



**PLANNING COMMISSION MEETING AGENDA**

**Tuesday, January 23, 2018 – 5:00 P.M.**

**Morning Workshop 9:15 A.M.**

1018 Second Avenue South - North Myrtle Beach, SC

1. CALL TO ORDER
2. ROLL CALL
3. COMMUNICATIONS
4. APPROVAL OF MEETING MINUTES: January 9
5. OLD BUSINESS
6. NEW BUSINESS – “Consent Items”
7. NEW BUSINESS

**A. ELECTION OF OFFICERS**

- B. BONDED FINAL SUBDIVISION PLAT SUF-18-01:** A bonded major final plat of subdivision to create twenty-one (21) buildable lots of record, one (1) open space lot, and the completion of the following fifty (50') foot public rights-of-way within phase 1C of the Retreat at Barefoot Village: Tidewatch Way, White Iris Drive, and High Hammock Drive.

8. ADJOURNMENT

Respectfully submitted,

A handwritten signature in black ink that reads "Aaron C. Rucker".

Aaron C. Rucker, AICP  
Principal Planner

*ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION OR PARTICIPATION SHOULD CONTACT 843-280-5555 AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.*

## Notice to the Public of Rights under Title VI

- The City of North Myrtle Beach operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of North Myrtle Beach. Complaints must be filed within 180 days of the alleged discriminatory act.
- For more information on the City of North Myrtle Beach's Title VI Policy and the procedures to file a complaint, contact the Title VI Program Coordinator, Kristine Stokes at [krstokes@nmb.us](mailto:krstokes@nmb.us) or (843)280-5555, or in writing to the City of North Myrtle Beach, 1018 2nd Ave. South, North Myrtle Beach SC 29582. For more information, visit the Title VI section of our website at [www.nmb.us](http://www.nmb.us).
- If information is needed in another language, contact (843)280-5555.
- ~Si se necesita *información en otro idioma llame al (843)280-5555.*

**7.A. BONDED FINAL SUBDIVISION PLAT SUF-18-01:** A bonded major final plat of subdivision to create twenty-one (21) buildable lots of record, one (1) open space lot, and the completion of the following fifty (50') foot public rights-of-way within phase 1C of the Retreat at Barefoot Village: Tidewatch Way, White Iris Drive, and High Hammock Drive.

**Background**

The subject property is currently one (1) lot of record consisting of 5.29 acres; the subject property is identified by PIN 359-13-03-0030 and is zoned PDD within the city's jurisdiction. Currently, the land is vacant and much of the infrastructure has been installed according to the construction documents. The preliminary plat of subdivision for all phases of the Retreat at Barefoot Village received approval from the Planning Commission on Tuesday, August 6, 2013 [SUP-13-07]; this proposed bonded major final plat of subdivision is substantially consistent with the approved preliminary plat.

**Proposed Conditions**

The applicant, Roger Grigg, of BV Capital, LLC, has submitted a Bonded Final Plat of Subdivision to create twenty-one (21) buildable lots, one (1) open space lot, and complete the following fifty (50') foot public rights-of-way within phase 1C of the Retreat at Barefoot Village: Tidewatch Way, White Iris Drive, and High Hammock Drive. Planning Commission review and approval is required because the proposal is a major plat of subdivision.

Most of the required infrastructure has been complete for this phase of development; the bond amount would cover the final 1.5" asphalt surface course, record drawings and the project closeout package for this phase and two other previous phases whose financial guarantee have expired. The Director of Public Works has approved the bond amount, the City Attorney is reviewing the form of financial guarantee, and a letter of credit totaling \$130,810.75 will be provided by the applicant's financial institution pending Planning Commission approval of the bonded major final plat. The letter of credit would be exercised by the city to complete any outstanding required improvements if not completed by the developer.

**Staff Review**

*Planning Division*

The Planning Division has no issue with the proposed Bonded Final Plat of Subdivision.

*Zoning Division*

The Zoning Administrator has no issue with the proposed Bonded Final Plat of Subdivision.

*Legal Division*

The City Attorney is reviewing the form of financial guarantee.

*Public Works*

The Director of Public Works has no issue with the proposed Bonded Final Plat of Subdivision and has approved the bond amount of \$130,810.75. This bond amount covers the installation of the 1.5" asphalt surface course, record drawings and project closeout for phases 1A, 1B, and 1C of the Retreat at Barefoot Village.

*Public Safety*

The Fire Marshal has no issue the proposed Bonded Final Plat of Subdivision.

**Planning Commission Action**

The Planning Commission may approve, approve with modifications and/or conditions; or disapprove the plat, as submitted.

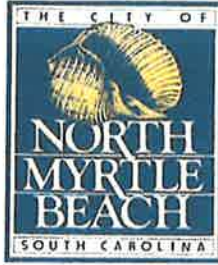
Alternative Motions

I move that the Planning Commission approve the Bonded Final Plat of Subdivision [SUF-18-01] prepared for phase 1C of the Retreat at Barefoot Village as submitted;

OR

I move (an alternate motion).

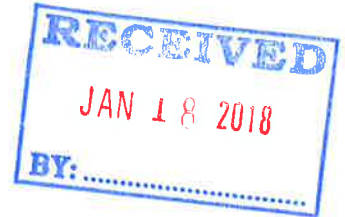
<b>SUBDIVISION NAME:</b> Retreat @ BF Village Ph 1C	
Fee Due for Prelim Plat	\$250 plus \$10 per lot up to 59 lots
Fee Due for Final Plat	\$250 plus \$10 per lot up to 18 lots



FOR OFFICE USE ONLY	
Subdivision Finance Acct Code	3.21
FEE PAID (Payable to the "CITY OF NORTH MYRTLE BEACH"):	\$430
SUF File Number:	-18-01
Submittal Date:	1/18/18

Revision Date 12.20.16

- Preliminary Subdivision Plat
- Amended Preliminary Plat
- Final Plat of Record
- Amended Final Plat



**CITY OF NORTH MYRTLE BEACH  
SUBDIVISION APPLICATION**

Today's Date: 01/18/17 (Please Print or Type)

**APPLICANT INFORMATION**

Applicant's Last Name: BV Capital LLC & Roger E. Grigg, Pres.	First:	Middle:	<input type="checkbox"/> Mr. <input type="checkbox"/> Miss	<input checked="" type="checkbox"/> Property Owner	<input type="checkbox"/> Authorized Agent
			<input type="checkbox"/> Mrs. <input type="checkbox"/> Ms.	<input type="checkbox"/> Contract Purchaser	<input type="checkbox"/> Other:
Street Address: 3501 North Kings Hwy	Telephone Number(s):			Facsimile:	
	( 843 ) 626-7676			( )	
Post Office Box:	City: Myrtle Beach	State: SC	ZIP: 29577	E-mail Address:	

**SUBJECT PROPERTY INFORMATION**

Provide below the exact location and plat map reference for which you propose a subdivision of land.  
**PLEASE ATTACH A SURVEY PLAT DELINEATING THE SUBJECT PROPERTY**

Total Area of Subject Property: 5.29	<input type="checkbox"/> Square Feet or <input checked="" type="checkbox"/> Acres	DB/PG: 3628/2876	Parent Tract Tax Map Number(s)/ Pin Number(s):
Proposed Number of Lots: 21	Largest Lot: 0.37	Smallest Lot: 0.15	359-13-03-0030
Linear Feet of New Streets: 937.2	<input type="checkbox"/> NA	Open Space: 0.39	Residual Area:
Proposed Street Name(s): Tidewatch Way / White Iris Drive / High Hammock Drive			<b>PAID</b> <b>JAN 18 2018</b>
If jurisdictional wetlands are present, please attach a letter from the US Army COE. <input type="checkbox"/> NA			Current NMB Zoning Classification:
If trees greater than 16" caliper are present, please attach a tree survey. <input type="checkbox"/> NA (If applicable, per Sec. 23-68.)			

**SIGNATURE OF OWNER(S) OR AUTHORIZED AGENT(S)**

Does the applicant own all of the property proposed for subdivision? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF NO, SUBMIT THE FOLLOWING ITEMS:
A. Plat showing lot numbers of each parcel.	B. Written agreement of all property owners.
C. Mailing address of each property owner,	

The undersigned hereby respectfully requests that the Planning Commission of the City of North Myrtle Beach review and approve the proposed subdivision plat, together with required certifications, submitted with this application form. Planning Commission action is not required for Minor final subdivision plats, Combination plats, or Boundary Adjustment plats. FOR ALL SUBDIVISIONS: State code (S.C. Code § 6-29-1145) requires local governments to inquire about restrictive covenants. Please pay close attention to the questions on the second page of this application.

Signature of Property Owner or Authorized Agent 	Date 1-12-18
Co-signature (if applicable)	Date

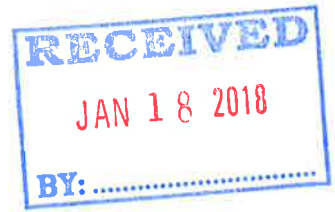
Is the City a party to any deed restrictions or easements existing on the property (ies) proposed to be subdivided?  
 Yes \_\_\_ No X If yes, please explain:

Is the tract of land or parcel of land seeking subdivision restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted use of the land? Yes \_\_\_ No X If yes, please explain:

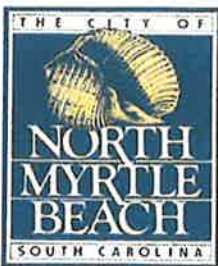
Has the restrictive covenant been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order? Yes \_\_\_ No \_\_\_ If yes, please explain: N/A

Please note that the Planning & Development Department must not issue a permit unless said Department has received, "Confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order" (as per § 6-29-1145(A)(3) of S.C. Code).

Please attach a copy of the appropriate authority, action of the property holders or court order which releases the restrictive covenants.



**PAID**  
**JAN 18 2018**



CITY OF NORTH MYRTLE BEACH  
**DEVELOPMENT APPROVAL APPLICATION (PERMIT):**  
**RECORDED COVENANT FORM**

Revision Date 06.28.17

This form complies with a state law that took effect on July 1, 2007 (S.C. Code § 6-29-1145) that requires all planning agencies to inquire in an application for a permit if the parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity. If such a covenant exists, the agency shall not issue the permit until written confirmation of its release is received. The release must be through the action of an appropriate legal authority. Please read § 6-29-1145, provided in its entirety below, and complete the following.

Nature of Approval Requested: Final Plat Approval

Parcel Identification Number: 359-13-03-0030

Property Address: White Iris Drive North Myrtle Beach, SC

I, Roger E. Grigg (Print Name), hereby certify that the tract(s) or parcel(s) of land to which this approval request pertains is ~~not~~ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity for which approval is sought, as provided in South Carolina Code of Laws (§ 6-29-1145).

Roger E. Grigg (Signature)

1.18.18 (Date)

**SECTION 6-29-1145. Determining existence of restrictive covenant; effect.**

(A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity.

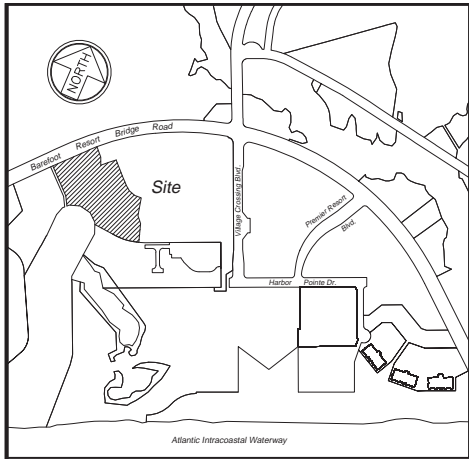
(B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity:

- (1) in the application for the permit;
- (2) from materials or information submitted by the person or persons requesting the permit; or
- (3) from any other source including, but not limited to, other property holders, the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.

(C) As used in this section:

- (1) "actual notice" is not constructive notice of documents filed in local offices concerning the property, and does not require the local planning agency to conduct searches in any records offices for filed restrictive covenants;
- (2) "permit" does not mean an authorization to build or place a structure on a tract or parcel of land; and
- (3) "restrictive covenant" does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.

HISTORY: 2007 Act No. 45, Section 3, eff June 4, 2007, applicable to applications for permits filed on and after July 1, 2007; 2007 Act No. 113, Section 2, eff June 27, 2007.

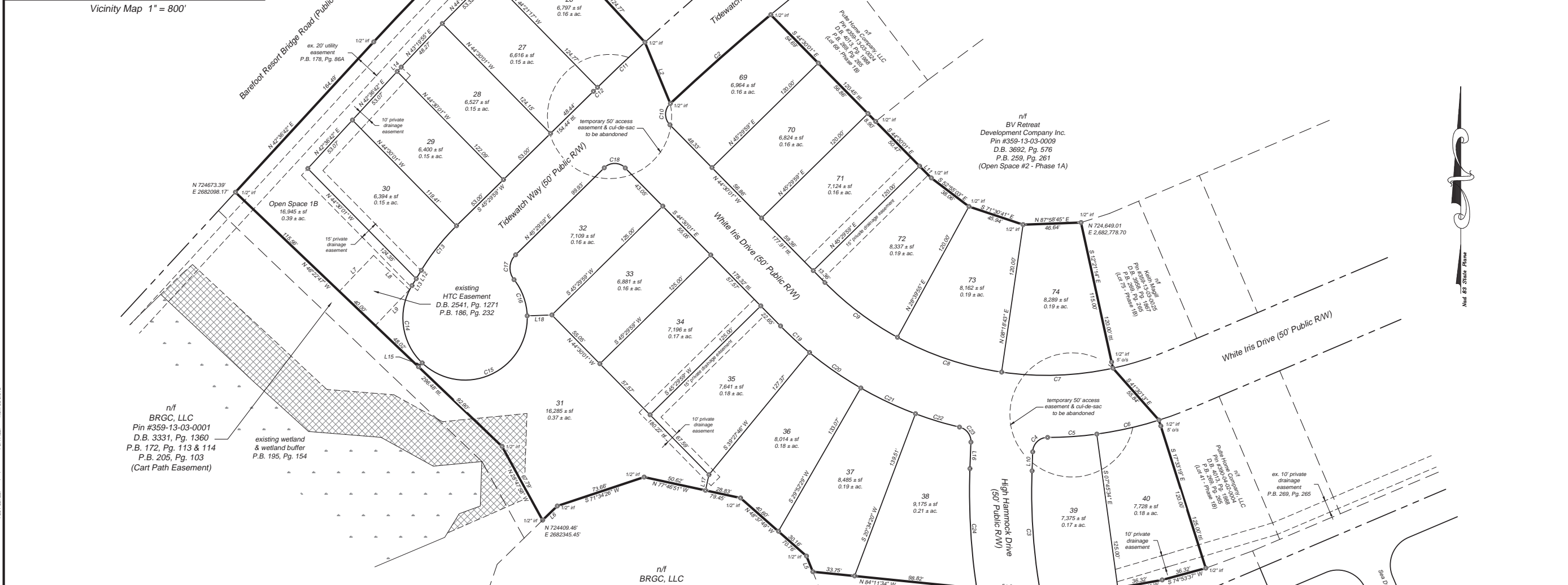


**Current Owner of Record**  
 BV Retreat Development Co., Inc.  
 Pin #359-13-03-0030  
 D.B. 4066, Pg. 774  
 P.B. 271, Pg. 128  
 3501 North Kings Highway  
 Myrtle Beach, SC 29577

n/f  
 BV Retreat Development Co., Inc.  
 Pin #359-13-03-0029  
 D.B. 3936, Pg. 1018  
 P.B. 269, Pg. 265  
 (Open Space 1A)

Line	Bearing	Distance
L1	S 42°40'21" E	30.00'
L2	S 22°29'48" E	53.37'
L3	S 84°20'46" W	31.23'
L4	S 88°33'28" W	31.23'
L5	N 21°52'32" W	13.59'
L6	S 45°47'58" W	16.34'
L7	N 43°37'13" E	40.00'
L8	S 46°22'47" E	40.00'
L9	S 43°37'13" W	40.00'
L10	N 02°02'10" E	15.29'
L11	S 44°30'01" E	13.36'
L12	S 31°15'33" W	7.90'
L13	S 31°15'33" W	6.57'
L14	N 42°36'42" E	4.77'
L15	S 43°37'13" W	4.31'
L16	S 02°02'10" W	21.28'
L17	N 12°13'09" E	12.94'
L18	S 88°05'26" W	19.98'

Curve	Radius	Length	Tangent	Bearing	Chord	Delta
C1	1950.00'	160.43'	80.26'	N 44°58'07" E	160.39'	4°42'50"
C2	1745.00'	107.91'	53.97'	N 49°29'41" E	107.89'	3°32'35"
C3	475.00'	98.53'	49.44'	N 03°54'22" W	98.35'	11°53'05"
C4	12.00'	18.39'	11.55'	N 45°56'03" W	16.64'	87°47'45"
C5	300.00'	39.75'	19.90'	N 89°02'10" E	39.72'	7°35'29"
C6	300.00'	51.29'	25.71'	N 77°20'33" E	51.23'	9°47'45"
C7	250.00'	90.17'	45.58'	S 87°58'45" W	89.68'	20°39'56"
C8	250.00'	88.81'	44.88'	N 71°30'41" W	88.34'	20°21'12"
C9	250.00'	73.45'	36.98'	N 52°55'03" W	73.19'	16°50'04"
C10	12.00'	18.11'	12.26'	N 01°06'41" E	17.15'	91°13'24"
C11	1795.00'	52.71'	26.36'	S 46°29'11" W	52.70'	1°40'57"
C12	1795.00'	4.56'	2.28'	S 45°34'21" W	4.56'	0°08'44"
C13	184.35'	45.82'	23.03'	S 38°22'46" W	45.70'	14°14'27"
C14	50.00'	67.75'	40.23'	S 07°33'37" E	62.69'	77°38'20"
C15	50.00'	118.27'	123.31'	N 85°51'20" E	92.56'	138°31'47"
C16	50.00'	31.53'	16.31'	N 19°58'31" W	31.01'	36°07'55"
C17	15.00'	21.87'	13.40'	N 03°43'45" E	19.98'	83°32'28"
C18	12.00'	18.85'	12.00'	S 89°30'01" E	16.97'	90°00'00"
C19	300.00'	31.61'	15.82'	S 47°31'07" E	31.60'	6°02'13"
C20	300.00'	60.29'	25.16'	S 53°19'53" E	60.14'	9°35'17"
C21	300.00'	48.71'	24.41'	S 64°46'36" E	48.65'	9°18'08"
C22	300.00'	37.04'	18.54'	S 72°57'53" E	37.02'	7°04'27"
C23	12.00'	16.45'	9.81'	S 37°13'58" E	15.19'	78°32'17"
C24	525.00'	96.70'	48.49'	S 03°14'26" E	96.57'	10°33'13"



**Certificate of Ownership and Dedication**  
 I (We) hereby certify that I am (We are) the owner(s) of the property shown and described hereon and that I (We) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines and dedicate all streets, alleys, walks, parks and other sites to public or private uses as noted.

Name \_\_\_\_\_ Name \_\_\_\_\_  
 Signature \_\_\_\_\_ Signature \_\_\_\_\_  
 Date \_\_\_\_\_ Date \_\_\_\_\_

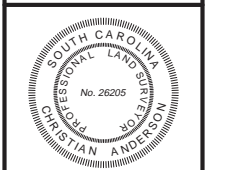
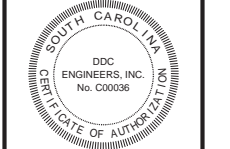
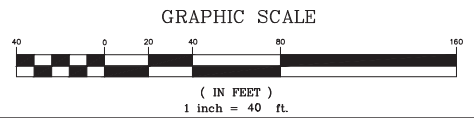
- Notes**
- This property is subject to all easements and restrictions of record.
  - This document represents a subdivision plat of an existing parcel of record.
  - This property is located in flood zone "X" as shown on Flood Insurance Rate Map number 45051C0 567H dated 8/23/99. Flood zone lines shown hereon are scaled and approximate only.
  - Existing Parcel ID Numbers and references for the adjoining properties are as shown (if applicable) on the face of this plat.
  - No title search has been performed by this office.
  - Parcel ID No. 359-13-03-0030
  - Bearings shown are based on NAD 83 South Carolina State Plane coordinate system and all distances are horizontal ground distances, not grid distances.
  - This survey is valid only if a print of the same has the original signature and embossed seal of the surveyor.
  - No subsurface or environmental conditions have been considered as part of this survey and no statement has been made concerning the locations of underground utilities or facilities that may affect the use or development of this property.
  - Common Areas, Open Spaces and private easements are to be owned and maintained by the Property Owners Association.
  - Property Owner Association covenants and restrictions recorded in Deed Book 4001, Page 2640 as amended.
  - All sidewalks shall be completed as per City standards prior to issuance of a Certificate of Occupancy.
  - Iron pins (1/2" rebar) set at all corners unless otherwise noted.

**Certificate of Approval of Public Water Supply and Sewage Disposal System**  
 I hereby certify that a public water supply and a sewage disposal system, meeting the full requirements of the city's subdivision regulations, has been installed or that a guarantee of the installation of the required improvements in an amount or manner acceptable to the City of North Myrtle Beach has been received.

Date \_\_\_\_\_ City Engineer \_\_\_\_\_

**Certificate of Approval of Streets and Storm Drainage System**  
 I hereby certify that streets and a storm drainage system, meeting the full requirements of the city's subdivision regulations, has been installed or that a guarantee of the installation of the required improvements in an amount or manner acceptable to the City of North Myrtle Beach has been received.

Date \_\_\_\_\_ City Engineer \_\_\_\_\_



Proj. No.	Date	Revision	Description	Scale	Check
12644E	1/12/18	1	revisions per City of NMB	1" = 40'	CA

Design: \_\_\_\_\_  
 Draft: \_\_\_\_\_  
 Page: \_\_\_\_\_

**The Retreat @ Barefoot Village - Phase 1C**  
 City of North Myrtle Beach, Horry County, South Carolina

**Final Plat**

Prepared For: BV Retreat Development Co., Inc. & Roger E. Grigg, Pres.  
 3501 North Kings Highway  
 Myrtle Beach, SC 29577

FILE NO.: 12644E  
 SHEET NO.: 1 of 1