

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: May 20, 2024

Agenda Item: 7C	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: May 15, 2024
Subject: Petition for Annexation and Zoning Designation for ±0.83 acres on Riverside Drive [Z-24-11]	Division: Planning and Development

**Background:**

Ernest and William Arrington, owners, have petitioned the City of North Myrtle Beach to annex ±0.83 acres on Little River Neck Road identified by PIN 311-16-04-0003. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Residential Low-Density (R-1) and will be heard concurrently.

**Existing Conditions:**

The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned MSF10 under Horry County jurisdiction. Located on Riverside Drive, the parcel contains a residence, shed, and detached carport. Surrounding parcels within City limits are zoned R-1; surrounding county parcels are zoned MSF10 and Commercial Forest Agriculture (CFA). Upon annexation, the parcel would be designated R-1 as per Exhibit A: Zoning Map Z-24-11, prepared by the City of North Myrtle Beach Planning and Development Department depicting the annexation boundary. A proposed ordinance has been attached for Council’s review.

**Proposed R-1 Zoning:**

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		10,000 SF	1 Acres	10,000 SF
Minimum Lot Width		80 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	10 feet <sup>1</sup>	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		40%	60%	40%
Maximum Height of Structures		35 feet (15 feet for Accessory Buildings)	45 feet	45 feet

Notes: <sup>1</sup> A five-foot side yard setback shall be required for substandard lots of record.

**R-1 District Permitted Uses:**

Single-Family detached dwellings (excluding mobile homes); Neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use; Publicly owned recreational facilities; Churches, places of worship, religious institutions including accredited educational facilities

when accessory thereto; Accessory uses; Home occupations; and Signs permitted by and in accord with all applicable provisions of Article III.

**Planning Commission Action:**

The Planning Commission conducted a public hearing on May 7, 2024, and voted to recommend approval of the annexation and zoning designation, citing “A”, where necessary to implement the Comprehensive Plan. There was no public comment.

**Recommended Action:**

Approve or deny the proposed ordinance on first reading

Reviewed by Department Head

Reviewed by City Manager

Reviewed by City Attorney

Council Action:

Motion By \_\_\_\_\_ 2<sup>nd</sup> By \_\_\_\_\_ To \_\_\_\_\_

**ORDINANCE**

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH  
ANNEXING ±0.83 ACRES IDENTIFIED BY PIN 311-16-04-0003.**

**WHEREAS**, Ernest and William Arrington, owners, have petitioned the City of North Myrtle Beach for annexation of ±0.83 acres consisting of the following parcel PIN 311-16-04-0003 as referenced on Exhibit A: Zoning Map Z-24-11, prepared by the City of North Myrtle Beach Planning and Development Department depicting the annexation boundary, which is attached hereto and incorporated herein by reference; 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 Single-Family Residential Low-Density (R-1) upon annexation.

**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. Annexation.** That parcel identified by PIN 311-16-04-0003 (the “Annexed Parcel”), consisting of approximately ±0.83 acres and depicted on Exhibit A, and all contiguous portions of all public rights-of-way, streets, and highways are hereby annexed pursuant to Sections 5-3-150 and 5-3-240 of the Code of Laws of South Carolina, 1976, as amended.

**Section 2. Zoning Designation.** The Annexed Parcel is hereby designated and zoned as Single-Family Residential Low-Density (R-1).

DONE, RATIFIED AND PASSED, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Mayor Marilyn Hatley

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

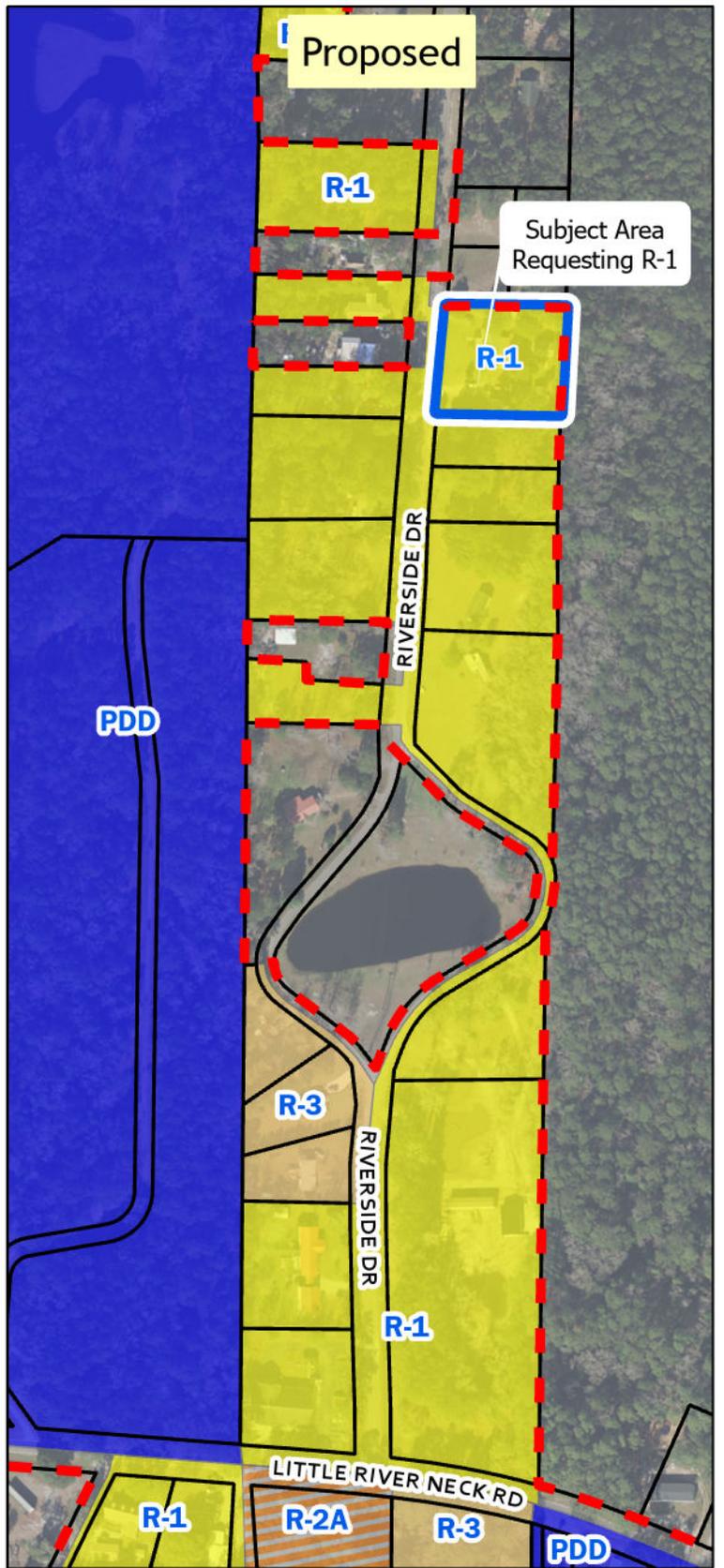
\_\_\_\_\_  
City Attorney

FIRST READING: 5.20.2024  
SECOND READING: \_\_\_\_\_

REVIEWED:

\_\_\_\_\_  
City Manager

ORDINANCE: \_\_\_\_\_



**Legend**

- North Myrtle Beach City Limit
- Subject Area
- Zoning District PDD
- Zoning District R-1
- Zoning District R-1B
- Zoning District R-2A
- Zoning District R-3



**Exhibit A: Zoning Map Z-24-11**



User: arelmadolar

**6B. ANNEXATION & ZONING DESIGNATION Z-24-11:** City staff received a petition to annex ±0.83 acres on Riverside Drive identified by PIN 311-16-04-0003. The lot is currently unincorporated and zoned Manufactured/Single-Family 10 (MSF10) by Horry County. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Residential Low-Density (R-1) and will be heard concurrently.

**Existing Conditions and Surrounding Land Uses:**

The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned MSF10 under Horry County jurisdiction. Located on Riverside Dr, the parcel contains a residence, shed, and detached carport. Surrounding parcels within City limits are zoned R-1; surrounding county parcels are MSF10 and Commercial Forest Agriculture (CFA).

**Proposed R-1 Zoning Development Standards**

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		10,000 SF	1 Acre	10,000 SF
Minimum Lot Width		80 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	10 feet <sup>1</sup>	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		40%	60%	40%
Maximum Height of Structures		35 feet (15 feet for Accessory Buildings)	45 feet	45 feet

Notes: <sup>1</sup> A five-foot side yard setback shall be required for substandard lots of record.

**R-1 District Permitted Uses**

Single-family detached dwellings, excluding mobile homes; neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use; publicly-owned recreation facilities; churches, places of worship, religious institutions including accredited educational facilities when accessory thereto; accessory uses; home occupations; and signs permitted by and in accord with all applicable provisions of Article III of the City’s zoning Ordinance.

**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 Residential Suburban as a land use class for the subject area. The principal permitted uses noted in the compliance index include primarily single-family lots, small farms and farm related uses such as produce stands, and mobile homes on individual lots. The recommended primary zoning district is R-1; R-1A and R-1B are the secondary zoning district alternatives.*

The proposed zoning designation, R-1 (Single-Family Residential Low-Density), is a recommended zoning district within the Compliance Index 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 Residential Suburban future land use classification as follows: The purpose of this classification is to define, protect, and provide low density, single-family detached housing areas where designated, and to prohibit any development that would compromise existing residential characteristics. In addition, these areas are intended to provide for in-fill and expansion of existing neighborhoods and subdivisions. Standards and densities for these areas are designated to reflect existing conditions. This area is also intended to allow incorporation of property west of the waterway at densities typical of inland development. Primarily single-family lots, small farms and farm related uses such as produce stands, and mobile homes on individual lots, excluding large mobile home parks, are compatible uses here. This category allows up to five dwelling units per acre (du/acre).*

The proposed R-1 zoning is consistent with the Residential Suburban land use classification found in the 2018 Comprehensive Plan.

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

*The purpose of the R-1 zoning district is, “To preserve and protect the character of existing neighborhoods and subdivisions, and to prohibit any uses which would compromise or alter existing conditions and uses. Also, these districts are intended to encourage residential infilling and expansion of existing neighborhoods and subdivisions. Development land uses permitted in each are designed to reflect existing conditions and enhance the prospects of ‘lie development.’”*

The uses permitted in the R-1 district would be appropriate in the area.

- 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:

*Current public rights-of-way serve this area. Access to Little River Neck Road is subject to Horry County 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 to the parcel.*

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 petition for annexation and zoning designation is presented to the Planning Commission for a recommendation that will be forwarded to the City Council at their next meeting tentatively scheduled for May 20, 2024. 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 petition for annexation and zoning.

*Planning and Development, Zoning Division*

The Zoning Administrator has no issue with the proposed petition for annexation and zoning.

*Public Works*

The City Engineer has no issue with the proposed petition for annexation and zoning.

*Public Safety*

The Fire Marshall has no issue with the proposed petition for annexation and zoning.

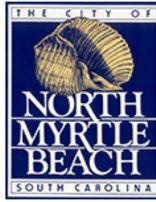
**Planning Commission Action:**

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 annexation and zoning petition [Z-24-11] as submitted.  
  
OR
- 2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-24-11] as submitted.  
  
OR
- 3) I move (an alternate motion).

FILE NUMBER:	Z-24-11
Complete Submittal Date:	March 25, 2024



Notice Published:	April 18, 2024
Planning Commission:	May 7, 2024
First Reading:	May 20, 2024
Second Reading:	June 17, 2024

**City of North Myrtle Beach, SC**

**Petition for Annexation & Zoning**

**GENERAL INFORMATION**

<b>Date of Request: March 25, 2024</b>	<b>Property PIN(S): 31116040003</b>
<b>Property Owner(s): ARRINGTON ERNEST G ETAL</b>	<b>Type of Zoning Map Amendment: Petition for Annexation and Zoning</b>
<b>Address or Location: 4770 Riverside Dr</b>	<b>Project Contact: William Arrington</b>
<b>Contact Phone Number: 843-241-7613</b>	<b>Contact Email Address: arrin22@yahoo.com</b>
<b>Current County Zoning: MSF10</b>	<b>Proposed Zoning: R-1</b>
<b>Total Area of Property: 0.85 Acres</b>	<b>Approximate Population of Area to be Annexed: 2</b>

**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: William Arrington*

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.

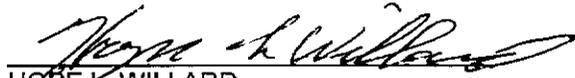


WITNESS my Hand and Seal this March 9, 2005.

Signed, Sealed and Delivered  
in the Presence of:



Krysten I Love

  
HOPE L. WILLARD

STATE OF SOUTH CAROLINA  
COUNTY OF HORRY

Personally appeared before me the undersigned and made oath that she saw the within-named Grantor sign, seal and as his act and deed, deliver the within-written Deed for the uses and purposes therein mentioned, and that she with the other witness subscribed above witnessed the execution thereof.

SWORN to before me this  
9th day of March, 2005,



Krysten I Love

Notary Public for the State of South Carolina

My Commission Expires: June 9, 2010

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

**AFFIDAVIT**

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

1. Property located at Lot 31 Riverside Campground, North Myrtle Beach, SC 29582, with a TMS #:131-17-03-007 was transferred from HOPE L. WILLARD TO ERNEST G. ARRINGTON AND WILLIAM A. ARRINGTON, JR. ON MARCH 9, 2005.

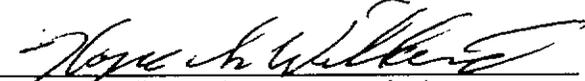
  X   arm's length real property transaction and the sales price paid or to be paid money or money's worth \$32,500.00

           not an arm's length real property transaction and the fair market value of the property is

The above transaction is exempt, or partially exempt, from the recording fee as set forth in S. C. Code Ann. Section 12-24-10 et. seq. because

As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

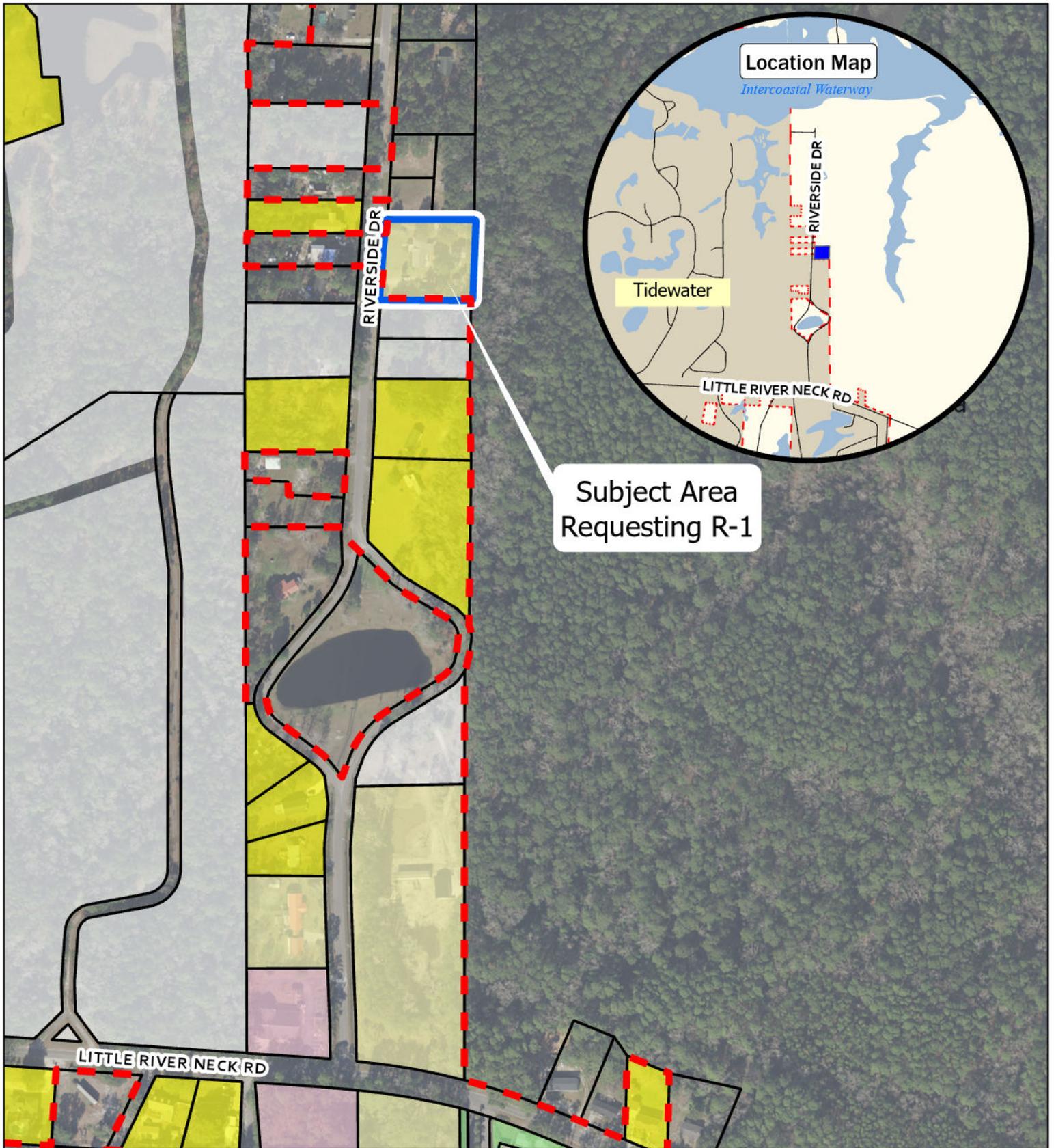
I further understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

  
\_\_\_\_\_  
Purchaser, Seller, Legal Representative for the  
Purchaser or Seller, or other Responsible Person  
Connected with the Transaction

SWORN to before me this  
9TH day of MARCH, 2005

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: June 9, 2010

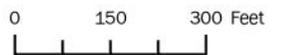
\* The fee is based on the real property's value. Value means the realty's fair market value. In arm's length real property transactions, this value is the sales price to be paid in money or money's worth (e.g. stocks, personal property, other realty, forgiveness of debt, mortgages assumed or placed on the realty as a result 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.

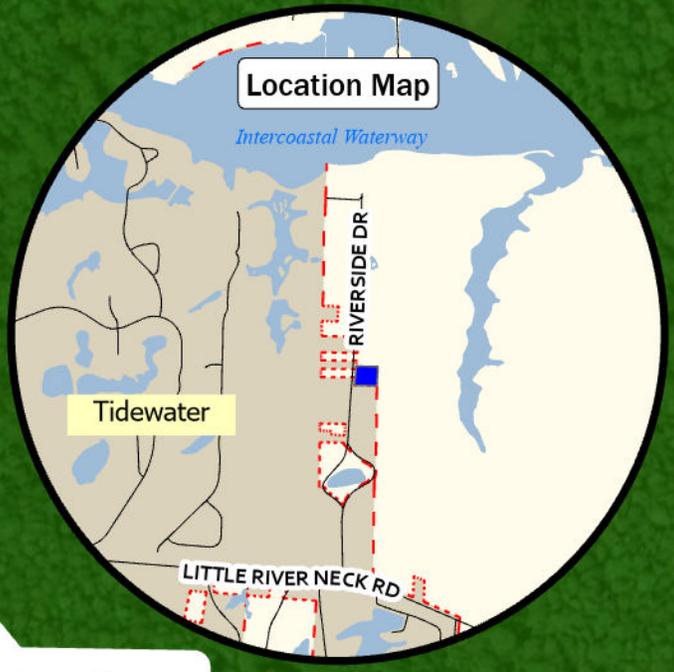


- Legend**
- North Myrtle Beach City Limit
  - Subject Area
  - Existing Land Use - Common Open Space
  - Existing Land Use - Mobile Home
  - Existing Land Use - Private Common Open Space
  - Existing Land Use - Single-Family
  - Existing Land Use - Vacant



## Existing Land Use



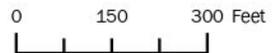


Subject Area Requesting R-1



**Legend**

- North Myrtle Beach City Limit
- Subject Area
- Future Land Use**
- CC
- RPC
- RS
- SP



**Future Land Use**