks and not a wall covering of a regular building- these wouldn't actually be seen.

The front office will also be elevated and when turning in with larger boats to get to the ramp there will be a tight squeeze to get through by the front of the office building and front wall. The second building we are hoping to extend to 30' for the purpose of being able to store larger boats in the racks. Construction prices have drastically risen since we started this project and this would also be a cost savings that would help us during start-up.

3a . The extraordinary and exceptional conditions that apply to this site include the location adjacent to the AIWW, the limited space due to the protected wetlands, and the current zoning (BO1) create a location that does not apply to any other facility. ***(Also on application)***

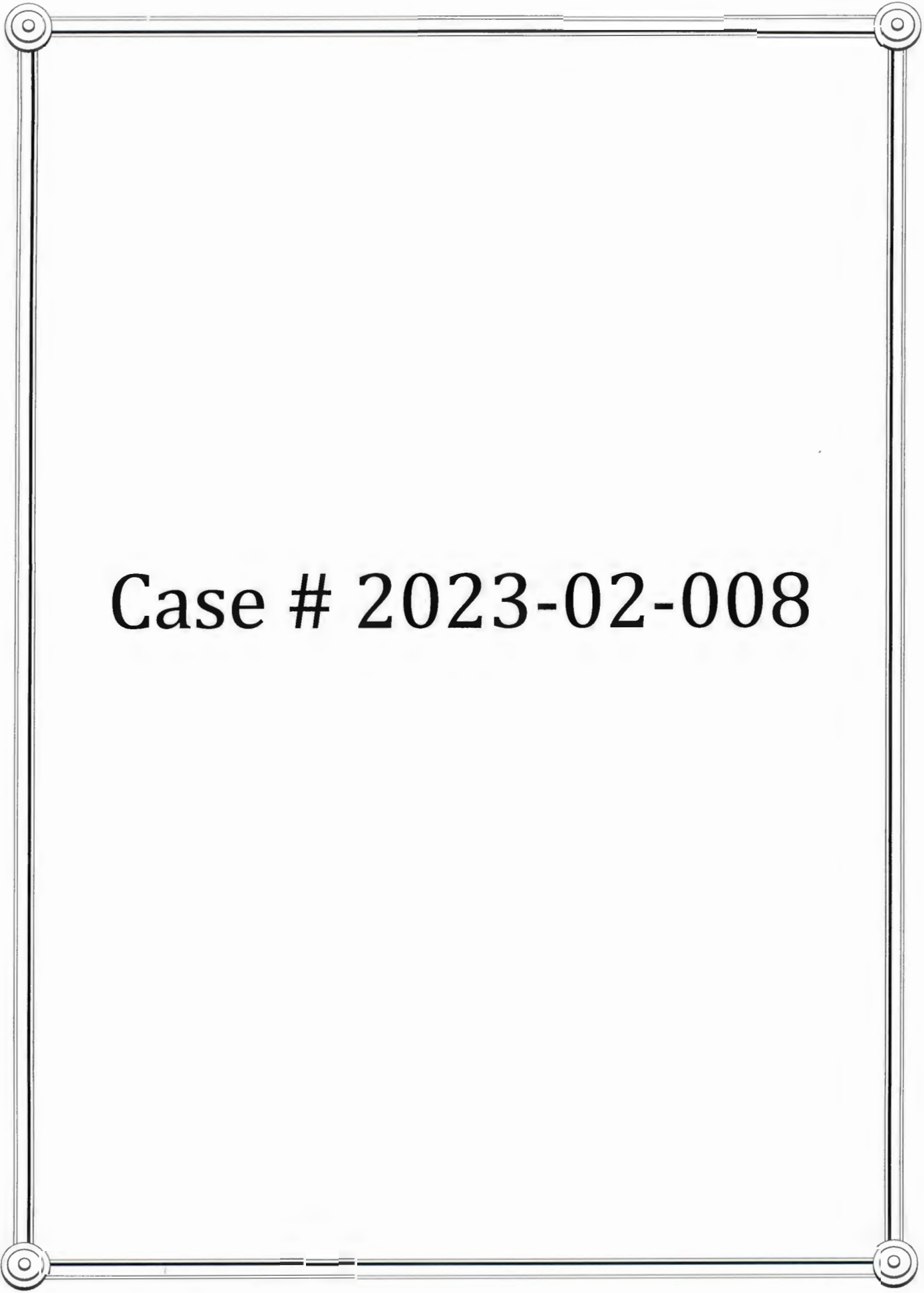
3b. No other properties are zoned to allow a drystack marina in the vicinity. No other properties in the vicinity have the necessary permits to have a similar vicinity. ***(Also on application)***

3c. The geometry of the site and the limitations created by requiring 5 ft of foundation planting in addition to perimeter buffers and protected wetland buffers restrict the utilization of the site for modern boat lift equipment based on similar operations without tight spaces.. The variance would allow

full utilization of the rack storage and provide better turning radius for the equipment. *(Also on application)*

3d. The authorization of the variance will not cause a substantial detriment to the adjacent property, the public good, or the character of a BO1 district due to the continued application of a perimeter landscape buffer, where the foundation planting is not visible outside of the property. The adjacent area to this property is owned by the same owner and we are in the process of re-zoning the rest of the property adjacent to the dry stack and storage area to be the same zoning. There are no other commercial properties in the vicinity of this property, only residential. The homeowners along Recreation Rd. have seen our plans and are supportive of this project. There are significant wetlands on all other sides of this property that have been preserved for the Army Corps of Engineers with the exception of a road crossing.





**Case # 2023-02-008**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-008
Applicant	Tom Miller, agent
Parcel Identification (PIN) #	345-09-01-0003
Site Location	115 Ninety Park Dr. Conway
Property Owner	Kingston Resort Owner, LLC
County Council District #	10 - Hardee

### Zoning Information

Zoning District	LI
Parcel Size	2.93 Acres
Proposed Use	Commercial

### Requested Variance(s)

The applicants are requesting a variance from Article II, Article IV, Section 412 and Article V, Section 504 regarding setbacks, landscaping, fencing and buffer requirements in the Limited Industrial (LI) zoning district.

	Requirement	Requested	Variance Needed	Percentage
Front setback- Loading dock	50'	46'	4'	8%
Fence setback from road	10'	8'	2'	20%
East / Rear Property Line - Type B Spatial Buffer <i>(Adjacent to PIN 3450000026 &amp; 34509010014)</i>	5' in width 453' in length 9 Canopy 9 Understory 89 Shrubs	0' in width 0' in length 0 Canopy 0 Understory 0 Shrubs	5' in width 453' in length 9 Canopy 9 Understory 89 Shrubs	<b>100%</b>

### Background/Site Conditions

Kingston Plantation Laundry has been at this location since 2011. The applicants are proposing a 16,970 sq.ft. addition on to the existing structure. The loading dock located on the front of the building will be 46' from the front property line instead of the required 50' for a variance of 4'. Art. IV, Section 412 requires all privacy fences in a front yard to meet a 10' setback. The site has an existing fence located 8' from the front property line instead of the required 10' setback for a variance of 2'. Additionally, the applicant has requested that the existing fence be allowed to remain on the external side of the required landscape buffers. The applicant has requested 100% relief from the East/Rear Type B Spatial Buffer requirements.

### 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:

<b>1. There are extraordinary and exceptional conditions pertaining to the particular piece of property; (Is this request special?)</b>
There are none.



## VARIANCE REVIEW SHEET

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

These conditions apply to all commercially developed parcels.

**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.**

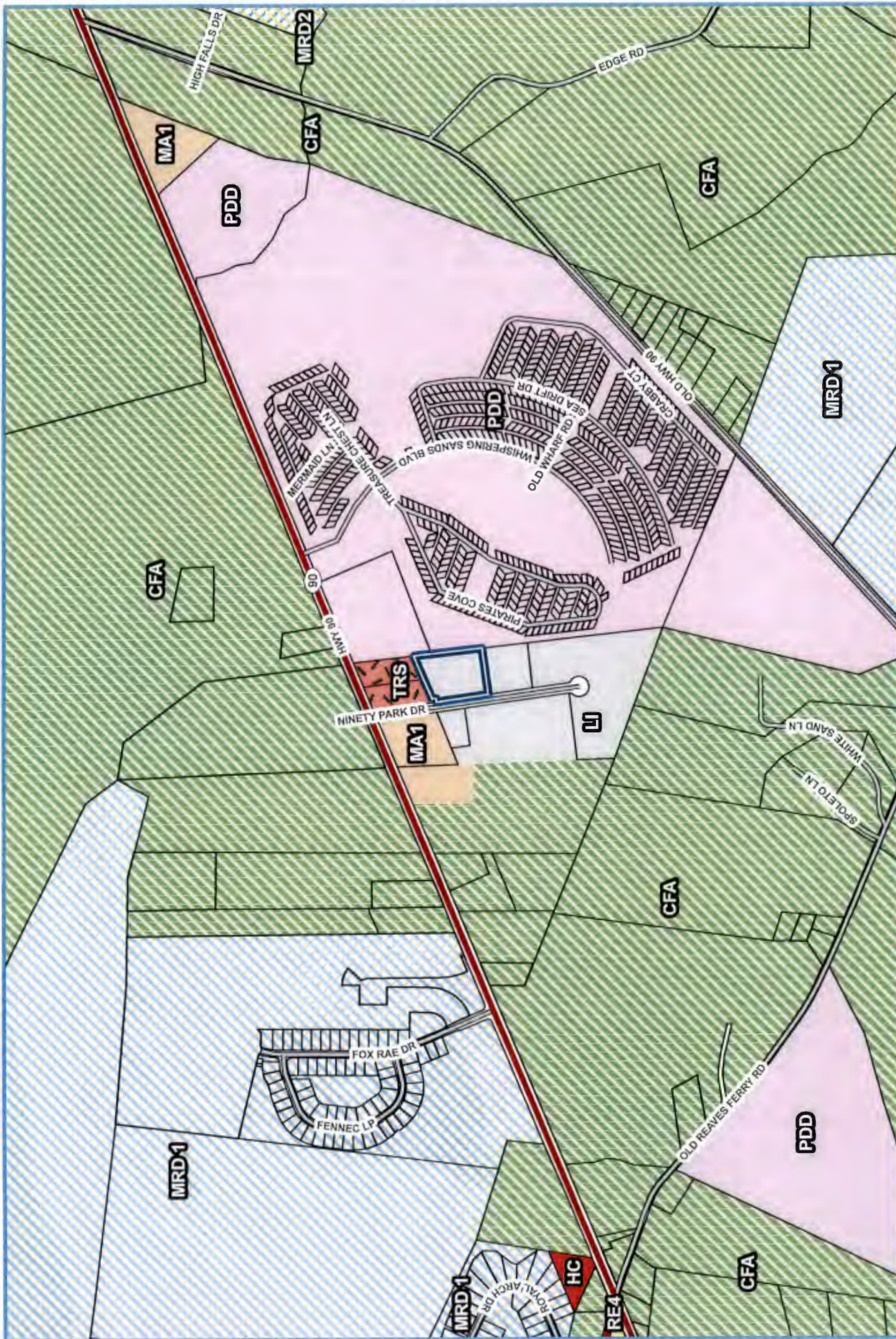
**4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)**

**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.



**HC Government**

**Zoning Map**  
 Variance Case Number  
 2023-02-008  
 Miller Design Services agent for  
 Kingston Resort Owner, LLC  
 PIN: 345-09-01-0003

Parcel for Consideration  
 Parcel Boundary  
 Major Road  
 Road

0 500 1000 Feet

N





*Front on Ninety Park Dr*



*Across Ninety Park Dr*



*New Bldg.*



*Loading dock encroachment*



# Applicant Submittal

**VARIANCE REQUEST**

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

Article(s): IV Section(s): 412-B.4.A  
11 205 TABLE 2-1  
V 504 TABLE 2 SPECIES DIVERSITY

2. Description of Request: 1) ALLOW EXISTING NONCONFORMING PERIMETER FENCE TO REMAIN 2) ALLOW FOR FRONT YARD SETBACK ENLARGEMENT OF 2 STEEL COLUMNS AND SUPPORTED ROOF 3) PROVIDE RELIEF FROM 100% OF THE " REQUIREMENTS FOR LANDSCAPE BUFFER ABUTTING EAST PROPERTY

Required	Requested
Front Setback: <u>50'</u>	Front Setback: <u>46'-6"</u>
Side Setback: _____	Side Setback: _____
Rear Setback: _____	Rear Setback: _____
Minimum Lot Width: _____	Minimum Lot Width: _____
Min Lot Width @ Bldg. Site: _____	Min. Lot Width @ Bldg. Site: _____
Max Height of Structure: _____	Max Height of Structure: _____

Other Variances: \_\_\_\_\_  
 \_\_\_\_\_

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. **The failure to completely answer these questions will render your application incomplete and your case will not be heard.**

- a. What extraordinary and exceptional conditions pertain to this particular piece of property?  
REQUIRED POOL MAINTENANCE BUFFER PUSHED FACILITY TOWARDS NINETY PARK DRIVE
- b. Why do these conditions not apply to other properties in the vicinity?  
OTHER INDUSTRIAL LOTS DON'T HAVE A DRAINAGE FEATURE THAT WAS SET OFF THE PROPERTY LINE 45'
- c. Why do the conditions listed in 3a and 3b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?  
IT OTHERWISE REDUCES BUILDABLE AREA
- d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?  
PROXIMITY TO SERVICE DRIVE DOESN'T CHANGE DISTRICT APPEARANCE.

**\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.**

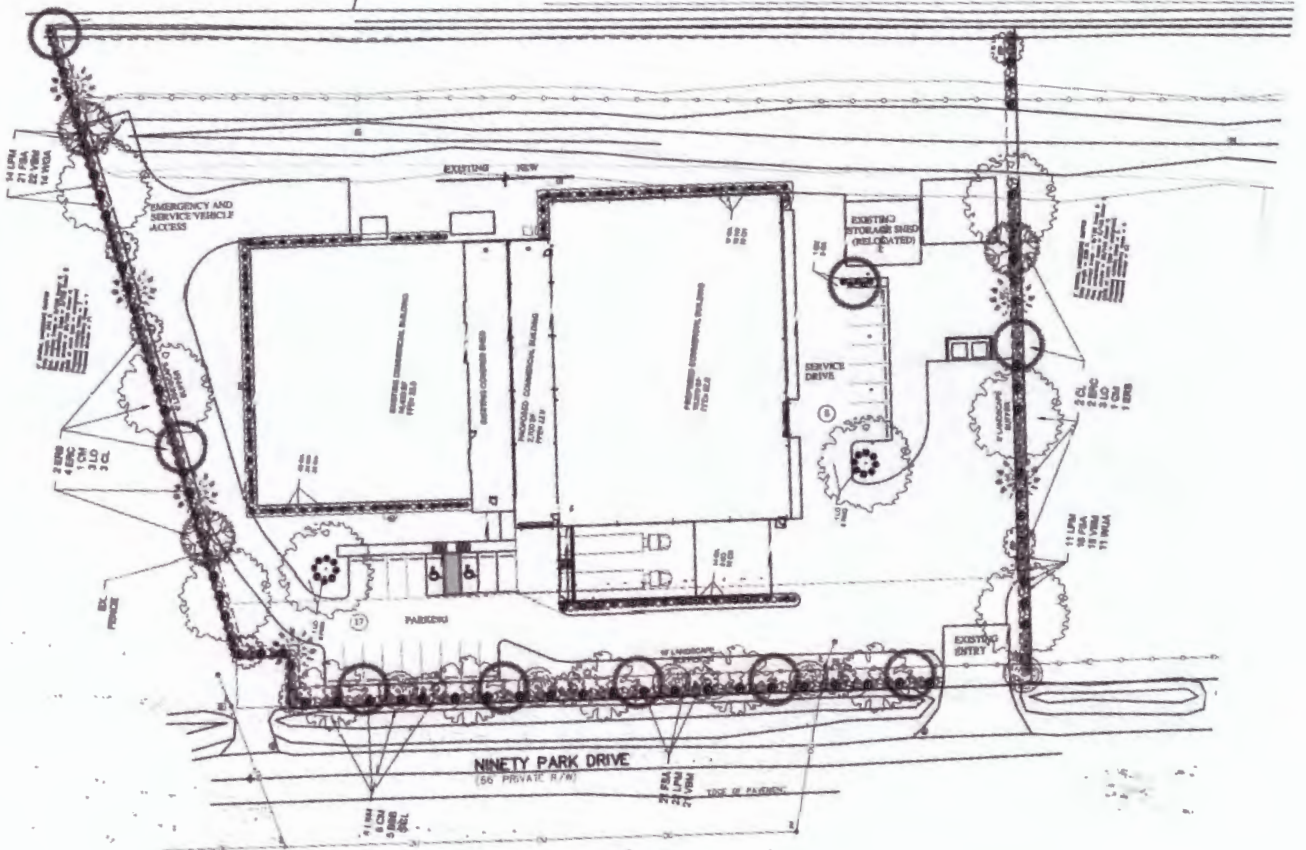
4. Are there Restrictive Covenants on this property that prohibit or conflict with this request? YES  NO

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

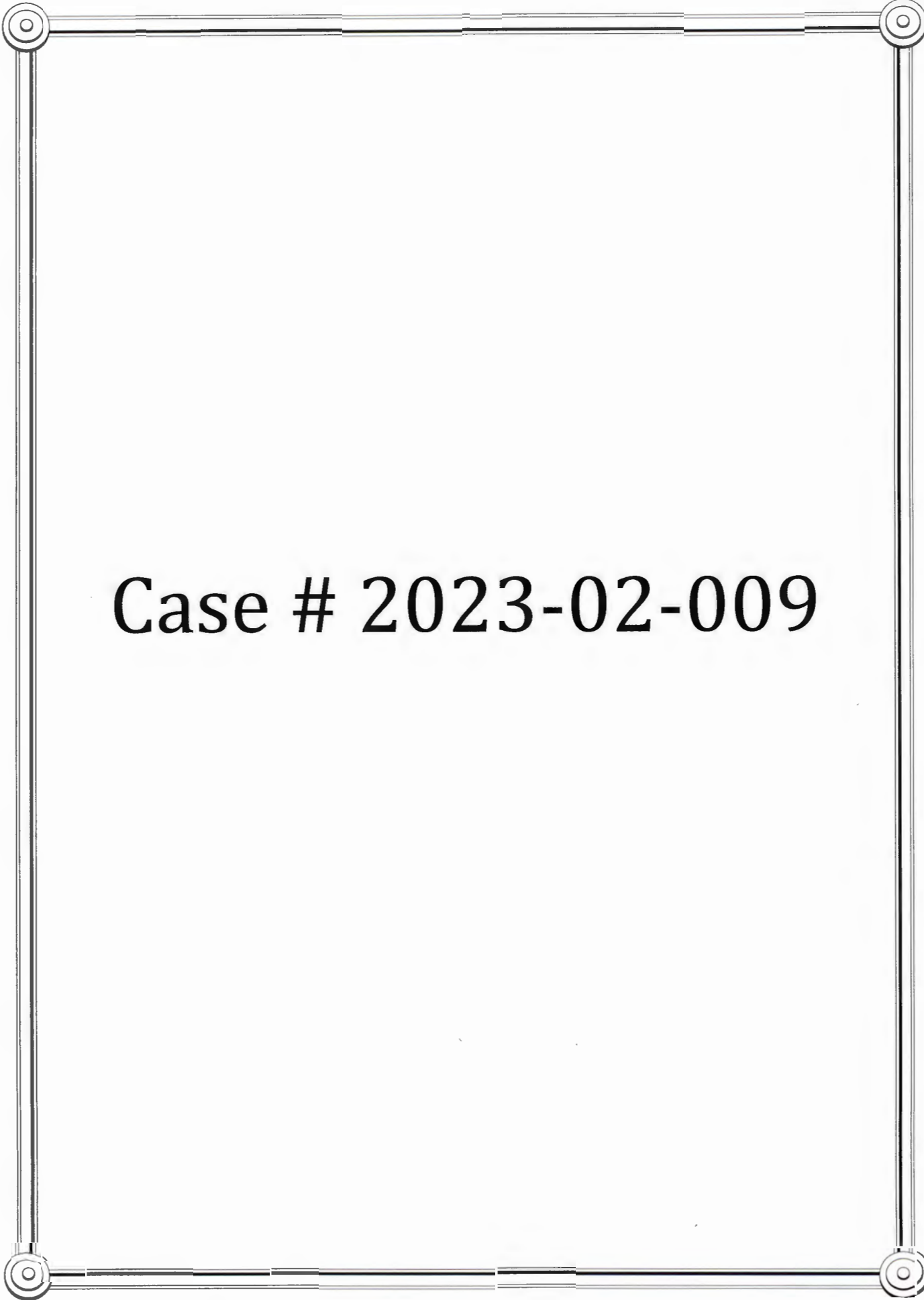
[Signature] Date 2/2/23  
 Applicant's Signature Date



Landscape Plan







**Case # 2023-02-009**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-009	<b>Zoning Information</b>	
Applicant	Diamond Shores, agent	Zoning District	FA
Parcel Identification (PIN) #	210-11-02-0023	Parcel Size	2.47 Acres
Site Location	Allsbrook Road	Proposed Use	Residential
Property Owner	Ashwood Holdings, LLC		
County Council District #	10 - Hardee		

### Requested Variance(s)

The applicants are requesting a variance from Article V, Section 503 and 504C regarding buffer requirements in the Forest Agriculture (FA) zoning district.

	Requirement	Requested	Variance Needed	Percentage
<b>Type C Streetscape Buffer &amp; Plantings within open space/common area</b>				
Front - Allsbrook Rd	25'	0'	25'	100%

### Background/Site Conditions

The applicants are proposing to subdivide this parcel into four (4) lots. In 2017 this parcel was split from the larger tract in the rear creating an 11.73 acre parcel along Allsbrook Rd. In 2018 nine (9) lots were split from this parcel, in 2019 one (1) more lot was split creating 10 lots and now the applicants are subdividing the remainder into four (4) lots. This platting action will trigger a major development which requires a 25' streetscape buffer along the front of these lots platted within open space/common area. The applicants are requesting 100% relief from this requirement.

### 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?)**

A streetscape buffer is required for all major residential developments.

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

## VARIANCE REVIEW SHEET

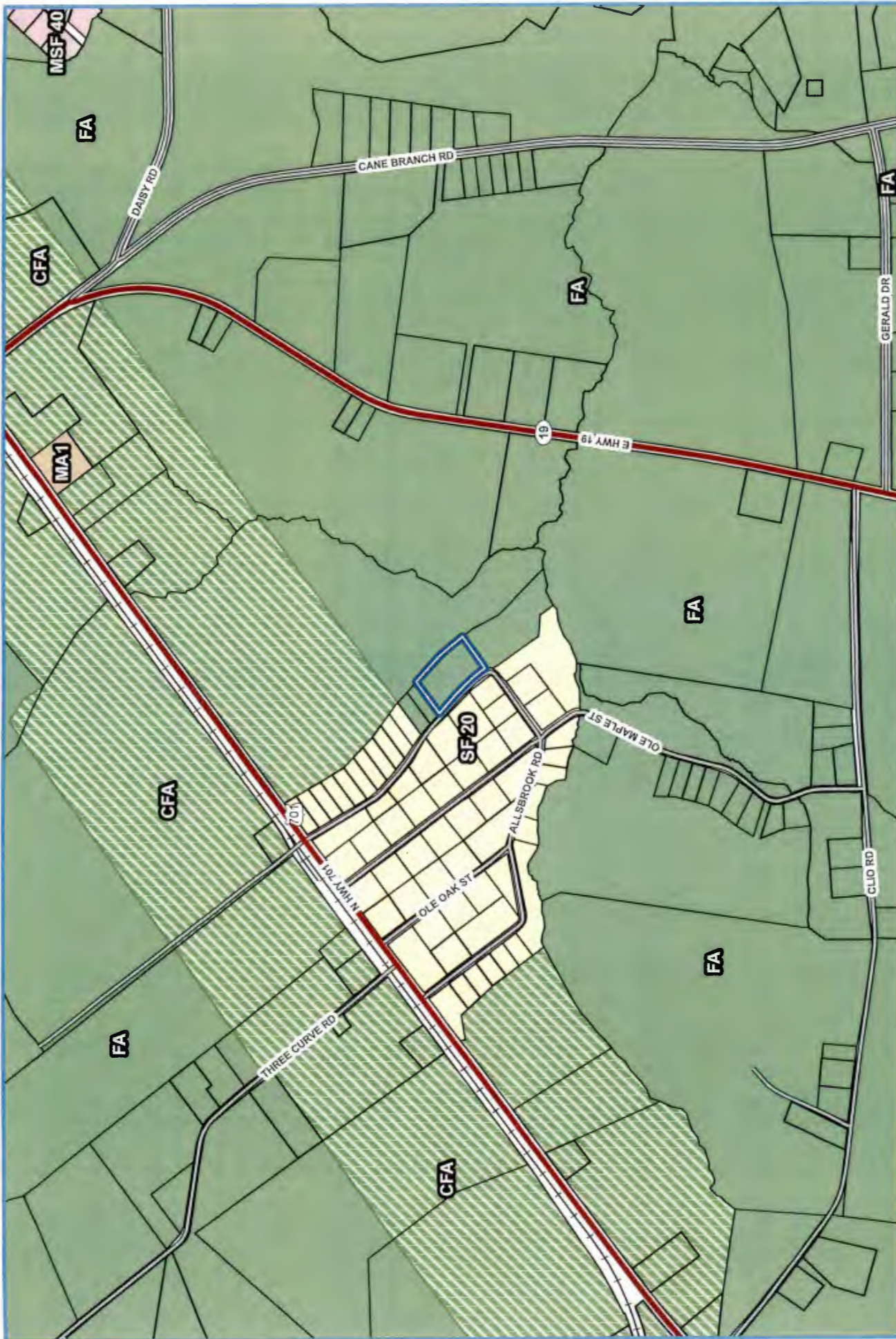
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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

### Proposed Order/Conditions

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

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



**Zoning Map**  
 Variance Case Number  
 2023-02-009  
 Diamond Shores Surveying, LLC agent for  
 Ashwood Holdings, LLC  
 PIN: 210-11-02-0023

**HC Government**

Parcel for Consideration  
 Parcel Boundary  
 Major Road

Road  
 Railroad

0 500 1000 Feet

N



 Parcel for Consideration

 Road

**Aerial Map**

Variance Case Number  
2023-02-009  
Diamond Shores Surveying, LLC agent for  
Ashwood Holdings, LLC  
PIN: 210-11-02-0023





*Front on Allsbrook Road*



*Street View on Allsbrook*



*Street View on Allsbrook*



# Applicant Submittal

VARIANCE REQUEST

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

Article(s): ARTICLE V- LANDSCAPE STANDARDS Section(s): SECTION 504: LANDSCAPE DESIGN STANDARDS

2. Description of Request: WAIVE THE REQUIRED 25-FOOT LANDSCAPE BUFFER IN OPEN SPACE FOR THE REQUIREMENTS OF THE PROJECT.

Table with 2 columns: Required and Requested. Rows include Front Setback, Side Setback, Rear Setback, Minimum Lot Width, Min Lot Width @ Bldg. Site, and Max Height of Structure.

Other Variances: NONE

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application incomplete and your case will not be heard.

a. What extraordinary and exceptional conditions pertain to this particular piece of property? CURRENTLY NO OTHER HOMES ALONG ALLSBROOK ROAD HAVE THIS 25-FOOT LANDSCAPE BUFFER

b. Why do these conditions not apply to other properties in the vicinity? PARCELS CURRENTLY ARE PLATTED AND RECORDED AT THIS TIME

c. Why do the conditions listed in 3a and 3b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property? LIMITS THE SPACE TO PLACE THE BUILDING PADS WITHIN EACH LOT RESPECTIVELY

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district? NO IT WILL NOT CAUSE SUBSTANTIAL DETRIMENT TO THE ADJACENT PROPERTY, PUBLIC GOOD OR HARM THE CHARACTER OF THE DISTRICT.

\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

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

YES [ ] NO [x]

5. 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.

Jonathan Hardee

dotloop verified 02/02/23 3:51 PM EST YN4S-5KHR-5WC-JUFY

Applicant's Signature

02/02/2023

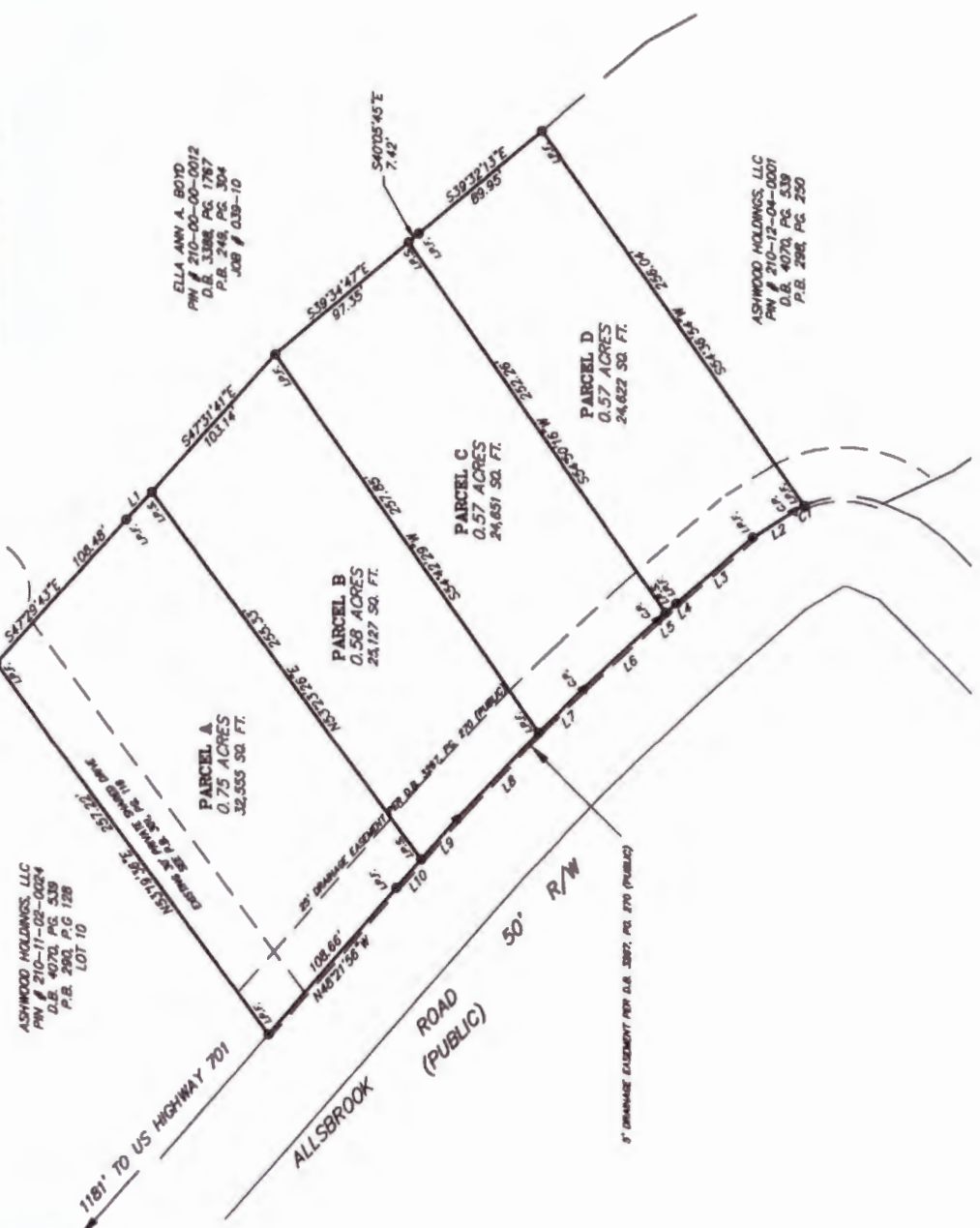
Date

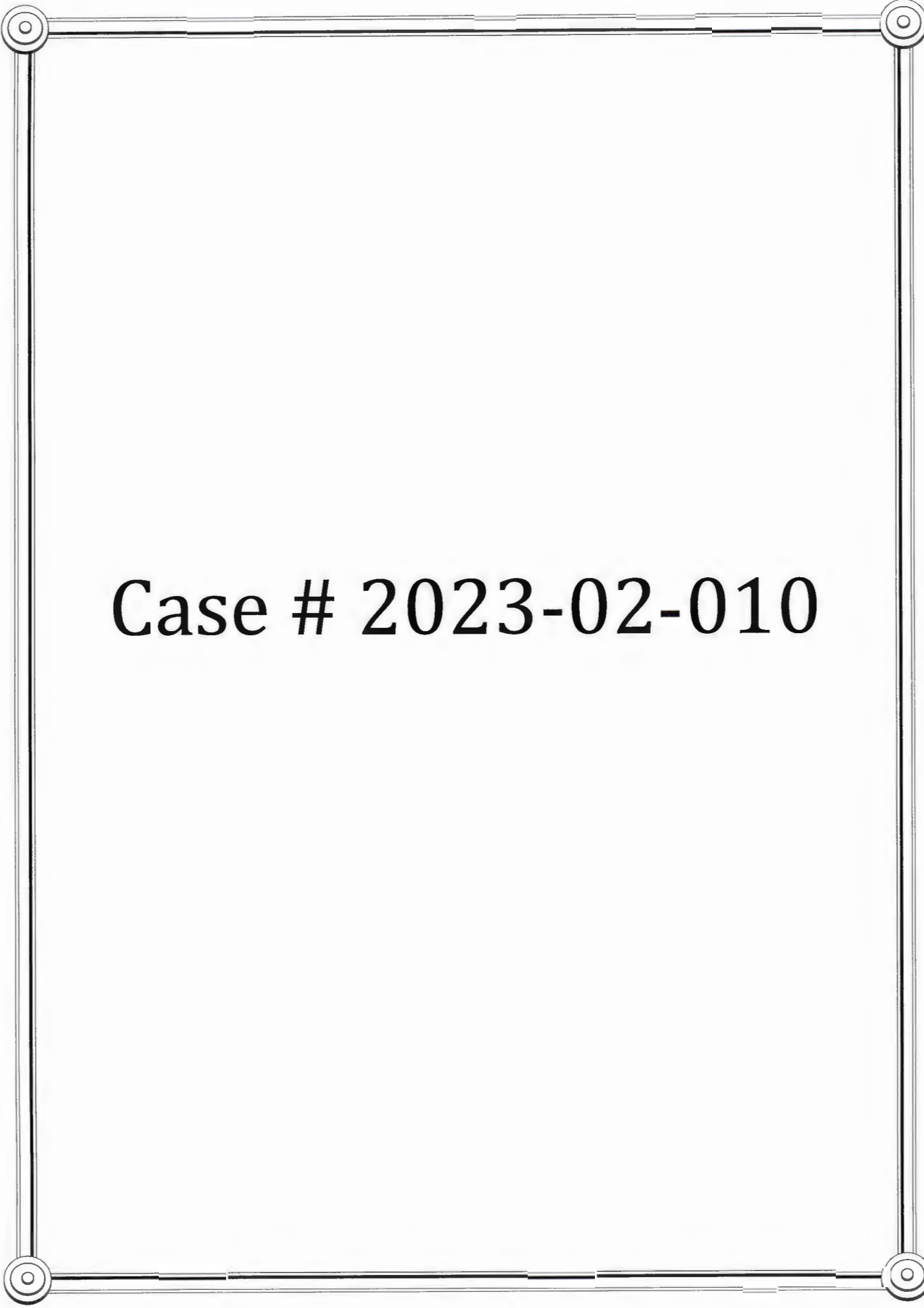


# Site Plan



LINE	BEARING	DISTANCE
L1	S47°28'45"E	108.68'
L2	N47°21'56"W	108.68'
L3	N40°16'43"W	8.11'
L4	N40°16'43"W	8.11'
L5	N40°38'57"W	5.95'
L6	N42°32'20"W	56.50'
L7	N43°50'27"W	34.84'
L8	N46°10'00"W	66.39'
L9	N49°22'15"W	30.50'
L10	N49°23'53"W	20.94'



A rectangular frame with a double-line border. At each of the four corners, there is a decorative circular element consisting of two concentric circles.

**Case # 2023-02-010**

# VARIANCE REVIEW SHEET

## Property Information

Variance Request #	2023-02-010
Applicant	Dylan Andrew, agent
Parcel Identification (PIN) #	284-05-02-0009, 284-05-02-0010, 284-05-02-0012 & 284-05-02-0014,
Site Location	4233 Black Island Road, Galivants Ferry
Property Owner	Barry Evans and Cam Flowers
County Council District #	11 - Allen

## Zoning Information

Zoning District	FA
Parcel Size	1.32 acres
Proposed Use	Residential

## Requested Variance(s)

The applicant is requesting a variance front Article II and Article IV Section 404 regarding minimum lot width and street frontage requirements in the Forest Agriculture (FA) zoning district.

	Requirement	Requested	Variance Needed	Percentage
<b>Art. II - Min. lot width at bldg. site</b>				
Lot B	90'	74'	16'	18%
Lot C	90'	75'	15'	17%
<b>Art. IV, Section 404 - Street frontage</b>				
Lot B & C	50'	25.3'	24.7'	50%

## Background/Site Conditions

The applicants are proposing a recombination survey on these four (4) lots to create Lots B & C. These lots were originally created in 1948. Article II dimensional standards in FA requires a 90' lot width at bldg. site. Lot B will have a 74' lot width at bldg. site for a variance of 16' and Lot C will have a 75' lot width at building site for a variance of 15'. Art. IV, Section 404 states no lot shall be created which does not have at least 50' of frontage on a street. The proposed lots will have 25.3' of street frontage for a variance of 24.7'.

## 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 in the FA zoning district.

## 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.

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.



**Parcel for Consideration**  
**Parcel Boundary**  
**Waterbody**  
**Road**

**Zoning Map**  
 Variance Case Number  
 2023-02-010  
 Dylan Andrew agent for  
 James Evans & Cameron Flowers  
 PIN: 284-05-02-0014; 0012; 0010; 0009

HC Government

0 500 1000 Feet

N



Parcel for Consideration

Road

**Aerial Map**

Variance Case Number

2023-02-010

Dylan Andrew agent for

James Evans & Cameron Flowers

PIN: 284-05-02-0014; 0012; 0010; 0009



HCGovernment





*Front on Black Island Rd*



*Tract B*



Tract C





# Applicant Submittal

**VARIANCE REQUEST**

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

Article(s): Art 1, Art 2 Section(s): 404 + 205

2. Description of Request:

To allow a lot with less than 50' of frontage to be created.

<u>Required</u>		<u>Requested</u>
Front Setback:	<u>40'</u>	Front Setback: _____
Side Setback:	<u>10'</u>	Side Setback: _____
Rear Setback:	<u>15'</u>	Rear Setback: _____
Minimum Lot Width:	<u>90'</u>	Minimum Lot Width: _____
Min Lot Width @ Bldg. Site:	<u>90'</u>	Min. Lot Width @ Bldg. Site: <u>74.04'</u>
Max Height of Structure:	<u>35'</u>	Max Height of Structure: _____

Other Variances: ~~Other~~ ~~Other~~ ~~Other~~

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application incomplete and your case will not be heard.

a. What extraordinary and exceptional conditions pertain to this particular piece of property?

The variance in this situation would improve the access for the property.

b. Why do these conditions not apply to other properties in the vicinity?

Surrounding properties do not have access or encroachment issues.

c. Why do the conditions listed in 3a and 3b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?

Tract C does not have a viable source of access currently. This would improve the situation.

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?

This variance will NOT cause detriment or harm to the surrounding properties.

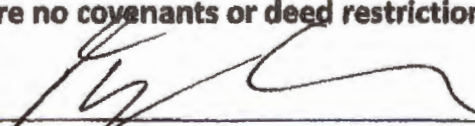
\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

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

YES  NO

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

Applicant's Signature



Date

02/01/23



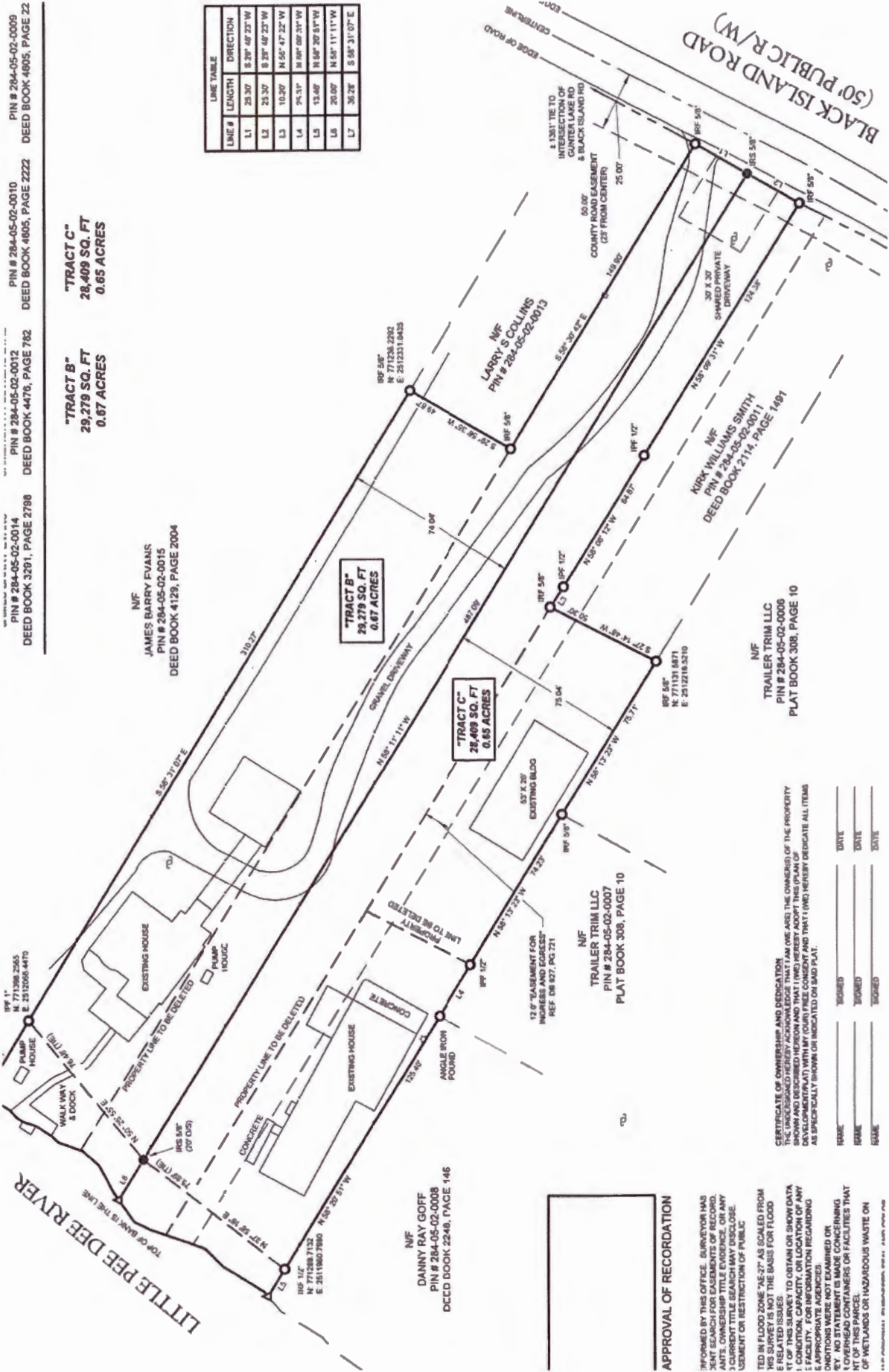
# Site Plan

PIN # 284-05-02-0014 DEED BOOK 3291, PAGE 2798  
 PIN # 284-05-02-0012 DEED BOOK 4476, PAGE 762  
 PIN # 284-05-02-0010 DEED BOOK 4605, PAGE 2222  
 PIN # 284-05-02-0009 DEED BOOK 4605, PAGE 22

**"TRACT B"**  
 29,279 SQ. FT  
 0.67 ACRES

**"TRACT C"**  
 28,409 SQ. FT  
 0.65 ACRES

LINE #	LENGTH	DIRECTION
L1	25.30'	S 30° 48' 23" W
L2	23.30'	S 28° 48' 23" W
L3	10.20'	N 55° 47' 22" W
L4	94.33'	N 80° 08' 33" W
L5	13.46'	N 58° 20' 51" W
L6	20.00'	N 58° 11' 11" W
L7	36.28'	S 58° 31' 07" E



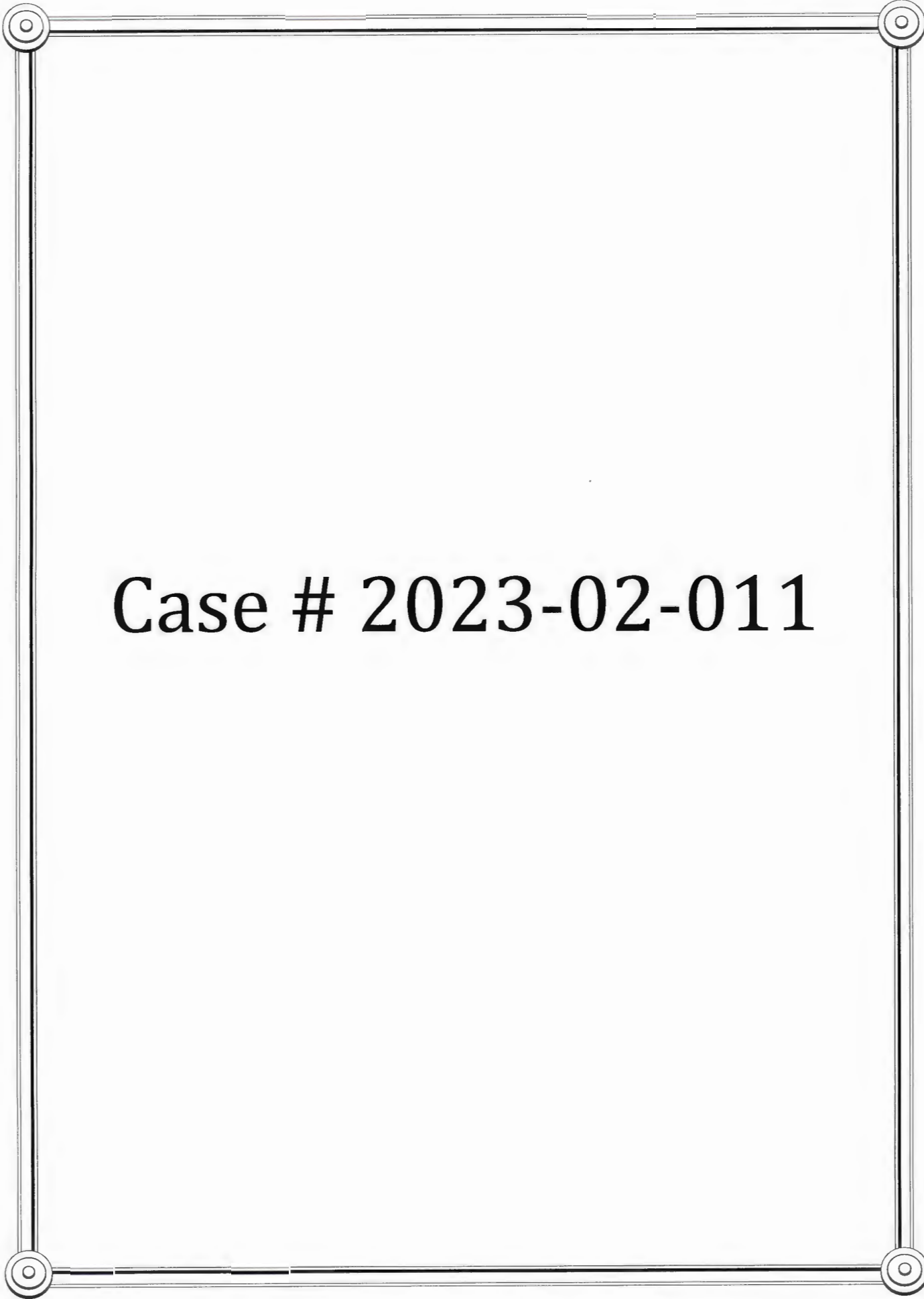
NIF  
 DANNY RAY GOFF  
 PIN # 284-05-02-0008  
 DEED BOOK 2248, PAGE 146

## APPROVAL OF RECORDATION

INFORMED BY THIS OFFICE, SURVEYOR HAS  
 SEARCHED FOR EVIDENCE OF RECORD,  
 ANTS, OWNERSHIP TITLE EVIDENCE, OR ANY  
 3) CURRENT TITLE SEARCH MAY DISCLOSE  
 EVIDENCE OF RESTRICTION OF PUBLIC  
 TED IN FLOOD ZONE "AS SHOWN AS SCALED FROM  
 HIS SURVEY IS NOT THE BASIS FOR FLOOD  
 E RELATED ISSUES.  
 IT OF THIS SURVEY TO OBTAIN OR SHOW DATA  
 1) FOR THE LOCATION OR LOCATION OF ANY  
 2) FOR THE LOCATION OR LOCATION OF ANY  
 3) APPROPRIATE AGENCIES.  
 CONDITIONS WERE NOT EXAMINED OR  
 EY. NO STATEMENT IS MADE CONCERNING  
 1) CONTAINERS OR FACILITIES THAT  
 2) OF WETLANDS OR HAZARDOUS WASTE ON

CERTIFICATE OF OWNERSHIP AND DEDICATION  
 THE UNDERSIGNED HAS BEEN ADVISED THAT THE UNDERSIGNED HAS THE OWNERSHIP OF THE PROPERTY  
 SHOWN AND HEREBY DEDICATES TO THE PUBLIC THE FOLLOWING PROPERTY FOR THE USE AND BENEFIT  
 DEVELOPMENT) WITH MY (OUR) FREE CONSENT AND THAT I (WE) HEREBY DEDICATE ALL ITEMS  
 AS SPECIFICALLY SHOWN OR INDICATED ON SAID PLAT.

NAME \_\_\_\_\_ WORKED \_\_\_\_\_ DATE \_\_\_\_\_  
 NAME \_\_\_\_\_ WORKED \_\_\_\_\_ DATE \_\_\_\_\_  
 NAME \_\_\_\_\_ WORKED \_\_\_\_\_ DATE \_\_\_\_\_



**Case # 2023-02-011**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-011
Applicant	Sean Williams, agent
Parcel Identification (PIN) #	325-04-04-0001
Site Location	Hwy 319, Conway
Property Owner	S&H Investments
County Council District #	7 - Anderson

### Zoning Information

Zoning District	HC
Parcel Size	27,858 Sq Ft
Proposed Use	Office Building

### Requested Variance(s)

The applicants are requesting a variance from Article II & Article V, Section 504 regarding setback requirements in the Highway Commercial (HC) zoning district.

	Requirement	Requested	Variance Needed	Percentage
Front setback	60'	50'	10'	17%
Left side setback	30'	20'	10'	33%
<b>Type A - Opaque buffer</b>				
Left side	25' in width	10' in width	15'	60%

### Background/Site Conditions

The applicants are proposing an office building on this site. There is a 25' powerline easement that runs along the right side of this parcel. The building will be located 50' from the front property line instead of the required 60' for a variance of 10' and 20'. The HC zoning district requires a 30' minimum side yard setback where it is adjacent to any residential zoning district. The building will be located 20' from the left side property line, abutting residential, instead of the required 30' for a variance of 10'. The left side also requires a 25' Type A opaque buffer; the applicants are proposing a 10' wide buffer for a variance of 15'.

### 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 buildable area of the lot is restricted by the 25' powerline easement located on the right side property line.

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

These conditions apply to all commercially developed property in the HC zoning district.

## 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.

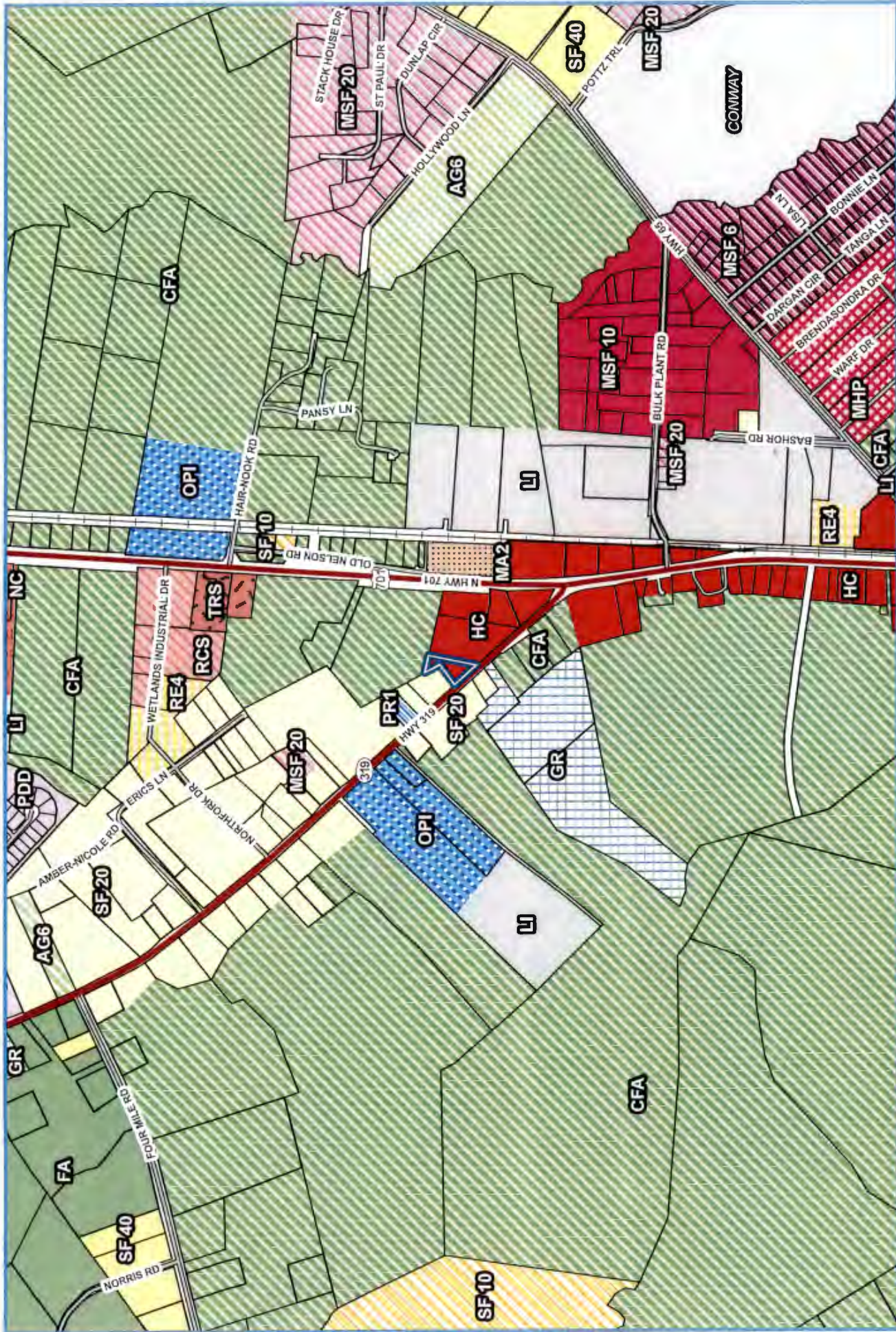
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

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.






**Zoning Map**  
 Variance Case Number  
 2023-02-011  
 Sean Williams agent for  
 S&H Investments  
 PIN: 325-04-04-0001


- Parcel for Consideration
- Major Road
- Parcel Boundary
- Road
- Municipality
- Railroad






-  Parcel for Consideration
-  Major Road
-  Road

**Aerial Map**  
 Variance Case Number  
 2023-02-011  
 Sean Williams agent for  
 S&H Investments  
 PIN: 325-04-04-0001

 HC Government

0 50 100 Feet

N 



*Site on Hwy. 319*



*Residential home on left side*



*Adjoining parcel on the right*



*Powerline Easement on right*



# Applicant Submittal

VARIANCE REQUEST

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

Article(s): VIII Section(s): 800

2. Description of Request: Request a reduction on front setback from 60ft to 50ft; reduction of side setback from 35ft to 10ft.

Table with 2 columns: Required and Requested. Rows include Front Setback, Side Setback, Rear Setback, Minimum Lot Width, Min Lot Width @ Bldg. Site, and Max Height of Structure.

Other Variances: Reduction of Type A Landscape Buffer from 25ft to 10ft

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application incomplete and your case will not be heard.

- a. What extraordinary and exceptional conditions pertain to this particular piece of property?
b. Why do these conditions not apply to other properties in the vicinity?
c. Why do the conditions listed in 2a and 2b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?
d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?

\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

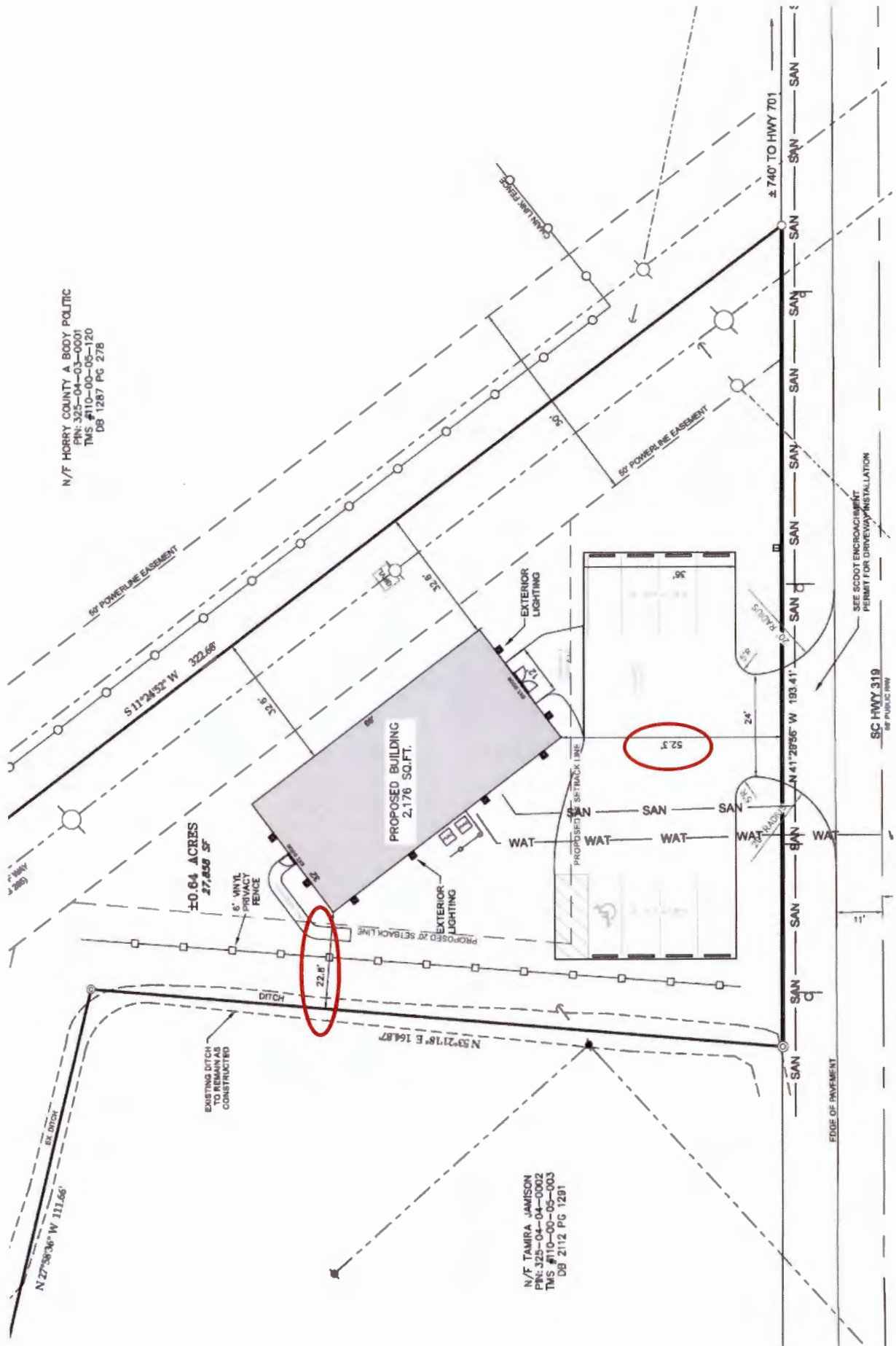
4. Are there Restrictive Covenants on this property that prohibit or conflict with this request? YES NO

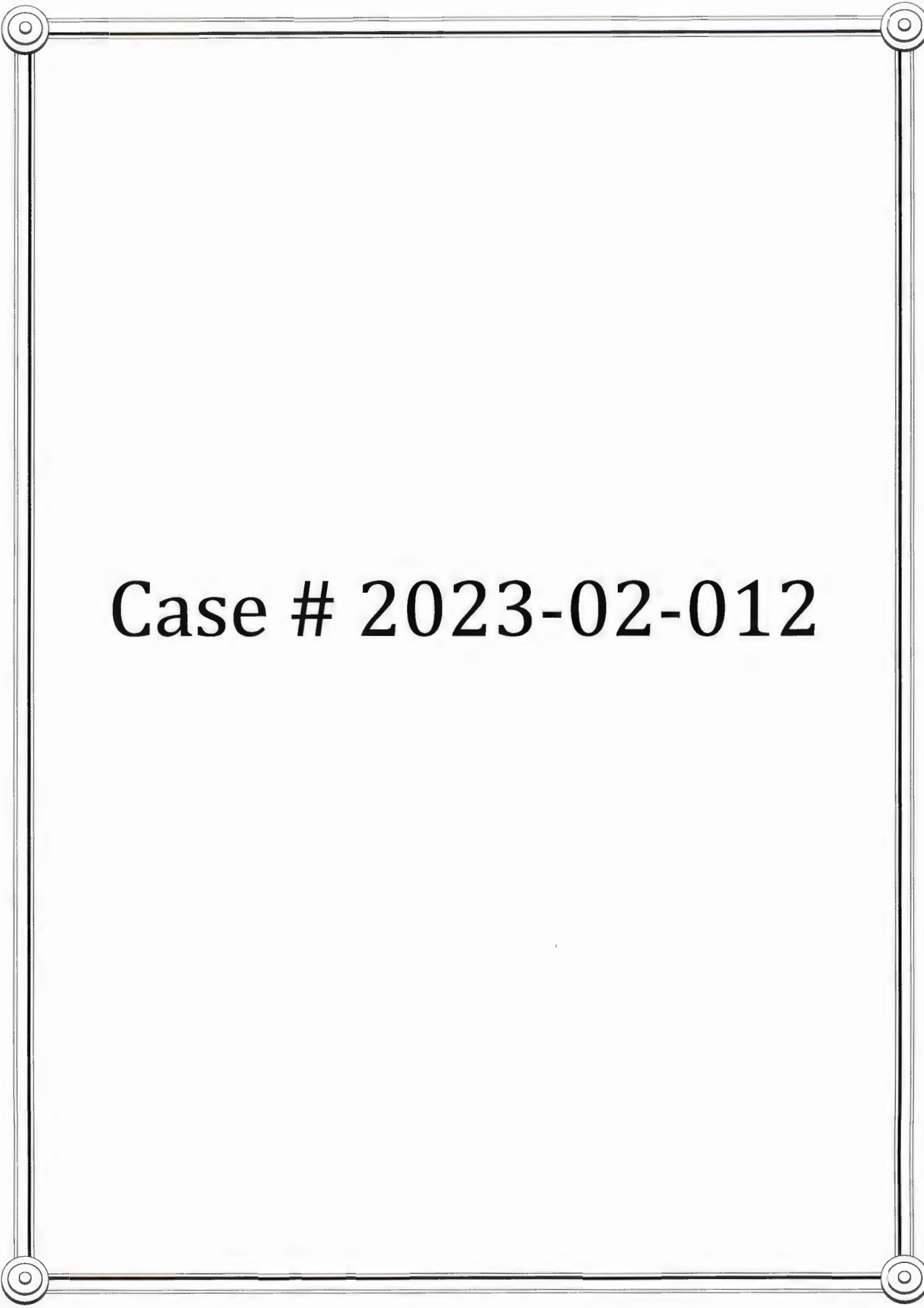
5. Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

Applicant's Signature (Handwritten Signature)

Date: 2/3/2023

# Site Plan





**Case # 2023-02-012**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-012
Applicant	Robert Guyton, agent
Parcel Identification (PIN) #	151-07-03-0001
Site Location	CBI Road, Loris
Property Owner	Darren and Kimberly Gore
County Council District #	9 - Causey

### Zoning Information

Zoning District	FA
Parcel Size	1.01 Acres
Proposed Use	Vacant

### Requested Variance(s)

The applicants are requesting a variance from Article II regarding the minimum lot size requirements in the Forest Agriculture (FA) zoning district.

	Requirement	Requested	Variance Needed	Percentage
<b>Art. II - Minimum lot size in FA</b>				
Lot 3	21,780 SqFt	12,174 SqFt	9,606 SqFt	45%
Lot 5	21,780 SqFt	8,960 SqFt	12,820 SqFt	59%

### Background/Site Conditions

This parcel is located on CBI Road in Loris where it is adjacent to the North and South Carolina State line. The applicant is proposing to split the parcel that is in Horry County into three separate lots making each of them substandard parcels. FA zoning district requires a 1/2 acre (21,780 sq. ft. ) parcel size for residential uses. Lot 3 is proposed to be 12,174 sq. ft. instead of the required 21,780 sq. ft. for a variance of 9,606 sq. ft. Lot 5 is proposed to be 8,960 sq. ft. instead of the required 21,780 sq. ft. for a variance of 12,820 sq. ft.

### Ordinance and Analysis

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

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

There are none.

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

These conditions apply to all FA residential uses.

## 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.

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.

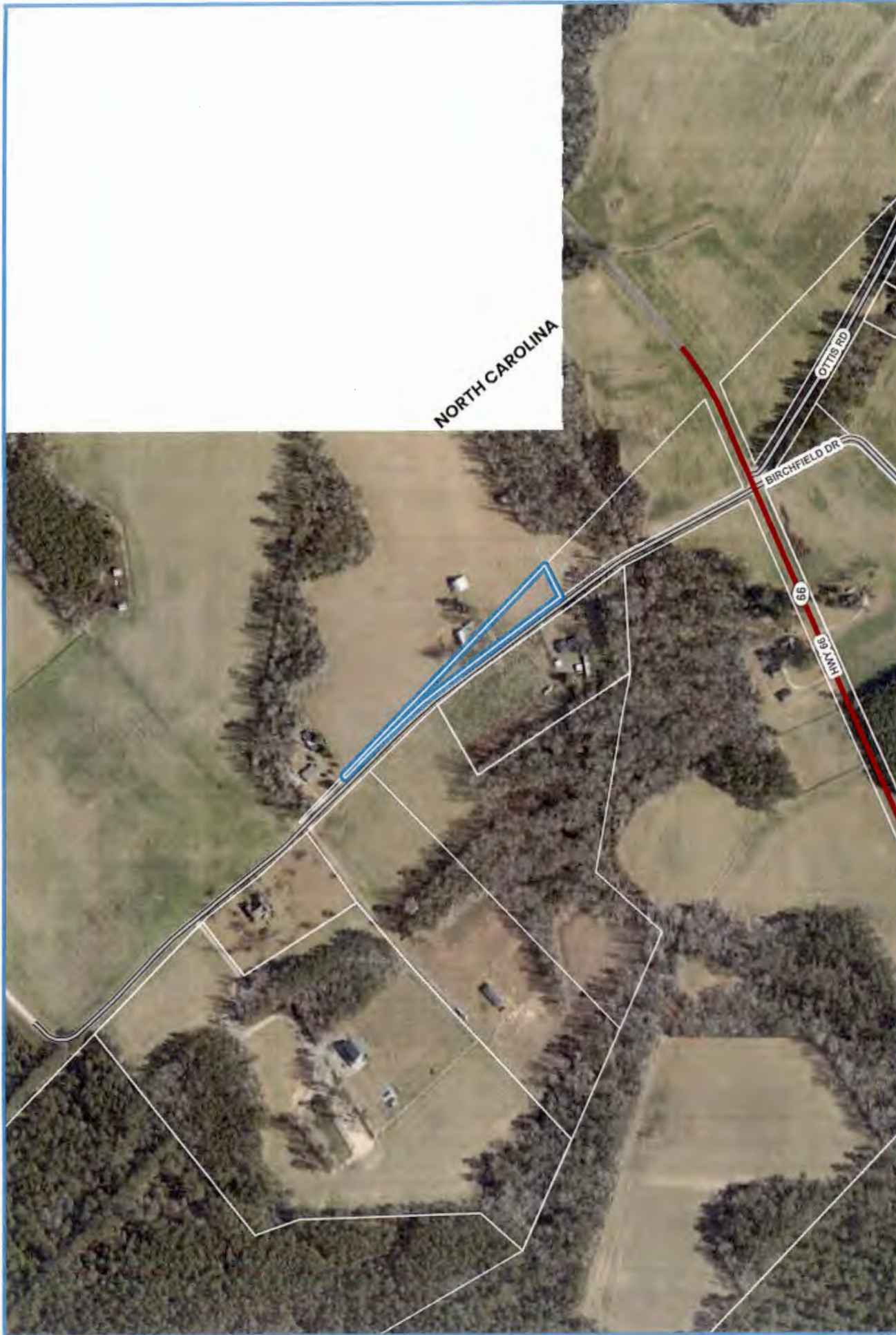




**Zoning Map**  
 Variance Case Number  
 2023-02-012  
 Robert Guyton agent for  
 Darren & Kimberly Gore  
 PIN: 151-07-03-0001

Parcel for Consideration  
 Parcel Boundary  
 Major Road  
 Road



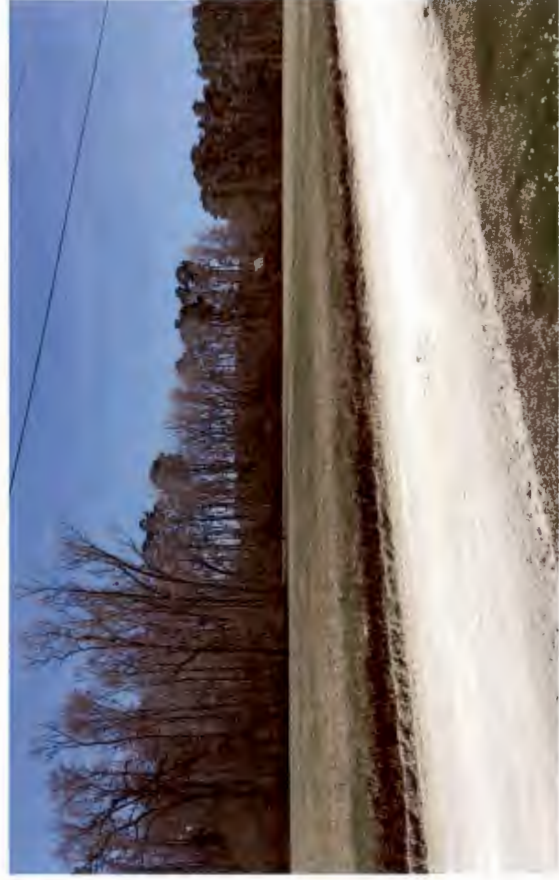




Site of Lot 3



Front on CBI Rd



Across CBI Rd



Site of Lot 5



# Applicant Submittal

VARIANCE REQUEST

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

Article(s): Table 3B (40) Section(s): \_\_\_\_\_

2. Description of Request: The proposed parcel is bisected by the North Carolina/South Carolina state line, thereby creating Three (3) non-conforming lots for the portion of the proposed parcel lying within Horry County. Requesting a variance from the required Minimum Lot Size, in order to subdivide the existing home from the remainder of farm property, which will create Three (3) non-conforming lots for Horry County jurisdiction.

<u>Required</u>	<u>Requested</u>
Front Setback: _____	Front Setback: _____
Side Setback: _____	Side Setback: _____
Rear Setback: _____	Rear Setback: _____
Minimum Lot Width: _____	Minimum Lot Width: _____
Min Lot Width @ Bldg. Site: _____	Min. Lot Width @ Bldg. Site: _____
Max Height of Structure: _____	Max Height of Structure: _____

Other Variances: Minimum Lot Size 21,780 square feet in the FA District, requesting Minimum Lot Size of ~~23,046~~ square feet for Lot 2 and a minimum Lot Size of 12,174 square feet for Lot 3, and a minimum Lot Size of 8,960 square feet for Lot 5.

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application **incomplete** and your case will **not** be heard.

a. What extraordinary and exceptional conditions pertain to this particular piece of property?  
The property is bisected by the boundary line between North Carolina and South Carolina.

b. Why do these conditions not apply to other properties in the vicinity?  
Few of the surrounding properties are bisected by the boundary line between the two States.

c. Why do the conditions listed in 3a and 3b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?  
The portion of the property lying between the existing road right-of-way and the boundary line between North Carolina and South Carolina prohibit Two (2) of the proposed lots from complying with minimum lot size.

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?  
The authorization of the variance would not be open and obvious to any adjacent property owner of the public, and would allow the parcel in question to remain as a single farm house, as it has for more than 50 years.

\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

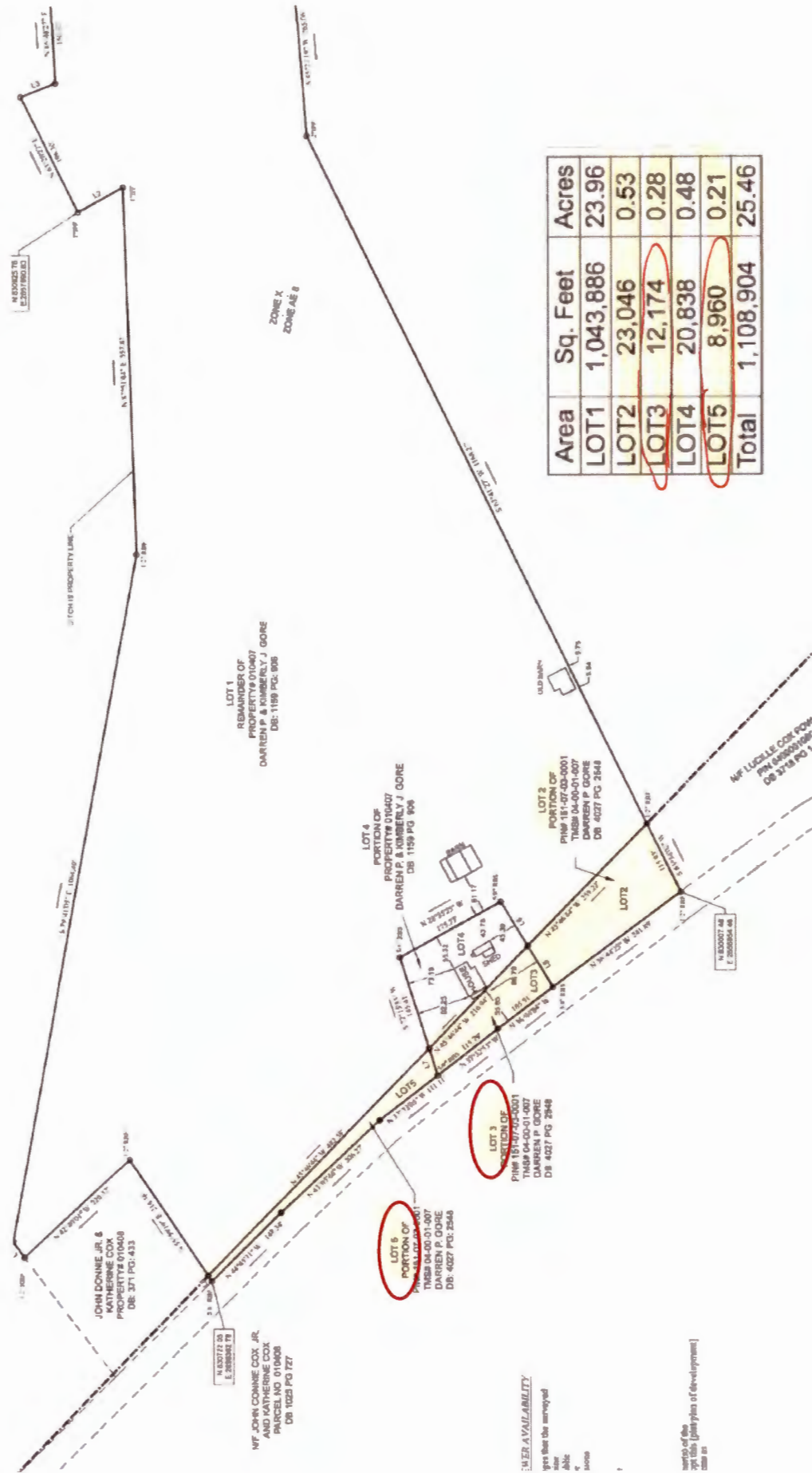
4. Are there Restrictive Covenants on this property that prohibit or conflict with this request? YES  NO

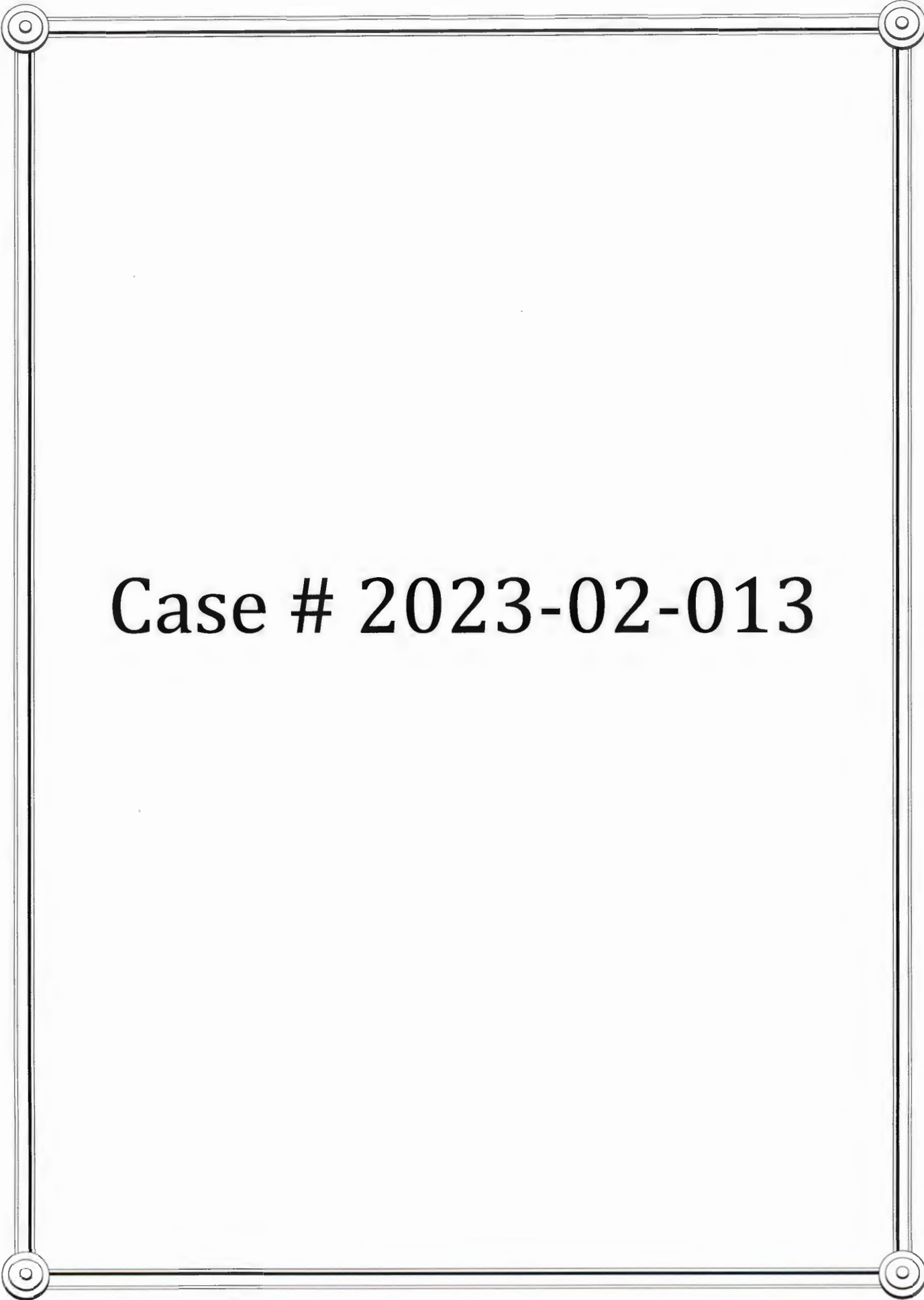
5. Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

[Signature]  
Applicant's Signature

January 31, 2023  
Date

# Site Plan





**Case # 2023-02-013**

## VARIANCE REVIEW SHEET

### Property Information

Variance Request #	2023-02-013	<b>Zoning Information</b>	
Applicant	Jenna Mac, LLC	Zoning District	HC
Parcel Identification (PIN) #	415-05-01-0014	Parcel Size	29,000 sq. ft.
Site Location	2678 Hwy. 544, Conway	Proposed Use	Commercial Office
Property Owner	Jenna Mac, LLC		
County Council District #	8 - Masciarelli		

### Requested Variance(s)

The applicants are requesting a variance from Article II, Article V and Article VIII regarding the setback, landscaping and buffer requirements in the Highway Commercial (HC) zoning district.

	Requirement	Requested	Variance Needed	Percentage
<b>Article II, Section 205 - Dimensional &amp; Density Standards</b>				
Right Side Setback <i>(adjacent to PIN 41505010012)</i>	30'	1.5'	28.5	95%
<b>Article V, Section 504.C - Perimeter Buffer Requirements</b>				
West/ Left Side - Type B Spatial Buffer <i>(adjacent to PIN 41505010013)</i>	5'	0'	5'	100%
East/ Right Side - Type B Spatial Buffer <i>(adjacent to cemetery) for 35' feet of a 135' long buffer</i>	5'	2'	3'	60%
<b>Article VIII, Section 801.D.3 - Pedestrian Facilities</b>				
At least one internal pedestrian walkway with a minimum width of 5 feet shall be provided from the primary building entrance to the public sidewalk system to provide a reasonable direct path for entrance/ exit.				100%
<b>Article VIII, Section 803.B.2 - Landscape and Buffer Requirements</b>				
The perimeter landscaping should follow the standards of Article V except that the non-residential streetscape buffer shall be 25 feet or 10% of a parcel's depth, whichever is less.				
Front - Type C Streetscape Buffer <i>(adjacent to Hwy 544)</i>	23'	5'	18'	78%



# VARIANCE REVIEW SHEET

## Background/Site Conditions

This parcel is located on Hwy. 544 as Lot 20 within Gravelly Gulley Acres. The residential structure was built as a single family home in 1975. The applicants are proposing to convert the home into a Real Estate office. The parcel is located within the Hwy. 544 overlay. The applicant has requested the following variances:

**Right Side Setback** - the required side setback for Highway Commercial when it is adjacent to residential is 30'. The applicant wants the structure to remain in its current location 1.5' from the property line for a variance of 28.5'.

**West/Left Side Type B Spatial Buffer** - The applicant has requested 100% relief from this requirement.

**East/ Right Side Type B Spatial Buffer** - The applicant is required a 135' long buffer, for 35' of the required buffer the applicant wants to reduce the width from the required 5' to 2' for a variance of 3'.

**Article VIII, Section 803.B.2 Pedestrian Facilities** - The applicant has requested 100% relief from this requirement.

**Front Type C Streetscape Buffer** - The applicant wants to reduce the width of the buffer from 23' to 5' for a variance of 18'.

## 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?)**

**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?)**

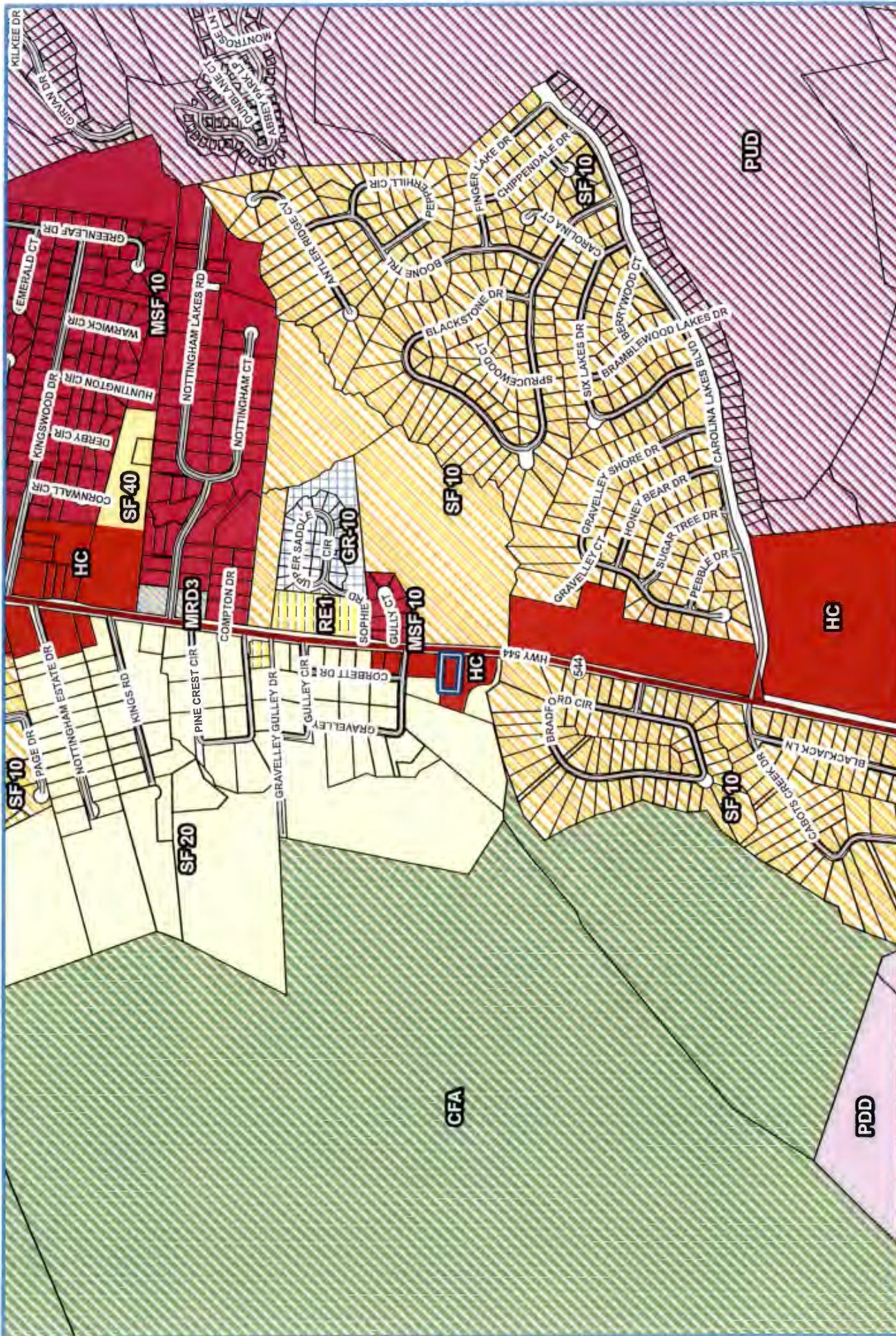
**5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property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

## **VARIANCE REVIEW SHEET**

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.



**Zoning Map**  
 Variance Case Number  
 2023-02-013  
 Jenna Mac LLC  
 PIN: 415-05-01-0014

HC Government

Parcel for Consideration  
 Parcel Boundary  
 Major Road  
 Road

0 500 1000 Feet

N



**Parcel for Consideration**  
**Major Road**  
**Road**

**Aerial Map**  
Variance Case Number  
2023-02-013  
Jenna Mac LLC  
PIN: 415-05-01-0014

**HC Government**

0 50 100 Feet

N



*Front on Hwy. 544*



*SF Home*



*Left side adjoining cemetery*





# Applicant Submittal

VARIANCE REQUEST

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

Article(s): \_\_\_\_\_ Section(s): \_\_\_\_\_

2. Description of Request: 1. ELIMINATE LANDSCAPE BUFFER FOR WEST border of the property.  
2. ALLOW EXISTING STORAGE BUILDING & PARKING PAD TO REMAIN WITHOUT ALTERATION 3. ALLOW SMALLEST SETBACK ON FRONT OF PROPERTY. 4. NO REQUIREMENT FOR STREET TO ENTRY OF PEDESTRIAN PATHWAY.

Required	Requested
Front Setback: _____	Front Setback: _____
Side Setback: _____	Side Setback: _____
Rear Setback: _____	Rear Setback: _____
Minimum Lot Width: _____	Minimum Lot Width: _____
Min Lot Width @ Bldg. Site: _____	Min. Lot Width @ Bldg. Site: _____
Max Height of Structure: _____	Max Height of Structure: _____

Other Variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. South Carolina Law 6-29-800(A)(2) required the following findings in order for the ZBA to grant a variance. The failure to completely answer these questions will render your application incomplete and your case will not be heard.

a. What extraordinary and exceptional conditions pertain to this particular piece of property?  
(1) THE ADJACENT PROPERTY IS A FLOOD ZONE & WETLAND. - NO LANDSCAPE  
(2) BUILDING & PARKING PAD ARE PREEXISTING FOR MANY YEARS.

b. Why do these conditions not apply to other properties in the vicinity?  
\_\_\_\_\_  
\_\_\_\_\_

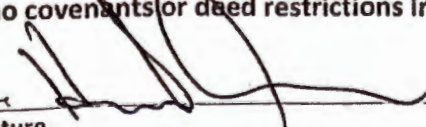
c. Why do the conditions listed in 3a and 3b along with the zoning ordinance sections cited in 1 prohibit or reasonably restrict the utilization of the property?  
NO, BUT THE APPLICATION OF PURPOSE FOR THE ORDINANCE  
MAY NOT SERVE INTENDED PURPOSE.

d. Will the authorization of the variance cause a substantial detriment to the adjacent property, public good or harm the character of the district?  
IN NO WAY. THE ADJACENT PROPERTIES ARE FULLY BUFFERED  
ALREADY.

\*\* The fact that property may be utilized more profitably may not be considered grounds for a variance.

4. Are there Restrictive Covenants on this property that prohibit or conflict with this request? YES  NO

5. 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

2-2-23  
Date





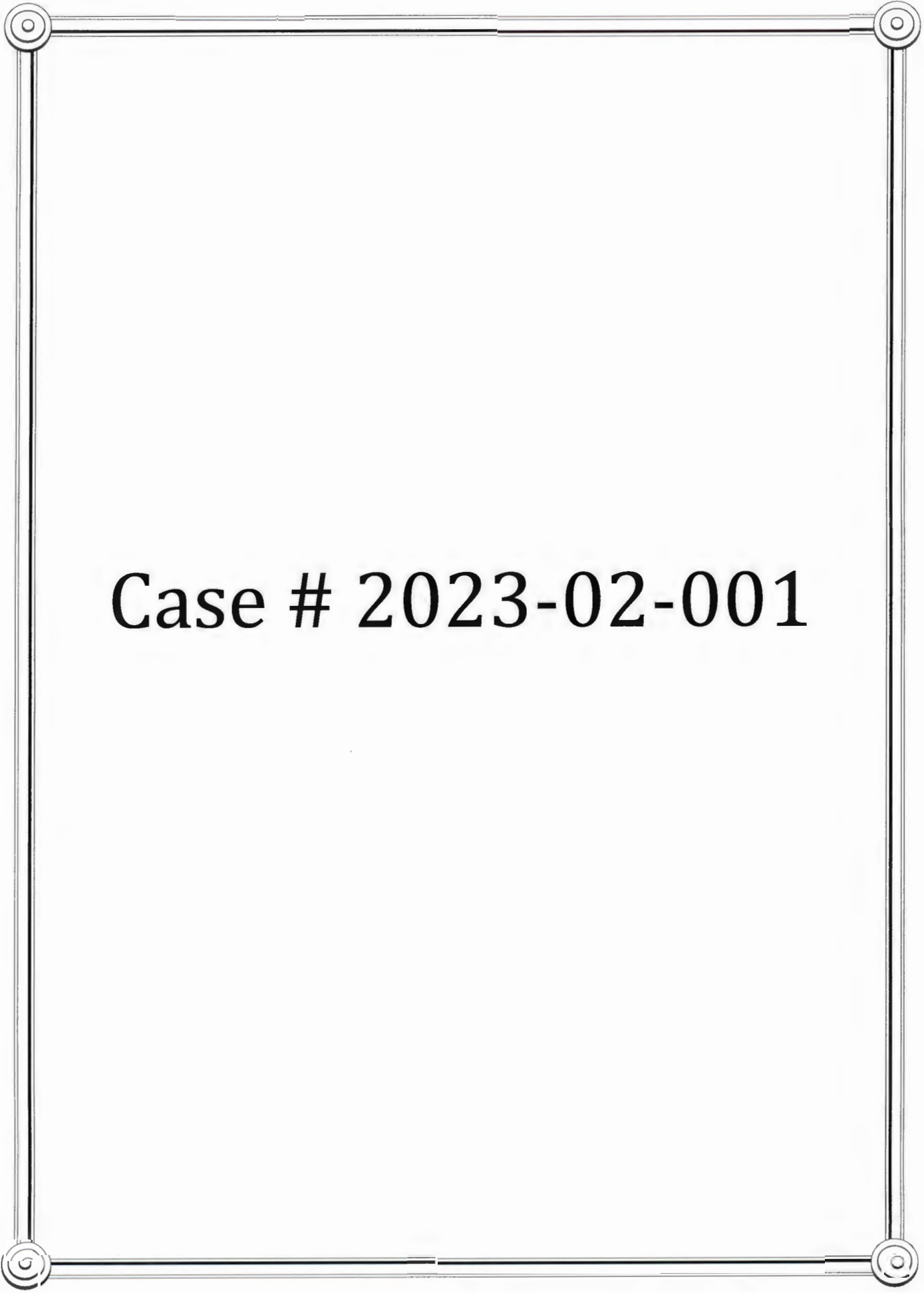
# VARIANCE REVIEW SHEET

Property Information

Zoning Information

<b>Variance Request #</b>	2023-02-014		
<b>Applicant</b>	Venture Engineering, agent	<b>Zoning District</b>	RC
<b>Parcel Identification (PIN) #</b>	311-08-03-0086	<b>Parcel Size</b>	8.3 acres
<b>Site Location</b>	1568 Watson Ave. Little River	<b>Proposed Use</b>	Boat charter/tours
<b>Property Owner</b>	Carl Meares Jr.		
<b>County Council District #</b>	1 - Dukes		

Case has been withdrawn by the applicant.



**Case # 2023-02-001**

**SPECIAL EXCEPTION REVIEW SHEET**  
**ON-SITE CONSUMPTION OF ALCOHOL**

**Property Information**

Special Exception Request #	2023-02-001	<b>Zoning Information</b>	
Applicant	Greg Tyler, agent	Zoning District	HC
Parcel Identification (PIN) #	469-05-02-0020	Parcel Size	1.31 Acres
Site Location	3140 Hwy. 17 Murrells Inlet	Proposed Use	Restaurant
Property Owner	D&E Real Estate LLC		
County Council District #	5 - Servant		

**Distance from Residential**

The closest residential zoning district is 361 ft. in the Windjammer Village MHP

**Requested Special Exception**

The applicants are requesting special exception approval from Article XI, Section 1106 regarding on site consumption of alcohol for a Restaurant/ Bar in the Highway Commercial (HC) zoning district.

**Background/Site Conditions**

This is the proposed location of The Grumpy Mustache restaurant. The applicants are requesting a special exception to allow on-site consumption of alcohol with an outdoor dining/seating area on the front porch. This parcel was granted a special exception for on-site consumption in 2006 (Case # 2006-09-003) with hours of operation from 11:00 AM thru 2:00 AM with no outdoor dining. The closest residential parcel is 361 ft. in Windjammer Village MHP.

**Ordinance and Analysis**

Article XIV, Section 1106 of the Zoning Ordinance states: Owing to their potential negative impact on the community, the following uses may be approved as special exceptions by the Board of Zoning Appeals: bar, restaurant, nightclub or business establishment meeting the definition of a bar is subject to the following conditions:

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

This site was developed in 2003 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.**

This parcel is located on a commercial corridor with like uses located within the vicinity.

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

This parcel is in close proximity to other similar uses.

## SPECIAL EXCEPTION REVIEW SHEET

### ON-SITE CONSUMPTION OF ALCOHOL

4. That the special exception will contribute to the economic vitality and promote the general welfare of the community.

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

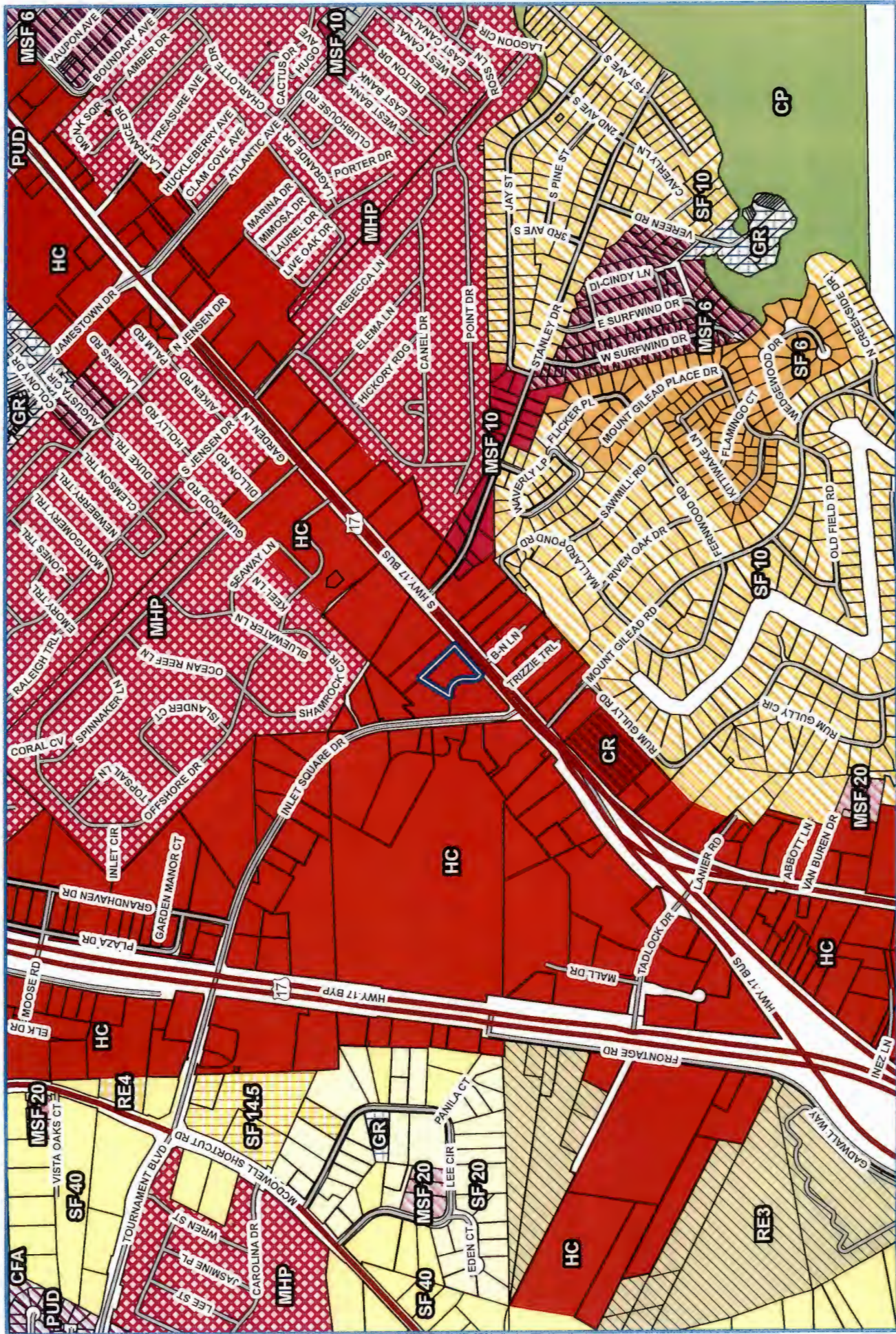
The use is allowed in the Highway Commercial (HC) zoning district.

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 The Grumpy Mustache meets the required conditions of Section 1106, 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 outdoor displays or tents on the property;
4. No temporary banners or signs on the property;
5. No spotlight advertising;
6. Outdoor dining and beverage services allowed on porch area only;
7. Applicant will comply with all State and local laws;
8. All future buildings and building additions must conform to Horry County regulations;
9. Any changes in character or hours shall result in the suspension of this approval and a rehearing of the Zoning Board of Appeals shall be required.
10. Shall not operate or be open for use by patrons, for any length of time, between the hours of 12:00 midnight and 6:00 am on any given day of the week without a Pre-Clearance letter from the Horry County Police Department.






**HC Government**

**Zoning Map**  
 Variance Case Number  
 2023-02-001  
 Greg Tyler agent for  
 D&E Real Estate LLC  
 PIN: 469-05-02-0020


0 500 1000 Feet

Parcel for Consideration  
 Parcel Boundary  
 Major Road  
 Road



-  Parcel for Consideration
-  Major Road
-  Road

**Aerial Map**  
 Variance Case Number  
 2023-02-001  
 Greg Tyler agent for  
 D&E Real Estate LLC  
 PIN: 469-05-02-0020

 **HC Government**

0 50 100 Feet

N 



*Site - Commercial Center*



*Across Hwy. 17*



*Site on Hwy. 17*



*Outdoor seating area on porch*



# 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 Zoning Board of Appeals.

1. Applicant hereby appeals for a special exception from the requirements of the following provisions of the Zoning Ordinance:

Article(s): 11 Section(s): 1106.C.4

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

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

3. Name of Business: THE GRUMPY MUSTACHE
4. Type of Business: DINER
5. Hours of Operation: 7:30 (AM/PM) until 7 (AM/PM)
6. Days of The Week: M-SAT

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

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

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

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

THE LOCATION HAS BEEN A RESTAURANT THAT SERVED BEER & WINE FOR MANY YEARS. THERE WILL BE VERY LITTLE CHANGE EXCEPT OUR NAME AND OUR MENU. THE BOARD HAS APPROVED THIS EXEMPTION FOR THIS LOCATION IN THE PAST, WITH NO NEGATIVE IMPACT ON ANY OF THE FOREMENTIONED

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

8. Are there Restrictive Covenants on this property that prohibit or conflict with this request? YES NO (NO checked)

9. 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/Agent's Signature: [Signature] Date: 1/12/2023

# Menu

## Appetizers

- Balls of Meat
- Street Tacos
- Grumpy crack fries and I don't care
- Queso
- Chips salsa pico queso
- Grumpy Nachos
- Detroit Fries (313)
- Cheesy Shrimp and Grits

## Sides

- Fries
- Street Corn
- Potato salad
- Coleslaw
- Sauerkraut
- Bettermade Chips
- Grumpy Hash
- Homefries
- Side Salad
- Grits

## From the Grill

- Basic burger
- Farmhouse burger
- Riggs Burger
- Grilled Sausage w/kraut
- Sliders
- Coney Dogs (313)

## Sandwiches

- Pastrami/corned beef
- Dave's Ham Stack (313)
- Rooben
- Turkey Rooben
- Chicken salad
- Grilled cheese
- BLT
- Slowbird (313)
- Woodward Hot Chicken
- Fried Bologna

## Subs

- Italian
- Meatball
- Philly cheese (chicken/roast beef)
- K-Mart (313)
- Polish Sub (313)

## Specials

- The Hangover Bowl
- Pasta Wednesday
- Taco Tuesday

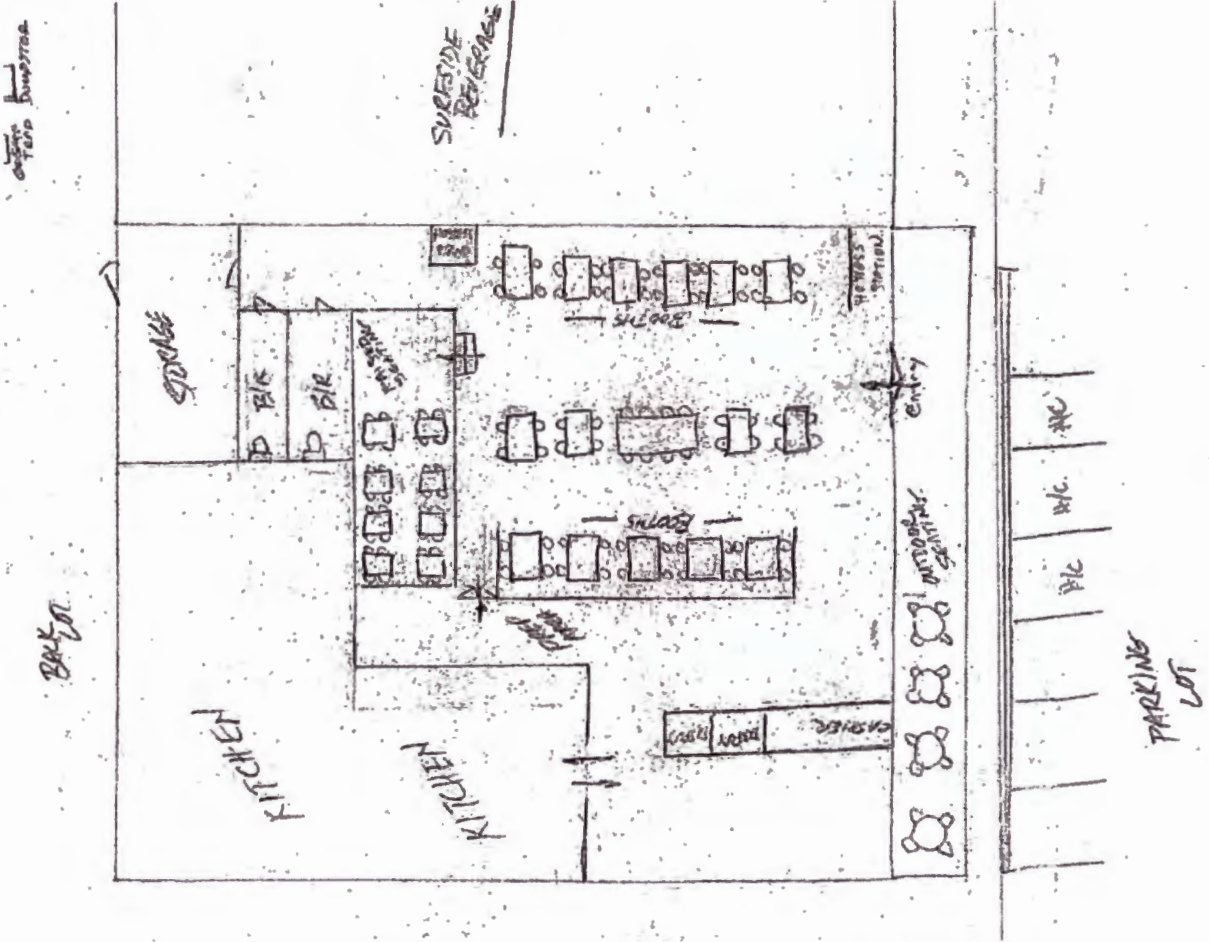
## Salads

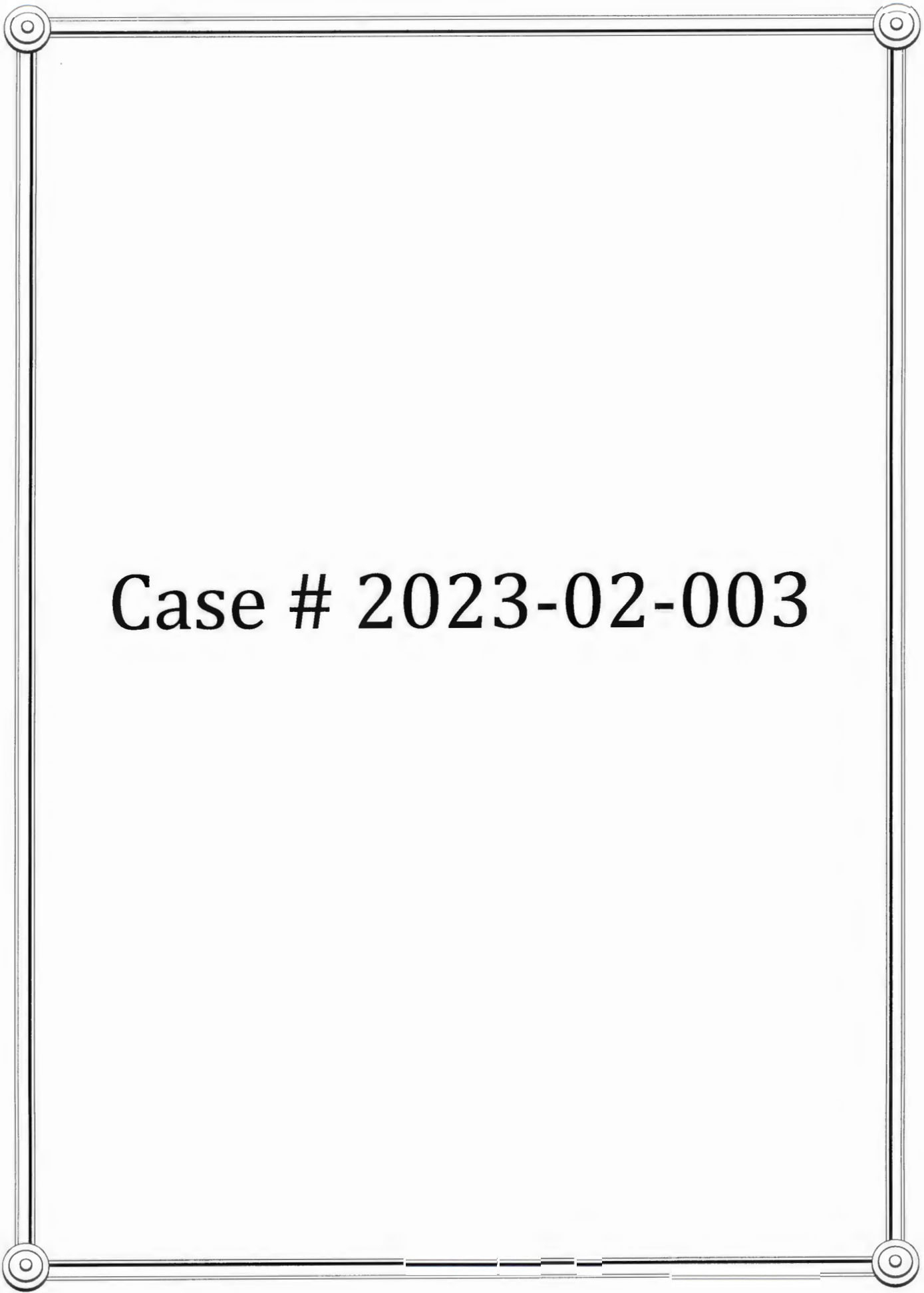
- Harvest Chicken
- Cobb
- Southwest

## Soup

- Chicken noodle
- Chili
- French onion ?
- Soup of the moment
  - Tortilla
  - Vegetable

Floor Plan





**Case # 2023-02-003**

**SPECIAL EXCEPTION REVIEW SHEET  
RURAL TOURISM**

**Property Information**

**Zoning Information**

Special Exception Request #	2023-02-003		
Applicant	Melissa & Victor Nobles	Zoning District	FA
Parcel Identification (PIN) #	245-00-00-0027	Parcel Size	29.89 Acres
Site Location	3500 Nobles Farm Road, Aynor	Proposed Use	Rural Tourism
Property Owner	Victor Nobles; Nobles Farm LLC	Future Land Use Area	Rural
County Council District #	11 - Allen		

**Distance from Residential**

The nearest residential home from the property line is 144 ft to the south and 805 ft to the west.

**Requested Special Exception**

The applicants are requesting special exception approval from Article XI, Section 1106 C regarding rural tourism in the Forest Agricultural (FA) zoning district.

**Background/Site Conditions**

On January 16, 2018 The Horry County Board of Architectural Review approved this location for an agritourism permit to hold weddings, reunions, parties, and farm related activities. This permit expired on January 15, 2023. October 15, 2019 County Council approved an amendment that gave the Zoning Board of Appeals the authority to grant rural tourism permits. The Operation Plan lists events as weddings, event venue, and a working farm on this 29.89 acre parcel. The applicant is not requesting to have a S.C. Liquor License to serve alcohol which would require another special exception to allow on premise consumption of alcohol.

**Ordinance and Analysis**

In granting a special exception for a rural tourism permit, the Board of Zoning Appeals shall consider the following factors as set forth in Section 1406 of the Zoning Ordinance, determine the allowed activities of the venue and set hours of operation. The Board may also attach such conditions as it may deem advisable to protect the surrounding properties and the public health, safety and welfare.

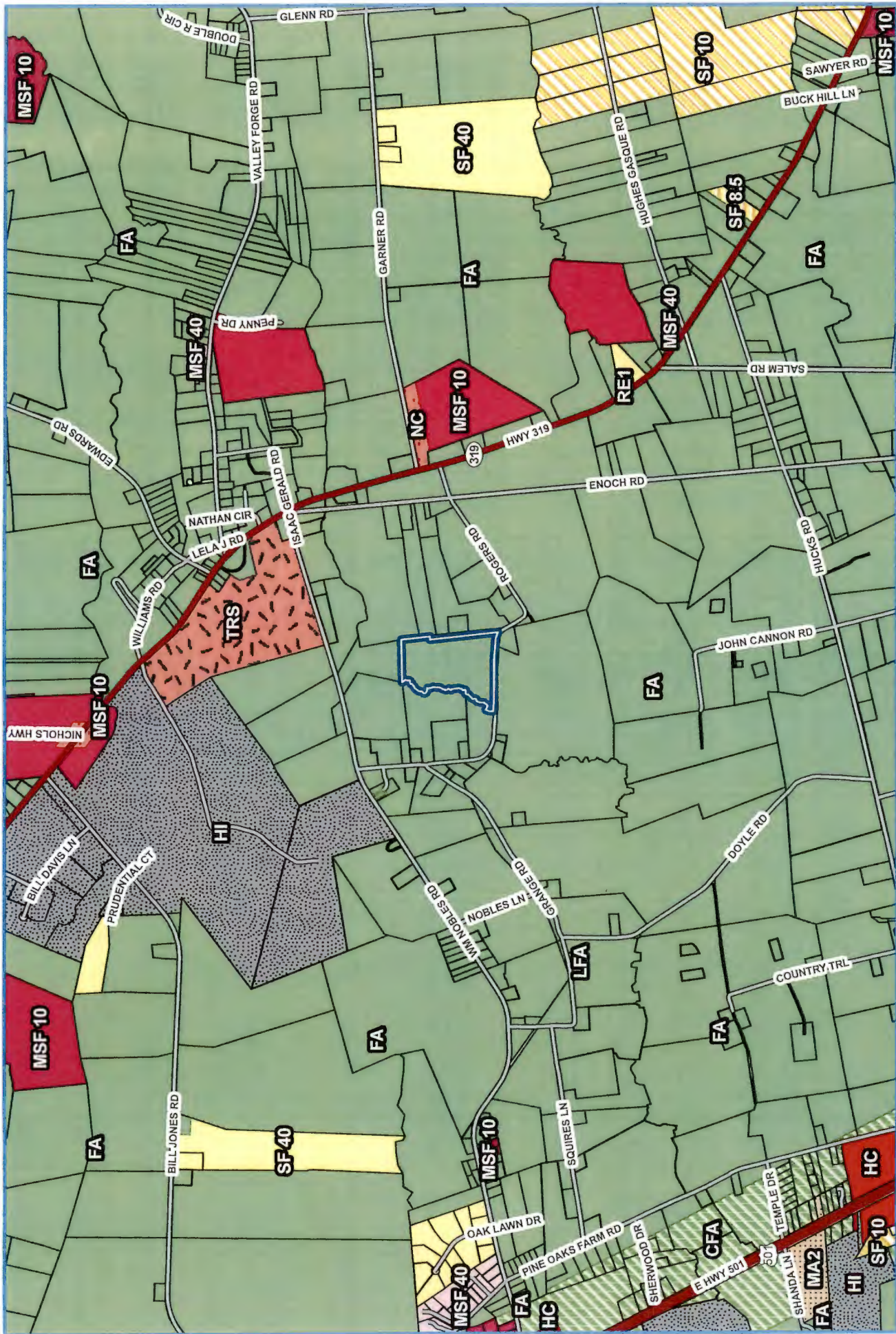
- |   |
|---|
| 1. Traffic impact;  |
| 2. Vehicle and pedestrian safety;   |
| 3. Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property;  |
| 4. Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening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

**SPECIAL EXCEPTION REVIEW SHEET**  
**RURAL TOURISM**

**Proposed Order/Conditions**

Should the Board find that the special exception request for **The Blessed Barn** meets the required conditions of Section 1106 C for rural tourism, 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. This parcel is located within a rural area as identified on the active future land use map;
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, Section 13-33;
6. No event will be allowed in any building until a certificate of occupancy has been issued by Code Enforcement;
7. If acreage of parcel or parcels is reduced to less than 20 acres this permit shall be revoked;
8. Exemption from landscaping and buffering requirements of Article V, Section 527 and from parking requirements of Article XI of the Horry County Zoning Ordinance;
9. On-site consumption of alcohol is not allowed unless a special exception is granted by the Zoning Board of Appeals;
10. Rural tourism does not allow certain amusement activities as specified in the AM1 & AM2 zoning districts (see application);
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 Zoning Board of Appeals shall be required;



**Zoning Map**  
 Variance Case Number  
 2023-02-003  
 Melissa Noble agent for  
 Nobles Farm LLC  
 PIN: 245-00-00-0027

HC Government

0 1000 2000 Feet

Parcel for Consideration  
 Parcel Boundary  
 Major Road  
 Road



 Parcel for Consideration

 Road

**Aerial Map**  
Variance Case Number  
2023-02-003  
Melissa Noble agent for  
Nobles Farm LLC  
PIN: 245-00-00-0027



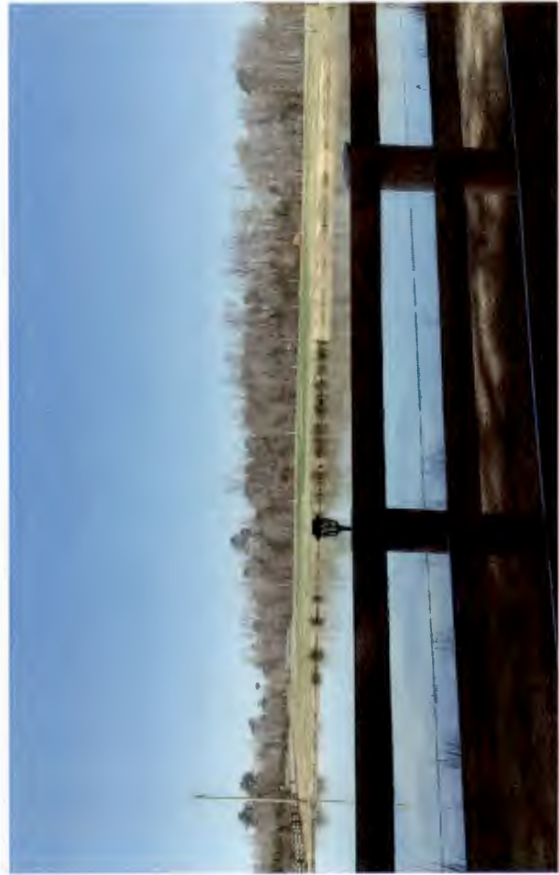




*Entrance off Rogers Rd*



*Pond & Pasture Area*





*Event Barns, Dressing Rooms & Restrooms*



*Parking Area*





# Applicant Submittal

RURAL TOURISM PERMIT REQUEST

Article XI, 1106.C.7

- I. Rural Tourism activities are permitted provided:
  - a. The parcel is a minimum of 20 acres or 20 total contiguous acres and within a Rural Area, Rural Corridors, Rural Community, Rural Activity Center, Transitional Growth Area, Scenic & Conservation or Preserved Open Space as identified on the active future land use map.
  - b. The parcel is not zoned Residential (SF, MSF, PUD, PDD, GR, GRn or MRD).
  - c. Rural Tourism Activities shall comply with Table 1, Operation Designations. Rural Tourism does not include amusement activities specified in the AM1 & AM2 zoning districts unless expressly stated in the table below. (See attached sheet for uses not allowed.)
- II. The requirements of Chapter 13, Article III Noise Control of the County Code shall be met.
- III. If plans include use of a building onsite, a courtesy inspection will be made by Horry County Code Enforcement to ensure the building complies with accepted safety standards (see attached requirements).
- IV. Upon approval, the Rural Tourism Activity may be exempt from Landscaping and Buffering requirements and Article VII of the Horry County Zoning Ordinance.
- V. No event shall exceed 499 attendees at one time, unless a Special Event Permit has been approved by the Public Safety Department.

1. Name of Business: The Blessed Barn

2. Type of Events/Uses: Wedding + Event venue

3. Total Acres: 30 4. Zoning: \_\_\_\_\_

5. Hours of Operation: 8 am (AM/PM) until 10 pm (AM/PM)

6. Days of The Week: Friday, Saturday + Sunday

Please submit the information below:

- Master plan, drawn to scale, identifying all existing and proposed structures, parking areas, ingress and egress, restroom facilities and uses.
- Operation plan that includes planned event days, types of activity and hours of operation.

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

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

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

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**RURAL TOURISM PERMIT**  
**SPECIAL EXCEPTION REQUEST**

8. Check all planned activities below. For all uses indicated below, please identify their locations on the Master Plan.

<b>Activities</b>	<b>Definitions</b>	<b>✓</b>
Agricultural Activities	These activities can include, but are not limited to: rent-a-row, you-pick operations, harvest market.	<input type="checkbox"/>
Education Classes/ Tours	Classes/ tours focused on rural or agricultural education. (i.e. bird watching, flora and fauna identification, farm / rural tours, farm / rural museum, fishing instruction, kayak or paddle board instruction).	<input type="checkbox"/>
Food Service, including, Food Trucks	On-site consumption of food, to include Farm to Table events	<input type="checkbox"/>
Rural Activities	These activities can include, but are not limited to: zip lines, motorized and non-motorized trail rides (does not include racing activities), horseback riding, kayaking, fishing and petting zoos.	<input type="checkbox"/>
Rural Retail	Nurseries and the sale of agricultural products, produce and value-added products.	<input type="checkbox"/>
Seasonal Activities	These activities can include, but are not limited to: corn mazes, haunted houses/ forests, egg hunts, and holiday light displays.	<input type="checkbox"/>
Events	These events can include, but are not limited to: weddings, birthdays, and corporate events.	<input checked="" type="checkbox"/>

Please answer the following questions and address on Operation Plan:

9. Will alcoholic beverages be served at any of these events?

YES  NO

If so, will your venue be applying for a S.C. Liquor License?  
(If yes, a special exception may be required)

YES  NO

10. Will Vendors or food trucks be on site during any of these events?

YES  NO

\* Temporary vendors are required to obtain a vendor permit from the Code Enforcement Department and pay any fees associated with the permit.

11. Please initial that you have read and understand the item below:

VW

Applicant acknowledges that any event with more than 499 people at one time will require a Special Event Permit from Horry County Public Safety. Submittal is required 45 days prior to the event. They can be reached at 843-915-5150 and at this website <https://www.horrycountysc.gov/departments/emergency-management/>

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

YES  NO

13. 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.

Victoria Hella

Applicant/ Agent's Signature

1-27-2023

Date

The Blessed Barn is on a 29 acre family farm that is located at 3500 Nobles Farm Road, Aynor, SC.

Our farm received an Argitourism Permit in 2018.

The venue was opened in April of 2019 as a wedding/event venue. We are also a working farm with cattle and hay.

As a wedding/event venue we provide spaces for weddings, birthday parties and corporate events.

Our normal business hours are Friday, Saturday and Sunday from 8am until 10pm.

## Order on Agritourism Permit Application

### Horry County Board of Architectural Review & Historic Preservation

Date Filed: 12/11/2017

Permit Application No.: 2018-01-001

The board of architectural review & historic preservation held a public hearing on January 16, 2018 to consider the application of Charlie Nobles, The Blessed Barn, for an agritourism permit as set forth in Section 1304 of the Horry County Code of Ordinances for the property identified as PIN # 245-00-00-0027 for the following events:

#### Special Events, including Weddings.

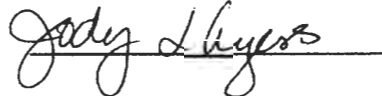
After consideration of the evidence and arguments presented, the board makes the following findings of fact and conclusions.

The board concludes that the standards in Section 1304 of the Horry County Code of Ordinances which are applicable to the proposed agritourism permit  **have**  **have not** been met, and therefore the Agritourism Activity shall be exempt from Article V Section 527 and Article XI of the Horry County Zoning Ordinance.

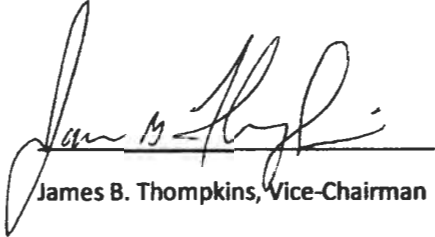
The board, therefore, orders that the agritourism permit is  **denied**  **granted, subject to the following conditions:**

1. Duration of the event – year round (Fridays and Saturdays);
2. Hours of Operation – 9:00 AM until 10:00 PM;
3. Activities will be allowed until the barn has been built with the use of portable toilets, which shall be provided for events based on the attached chart labeled “Portable Toilet Standards”;
4. No events will take place within the barn until a Certificate of Occupancy has been issued by Code Enforcement;
5. No event is to exceed 499 persons in attendance;
6. The requirements of Chapter 13, Article III (Noise Control) of the County Code shall be met;
7. This permit must be renewed in 1 year and reviewed by the Board of Architectural Review prior to renewal;
8. Any changes in activities and events must be approved by the BAR;
9. The Zoning Administrator, or his/her designee, may review the property every 30 days to ensure compliance with the permit;
10. On-site consumption of alcohol may require a Special Exception by the Horry County Zoning Board of Appeals;
11. Applicant is charged with following all duties and requirements of Section 1304 of the Horry County Code of Ordinances;
12. All other laws, codes, restrictions or statutes must be followed.

AND IT IS SO ORDERED, this 16th day of January, 2018.



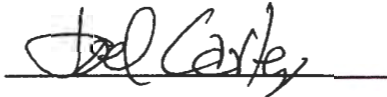
Jody Nyers, Chairman



James B. Thompkins, Vice-Chairman



Christy Douglas



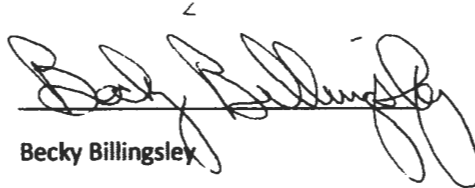
Joel Carter



Sam Dusenbury



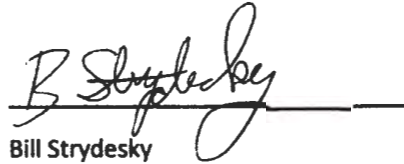
Katie Clary



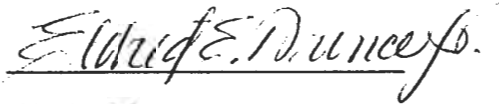
Becky Billingsley



David Stoudenmire, Jr.

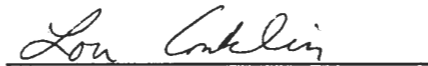


Bill Strydesky



Eldred E. Prince Jr.

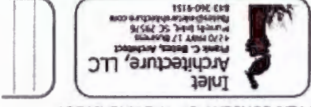
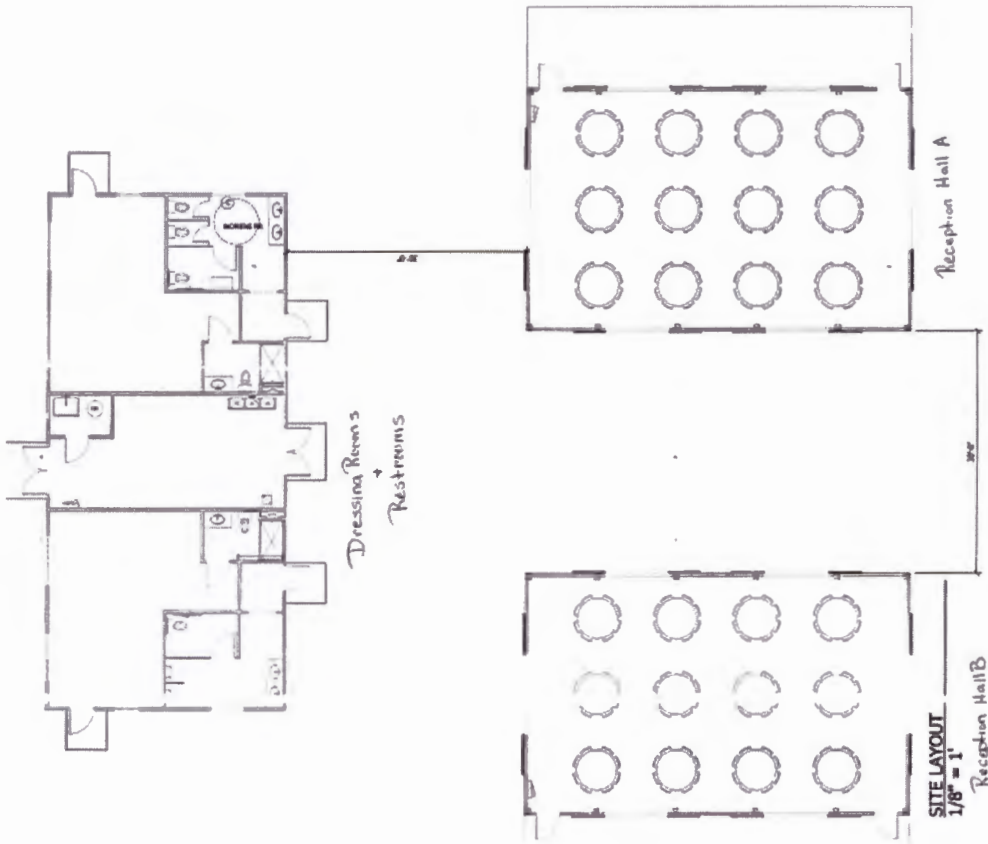
ATTEST:



Lou Conklin, Senior Planner



# Reception Halls, Dressing Rooms & Restrooms



AYNOR, SC - Horry County  
**THE BLESSED BARN - SITE LAYOUT**

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# Site Plan

