

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: January 8, 2024

Agenda Item: 6A	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: Unfinished Business: Ordinance. Second Reading	Date: January 3, 2024
Subject: Rezoning Request for ± 0.37 acres on West Port Drive from Highway Commercial (HC) to Mobile/Manufactured Home Residential (R-3) [Z-23-21]	Division: Planning and Development

Background:

Waterway View MHP LLC East Coast Housing Inc, agent for the owner, has requested that the City of North Myrtle Beach rezone approximately 0.37 acres of property located at the northeast corner of the intersection of West Port Drive and Parkway Drive from Highway Commercial (HC) to Mobile/Manufactured Home Residential (R-3). The subject property is currently vacant and undeveloped and identified by PIN 350-15-01-0007. Surrounding parcels are zoned HC, R-3, and Mid-Rise Multifamily Residential (R-2A).

Comparison of Existing and Proposed Zoning:

The purpose of the HC district is to provide commercial opportunities to the traveling public, and areas in the community where large-scale commercial projects may take place with minimal impact on contiguous residential development. This district is designed to support local as well as regional shopping centers and business complexes. As such, this district will accommodate a wide range of business and commercial uses, clustered where feasible for "cumulative attraction" and located for optimum accessibility. The purpose of the R-3 district is to provide areas within the city where mobile/manufactured homes may be located in harmony with other single-and two-family dwellings—to provide for a full range of housing alternatives to meet buyer demands. Also, this district is designed to separate incompatible uses and eliminate the blighting effect of incompatibility.

Permitted uses within HC districts include the following: Personal service establishments; convenience, primary and secondary retail establishments; general business services; funeral homes and accessory crematoriums; professional offices; commercial recreation establishments; churches, places of worship, and religious institutions including accredited educational facilities when accessory thereto; motels, hotels, lodges, and inns; hospitals, clinics, nursing and convalescent homes; educational institutions; armories, lodges and civic clubs; commercial and training schools; animal hospitals and veterinary clinics; automobile service and repair; public and private transportation service and facilities; commercial parking lots and structures; adult entertainment establishments; signs as permitted by Article III; accessory uses incidental to multifamily dwellings, hotels, motels, inns, lodges and resort residential; other accessory uses; cemeteries; and video gaming machines or stations.

The R-3 district allows dwellings, including single-family detached, semidetached, duplex, mobile/manufactured homes and mobile/manufactured home parks; neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use; publicly owned recreational facilities; churches or similar places of worship, including parish houses, parsonages, and childcare centers when accessory thereto; recreational vehicle parks and campgrounds; accessory uses; home occupations; family day care homes; and signs as permitted by Article III.

The following tables detail the development standards for both districts:

HC District

	Single-Family Dwelling	Multifamily Dwellings	Hotels, Motels, Resort Accommodations	All Other Uses ³
Minimum Site Area (SF)	NA	15,000	15,000	10,000
Minimum Lot Area per Dwelling Unit	10,000	1,350	NA	NA
Minimum Lot Width	NA	100 feet	100 feet	NA
Minimum Yards:	Front	25 feet	20 feet	20 feet
	Side	10 feet ⁵	¹	8 ²
	Rear	20 feet	20 feet	20 feet
Maximum Impervious Surface Ratio	60%	80%	80%	90%
Common Open Space		20%	20%	NA
Maximum Height of Structures	35 feet	50 feet	70 feet	50 feet ⁴
Maximum Height of Signs	N/A	10 feet	40 feet	40 feet

Notes: ¹ Ten (10) feet for the first thirty-five (35) feet plus one (1) foot for each one and one-half (1½) feet over thirty-five (35) feet; for each building in excess of eighty (80) feet in width, one (1) additional foot on each side shall be required for each seven (7) feet in building width over eighty (80) feet. For the purpose of calculating side setbacks and/or building separations, the height of the roof section (if not devoted to living or storage space) shall not be considered in determining the height of the structures.

² On buildings two hundred (200) feet in width or less, an eight-foot setback shall be required, except that commercial condominium projects shall be allowed to share interior property lines; for buildings greater than two hundred (200) feet in width, the following setbacks shall be required on the end units; further provided that such projects (buildings) shall not exceed six hundred (600) feet in width.

Width of Project	Side Yard Required (2 Sides)
To 200 feet	8 feet
201—400 feet	16 feet
401—600 feet	30 feet

³ "Big box" retail shall provide the following: All lighting systems installed within the parking area shall use a ninety-degree (or less) cutoff luminaire angled away from noncommercial properties with a maximum height of thirty (30) feet measured from the base of the pole when installed. All lamp posts shall be contained within a landscape island. Reference article VII, general supplemental, developments of regional significance, for guidelines and standards affecting gross retail square footage of seventy-five thousand (75,000) square feet or greater.

⁴ With approval of the North Myrtle Beach Board of Zoning Appeals as a special exception, amusement rides in amusement parks can extend up to seventy (70) feet in height.

⁵ A five-foot side yard setback shall be required for substandard lots of record.

R-3 District

		Single-Family Detached Residence	Mobile Homes on Individual Lots	Duplexes	Semi-detached Dwelling	Other Permitted Uses
Minimum Lot Area per Project (SF)		5,000	5,000	7,000	7,000	5,000
Minimum Lot Area per Dwelling Unit (SF)		5,000	5,000	3,500	3,500	NA
Minimum Lot Width		50 feet	50 feet	55 feet	35 feet	NA
Minimum Yards:	Front	20 feet	20 feet	20 feet	20 feet	20 feet
	Side	7.5 feet	7.5 feet	7.5 feet	7.5 feet ¹	20 feet
	Rear	10 feet	10 feet	10 feet	10 feet	30 feet
Maximum Impervious Surface Ratio			50%	50%	60%	60%
Maximum Height of Structures		35 feet for residential uses, 5 feet for accessory uses and 45 feet for all other uses.				

A dwelling unit shall not contain more than five (5) bedrooms or sleeping areas of not more than three hundred (300) square feet each.

Notes:

¹ A seven-and-one-half-foot setback shall be applied to the ends of the structure and the exterior property lines, and zero (0) setback shall be allowed for the common interior property line.

Staff Review:

The rezoning request has been reviewed by the Department of Public Works, Department of Public Safety, and the Zoning Administrator; no concerns have been expressed. The subject area is identified as Highway Commercial on the Future Land Use Map, and the request is inconsistent with the Comprehensive Plan as the proposed R-3 zoning is inconsistent. The Highway Commercial land use classification is intended for large-scale commercial projects along key highways in the community. This parcel is further removed from the large Highway Commercial fronting the adjacent US Highway 17, making the Highway Commercial land use classification less appropriate for this location because of the isolation and loss of visibility. Additionally, the R-3 uses adjacent to this parcel make the proposed zoning more consistent. A proposed ordinance has been attached for Council’s review.

Planning Commission Action:

The Planning Commission conducted a public hearing on November 14, 2023, and voted unanimously to recommend approval of the rezoning request, citing “C”, to recognize substantial change or changing conditions or circumstances in a particular locality. There was no public comment.

Recommended Action:

Approve or deny the proposed ordinance on second reading

Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney
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Council Action:
 Motion By _____ 2nd By _____ To _____

ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH
AMENDING THE OFFICIAL ZONING MAP TO REZONE AN
AREA HIGHWAY COMMERCIAL (HC) TO
MOBILE/MANUFACTURED HOME RESIDENTIAL (R-3).**

WHEREAS, Waterway View MHP LLC East Coast Housing Inc, agent for the owner, has submitted an application for the rezoning of one (1) lot containing approximately 0.37 acres identified by PIN 350-15-01-0007, as referenced on Exhibit A: Zoning Map (Z-23-21) prepared by City of North Myrtle Beach Planning and Development Department. The applicant is requesting to change the zoning district from Highway Commercial (HC) to Mobile/Manufactured Home Residential (R-3); and

WHEREAS, the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held all necessary public hearings in accordance with applicable State Statutes and City Ordinances; and

WHEREAS, the City Council has received a report from the Planning Commission recommending the subject property be zoned Mobile/Manufactured Home Residential (R-3); and

WHEREAS, the City Council has the authority to amend the zoning designation placed on the properties in accordance with applicable State Statutes and City Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of North Myrtle Beach, South Carolina, in Council duly assembled:

Section 1. Rezoning. That the Official Zoning Map is hereby amended to rezone the property Mobile/Manufactured Home Residential (R-3) in accordance with the attached reference map entitled “Exhibit A: Zoning Map (Z-23-21).”

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2024.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

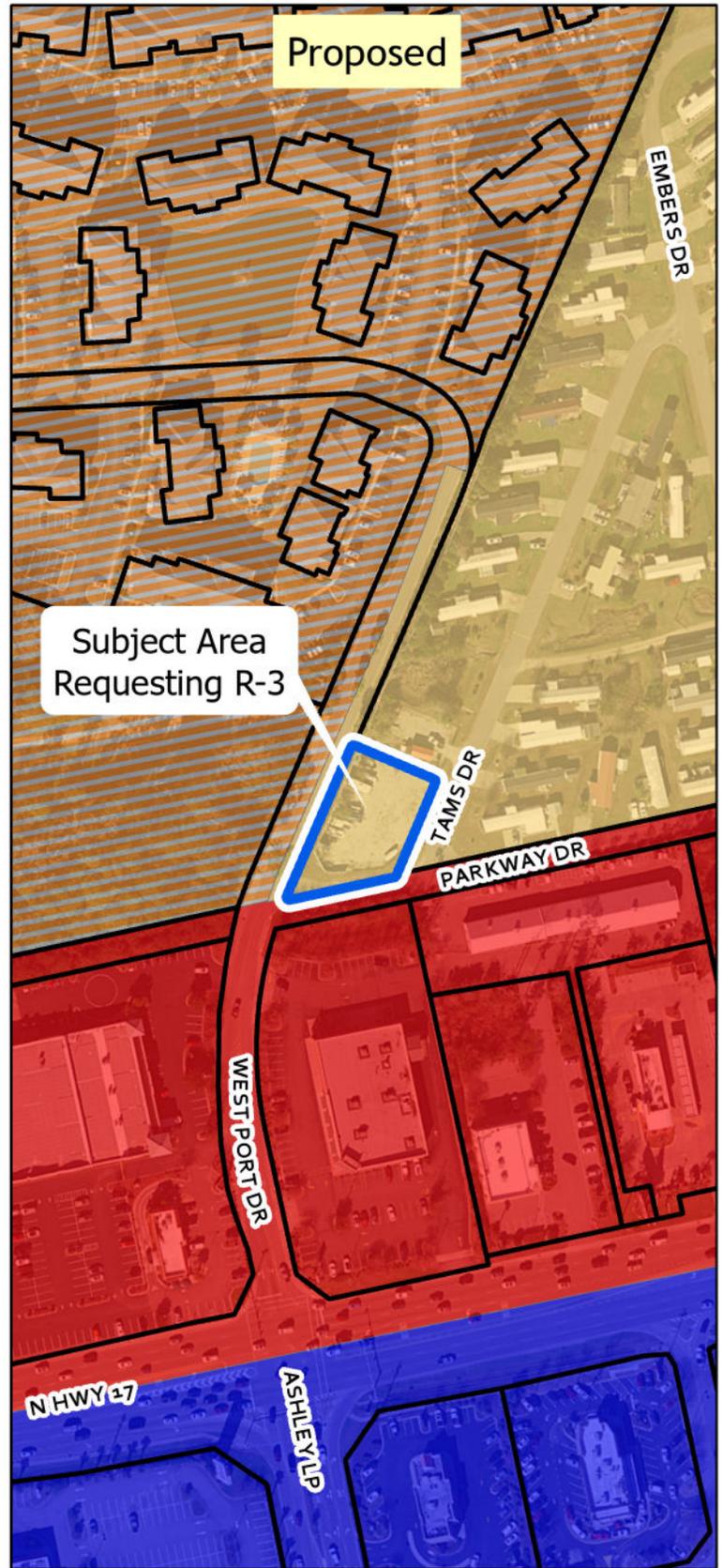
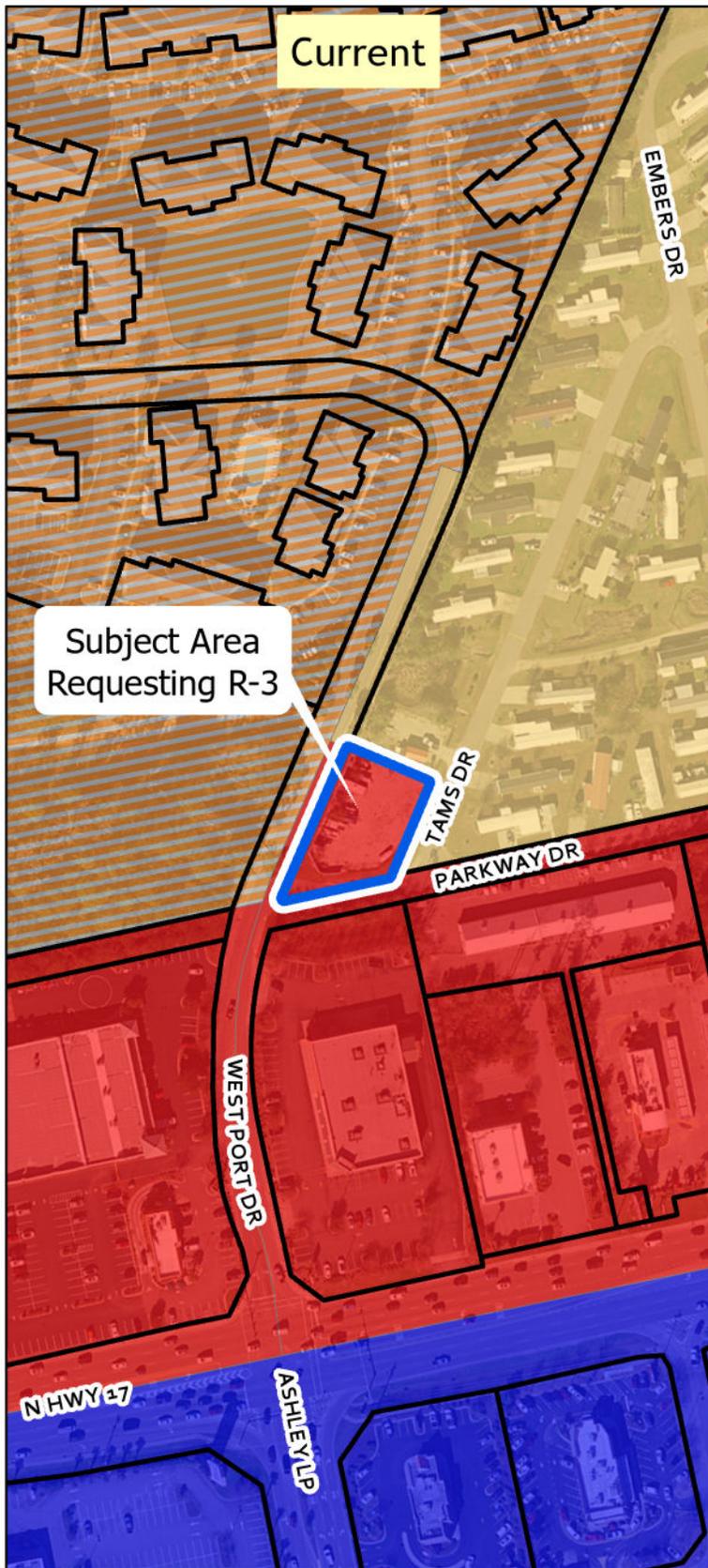
REVIEWED:

City Manager

FIRST READING: 12.04.2023

SECOND READING: 1.08.2024

ORDINANCE: 24-01



Legend

-  Subject Area
-  North Myrtle Beach City Limits
- ZONING**
-  HC
-  PDD
-  R-2A
-  R-3



Exhibit A: Zoning Map Z-23-21

6A. REZONING REQUEST Z-23-21: The Planning & Development Department received an application requesting a rezoning of one parcel containing approximately 0.37 acres located at the northeast corner of the intersection of West Port Drive and Parkway Drive, PIN 350-15-01-0007, from Highway Commercial (HC) to Mobile/Manufactured Home Residential (R-3).

Existing Conditions and Surrounding Land Uses:

Located on the corner of West Port Drive and Parkway Drive within the Waterway View Mobile Home Park, the parcel is vacant and undeveloped. Surrounding parcels are zoned HC, R-3, and Mid-Rise Multifamily Residential (R-2A).

Comparison of Existing and Proposed Zoning:

The purpose of the HC district is to provide commercial opportunities to the traveling public, and areas in the community where large-scale commercial projects may take place with minimal impact on contiguous residential development. This district is designed to support local as well as regional shopping centers, and business complexes. As such, this district will accommodate a wide range of business and commercial uses, clustered where feasible for "cumulative attraction" and located for optimum accessibility. The purpose of the R-3 district is to provide areas within the city where mobile/manufactured homes may be located in harmony with other single- and two-family dwellings—to provide for a full range of housing alternatives to meet buyer demands. Also, this district is designed to separate incompatible uses and eliminate the blighting effect of incompatibility.

Permitted uses within HC districts include the following: Personal service establishments; convenience, primary and secondary retail establishments; general business services; funeral homes and accessory crematoriums; professional offices; commercial recreation establishments; churches, places of worship, and religious institutions including accredited educational facilities when accessory thereto; motels, hotels, lodges, and inns; hospitals, clinics, nursing and convalescent homes; educational institutions; armories, lodges and civic clubs; commercial and training schools; animal hospitals and veterinary clinics; automobile service and repair; public and private transportation service and facilities; commercial parking lots and structures; adult entertainment establishments; signs as permitted by Article III; accessory uses incidental to multifamily dwellings, hotels, motels, inns, lodges and resort residential; other accessory uses; cemeteries; and video gaming machines or stations. The R-3 district allows dwellings, including single-family detached, semidetached, duplex, mobile/manufactured homes and mobile/manufactured home parks; neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use; publicly owned recreational facilities; churches or similar places of worship, including parish houses, parsonages, and childcare centers when accessory thereto; recreational vehicle parks and campgrounds; accessory uses; home occupations; family day care homes; and signs as permitted by Article III.

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Continued Next Page

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Minimum Lot Area per Dwelling Unit		10,000	1,350	NA	NA
Minimum Lot Width		NA	100 feet	100 feet	NA
Minimum Yards:	Front	25 feet	20 feet	20 feet	20 feet
	Side	10 feet ⁵	1	1	8 ²
	Rear	20 feet	20 feet	20 feet	20 feet
Maximum Impervious Surface Ratio		60%	80%	80%	90%
Common Open Space			20%	20%	NA
Maximum Height of Structures		35 feet	50 feet	70 feet	50 feet ⁴
Maximum Height of Signs		N/A	10 feet	40 feet	40 feet

Notes:

¹ Ten (10) feet for the first thirty-five (35) feet plus one (1) foot for each one and one-half (1½) feet over thirty-five (35) feet; for each building in excess of eighty (80) feet in width, one (1) additional foot on each side shall be required for each seven (7) feet in building width over eighty (80) feet. For the purpose of calculating side setbacks and/or building separations, the height of the roof section (if not devoted to living or storage space) shall not be considered in determining the height of the structures.

² On buildings two hundred (200) feet in width or less, an eight-foot setback shall be required, except that commercial condominium projects shall be allowed to share interior property lines; for buildings greater than two hundred (200) feet in width, the following setbacks shall be required on the end units; further provided that such projects (buildings) shall not exceed six hundred (600) feet in width.

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⁴ With approval of the North Myrtle Beach Board of Zoning Appeals as a special exception, amusement rides in amusement parks can extend up to seventy (70) feet in height.

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R-3 District

		Single-Family Detached Residence	Mobile Homes on Individual Lots	Duplexes	Semi-detached Dwelling	Other Permitted Uses
Minimum Lot Area per Project (SF)		5,000	5,000	7,000	7,000	5,000
Minimum Lot Area per Dwelling Unit (SF)		5,000	5,000	3,500	3,500	NA
Minimum Lot Width		50 feet	50 feet	55 feet	35 feet	NA
Minimum Yards:	Front	20 feet	20 feet	20 feet	20 feet	20 feet
	Side	7.5 feet	7.5 feet	7.5 feet	7.5 feet ¹	20 feet
	Rear	10 feet	10 feet	10 feet	10 feet	30 feet
Maximum Impervious Surface Ratio			50%	50%	60%	60%

Maximum Height of Structures	35 feet for residential uses, 5 feet for accessory uses and 45 feet for all other uses.
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A dwelling unit shall not contain more than five (5) bedrooms or sleeping areas of not more than three hundred (300) square feet each.

Notes:

¹ A seven-and-one-half-foot setback shall be applied to the ends of the structure and the exterior property lines, and zero (0) setback shall be allowed for the common interior property line.

Planning Commission Action:

As per the Zoning Ordinance Section 23-4, *Amendments*, the Planning Commission shall prepare a report and make recommendations on any proposed amendment to the North Myrtle Beach Zoning Ordinance, including the Zoning Map, stating its findings and its evaluation of the request. In making its report, the Commission shall consider the following factors:

- a) The relationship of the request to the Comprehensive Plan:

The Future Land Use map contained in the 2018 Comprehensive Plan recommends Highway Commercial as a land use class for the subject area. The permitted uses noted in the compliance index include broad-based commercial, office, and business uses, large-scale commercial projects, local shopping, regional shopping centers, and business complexes. The recommended primary zoning district is HC; General Commercial (GC) and Neighborhood Commercial (NC) are the secondary zoning district alternatives.

The proposed zoning designation, R-3, is not a recommended zoning district for the subject property.

- b) Whether the request violates or supports the Plan:

Chapter 5, “The Way We Grow,” of the 2018 Comprehensive Plan identifies the Highway Commercial future land use classification as follows: This is a broad-based commercial, office, and business classification. It is intended to provide commercial opportunities to the traveling public and areas in the community where large-scale commercial projects may take place with minimal impact on contiguous residential development. This classification is designed to support local shopping, regional shopping centers, and business complexes. It will accommodate a wide range of business and commercial uses, clustered where feasible, for “cumulative attraction” and located for optimum accessibility. Many of the existing uses here are already highway-oriented commercial and are likely to remain, but mixed-use development may occur in this designation over time and should be encouraged.

The proposed R-3 zoning is inconsistent with the Highway Commercial land use classification found in the *2018 Comprehensive Plan*. This parcel, in isolation, is somewhat removed from the large transportation corridors that would support large-scale commercial projects.

- c) Whether the uses permitted by the proposed change would be appropriate in the area concerned:

The purpose of the R-3 zoning district is, “To provide for areas within the city where mobile/manufactured homes may be located in harmony with other single-and two-family dwellings—to provide for a full range of housing alternatives to meet buyer demands. Also,

this district is designed to separate incompatible uses and eliminate the blighting effect of incompatibility.”

The uses permitted in the R-3 district would be appropriate in the area, as R-3 is immediately adjacent to the parcel.

- d) Whether adequate public-school facilities, roads and other public services exist or can be provided to serve the needs of the development likely to take place because of such change, and the consequence of such change:

Access subject to City encroachment permit approval.

- e) Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewer to the area:

Public water and sewer are available.

As a matter of policy, no request to change the text of the ordinance or the map shall be acted upon favorably, except:

- (a) Where necessary to implement the comprehensive plan, or
- (b) To correct an original mistake or manifest error in the regulations or map, or
- (c) To recognize substantial change or changing conditions or circumstances in a particular locality, or
- (d) To recognize changes in technology, the style of living, or manner of doing business.

This rezoning request is presented to the Planning Commission for a recommendation that will be forwarded to the City Council at their next meeting scheduled for December 4, 2023. Should the Planning Commission desire to forward a positive recommendation to the City Council, one of the reasons should be included in the report.

Staff Review:

Planning and Development, Planning Division

The Planning Division has no issue with the proposed rezoning request.

Planning and Development, Zoning Division

The Zoning Administrator has no issue with the proposed rezoning request.

Public Works

The City Engineer has no issue with the proposed rezoning request.

Public Safety

The Fire Marshall has no issue with the proposed rezoning request.

Planning Commission Action:

The Planning Commission may recommend approval, recommend approval with modifications and/or conditions; or recommend denial of the proposal, as submitted.

Alternative Motions

- 1) I move that the Planning Commission recommend approval of the rezoning request [Z-23-21] as submitted.

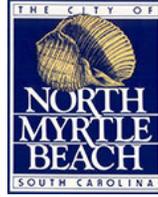
OR

- 2) I move that the Planning Commission recommend denial of the rezoning request [Z-23-21] as submitted.

OR

- 3) I move (an alternate motion).

Rezoning Finance Account Code:	3.51
FEE PAID:	\$500 on September 15, 2023
FILE NUMBER:	Z-23-21
Complete Submittal Date:	September 15, 2023



Notice Published:	October 20, 2023
Property Posted:	
Planning Commission:	November 14, 2023
First Reading:	December 4, 2023
Second Reading:	January 8, 2024

City of North Myrtle Beach, SC

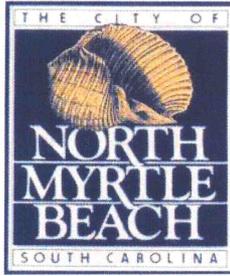
Application for Rezoning

GENERAL INFORMATION	
Date of Request: September 14, 2023	Property PIN(S): 35015010007
Property Owner(s): Waterway View MHP LLC East Coast Housing Inc.	Type of Zoning Map Amendment: Rezoning (not to PDD)
Address or Location: Pine Bluff Avenue	Project Contact: Waterway View MHP LLC East Coast Housing Inc.
Contact Phone Number: 8432223381	Contact Email Address: lsendler@sc.rr.com
Current Zoning: HC	Proposed Zoning: R-3
Total Area of Property: 0.37 Acres	Currently Located in City: Yes

RECORDED COVENANT INFORMATION

I 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).
Applicant's E-signature: Waterway View MHP LLC East Coast Housing Inc.

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.



CITY OF NORTH MYRTLE BEACH
LETTER OF AGENCY

Revision Date 05.24.19

Today's Date:

Nature of Approval Requested:

Property PIN(s):

Property Address/Location:

I, Bilke Gardner, Mayor, hereby authorize James Fox
Waterway View MHP, LLC

to act as my agent for for the purposes of the above referenced approval.

Signature

Mayor

Title

Signature

Title

Signature

Title

Signature

Title

Signature

Title

Signature

Title

Please have all property owners sign application; disregard additional spaces if not needed. If additional signature lines are required, please duplicate this sheet and bind all sheets together into one document.

35000000098, 35015010007, 35015020033,

NO TITLE EXAMINATION PERFORMED BY PREPARING ATTORNEY

500.00006563

PREPARED BY AND RETURN TO:

LAW OFFICES OF RICHARD M. LOVELACE, JR.
Richard M. Lovelace, Jr.
1310 Second Avenue, Conway, SC 29526

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that **Dent Family Limited Partnership**, hereinafter called Grantor, in the State aforesaid for and in consideration of the sum of **Seven Million Seven Hundred Fifty Thousand Dollars and no/100 (\$7,750,000.00)**, to me paid by **Waterway View EAT, LLC**, hereinafter called Grantee, (Receipt whereof is hereby acknowledged), have granted, bargained, sold and released; and by these presents, does grant, bargain, sell and release, all my right title and interest unto the said **Waterway View EAT, LLC**, its Successors and assigns forever, in fee simple, the following described property to wit:

Parcel 1:

ALL AND SINGULAR all that certain piece, parcel or lot of land being situate in Little River Township, State of South Carolina, County of Horry, and being known and designated as Blocks One Hundred Sixty-One (161) and One Hundred Sixty-Two (162), containing 23.0 acres, more or less, (also designated as Tract 14 for the purpose of the partition of certain Tilghman properties) of Tilghman Estates Section as shown on plat by Robert L. Bellamy & Associates dated November 14, 1977 and recorded in the office of the Register of Deeds for Horry County in Plat Book 63 at Page 207.

This parcel is subject to restrictions recorded in Deed Book 78 at Page 309, records of Horry County, and the restriction applicable to this premises shall be commercial (C-1).

This being a portion of the property conveyed to Dent Family Limited Partnership by Deed of Mary Elizabeth Tilghman Dent and Elliott J. Dent, Jr. by Deed recorded April 3, 1997 in Deed Book 1931, Page 1437 in the office of the Register of Deeds for Horry County.

Parcel 2:

ALL AND SINGULAR, that certain piece, parcel, or lot of land, situate, lying, and being in Little River Township, State of South Carolina, Horry County, and being shown and designated as Block One Hundred Fifty Nine (159), containing 8.3 acres, more or less (also designated as Tract 14-D for the purpose of the partition of certain Tilghman properties) of Tilghman Estates Section as shown on a plat by Robert L. Bellamy & Associates dated November 14, 1997, and recorded in Plat Book 63 at Page 207 in the office of the Register of Deeds for Horry County.

This parcel is subject to restrictions recorded in Deed Book 78 at Page 309, records of Horry County, and the restrictions applicable to these premises shall be commercial (C-1).

This being the same property conveyed to Dent Family Limited Partnership by Deed of Charles T. Dent, Trustee of the Charles T. Dent Revocable Trust dated October 10, 1994, etal., dated December 22, 2003 and recorded in Deed Book 2679, Page 1140. Further reference being made to Deed recorded July 29, 2002 in Deed Book 2503, Page 1080; further reference also being made to Deed recorded April 3, 1997 in Deed Book 1931, Page 1437 in the office of the Register of Deeds for Horry County.

Parcel 3:

ALL AND SINGULAR, that certain piece, parcel or lot of land, lying and being in Tilghman Estates Section in the City of North Myrtle Beach, Horry County, South Carolina, containing 0.34 acres, and more particularly shown and designated as Parcel "B", Tract 14-A-S, Block 164, on plat prepared for M. W. Tilghman, Trustee, 'Catherine H. Tilghman Trust', by Robert A. Warner and Associates, Inc., dated October 30, 2008, and recorded in the office of the Register of Deeds for Horry County on November 28, 2008, in Plat Book 219 at Page 45, reference to which is craved as forming a part and parcel hereof.

This parcel is subject to restrictions recorded in Deed Book 78 at Page 309, records of Horry County, and the restrictions applicable to these premises shall be commercial (C-1).

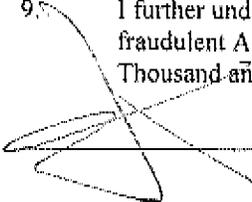
This being the same property conveyed to Dent Family Limited Partnership by Deed of Merrill William Tilghman, Trustee under Agreement with Catherine Holloway Tilghman, dated March 8, 1991, and as amended recorded January 22, 2009 in Deed Book 3383, Page 1190 in the office of the Register of Deeds for Horry County.

GRANTEE'S ADDRESS: 3263 Hwy 301
Latta, South Carolina 29565

STATE OF SOUTH CAROLINA)
) AFFIDAVIT
COUNTY OF HORRY)

PERSONALLY appeared before me the undersigned, who, being duly sworn, deposes and says:

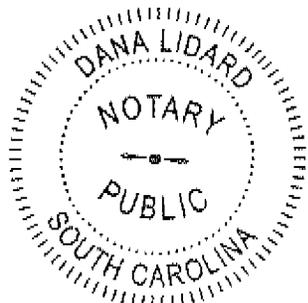
1. I have read the information on this Affidavit and understand such information.
2. The property being transferred bearing Horry County Tax Map Number 144-02-01-029, 144-02-01-029, & 519 144-03-01-003, was transferred by Dent Family Limited Partnership to Waterway View EAT, LLC on March 31, 2022.
3. The Deed is (Check One):
 - a. subject to the Deed recording fee as a transfer for consideration pair of to be paid in money or in money's worth \$ 7,750,000.00
 - b. _____ subject to the Deed recording fee as a transfer between a corporation, a partnership, or other entity and stockholder, partner or owner of the entity, or in a transfer to a trust or as a distribution to a trust beneficiary.
 - c. exempt from the deed recording fee because (see information section of Affidavit):
_____ less than \$100.00
(if exempt, please skip items 4-7, and go to item 8 of this Affidavit)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked:
 - a. the fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ 7,750,000.00
 - b. _____ the fee is computed on the fair market value of the realty which is \$ _____
 - c. _____ the fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____
5. Check Yes or No to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes", the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The Deed recording fee is computed as follows:
 - a. Place the amount listed in item 4 above here: \$ 7,750,000.00
 - b. Place the amount listed in item 5 above here: _____
 - c. Subtract Line 6(b) from Line 6(a) and place result here: \$ 7,750,000.00
7. The Deed recording fee dues is based on the amount listed on Line 6(c) above and the deed recording fee due is \$ 28675.00
8. As required by Code § 12-24-70, I state that I am a responsible person who was connected with the transaction as: Seller
9. I further understand that a person required to furnish this Affidavit who willfully furnishes a false or fraudulent Affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than One Thousand and no/100 Dollars (\$1,000.00) or imprisoned not more than one year, or both.



Sworn to before me this 31 day of March, 2022.



Notary Public
Printed Name: Dana Lidard
My Commission Expires: 8/21/30



* The fee is based on the real property's value. Value means the realty's fair market value. In arm's length real property transactions, this value is the sales price to be paid in money or money's worth (e.g. stocks, personal property, other realty, forgiveness of debt, mortgages assumed or place on the realty as a realty of the transaction). However, a deduction is allowed from this value for the amount of any lien or encumbrance existing on land, tenement, or realty before the transfer and remaining on it after the transfer

**HORRY COUNTY REGISTER OF DEEDS
TRANSMITTAL SHEET**

**TO BE FILED WITH EACH INSTRUMENT PRESENTED ELECTRONICALLY FOR RECORDING.
HORRY COUNTY REGISTER OF DEEDS, 1301 SECOND AVENUE POST OFFICE BOX 470 , CONWAY ,
SOUTH CAROLINA 29526**

DOCUMENT TYPE OF INSTRUMENT BEING FILED: Deed

DATE OF INSTRUMENT: .

DOCUMENT SHALL BE RETURNED TO:

NAME: Haynsworth Sinkler Boyd - Florence

ADDRESS:

135 S Dargan St Ste 300
Florence, SC 29506-2587

TELEPHONE: (803) 540-7872

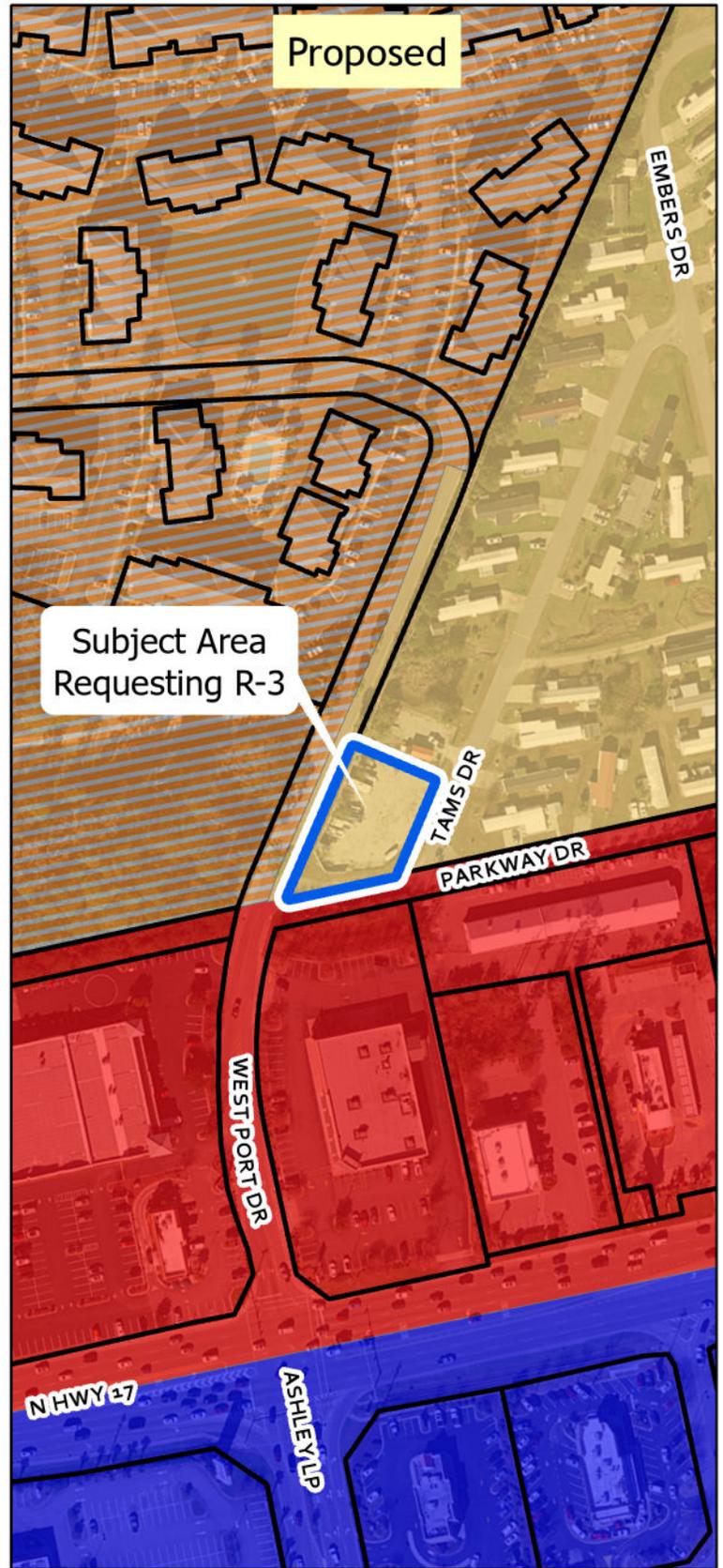
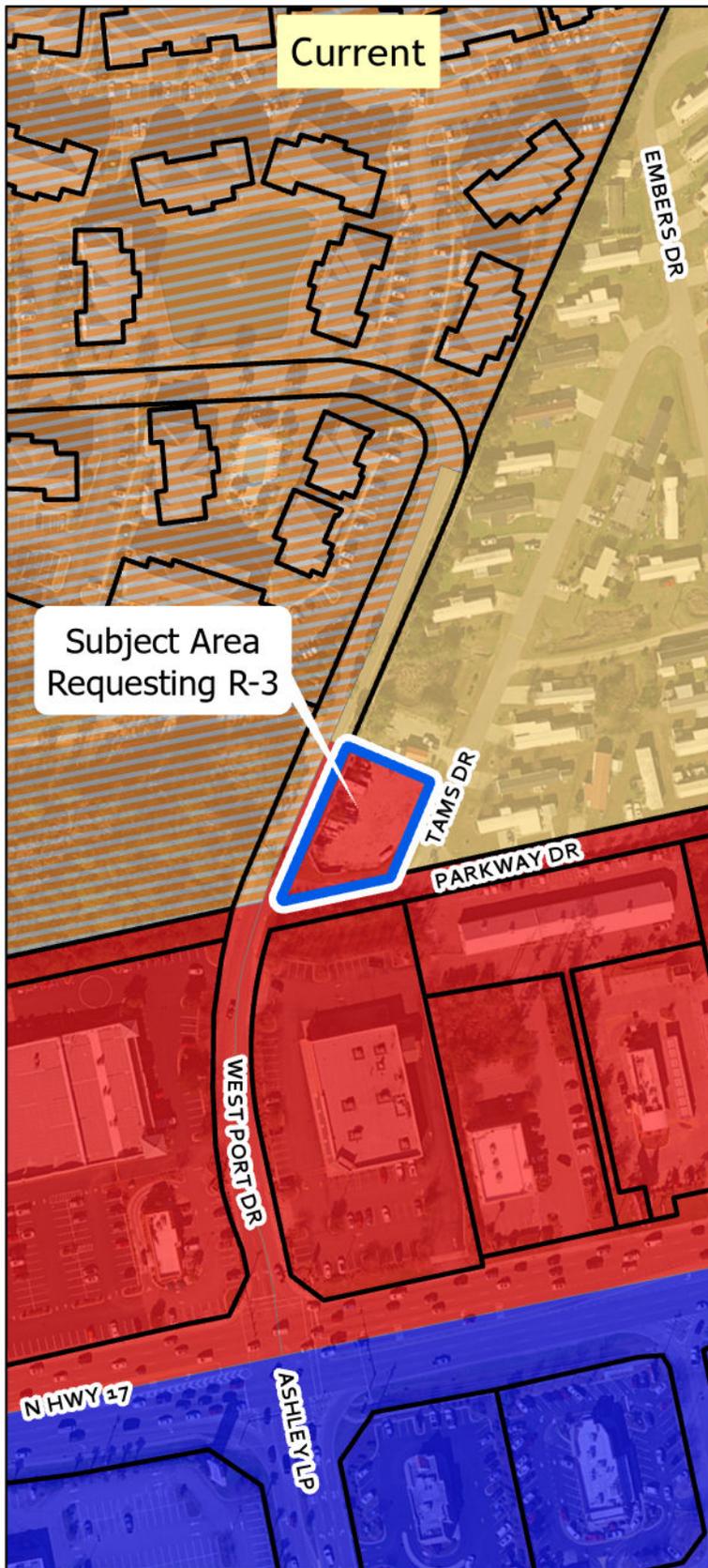
FAX: (803) 540-7872

E-MAIL ADDRESS: bjacobs@hsblawfirm.com

Related Document(s): book **1931** , page **1437** ; book **2679** , page **1140** ; book **2503** , page **1080**
; book **3383** , page **1190**

PURCHASE PRICE / MORTGAGE AMOUNT: \$ 7750000.00

BRIEF PROPERTY DESCRIPTION: Parcel 1 Tax Map Number: 144-02-01-029 ALL AND SINGULAR all that certain piece, parcel or lot of land being situate in Little River Township, State of South Carolina, County of Horry, and being known and designated as Blocks One Hundred Sixty-One (161) and One Hundred Sixty-Two (162), containing 23.0 acres, more or less, (also designated as Tract 14 for the purpose of the partition of certain Tilghman properties) of Tilghman Estates Section as shown on plat by Robert L. Bellamy & Associates dated November 14, 1977 and recorded in the office of the Register of Deeds for Horry County in Plat Book 63 at Page 207. This parcel is subject to restrictions recorded in Deed Book 78 at Page 309, records of Horry County, and the restriction applicable to this premises shall be commercial (C-1). This being a portion of the property conveyed to Dent Family Limited Partnership by Deed of Mary Elizabeth Tilghman Dent and Elliott J. Dent, Jr. by Deed recorded April 3, 1997 in Deed Book 1931, Page 1437 in the office of the Register of Deeds for Horry County. Parcel 2 Tax Map Number: 144-02-01-029 ? and portion of 144-02-01-519 (formerly 144-02-01-026) ALL AND SINGULAR, that certain piece, parcel, or lot of land, situate, lying, and being in Little River Township, State of South Carolina, Horry County, and being shown and designated as Block One Hundred Fifty Nine (159), containing 8.3 acres, more or less (also designated as Tract 14-D for the purpose of the partition of certain Tilghman properties) of Tilghman Estates Section as shown on a plat by Robert L. Bellamy & Associates dated November 14, 1997, and recorded in Plat Book 63 at Page 207 in the office of the Register of Deeds for Horry County. This parcel is subject to restrictions recorded in Deed Book 78 at Page 309, records of Horry County, and the restrictions applicable to these premises shall be commercial (C-1). This being the same property conveyed to Dent Family Limited Partnership by Deed of Charles T. Dent, Trustee of the Charles T. Dent Revocable Trust dated October 10, 1994, etal., dated December 22, 2003 and recorded in Deed Book 2679, Page 1140. Further reference being made to Deed recorded July 29, 2002 in Deed Book 2503, Page 1080; further reference also being made to Deed recorded April 3, 1997 in Deed Book 1931, Page 1437 in the office of the Register of Deeds for Horry County. Parcel 3 Tax Map Number: 144-03-01-003 ALL AND SINGULAR, that certain piece, parcel or lot of land, lying and being in Tilghman Estates Section in the City of North Myrtle Beach, Horry County, South Carolina, containing 0.34 acres, and more particularly shown and designated as Parcel "B", Tract 14-A-S, Block 164, on plat prepared for M. W. Tilghman, Trustee, 'Catherine H. Tilghman Trust', by Robert A. Warner and Associates, Inc., dated October 30, 2008, and recorded in the office of the Register of Deeds for Horry County on November 28, 2008, in Plat Book 219 at Page 45, reference to which is craved as forming a part and parcel hereof. This parcel is subject to restrictions recorded in Deed Book 78 at Page 309, records of Horry County, and the restrictions applicable to these premises shall be commercial (C-1). This being the same property conveyed to Dent Family Limited



Legend

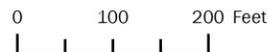
-  Subject Area
-  North Myrtle Beach City Limits
- ZONING**
-  HC
-  PDD
-  R-2A
-  R-3

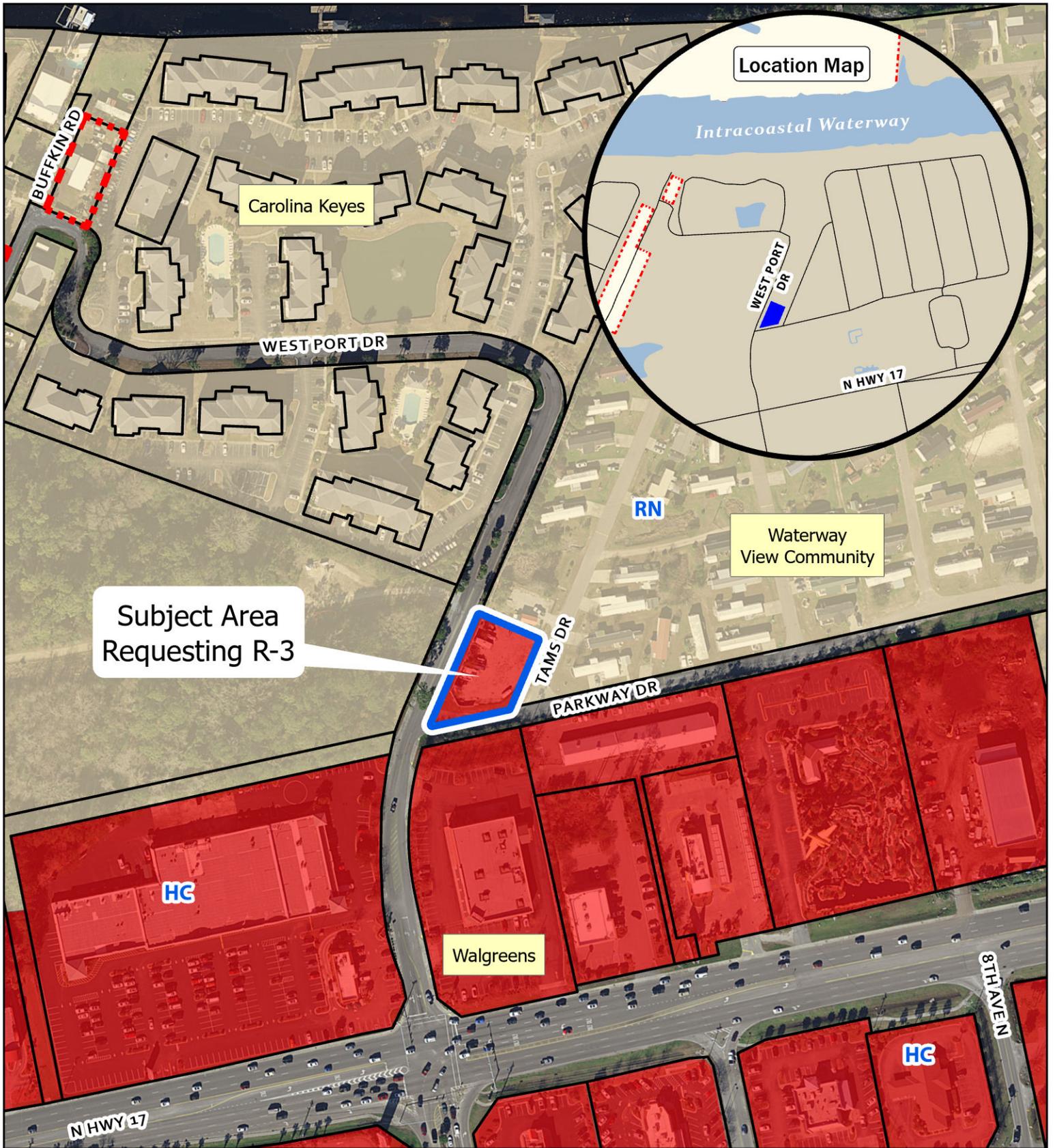


Exhibit A: Zoning Map Z-23-21



Existing Land Use





Legend

-  Subject Area
-  North Myrtle Beach City Limit

- Future Land Use
-  HC

 RN



Future Land Use

