

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: May 20, 2024

Agenda Item: 7D	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 ±7.95 acres off Cenith Drive [Z-23-12]	Division: Planning and Development

**Background:**

David O’Connell, agent for the owners, has petitioned the City of North Myrtle Beach to annex ± 7.95 acres off Cenith Drive identified by PINs 357-01-03-0001, 357-01-03-0002, 357-02-04-0005, 357-02-04-0006, 357-07-01-0016, 357-07-01-0017, and 357-07-01-0022. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Low-Medium Density (R-1B) 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 Commercial Forest Agriculture (CFA) under Horry County jurisdiction. Located off Cenith Drive, the parcel is vacant and undeveloped. Surrounding parcels within City limits are zoned R-1B and Single-Family Residential Low-Density (R-1); surrounding county parcels are zoned SF6, SF7, SF14.5 and CFA. Upon annexation, the parcel would be designated R-1B as per Exhibit A: Zoning Map Z-24-12, 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-1B Zoning:**

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		6,000 SF	1 Acre	7,000 SF
Minimum Lot Width		50 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	5 feet	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		50%	60%	50%
Maximum Building Height		35 feet	45 feet	25 feet
Notes: A dwelling unit shall not contain more than five bedrooms/sleeping areas of not more than 300 SF each.				

**R-1B 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 ±7.95 ACRES IDENTIFIED BY PINS 357-01-03-0001,  
357-01-03-0002, 357-02-04-0005, 357-02-04-0006, 357-07-01-0016,  
357-07-01-0017, AND 357-07-01-0022.**

**WHEREAS**, David O’Connell, agent for the owners, has petitioned the City of North Myrtle Beach for annexation of ±7.95 acres consisting of the following parcel PINs 357-01-03-0001, 357-01-03-0002, 357-02-04-0005, 357-02-04-0006, 357-07-01-0016, 357-07-01-0017, and 357-07-01-0022 as referenced on Exhibit A: Zoning Map Z-24-12, 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 Low-Medium Density (R-1B) 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 property identified by PINs 357-01-03-0001, 357-01-03-0002, 357-02-04-0005, 357-02-04-0006, 357-07-01-0016, 357-07-01-0017, and 357-07-01-0022 (the “Annexed Property”), consisting of approximately ±7.95 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 Low-Medium Density (R-1B).

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

ATTEST:

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

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

APPROVED AS TO FORM:

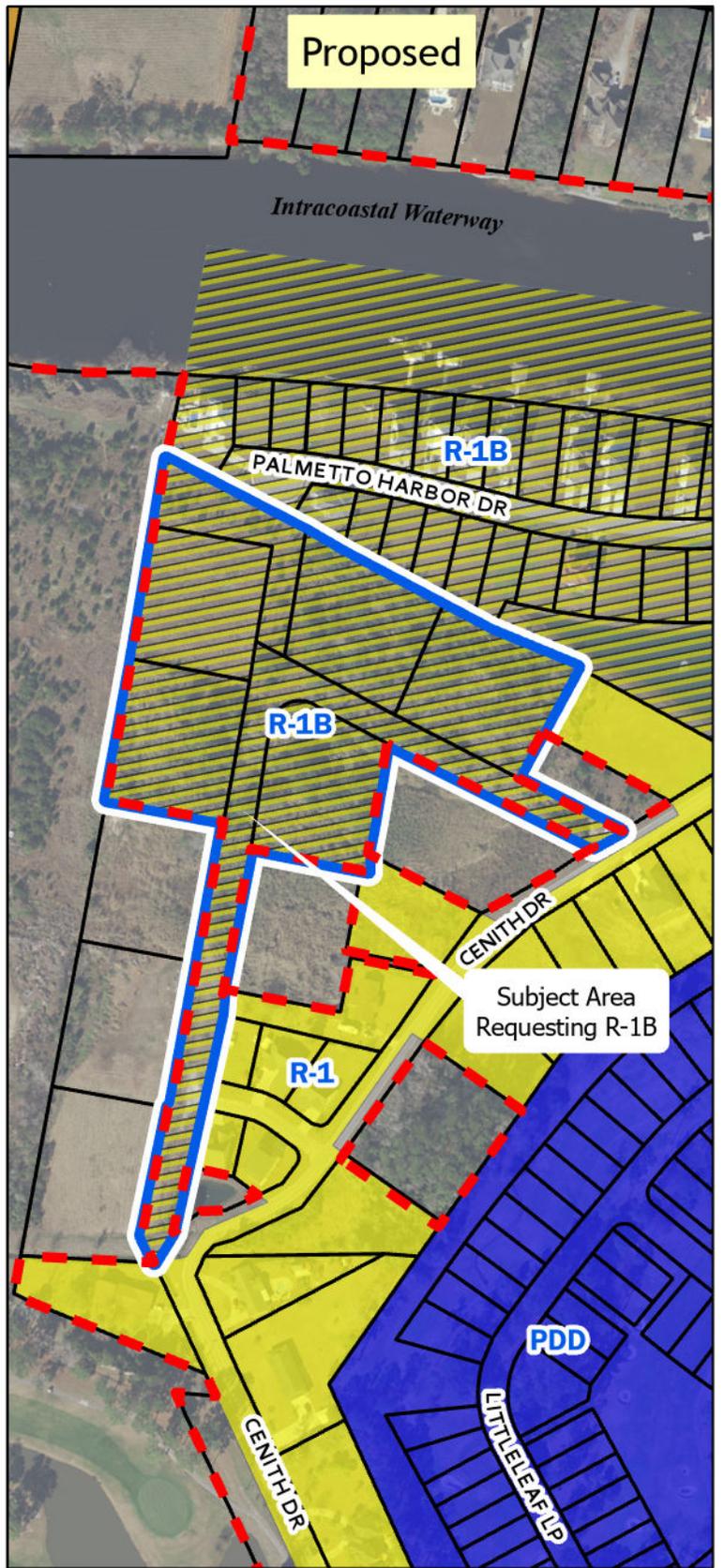
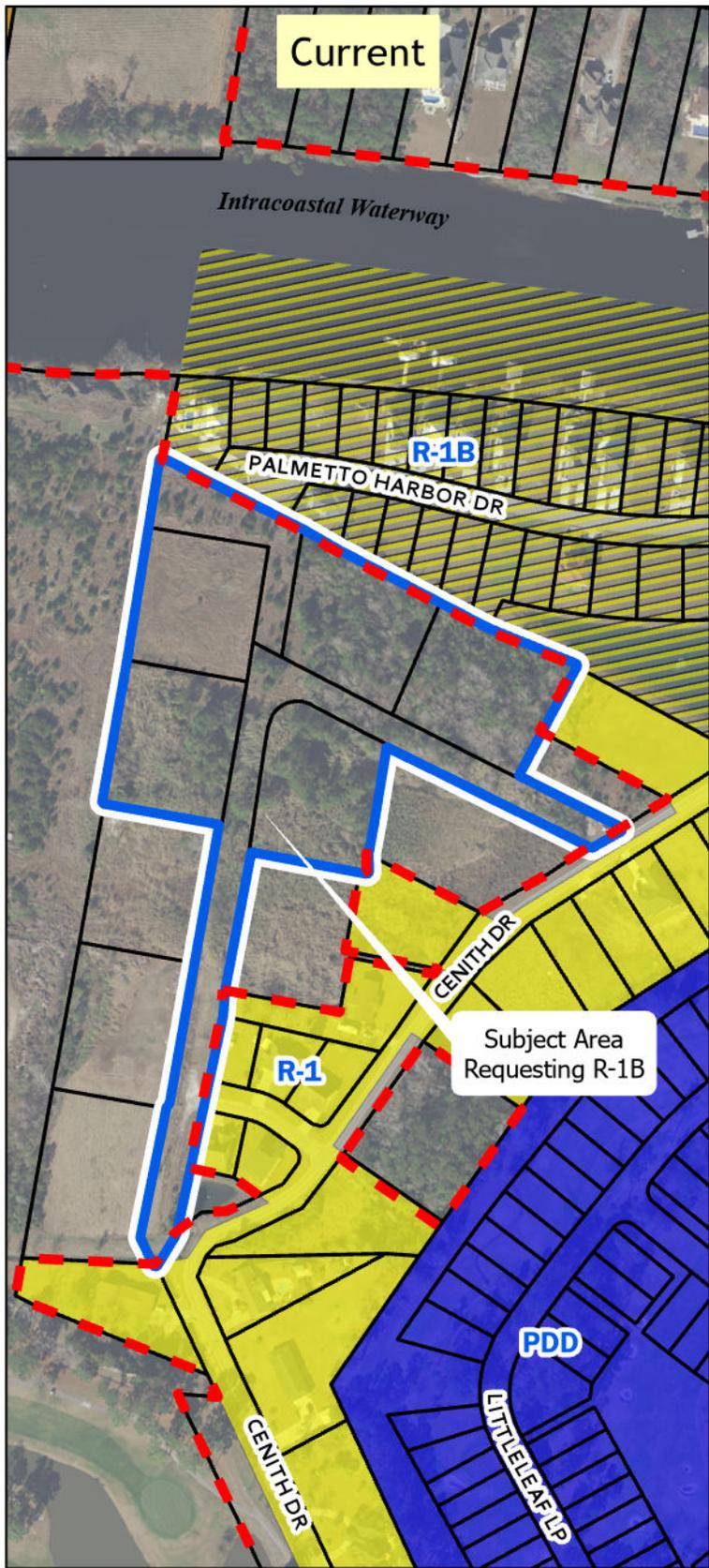
\_\_\_\_\_  
City Attorney

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

REVIEWED:

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

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

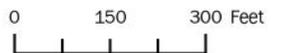


**Legend**

- North Myrtle Beach City Limit
- Subject Area
- Zoning District**
- LI
- PDD
- R-1
- R-1B
- R-4



**Exhibit A: Zoning Map Z-24-12**



**6C. ANNEXATION & ZONING DESIGNATION Z-24-12:** City staff received a petition to annex ±7.95 acres off Cenith Drive identified by PINs 357-01-03-0001, 357-01-03-0002, 357-02-04-0005, 357-02-04-0006, 357-07-01-0016, 357-07-01-0017, and 357-07-01-0022. The lot is currently unincorporated and zoned Commercial Forest Agriculture (CFA) by Horry County. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Low-Medium Density (R-1B) 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 CFA under Horry County jurisdiction. Located off Cenith Drive, the parcel is vacant and undeveloped. Surrounding parcels within City limits are zoned R-1B and Single-Family Residential Low-Density (R-1); surrounding county parcels are zoned SF6, SF7, SF14.5 and CFA.

**Proposed R-1B Zoning**

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		6,000 SF	1 Acre	7,000 SF
Minimum Lot Width		50 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	5 feet	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		50%	60%	50%
Maximum Building Height		35 feet	45 feet	25 feet
Notes: A dwelling unit shall not contain more than five bedrooms/sleeping areas of not more than 300 SF each.				

**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-1B (Single-Family Low-Medium 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-1B 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-1B 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-1B 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:

*Access is subject to road extension by developer per city standards and Horry County encroachment permit approval for tie-in to Cenith Dr.*

- 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 with extension provided by the developer.*

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-24-12] as submitted.

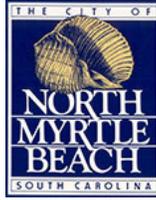
OR

- 2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-24-12] as submitted.

OR

- 3) I move (an alternate motion).

FILE NUMBER:	Z-24-12
Complete Submittal Date:	March 27, 2024



Notice Published:	
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**

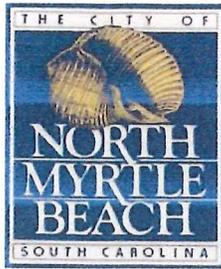
<b>Date of Request: March 27, 2024</b>	<b>Property PIN(S): 35707010017, 35707010016, 35701030002, 35707010022, 35701030001, 35702040006. 35702040005</b>
<b>Property Owner(s): (Barrier LP -35701030001) (BASTON L STEVEN TR ETAL - 35701030002) (BASTON IRIS HOLMES - 35707010022) (STANALAND DAVID J ETAL - AMANDA RAFORD - IRIS H BASTON - MARILYN S GORE - SHEILA STANALAND WARD - 35707010017) (WIRE HOPE NICOLE - 35707010016) (WHEELER PATRICIA K ETAL - 35702040006) (EDGE KAREN G - 35702040005)</b>	<b>Type of Zoning Map Amendment: Petition for Annexation and Zoning</b>
<b>Address or Location: Cenith Dr</b>	<b>Project Contact: David O'Connell</b>
<b>Contact Phone Number: 843-455-5500</b>	<b>Contact Email Address: mroceanfront@yahoo.com</b>
<b>Current County Zoning: CFA (Horry County)</b>	<b>Proposed Zoning: R-1B</b>
<b>Total Area of Property: 7.95 Acres</b>	<b>Approximate Population of Area to be Annexed: 0</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: David O'Connell*

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: 03/21/24

Nature of Approval Requested: Petition for Annexation and Zoning



Property PIN(s): 35707010022

Property Address/Location: Easement

I, BASTON IRIS HOLMES, hereby authorize David OConnell

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

Iris H. Baston

Signature

Owner

Title

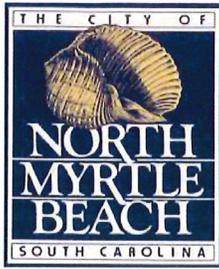
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Signature

\_\_\_\_\_

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.



CITY OF NORTH MYRTLE BEACH  
LETTER OF AGENCY

Revision Date 05.24.19

Today's Date: 03/21/24

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 35702040005

Property Address/Location: 1791 Cenith Dr

I, Karen G Edge, hereby authorize David OConnell

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

  
Signature

Title

Signature

Title

Signature

Title

Signature

Title

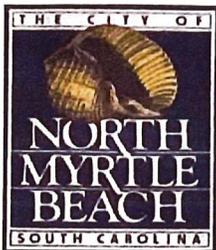
Signature

Title

Signature

Title

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**CITY OF NORTH MYRTLE BEACH  
LETTER OF AGENCY**

Revision Date 05.24.19

Today's Date: 03/21/24

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 35702040006

Property Address/Location: 1781 Cenith Dr

I, WHEELER PATRICIA K ETAL, hereby authorize David OConnell

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

Patricia K. Wheeler  
Signature  
owner  
Title

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title

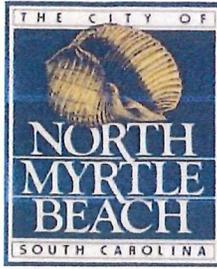
Richard M. Kremposch POA  
Signature  
Patricia K. Wheeler owner  
Title

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title

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CITY OF NORTH MYRTLE BEACH  
LETTER OF AGENCY

Revision Date 05.24.19

Today's Date: 03/21/24

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 35701030002

Property Address/Location: 1775 Cenith Dr

I, BASTON L STEVEN TR ETAL, hereby authorize David OConnell

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

*L. Steven Baston*

Signature

*Co-owner in trust*

Title

*Iris H. Baston*

Signature

*Co-owner in trust*

Title

Signature

Title

Signature

Title

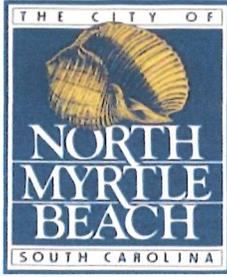
Signature

Title

Signature

Title

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CITY OF NORTH MYRTLE BEACH  
LETTER OF AGENCY

Revision Date 05.24.19

Today's Date: 03/21/24

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 35701030001

Property Address/Location: 1771 Cenith Dr

I, BARRIER LP, hereby authorize David OConnell

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

*Martin Barrier*

Signature

owner

Title

Signature

Title

Signature

Title

Signature

Title

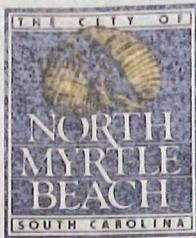
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Title

Signature

Title

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CITY OF NORTH MYRTLE BEACH  
**LETTER OF AGENCY**

Revision Date 05.24.19

Today's Date: 03/21/24

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 35707010016

Property Address/Location: 1768 Cenith Dr

I, WIRE HOPE NICOLE, hereby authorize David OConnell

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

*Hope Wire*

Signature

Signature

Title

Title

Signature

Signature

Title

Title

Signature

Signature

Title

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.

David OConnell  
C: 843-455-5500



CITY OF NORTH MYRTLE BEACH  
LETTER OF AGENCY

Revision Date 05.24.19

Today's Date: 03/21/24

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 35707010017

Property Address/Location: 1761 Cenith Dr

I, STANALAND DAVID J ETAL, hereby authorize David OConnell

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

Amanda C. Zupov  
Signature  
Co-owner  
Title

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title

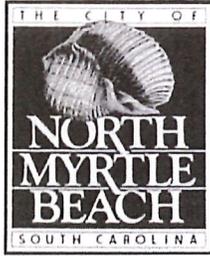
Jim H. Boston  
Signature  
Co-owner  
Title

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title

Marilyn L. Kone  
Signature  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title

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CITY OF NORTH MYRTLE BEACH  
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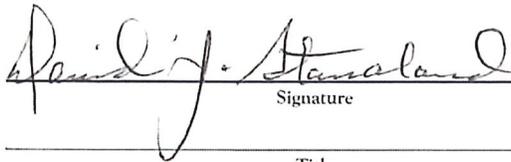


Property PIN(s): 35707010017

Property Address/Location: 1761 Cenith Dr

I, STANALAND DAVID J ETAL, hereby authorize David OConnell

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

  
\_\_\_\_\_  
Signature

Signature

\_\_\_\_\_  
Title

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CITY OF NORTH MYRTLE BEACH  
LETTER OF AGENCY

Revision Date 05.24.19

Today's Date: 03/21/24

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 35707010017

Property Address/Location: 1761 Cenith Dr

I, STANALAND DAVID J ETAL, hereby authorize David OConnell

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

<u>Sheila Stanaland Word</u> Signature	_____ Signature
_____ Title	_____ Title
_____ Signature	_____ Signature
_____ Title	_____ Title
_____ Signature	_____ Signature
_____ Title	_____ Title

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Subject Area Requesting R-1B

Location Map

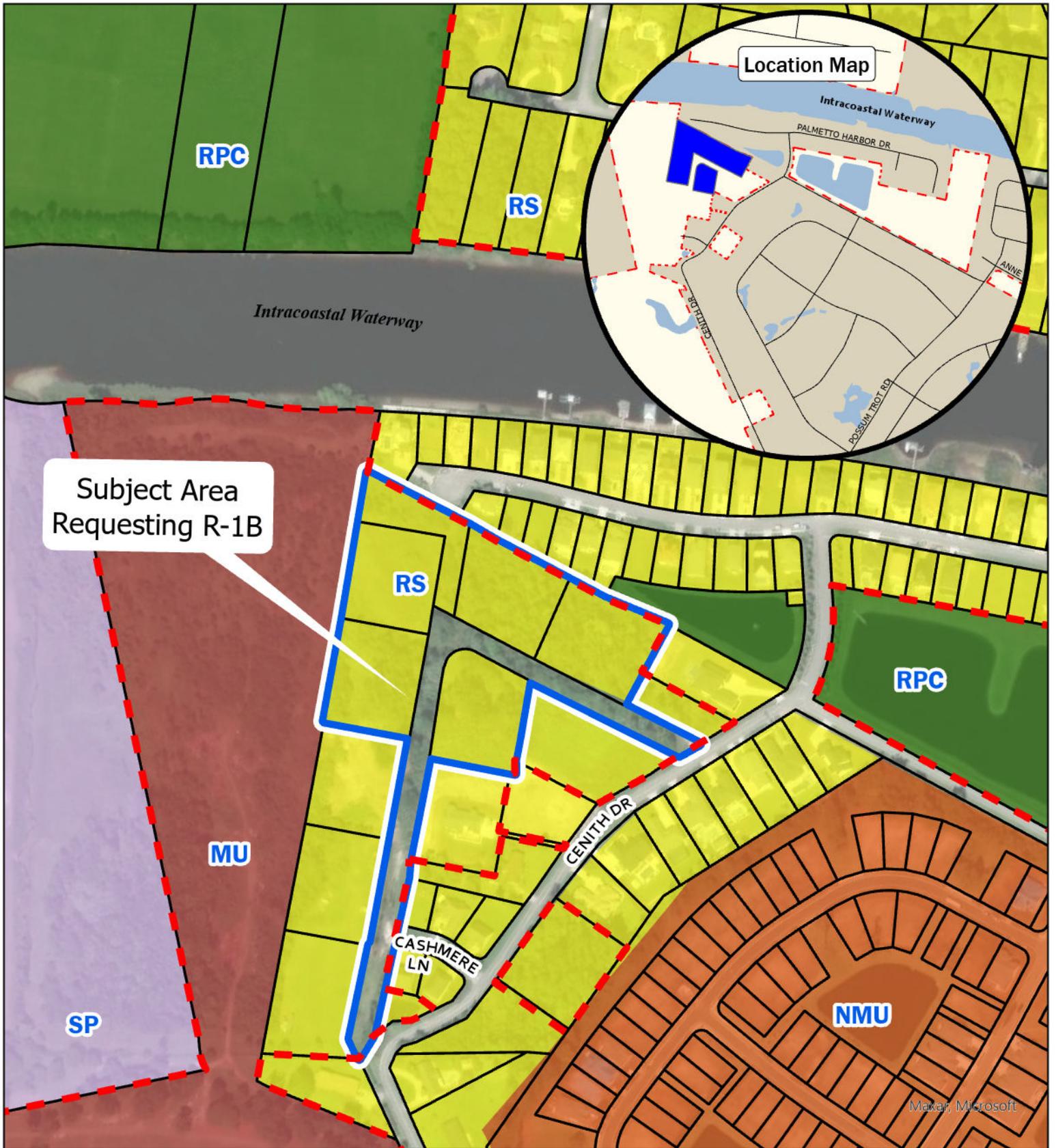
- |                               |                   |                           |               |
|-------------------------------|-------------------|---------------------------|---------------|
| North Myrtle Beach City Limit | Existing Land Use | Golf Course               | Single-Family |
| Subject Area                  | Common Open Space | Private Common Open Space | Vacant        |



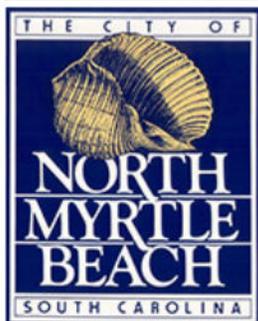
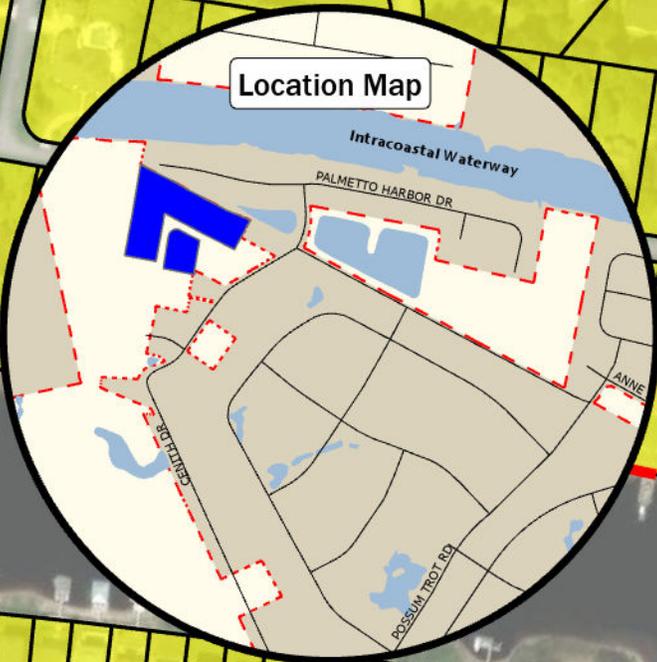
### Existing Land Use

0 150 300 Feet



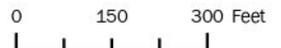


Subject Area  
Requesting R-1B



**Legend**

-  North Myrtle Beach City Limit
-  Subject Area
-  MU
-  NMU
-  RPC
-  RS
-  SP



**Future Land Use**