

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: August 16, 2021

Agenda Item: 7A	Prepared by: L. Suzanne Pritchard, PLA, AICP
Agenda Section: New Business: Ordinance. First Reading	Date: August 11, 2021
Subject: Request to rezone 5.65 Acres on Hill Street from Mobile/Manufactured Home Residential (R-3) to Mid-Rise Multifamily Residential (R-2A) [Z-21-16]	Division: Planning and Development

**Background:**

Earthworks, authorized agent for the owner, has requested that the City of North Myrtle Beach rezone approximately 5.65 acres of property located on Hill Street near the intersection with 24<sup>th</sup> Avenue North from Mobile/Manufactured Home Residential (R-3) to Mid-Rise Multifamily Residential (R-2A). The subject property is currently vacant and undeveloped and identified by PINs 351-08-03-0087 and 351-07-04-0114. Surrounding parcels are zoned R-3.

**Comparison of Existing and Proposed Zoning:**

The purpose of the R-3 district is to provide for areas within the city where mobile/manufactured homes may be located in harmony with other single-family 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 purpose of the R-2A district is to permit mid-rise multifamily development in areas of the community in response to the need for such housing, while safeguarding existing residential values and environmental resources, and guarding against "overloading" existing infrastructure.

Permitted uses within both districts include dwellings (including single-family detached, semidetached, duplex) and signs permitted by and in accord with all applicable provisions of Article III. The R-2A district also allows for zero lot line single-family detached developments, multiplexes, townhouses, and multifamily dwellings; accessory uses customarily incidental to dwellings, and nursing homes. The R-3 district allows 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; and family day care homes. The following tables detail the development standards for both districts:

**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 <sup>1</sup>	20 feet
	Rear	10 feet	10 feet	10 feet	10 feet	30 feet
Maximum Impervious Surface Ratio		50%	50%	60%	60%	60%

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:

<sup>1</sup> 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.

### R-2A District

	Single-family Detached	Semi-Detached	Duplex	Multiplex	Townhouse	Multi-Family	Camp Recreational or Educational
Minimum Site Area (SF)	5,000	7,000	7,000	10,000	16,000	15,000	20 Acres
Minimum Lot Area* (SF)	5,000	3,500	3,500	2,000	2,000	1,350	NA
Minimum Lot Width	50 feet	35 feet	55 feet	75 feet	14 feet <sup>5</sup>	100 feet	200 feet
Minimum Yards:	Front	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet
	Side	5 feet	7.5 feet <sup>1</sup>	7.5 feet	7.5 feet	<sup>2</sup>	<sup>3</sup> 15 feet
	Rear	20 feet	20 feet	20 feet	20 feet	<sup>4</sup>	20 feet
Maximum Impervious Surface Ratio	60%	60%	60%	60%	60%	80%	NA
Common Open Space	NA	NA	NA	15%	25%	20%	NA
Maximum Height of Buildings	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
Maximum Height of Signs				10 feet	10 feet	10 feet	10 feet
Floor Area Ratio							.15

Minimum distance between buildings: Where more than one (1) principal building is located on a lot, minimum distance between buildings shall be twenty (20) feet with one (1) additional foot for each two (2) feet in height over thirty-five (35) feet, using the highest building.

\*Per dwelling unit.

Notes:

<sup>1</sup> 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 interior common property line.

<sup>2</sup> Zero (0) between units; ten (10) feet between end structures and side property line; no more than six (6) units shall be attached in one (1) building.

<sup>3</sup> Ten (10) feet for the first thirty-five (35) feet in height and fifteen (15) feet for buildings in excess of thirty-five (35) feet in height.

<sup>4</sup> Rear yard shall be ten (10) feet except where contiguous to the project site property line, then a twenty-foot setback shall be required, and shall remain unoccupied by any accessory building or structure.

<sup>5</sup> Minimum lot width and/or unit width.

**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 Residential Neighborhood on the Future Land Use Map, and the request is consistent with the comprehensive plan. A proposed ordinance has been attached for Council's review.

**Planning Commission Action:**

The Planning Commission conducted a public hearing on July 20, 2021 and voted unanimously to recommend approval of the rezoning request, citing a, where necessary to implement the comprehensive plan. There was no public comment.

**Recommended Action:**

Approve the proposed ordinance on first reading

Reviewed by Division 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  
AMENDING THE OFFICIAL ZONING MAP TO REZONE AN  
AREA FROM MOBILE/MANUFACTURED HOME  
RESIDENTIAL (R-3) TO MID-RISE MULTIFAMILY  
RESIDENTIAL (R-2A).**

**WHEREAS**, Earthworks, authorized agent for the owner, has submitted an application for the rezoning of two (2) lots containing approximately 5.65 acres identified by PINs 351-08-03-0087 and 351-07-04-0114, as referenced on Exhibit A: Zoning Map (Z-21-16) prepared by City of North Myrtle Beach Planning & Development Department. The applicant is requesting to change the zoning district from Mobile/Manufactured Home Residential (R-3) to Mid-Rise Multifamily Residential (R-2A); 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 Mid-Rise Multifamily Residential (R-2A); 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; and

**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 Mid-Rise Multifamily Residential (R-2A) in accordance with the attached reference map entitled "Exhibit A: Zoning Map (Z-21-16)."

DONE, RATIFIED AND PASSED, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

ATTEST:

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

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

APPROVED AS TO FORM:

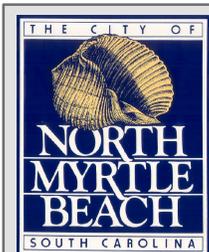
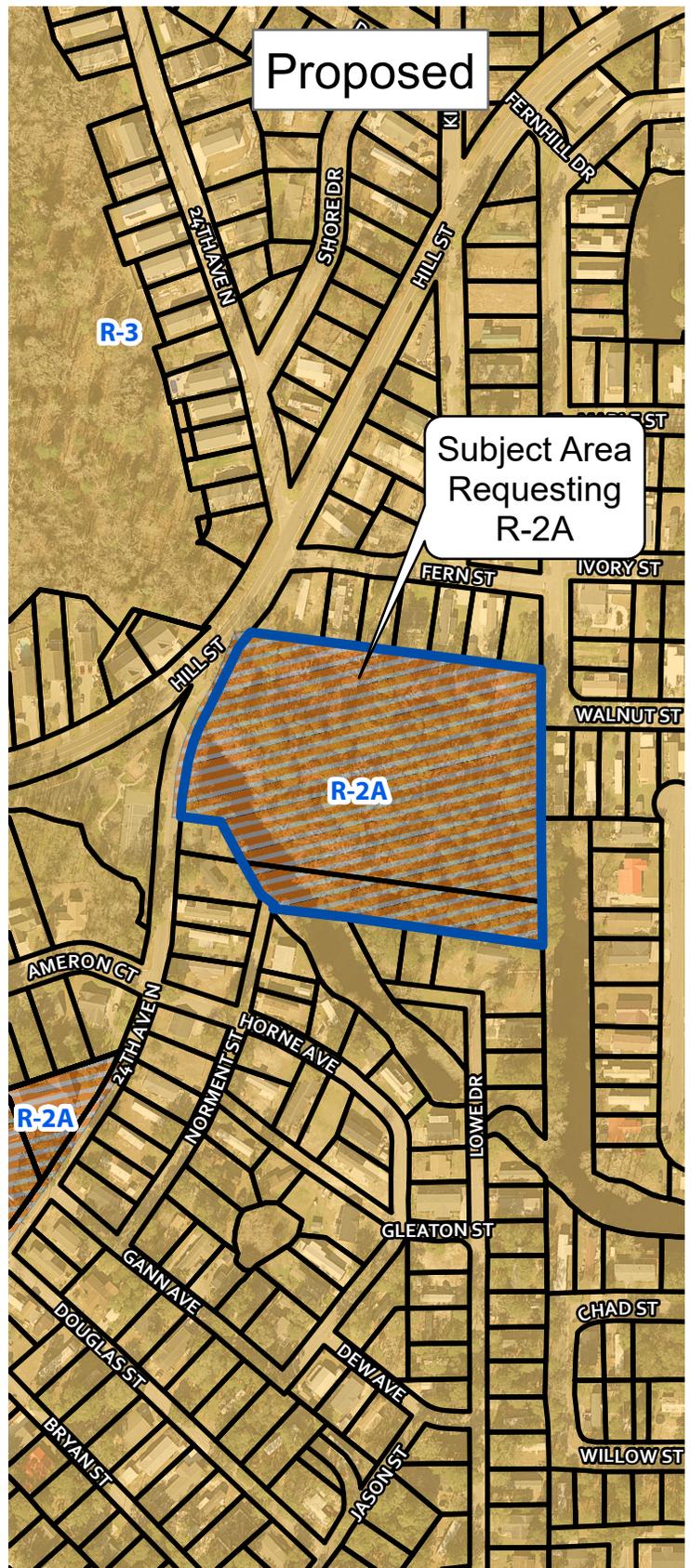
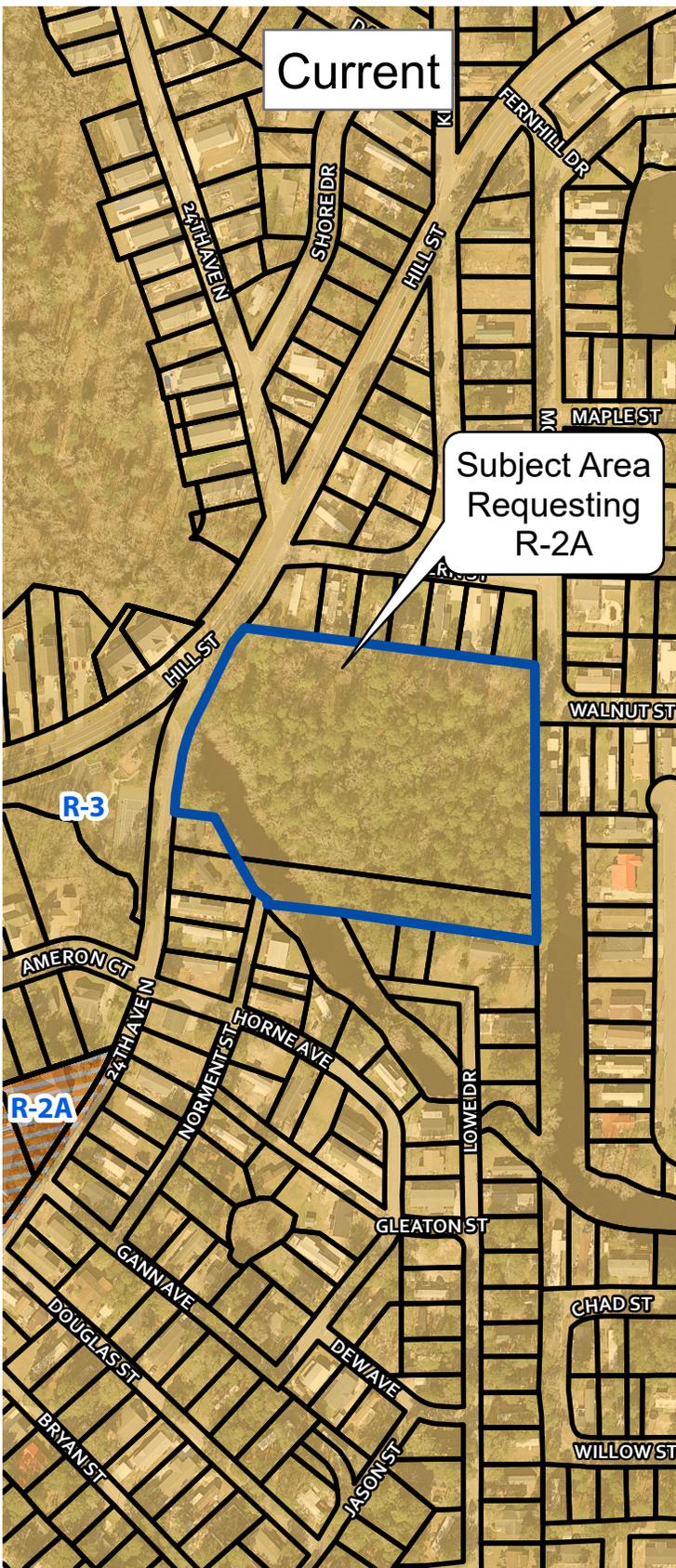
FIRST READING: 8.16.2021  
SECOND READING: \_\_\_\_\_

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

REVIEWED:

ORDINANCE: 21-29

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



**Legend**

- Subject Area
- Zoning**
- R-2A
- R-3



**Exhibit A: Zoning Map (Z-21-16)**

**7A. REZONING REQUEST Z-21-16:** The Planning & Development Department received an application requesting a rezoning of two (2) lots containing approximately 5.65 acres located at the intersection of Hill Street and 24th Avenue North, PINs 351-08-03-0087 and 351-07-04-0114, from Mobile/Manufactured Home Residential (R-3) to Mid-Rise Multifamily Residential (R-2A).

**Background:**

The planning commission reviewed a similar request for a single lot at their June 22 meeting; the request was withdrawn because the applicant wanted to include the second adjacent parcel in their rezoning request.

**Existing Conditions and Surrounding Land Uses:**

Located at the intersection of Hill Street and 24<sup>th</sup> Avenue North, the parcels are vacant and undeveloped. Surrounding parcels are zoned R-3.

**Comparison of Existing and Proposed Zoning:**

The purpose of the R-3 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 purpose of the R-2A district is to permit mid-rise multifamily development in areas of the community in response to the need for such housing, while safeguarding existing residential values, and environmental resources, and guarding against "overloading" existing infrastructure.

Permitted uses within both districts include dwellings (including single-family detached, semidetached, duplex) and signs permitted by and in accord with all applicable provisions of article III. The R-2A district also allows for zero lot line single-family detached developments, multiplexes, townhouses, and multifamily dwellings; accessory uses customarily incidental to dwellings, and nursing homes. The R-3 district allows 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; and family day care homes. The following tables detail the development standards for both districts:

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		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 <sup>1</sup>	20 feet
	Rear	10 feet	10 feet	10 feet	10 feet	30 feet
	Maximum Impervious Surface Ratio	50%	50%	60%	60%	60%

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:

<sup>1</sup> 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.

**R-2A District**

		Single-family Detached	Semi-Detached	Duplex	Multiplex	Townhouse	Multi-Family	Camp Recreational or Educational
Minimum Site Area (SF)		5,000	7,000	7,000	10,000	16,000	15,000	20 Acres
Minimum Lot Area* (SF)		5,000	3,500	3,500	2,000	2,000	1,350	NA
Minimum Lot Width		50 feet	35 feet	55 feet	75 feet	14 feet <sup>5</sup>	100 feet	200 feet
Minimum Yards:	Front	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet
	Side	5 feet	7.5 feet <sup>1</sup>	7.5 feet	7.5 feet	<sup>2</sup>	<sup>3</sup>	15 feet
	Rear	20 feet	20 feet	20 feet	20 feet	<sup>4</sup>	20 feet	20 feet
Maximum Impervious Surface Ratio		60%	60%	60%	60%	60%	80%	NA
Common Open Space		NA	NA	NA	15%	25%	20%	NA
Maximum Height of Buildings		50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
Maximum Height of Signs					10 feet	10 feet	10 feet	10 feet
Floor Area Ratio								.15

Minimum distance between buildings: Where more than one (1) principal building is located on a lot, minimum distance between buildings shall be twenty (20) feet with one (1) additional foot for each two (2) feet in height over thirty-five (35) feet, using the highest building.

\*Per dwelling unit.

Notes:

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<sup>4</sup> Rear yard shall be ten (10) feet except where contiguous to the project site property line, then a twenty-foot setback shall be required, and shall remain unoccupied by any accessory building or structure.

<sup>5</sup> Minimum lot width and/or unit width.

**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 Neighborhood as a land use class for the subject area. The principal permitted uses noted in the compliance index include a mix of residential uses at medium densities (mostly duplexes, townhomes, and patio homes), as well as multi-family housing up to six stories; also allows infill mixed-use development and neighborhood commercial uses. The recommended primary zoning districts are R-2, R-2A, or R-3; R-2B and NC are the secondary zoning district alternatives.*

The proposed zoning designation, R-2A, 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: This classification supports a mix of residential uses at medium densities, which includes mostly duplexes, townhouses, and patio homes, as well as multi-family housing up to 6 stories. This designation could also allow infill mixed-use development and neighborhood commercial uses. This category allows 5-10 du/acre.*

The proposed R-2A zoning is consistent with the Residential Neighborhood 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-2A zoning district is, "To permit mid-rise multifamily development in areas of the community in response to the need for such housing, while safeguarding existing residential values, and environmental resources, and guarding against "overloading" existing infrastructure."*

The uses permitted in the R-2A 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 as a result of such change, and the consequence of such change:

*Lot access subject to SCDOT review and approval. Other public services exist with adequate service capacity.*

- 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 rezoning request is presented to the Planning Commission for a recommendation that will be forwarded to City Council at their next meeting scheduled for August 16, 2021. Should the Planning

Commission desire to forward a positive recommendation to 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.

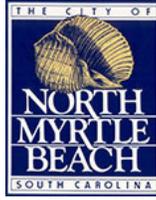
**Planning Commission Action:**

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-21-16] as submitted.  
OR
- 2) I move that the Planning Commission recommend denial of the rezoning request [Z-21-16] as submitted.  
OR
- 3) I move (an alternate motion).

Rezoning Finance Account Code:	<b>3.51</b>
FEE PAID:	\$500 on May 18, 2021
FILE NUMBER:	Z-21-16
Complete Submittal Date:	June 22, 2021



Notice Published:	July 1, 2021
Property Posted:	July 1, 2021
Planning Commission:	July 20, 2021
First Reading:	August 16, 2021
Second Reading:	September 20, 2021

**City of North Myrtle Beach, SC**

**Application for Rezoning**

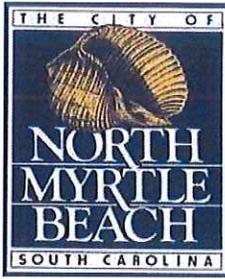
**GENERAL INFORMATION**

<b>Date of Request: June 23, 2021</b>	<b>Property PIN(S): 35108030087, 35107040114</b>
<b>Property Owner(s): Hill Street Park Villas, LLC</b>	<b>Type of Zoning Map Amendment: Rezoning (not to PDD)</b>
<b>Address or Location: Adjacent to Hill street Park / 25th Ave N and Hill Street</b>	<b>Project Contact: EARTHWORKS GROUP</b>
<b>Contact Phone Number: 843-651-7900</b>	<b>Contact Email Address: tasmith@earthworksgroup.com</b>
<b>Current Zoning: R-3</b>	<b>Proposed Zoning: R-2A</b>
<b>Total Area of Property: 5.65 Acres</b>	<b>Currently Located in City: Yes</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: EARTHWORKS GROUP*

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: 06/16/21

Nature of Approval Requested: Rezoning

Property PIN(s): 35108030087

Property Address/Location: 24th Avenue North / Hill Street

I, Hill Street Park Villas, LLC/Tripp Nealy, hereby authorize The EARTHWORKS Group

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

  
\_\_\_\_\_  
Signature

Member  
\_\_\_\_\_  
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.



EXCEPTED: It is excepted from the above conveyance, the following described lands: beginning at Iron N and the Old Cherry Grove Road, which is a corner common to the one (1) acre Tract herein conveyed and the lands of Roscoe Floyd, and running north 70 degrees east 110 feet, more or less, to the edge of the pond; thence turning and running northwest along the edge of the said pond to the boundary line common to the one (1) acre Tract conveyed and the four (4) acre Tract conveyed; thence turning and running south 70 degrees west to Iron N which is common to the one (1) acre Tract herein conveyed and the four (4) acre Tract herein conveyed and located on the Old Cherry Grove Road; thence turning and running south 22 degrees 50 minutes west 70.6 feet to Iron N, the point of beginning.

These are the identical tracts of land conveyed to the Grantor by Dr. C. Hoyt Rogers, et. al., by their Deed recorded in the office of the Clerk of Court for Horry County in Deed Book 734 at Page 835

**Tax Map No.:            1311309008                      PIN No.:            35108030087**

**TRACT THREE:**

ALL AND SINGULAR, all that certain piece, parcel or tract of land containing one (1) acre, lying and being situate in the Cherry Grove Section, Town of North Myrtle Beach, Little River Township, Horry County, South Carolina, said one (1) acre tract being carved from Tract No. Four (4) of the Amanda Nixon Estate as shown on map recorded in Plat Book 12 at Page 42 in the office of the Clerk of Court for Horry County. The said one (1) acre is more particularly shown on that certain map by S. D. Cox, Jr., RLS, dated September 21, 1962, reference to which is made a part hereof.

EXCEPTED FROM THIS CONVEYANCE is 0.21 acre of land previously conveyed to Caroline R. Turner as recorded in Deed Book 586 at Page 786, Horry County records.

This is the identical tract of land conveyed to the Grantor by Channel Properties, Inc. by its Deed recorded in the office of the Clerk of Court for Horry County on November 14, 2014 in Deed Book 3778 at Page 1483.

**Tax Map No.:            1311309009                      PIN No.:            35107040114**

TOGETHER with all and singular, the rights, members, hereditaments, and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said **Hill Street Park Villas, LLC**, its successors and assigns forever.

AND IT DOES HEREBY bind itself and its successors and assigns, to warrant and forever defend all and singular the said premises unto the said **Hill Street Park Villas, LLC** its successors and assigns, against itself and its successors and assigns, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS the hand and seal of its officer this   1st   day of **June** in the year of our Lord two thousand twenty-one {2021} and in the two hundred forty-fourth {244<sup>th</sup>} year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

AFFIDAVIT

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

1. I have read the information on this Affidavit and I understand such information.
2. The property being transferred is property located in Little River Township of Horry County, South Carolina bearing Tax Map Numbers 1311309008 and 1311309009 respectively were transferred by Sea Shelters, Inc. to Julie Nealy on June \_\_\_\_, 2021.
3. Check one of the following: The deed is
  - (a)  subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - (b) subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is 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):

*{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 (See Information section of this Affidavit):
  - (a)  The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ 765,000.00.
  - (b) The fee is computed on the fair market value of the realty which is \$0-.
  - (c) The fee is computed on the fair market value of the realty as established for property tax purposes which is \$0-.

5. Check Yes \_\_\_ or No X 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 \$ 0-.

6. The deed recording fee is computed as follows:
  - (a) Place the amount listed in Item 4 above here: \$765,000.00
  - (b) Place the amount listed in Item 5 above here: (If no amount is listed, place -0- here) \$ -0-
  - (c) Subtract Line 6(b) from Line 6(a) & place result here: \$765,000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above multiplied by \$3.70 per thousand, therefore the deed recording fee is: \$2,830.50.

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

9. I 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 (\$1,000) Dollars or imprisoned not more than one (1) year, or both.

SWORN to and subscribed before

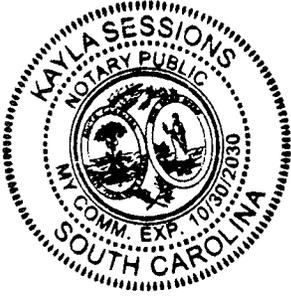
me this 1st day of June, 2021.

*Kayla Sessions*

Signature of Notary Public  
State of South Carolina  
Print Name: *Kayla Sessions*  
My Commission Expires: *10/30/2030*

Sea Shelters, Inc.

*Edward W. Whittington, Jr.*  
NAME: **Edward W. Whittington, Jr.**  
TITLE: It's President



**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: Bellamy Law Firm

ADDRESS:

1000 29th Avenue North

Myrtle Beach, SC 29577

TELEPHONE: (843) 448-2400

FAX: (843) 448-2400

E-MAIL ADDRESS: bvaughn@bellamylaw.com

Related Document

(s):

**PURCHASE PRICE / MORTGAGE AMOUNT: \$ 765000.00**

**BRIEF PROPERTY DESCRIPTION: 5 acres Amanda Nixon Estate Lands**

**TAX MAP NUMBER (TMS #), / PIN NUMBER: ,**

**GRANTOR / MORTGAGOR / OBLIGOR / MARKER (FROM WHO):**

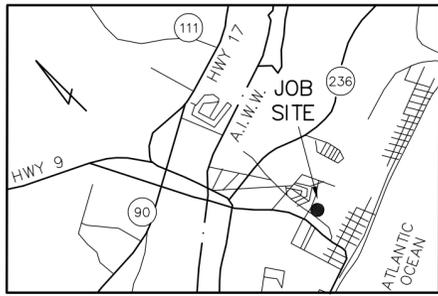
FULL BUSINESS NAME

1. SEA SHELTERS INC

**GRANTEE / MORTGAGEE / OBLIGEE (TO WHO):**

FULL BUSINESS NAME

1. HILL STREET PARK VILLAS LLC



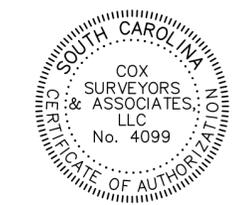
VICINITY MAP  
(NOT TO SCALE)

CERTIFICATE OF OWNERSHIP AND DEDICATION

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I (WE) HEREBY ADOPT THIS (PLAN OF DEVELOPMENT/PLAT) WITH MY (OUR) FREE CONSENT AND THAT I (WE) HEREBY DEDICATE ALL ITEMS AS SPECIFICALLY SHOWN OR INDICATED ON SAID PLAT.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 NAME (PRINT): \_\_\_\_\_ DATE: \_\_\_\_\_  
 SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 NAME (PRINT): \_\_\_\_\_ DATE: \_\_\_\_\_

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



J. JASON COX  
 SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. 26950

- REFERENCE MAPS:
- "SURVEY OF 4.0 ACRES OF LAND WHICH JOHN H. NYE PROPOSES TO CONVEY TO J.W. STRICKLAND BEING A PART OF TRACT NO. 4 OF THE A. NIXON ESTATE" DATED SEPTEMBER 21, 1962 BY S.D. COX, JR.
  - "SURVEY OF 1.0 ACRE OF LAND WHICH JOHN H. NYE PROPOSES TO CONVEY TO J. W. STRICKLAND BEING A PART OF TRACT NO. 4 OF THE A. NIXON ESTATE" DATED SEPTEMBER 21, 1962 BY S.D. COX, JR.
  - "SURVEY OF 1.0 ACRE OF LAND WHICH JOHN H. NYE PROPOSES TO CONVEY TO ROSCOE FLOYD BEING A PART OF TRACT NO.4 OF THE A. NIXON ESTATE" DATED SEPTEMBER 21, 1962 BY S.D. COX, JR.
  - "SURVEY OF 827.59 ACRES OF LAND OF THE ESTATE OF AMANDA NIXON" DATED MAY 1, 1951 BY S.D. COX, JR. AND RECORDED IN HORRY COUNTY AT P.B. 12, PG. 42.
  - "FINAL PLAT OF TRACTS 11-A AND 11-B BLOCK NO. 121, TILGHMAN ESTATES SECTION" DATED NOVEMBER 11, 1992 BY HESTER LAND SURVEYING COMPANY, INC. AND RECORDED IN HORRY COUNTY AT P.B. 122, PG. 153.
  - "FINAL PLAT OF FOREST PARK SUBDIVISION" DATED NOVEMBER 4, 1993 BY HESTER LAND SURVEYING COMPANY, INC. AND RECORDED IN HORRY COUNTY AT P.B. 126, PG. 220.
  - "SURVEY OF ONE LOT CONSISTING OF 0.21 ACRES BEING A PORTION OF TRACT 4 IN THE AMANDA NIXON ESTATE LANDS" DATED JULY 5, 1977 BY C.B. BERRY AND RECORDED IN HORRY COUNTY AT D.B. 586, PG. 788.
  - "PLOT LAYOUT / RESURVEY OF 0.14 ACRE LOT" DATED MAY 27, 1994 BY C.B. BERRY AND RECORDED IN HORRY COUNTY AT D.B. 1733, PG. 863.
  - "SURVEY OF KINGWOOD SUBDIVISION BEING TRACT 5 IN THE AMANDA NIXON ESTATE" DATED NOVEMBER 12, 1966 BY C.B. BERRY AND RECORDED IN HORRY COUNTY AT P.B. 49, PG. 44.
  - "SURVEY OF THE GROVE SUBDIVISION" DATED FEBRUARY 23, 1978 BY C.B. BERRY AND RECORDED IN HORRY COUNTY AT P.B. 66, PG. 205.
  - "SURVEY OF HOLLYWOOD DEVELOPMENT SUBDIVISION FORMERLY A PORTION OF TRACT 4 AMANDA NIXON ESTATE" DATED DECEMBER 19, 1969 BY C.B. BERRY AND RECORDED IN HORRY COUNTY AT P.B. 63, PG. 248.
  - "PLAT OF 25' X 25' LIFT STATION LOT ON PLAT OF KINGWOOD SUBDIVISION" DATED NOVEMBER 13, 1984 BY JOEL F. FLOYD AND RECORDED IN HORRY COUNTY AT D.B. 973, PG. 842.

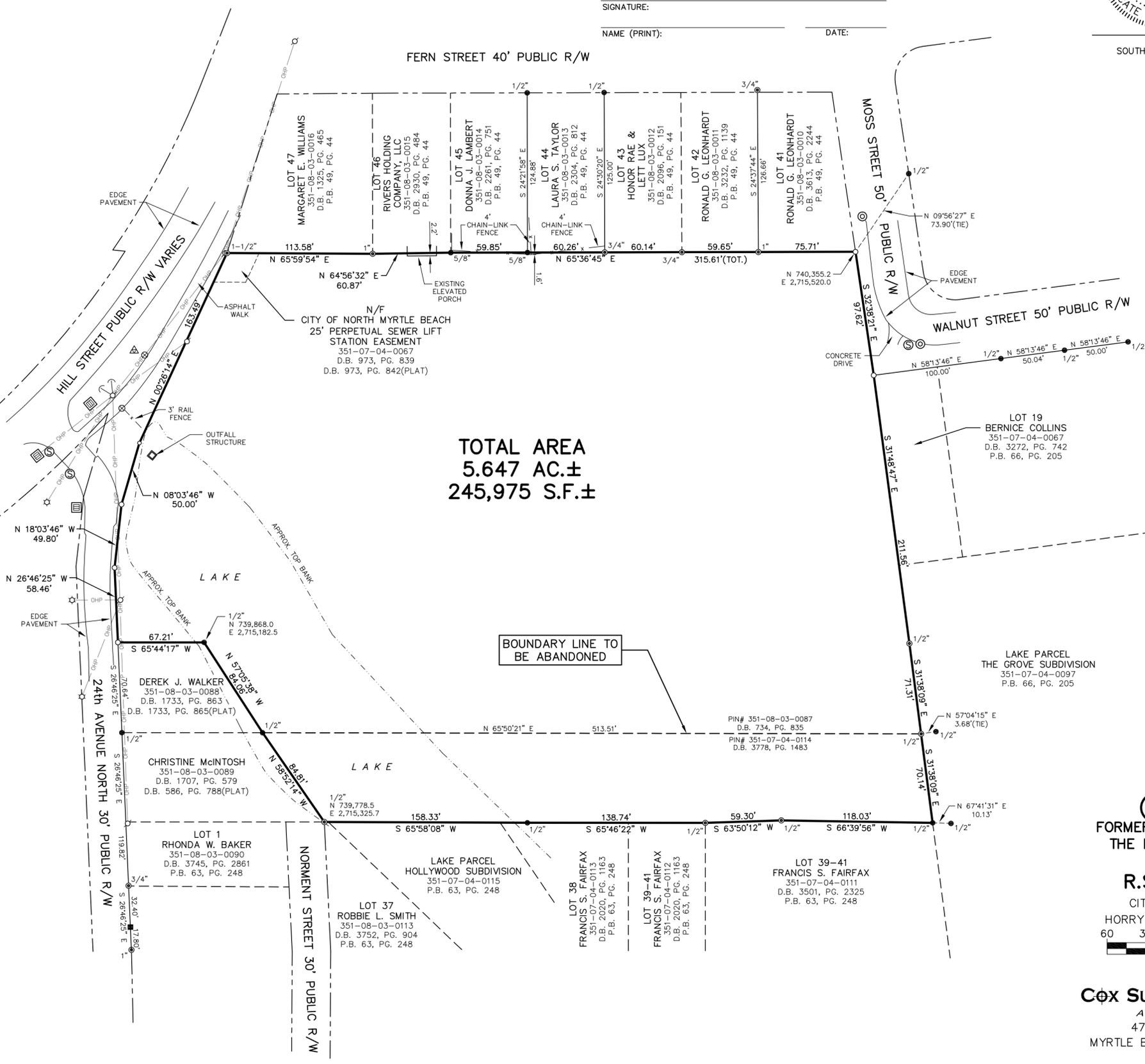
LEGEND

- IRON PIPE FOUND
- IRON REBAR SET
- IRON REBAR FOUND
- CONCRETE MOUNMENT FOUND
- BOUNDARY POINT (NOT SET)
- ⊗ WATER VALVE
- ⊕ WATER METER
- ⊕ VALVE MARKER
- ⊕ DRAINAGE INLET
- ⊕ DRAINAGE MANHOLE
- ⊕ SEWER MANHOL
- ⊕ GUY ANCHOR
- ⊕ LIGHT POLE
- ⊕ POWER POLE
- OHP- OVERHEAD POWER LINE
- D.B. DEED BOOK
- P.B. PLAT BOOK
- PG. PAGE
- S.F. SQUARE FEET
- AC. ACRE
- R/W RIGHT-OF-WAY

NOTES:

- PIN NO.: 351-08-03-0087 & 351-07-04-0114.
- IT IS MY OPINION THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN FLOOD ZONE "X" (AREA WITHIN 500 YEAR FLOOD) AS SHOWN ON FLOOD INSURANCE RATE MAP 45051C 0582 H DATED AUG. 23, 1999 AND SUBJECT TO VERIFICATION BY THE FEMA / COUNTY FLOOD PLANE MANAGER.
- ALL BEARINGS AND COORDINATES SHOWN ON THIS SURVEY ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM NAD83(2011). MULTIPLY DISTANCES BY COMBINED SCALE FACTOR SF 0.999803179 TO OBTAIN GRID DISTANCES. STATE PLANE COORDINATES OBTAINED BY GPS OBSERVATIONS VIA THE S.C.G.S. VRS NETWORK.
- THIS SURVEY IS VALID ONLY IF THE PRINT OF SAME HAS THE ORIGINAL SIGNATURE AND EMBOSSED SEAL OF THE LAND SURVEYOR.
- NO TITLE SEARCH PERFORMED BY THIS OFFICE ON THIS DATE.
- THE PROPERTY PLATTED HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- DEED REFERENCE: D.B. 734, PG. 835 & D.B. 3778, PG. 1483.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AN ELEMENT OF THIS SURVEY. NO STATEMENT IS MADE REGARDING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTINGENCIES THAT MAY AFFECT THE USE OF THIS PARCEL.
- CURRENT OWNER: SEA SHELTERS, INC.  
 ADDRESS: 328 E. McINTYRE STREET  
 MULLINS, SC 29574
- CURRENT ZONING: R-3; BUILDING SETBACKS: FRONT=20', SIDE: 7.5', REAR=10' PER THE CITY OF NORTH MYRTLE BEACH AND SUBJECT TO VERIFICATION.

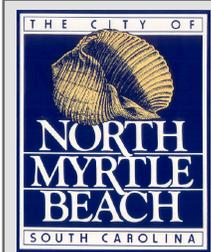
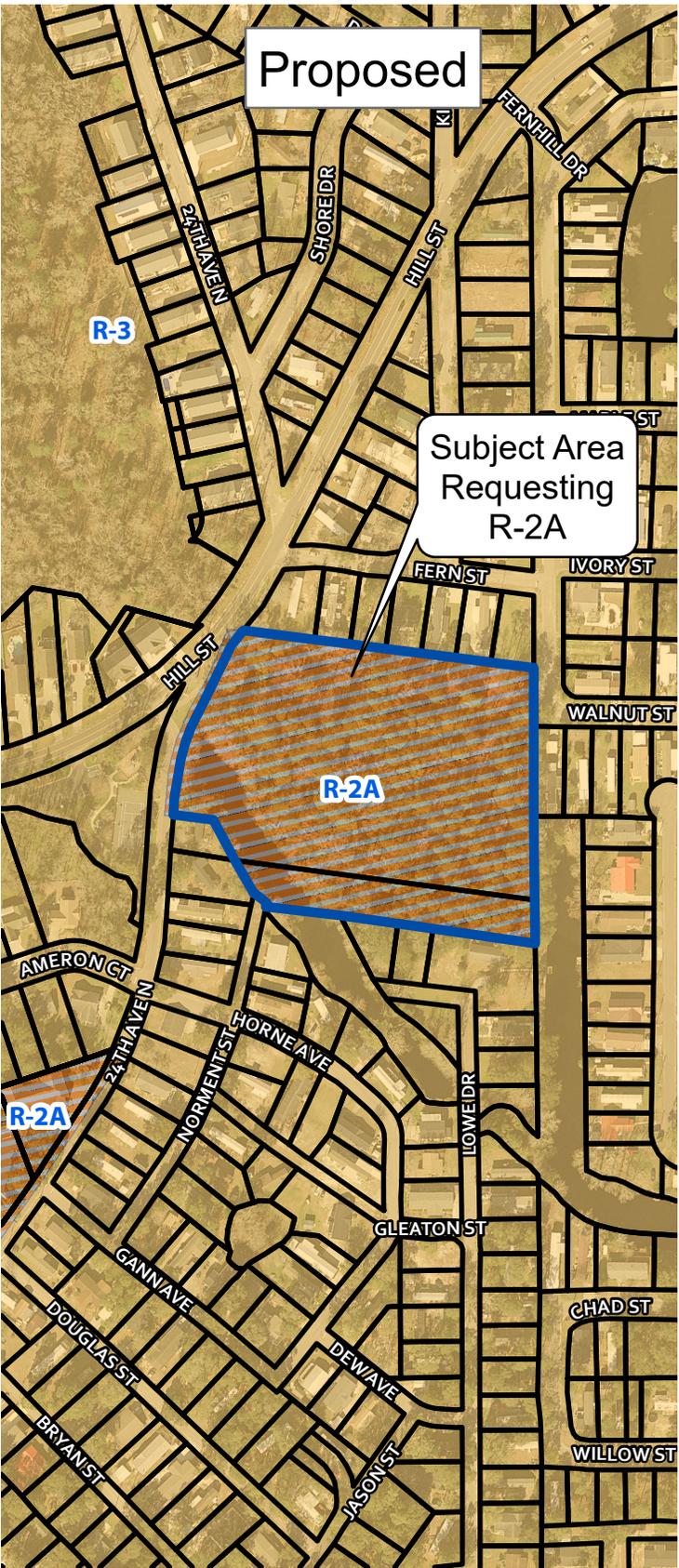
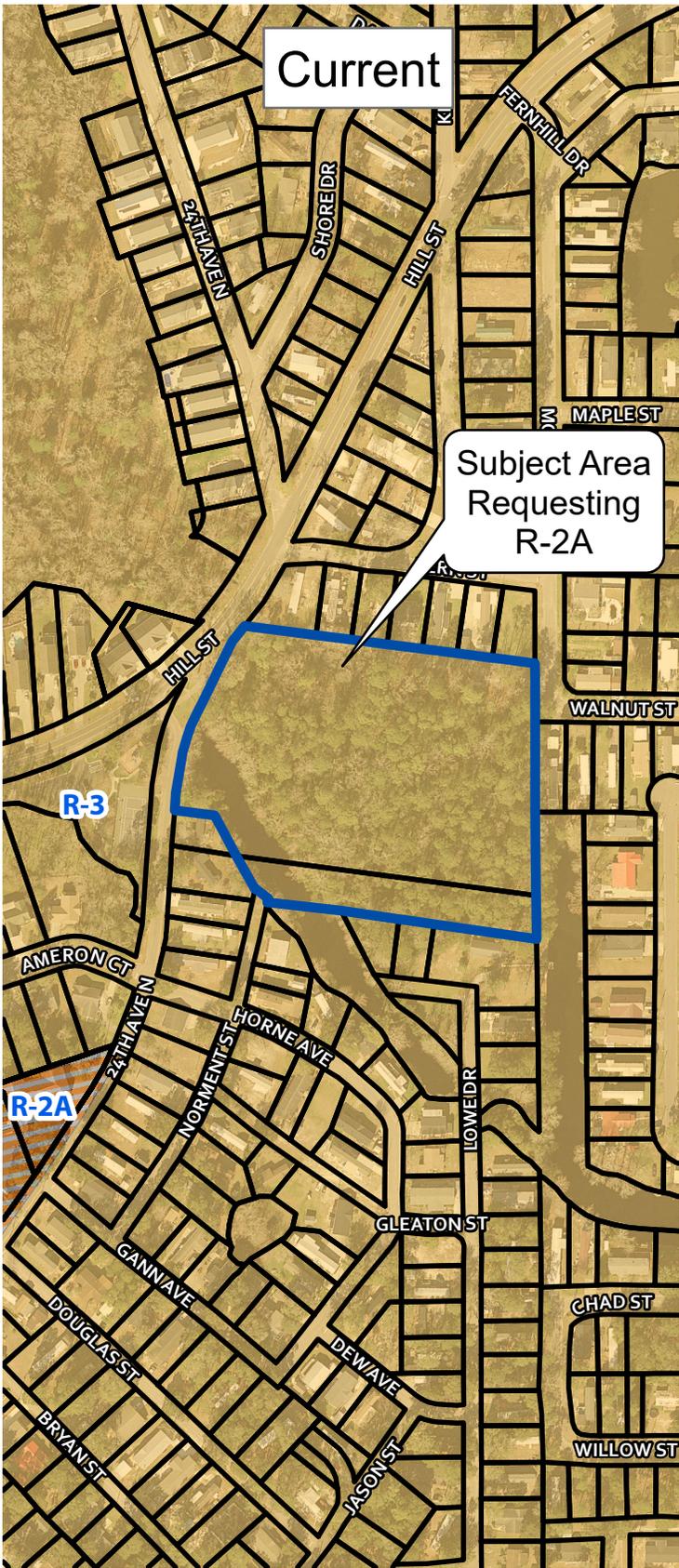
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COMBINATION SURVEY OF  
**5.647 AC.±**  
**(245,975 S.F.±)**  
 FORMERLY A PORTION OF TRACT 4  
 THE ESTATE OF AMANDA NIXON  
 PREPARED FOR:  
**R.S. PARKER HOMES**  
 CITY OF NORTH MYRTLE BEACH  
 HORRY COUNTY SOUTH CAROLINA

SCALE: 1 INCH = 60 FEET  
 SURVEYED & MAPPED BY  
**Cox Surveyors & Associates**  
 A LIMITED LIABILITY COMPANY  
 4761 HWY. 501 WEST, SUITE 2  
 MYRTLE BEACH, SC 29579 (843) 236-7200  
 www.coxsurveyors.com

DRAWN BY DCD FIELD DATE 05/2015  
 REVIEWED JJC PLAT DATE 05/28/2015  
 CREW CHIEF CTB FIELD BOOK CS-685

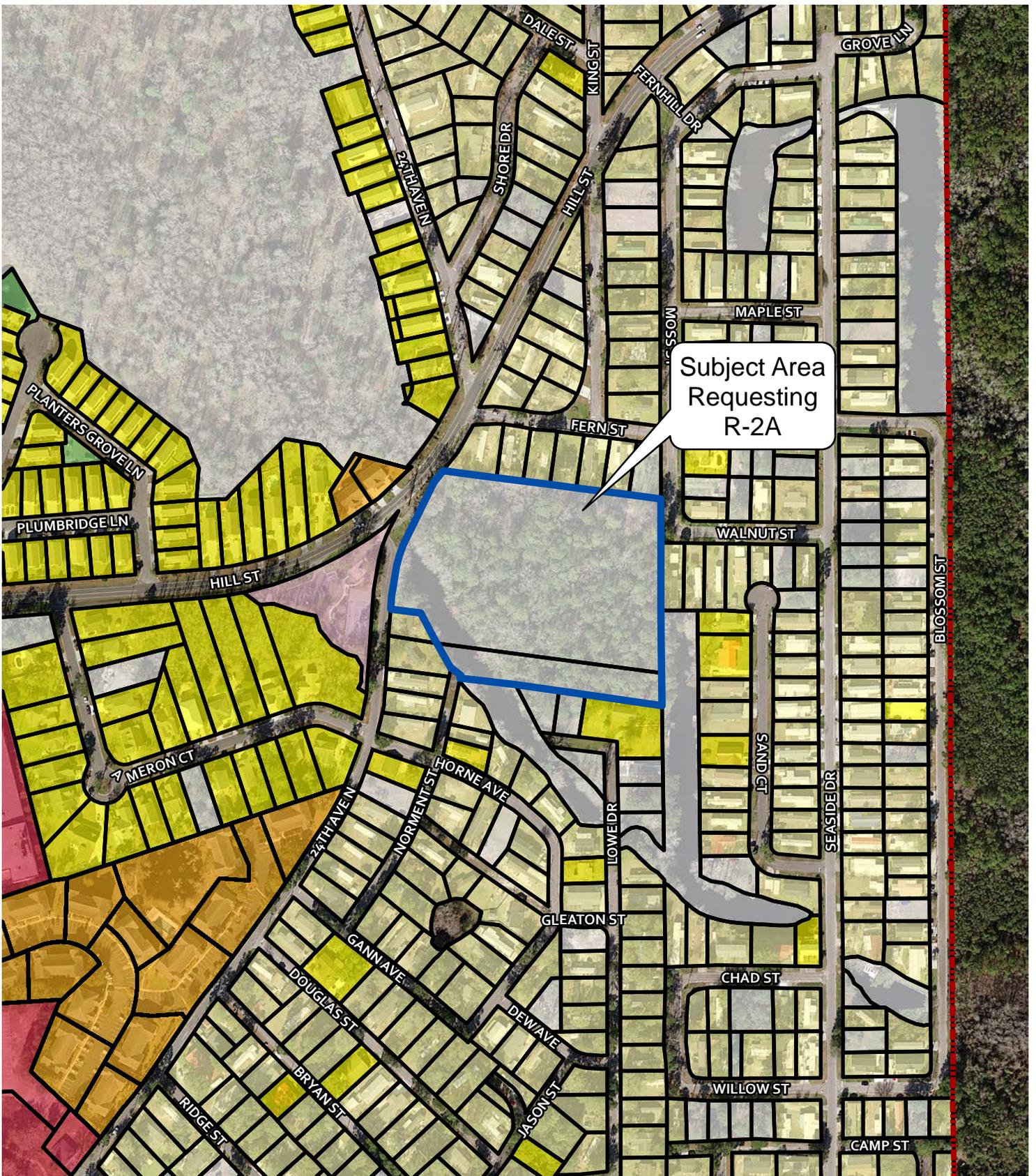


**Legend**

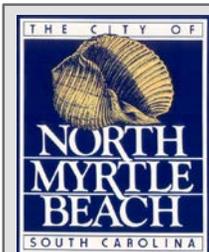
- Subject Area
- Zoning**
- R-2A
- R-3



**Exhibit A: Zoning Map (Z-21-16)**



Subject Area  
Requesting  
R-2A

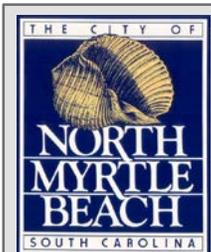
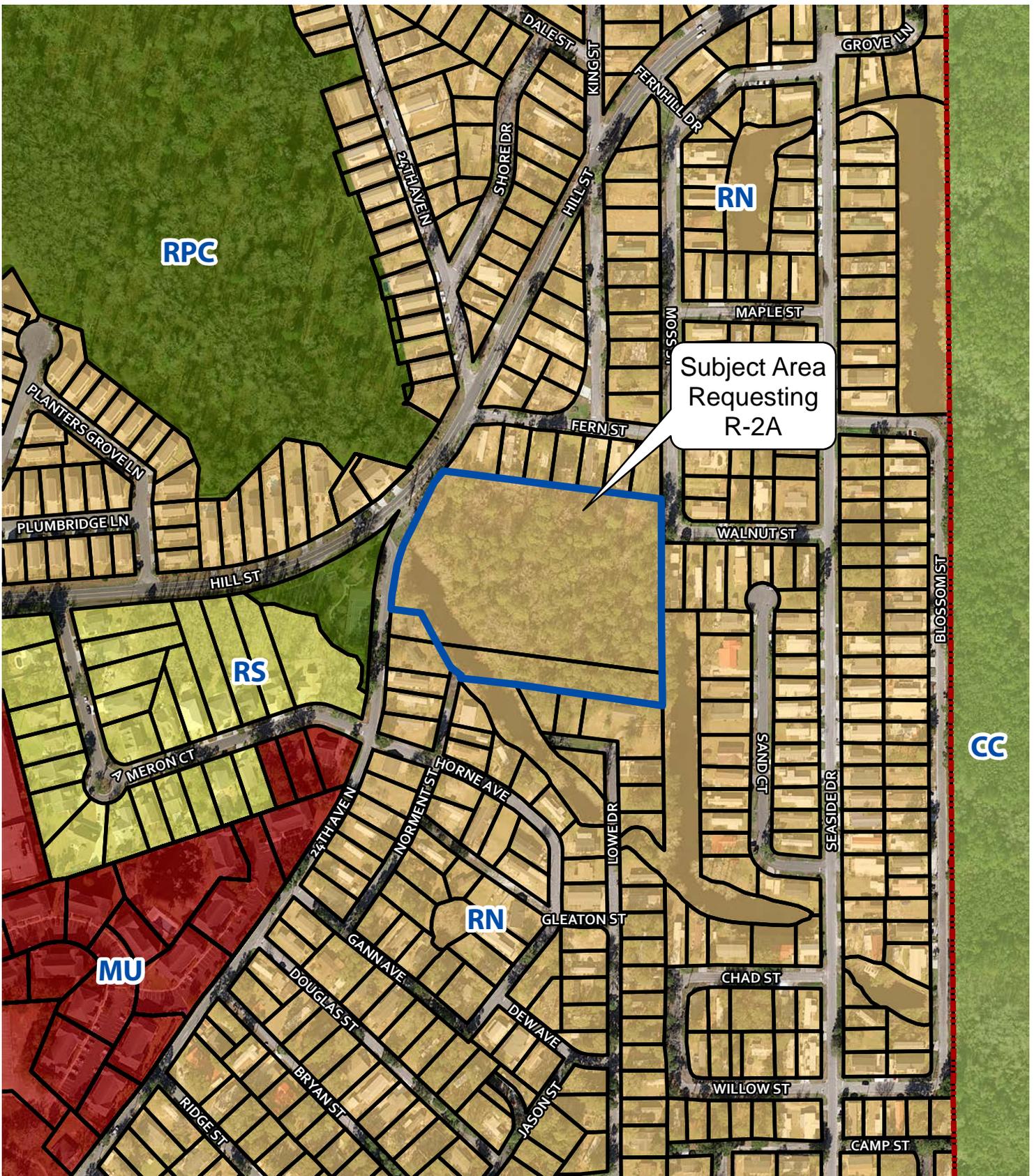


**Legend**

- |   |  |   |
|---|--|---|
|  Subject Area      |  Duplex       |  Public, Social, Cultural |
|  Commercial        |  Mobile Home  |  Single-Family            |
|  Common Open Space |  Multi-Family |  Vacant                   |



**Existing Land Use Map (Z-21-16)**



**Legend**

Subject Area	CC - Conservation Community	MU - Mixed Use
<b>Recommended Future Land Use Categories</b>	RPC - Resource, Protection, Conservation	RS - Residential Suburban
		RN - Residential Neighborhood

# Future Land Use Map (Z-21-16)