

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: May 19, 2025

Agenda Item: 6E	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: Unfinished Business: Ordinance. Second Reading	Date: May 9, 2025
Subject: Zoning Overlay Request for ±0.34 acres on 21 st Avenue North where it intersects Paul Street [Z-25-3]	Division: Planning and Development

Background:

Jayson Willard, owner, has requested that the City of North Myrtle Beach apply the Historic Low-Density Residential Overlay (R-1H) zoning overlay to his lot containing approximately ±0.34 acres. The lot is located at 521 21st Avenue North, where it intersects Paul Street, is identified by PIN 351-16-04-0003, and currently contains a single-family home and utility shed. Surrounding parcels are zoned Single-Family Residential Low-Density (R-1); the underlying zoning of the lot will remain R-1. The property is surrounded by single-family homes with a mixture of lot sizes ranging from 3,250 square feet to 12,739 square feet with an average lot size of the surrounding block is 5,758 square feet.

Comparison of Existing and Proposed Zoning:

The purpose and intent of the R-1H overlay is to recognize the historical development pattern of several existing R-1 district neighborhoods that were subdivided prior to the existence of the City of North Myrtle Beach incorporation and establishment of Zoning, and to make accommodation allowing reestablishment of that pattern with respect to lot sizes and setbacks. The purpose of the R-1 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 application of the R-1H is intended for areas of single-family residential where many of the existing lots are smaller than the standard R-1 minimum lot size. The following table compares the development standards for R-1 and R-1H:

Comparison of R-1 and R-1H Zoning Development Standards for Single-Family Dwellings:

		R-1	R-1H
Minimum Site Area		10,000 SF	5,000 SF
Minimum Lot Width		80 feet	50 feet
Minimum Yards:	Front	25 feet	25 feet
	Side	10 feet ¹	5 feet
	Rear	20 feet	20 feet
Maximum Impervious Surface Ratio		40%	50%
Maximum Height of Structures		35 feet (15 feet for Accessory Buildings)	35 feet (15 feet for Accessory Buildings)

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

Staff Review:

The zoning overlay request has been reviewed by the Department of Public Works, Department of Public Safety, and the Zoning Administrator; no concerns have been expressed. The request is consistent with the Comprehensive Plan.

Planning Commission Action:

The Planning Commission conducted a public hearing on April 8, 2025, and voted to recommend approval of the zoning request overlay, citing “A”, where necessary to implement the Comprehensive Plan. There was no public comment.

Recommended Action:

Approve or deny the proposed ordinance on second reading

Reviewed by Department Head

Reviewed by Interim
City Manager

Reviewed by City Attorney

Council Action:

Motion By _____ 2nd By _____ To _____

ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH
AMENDING THE OFFICIAL ZONING MAP TO APPLY THE
HISTORIC LOW-DENSITY RESIDENTIAL OVERLAY
(R-1H) OVERLAY ZONE TO 521 21ST AVENUE NORTH,
PIN 351-16-04-0003.**

WHEREAS, Jayson Willard, Owner, has submitted an application requesting to apply the Historic Low-Density Residential Overlay (R-1H) zoning overlay to his lot containing approximately ±0.34 acres and identified by PIN 351-16-04-0003, as referenced on Exhibit A: Zoning Map (Z-25-3) prepared by City of North Myrtle Beach Planning and Development Department; 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 that the R-1H overlay zone be applied to the property; 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 apply the R-1H overlay zone to the subject property in accordance with the attached reference map entitled “Exhibit A: Zoning Map (Z-25-3).”

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2025.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

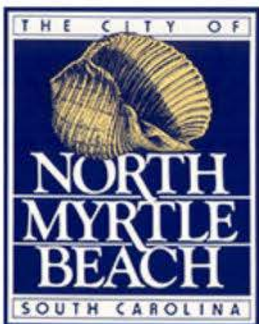
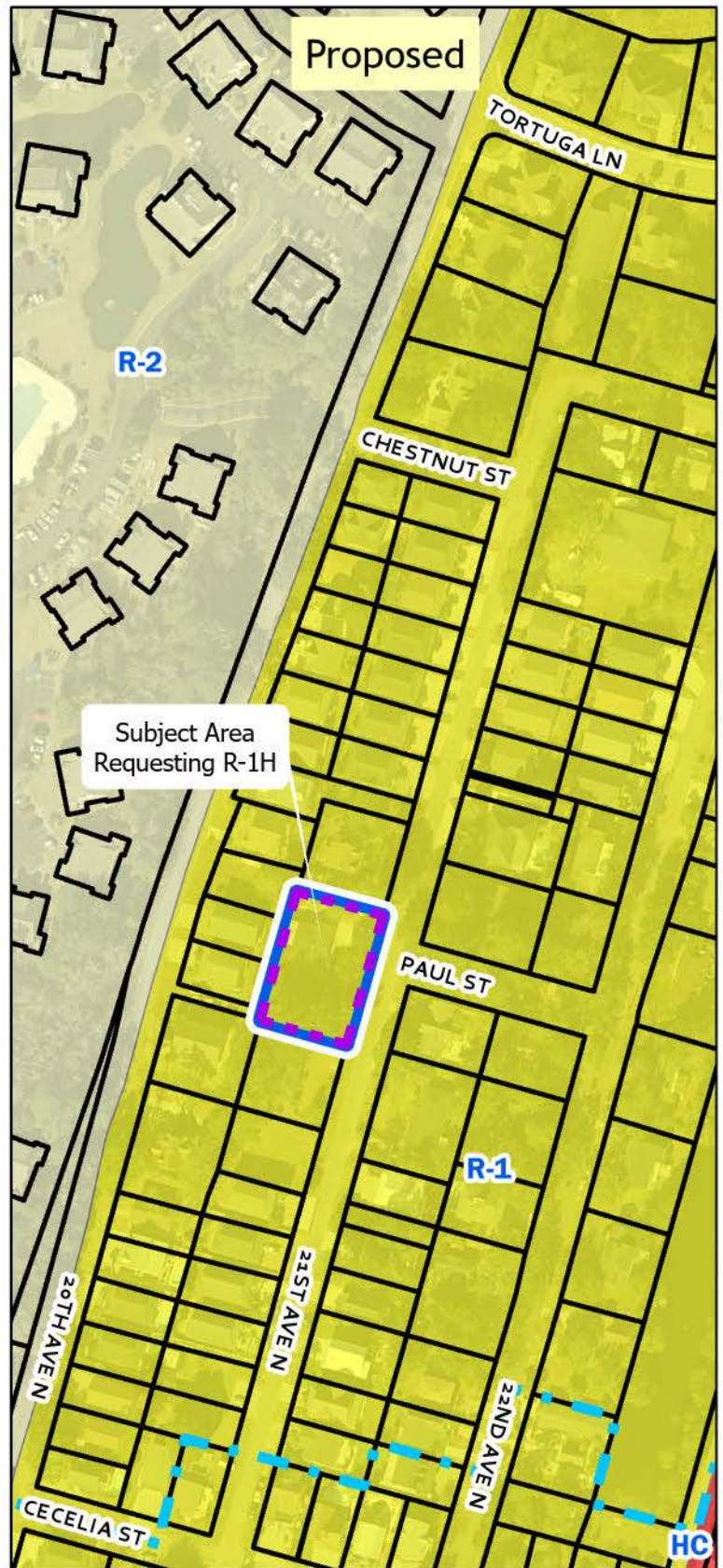
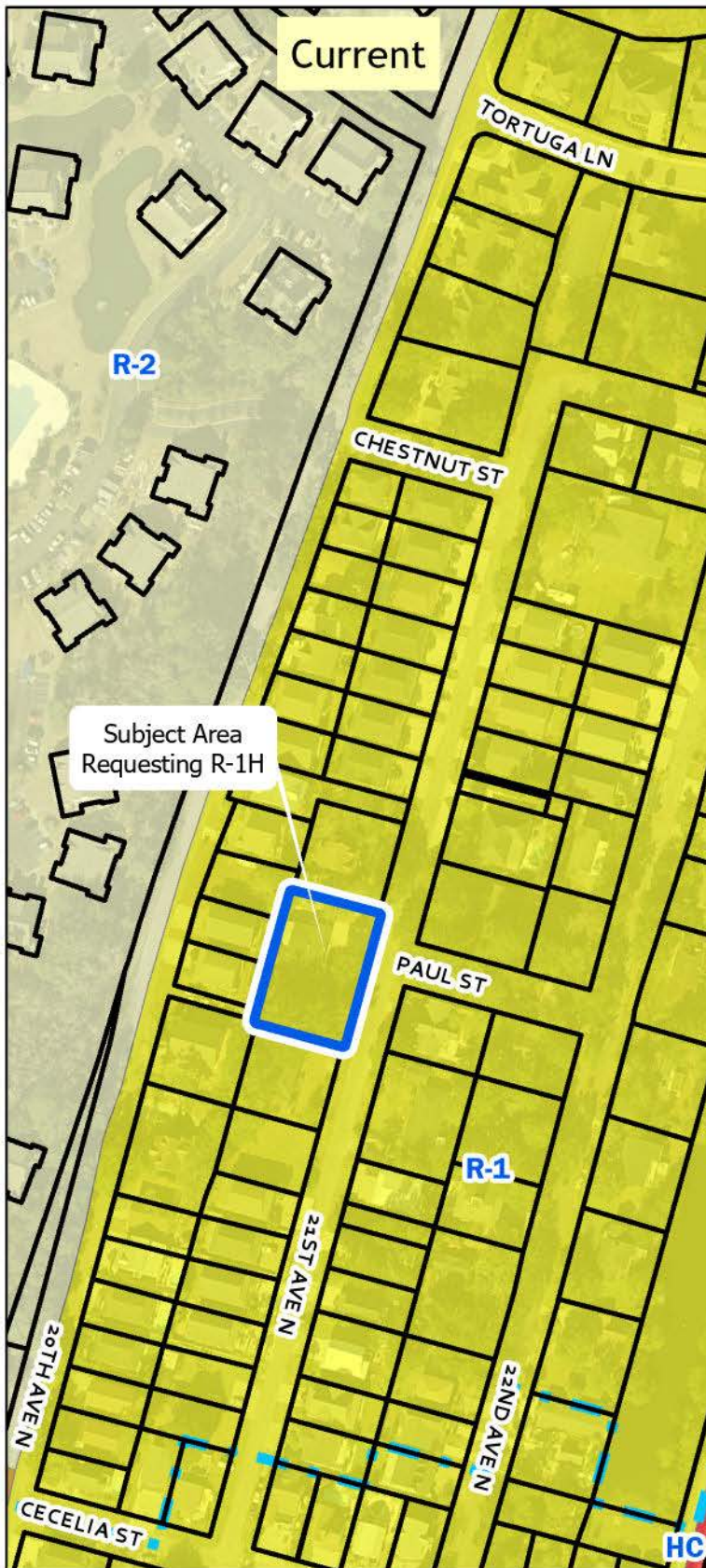
City Attorney

FIRST READING: 5.5.2025
SECOND READING: 5.19.2025

REVIEWED:

Interim City Manager

ORDINANCE: 25-25



- | | |
|---|---|
|  North Myrtle Beach City Limit | Zoning District |
|  Subject Area |  HC |
| |  R-1 |
| |  R-2 |

Legend

- Overlay Zoning District**
-  Priority Investment Activity Center Overlay Zone (PIACO)

-  Historic Low-Density Residential Overlay (R-1H)



Exhibit A: Zoning Map Z-25-3

0 100 200 Feet

User: arelmadolar
Path: \\nmbplan\PDGIS\2025\25-006 521 2st Ave N\Z-25-3\Z-25-3.aprx

6A. ZONING OVERLAY REQUEST Z-25-3: City staff has initiated a zoning map amendment to apply the Historic Low-Density Residential Overlay (R-1H) zoning district to one lot containing approximately ±0.34 acres located on 21st Avenue N where it intersects Paul Street, PIN 351-16-04-0003.

Existing Conditions and Surrounding Land Uses:

The property owner Located on 21st Avenue North where it intersects Paul Street, the parcel contains a single-family home and utility shed. Surrounding parcels are zoned Single-Family Residential Low-Density (R-1); the underlying zoning of the lot will remain R-1. The property is surrounded by single-family homes (zoned R-1) with a mixture of lot sizes ranging from 3,250 square feet to 12738.64 square feet in the block. The average lot size within the surrounding block is 5,758 square feet.

Comparison of Existing and Proposed Zoning:

The purpose and intent of the R-1H overlay is to recognize the historical development pattern of several existing R-1 district neighborhoods that were subdivided prior to the existence of the City of North Myrtle Beach incorporation and establishment of Zoning, and to make accommodation allowing reestablishment of that pattern with respect to lot sizes and setbacks. The purpose of the R-1 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 application of the R-1H is intended for areas of single-family residential where many of the existing lots are smaller than the standard R-1 minimum lot size.

Comparison of R-1 and R-1H Zoning Development Standards for Single-Family Dwellings

		R-1	R-1H
Minimum Site Area		10,000 SF	5,000 SF
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Maximum Height of Structures		35 feet (15 feet for Accessory Buildings)	35 feet (15 feet for Accessory Buildings)

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

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. 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 map amendment to apply the R-1H overlay zoning does not alter the existing R-1 zoning district; however, it would allow smaller minimum lot sizes and minimum lot widths, reduced side yard setbacks, and more impervious surface. Staff notes that the average lot size within the surrounding block is $\pm 5,758$ square feet.

- 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 request provides only for single-family housing and prohibits any development that would compromise the existing residential conditions. In the surrounding block, 43.9% of the lots are less than 10,000 square feet.

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

Staff Comment: Application of R-1H does not impact the allowed uses in the area of concern.

- 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 as a result of such change, and the consequence of such change:

Access and public services are available to the subject property.

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

Staff Comment: Water and sewer services exist and would not be affected by application of the R-1H overlay.

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.

According to § 23-4, *Amendments*, of the Zoning Ordinance, the advertisement requirement for Zoning Map amendments is 15 days, and that advertisement notice has been met. The amendment is presented to the Planning Commission for a recommendation that will be forwarded to City Council at their next meeting scheduled for May 5, 2025. Should the Planning Commission desire to forward a positive recommendation to the City Council, one of the reasons above should be included in the report.

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 zoning map amendment request [Z-25-3] as submitted.

OR
- 2) I move that the Planning Commission recommend denial of the zoning map amendment request [Z-25-3] as submitted.

OR
- 3) I move (an alternate motion).

Rezoning Finance Account Code:	3.51
FEE PAID:	\$500 on March 26, 2025
FILE NUMBER:	Z-25-3
Complete Submittal Date:	March 26, 2025

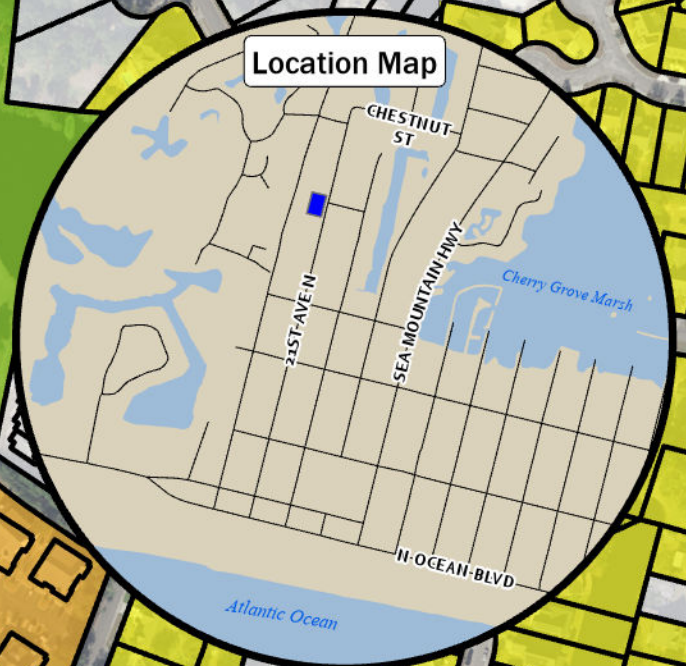
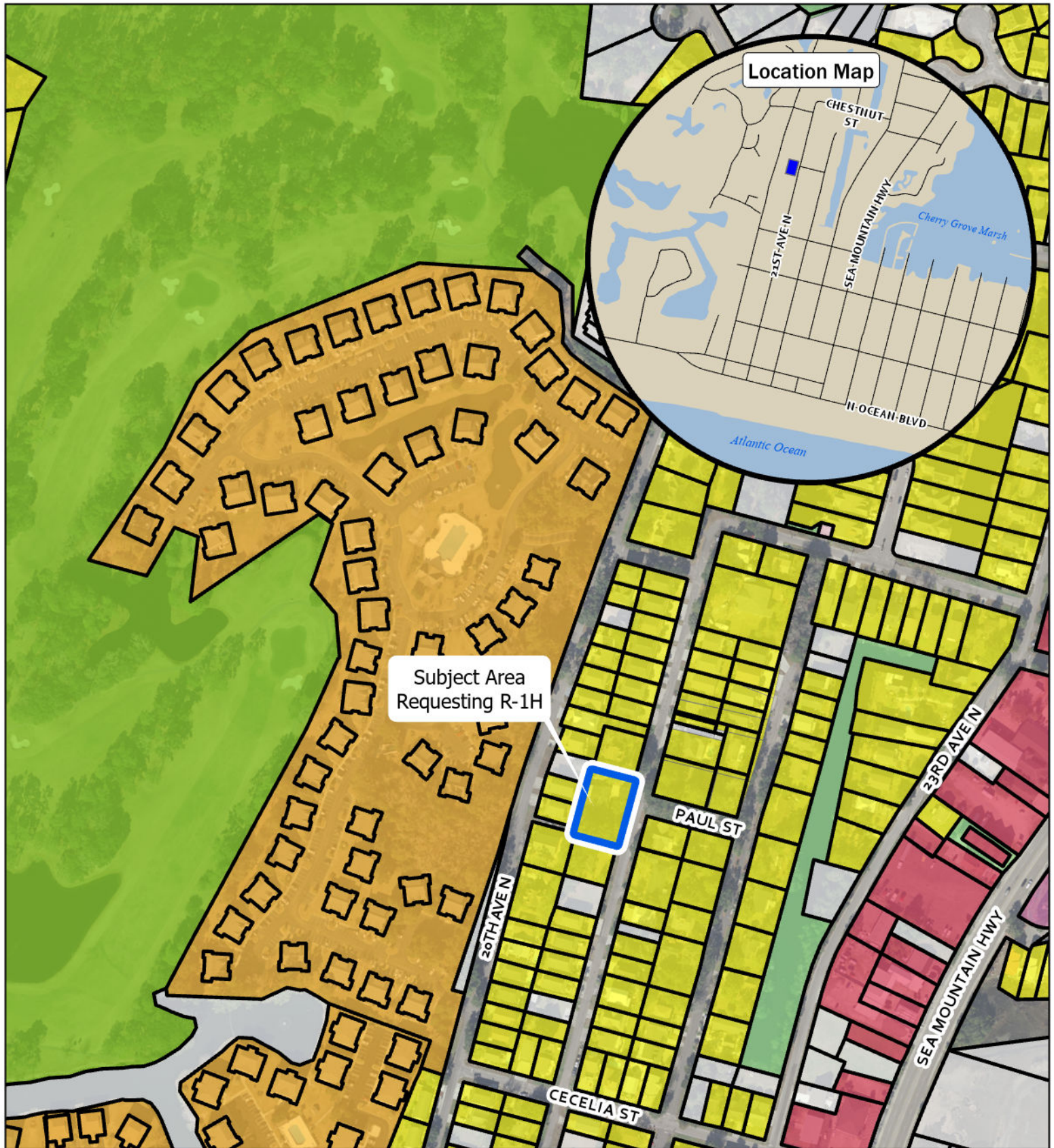


Notice Published:	March 20, 2025
Property Posted:	
Planning Commission:	April 8, 2025
First Reading:	May 5, 2025
Second Reading:	May 19, 2025

City of North Myrtle Beach, SC

Application for Rezoning

GENERAL INFORMATION	
Date of Request: March 2, 2025	Property PIN(S): 35116040003
Property Owner(s): Jayson Wade Willard, Rebecca Rabb Willard	Type of Zoning Map Amendment: Rezoning (not to PDD)
Address or Location: 521 21st Ave N.	Project Contact: Jayson Willard
Contact Phone Number: Contact the Planning Division for Info	Contact Email Address: Contact the Planning Division for Info
Current Zoning: R-1	Proposed Zoning: R-1H
Total Area of Property: 0.34 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). <i>Applicant's E-signature: Jayson Willard</i>	
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.	



Subject Area
Requesting R-1H

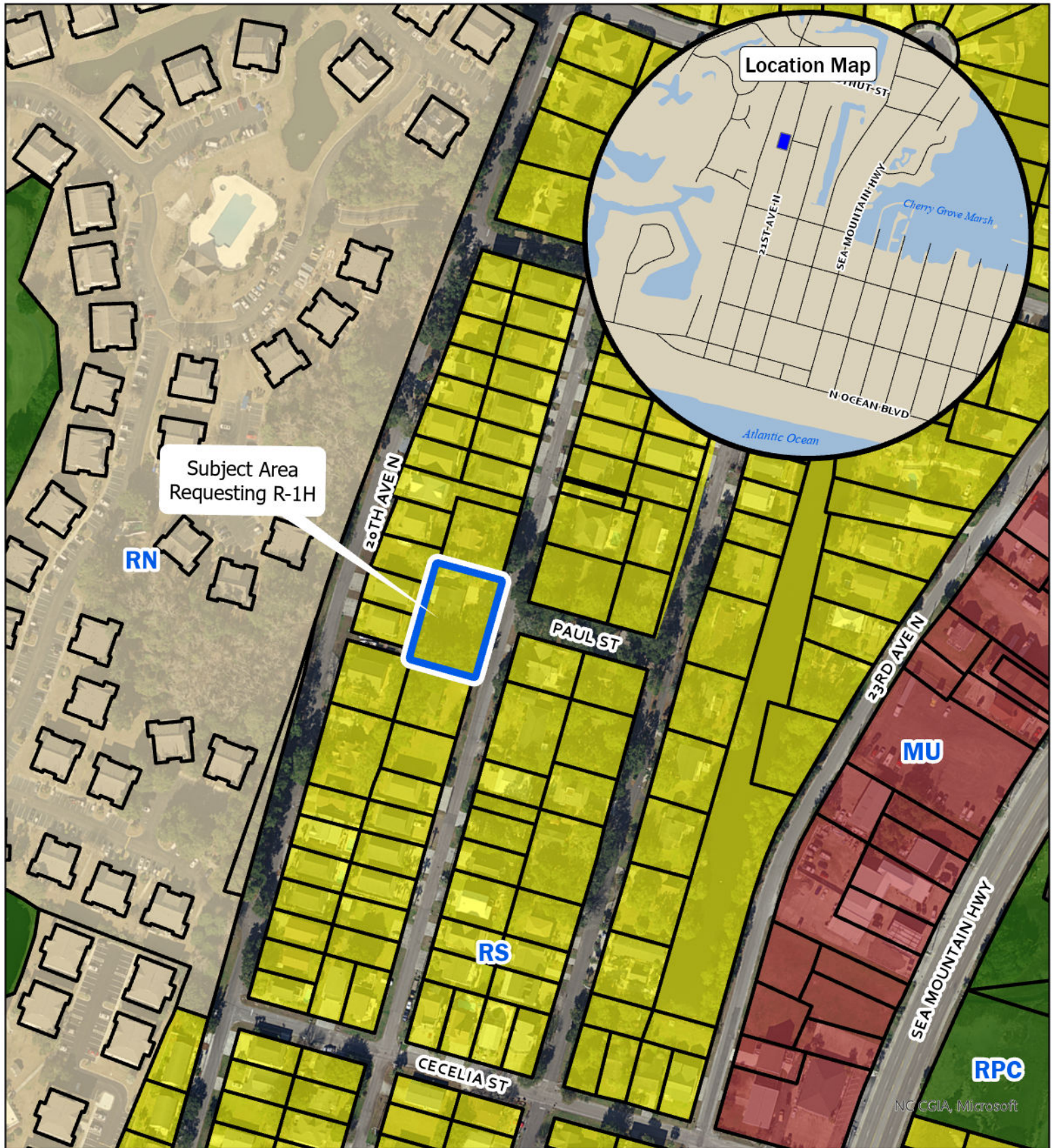


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|-------------------------------|-----------------------------|---------------------------|------------|
| North Myrtle Beach City Limit | Existing Land Use Amusement | Golf Course | Town House |
| Subject Area | Commercial | Multi-Family | Vacant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

Existing Land Use



0 150 300 Feet



Legend

- | | |
|-------------------------------|---------------------|
| North Myrtle Beach City Limit | Future Land Use RS |
| Subject Area | Future Land Use MU |
| | Future Land Use RN |
| | Future Land Use RPC |

Future Land Use



0 100 200 Feet

Path: \\nmbplan\PDGIS\2025\25-006 521 2st Ave N\2-25-3\2-25-3.aprx User: arelmadolar