REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: February 21, 2022

Agenda Item: 7A	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: February 16, 2022
Subject: Petition for annexation and zoning designation for 0.49 Acres on Riverside Drive [Z-22-1]	Division: Planning and Development

Background:
Steven and Ruth Campbell, owners, have petitioned the City of North Myrtle Beach to annex approximately 0.49 acres of property located on Riverside Drive identified by PIN 311-16-04-0011. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Residential Low-Density (R-1). The subject area is identified as Residential Suburban on the Future Land Use Map, and the request is consistent with the comprehensive plan.

Existing Conditions:
The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned MSF 10 Residential (MSF 10) under Horry County jurisdiction. Located on Riverside Drive, the parcel has a single-family dwelling located on it. Surrounding parcels within City limits are zoned R-1 and Planned Development District (PDD); adjacent unincorporated county parcels are zoned MSF 10. Upon annexation, the parcel would be designated R-1 as per Exhibit A: Zoning Map (Z-22-1), 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.

Planning Commission Action:
The Planning Commission conducted a public hearing on February 8, 2022 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 the proposed ordinance on first reading

Reviewed by Division Head	Reviewed by City Manager	Reviewed by City Attorney

Council Action:
Motion By_____ 2nd By_____ To_____

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH ANNEXING 0.49 ACRES IDENTIFIED AS PIN 311-16-04-0011.

WHEREAS, Steven and Ruth Campbell, owners, have petitioned the City of North Myrtle Beach for annexation of 0.49 acres consisting of the following parcel PIN 311-16-04-0011 as referenced on Exhibit A: Zoning Map (Z-22-1), prepared by the City of North Myrtle Beach Planning & 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; 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. Annexation. That parcel identified by PIN 311-16-04-0011 (the "Annexed Parcel"), consisting of approximately 0.49 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 Parcels are hereby designated and zoned as Single-Family Residential Low-Density (R-1).

DONE, RATIFIED AND PASSED, THIS _____ DAY OF_____, 2022.

ATTEST:

_____
Mayor Marilyn Hatley

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

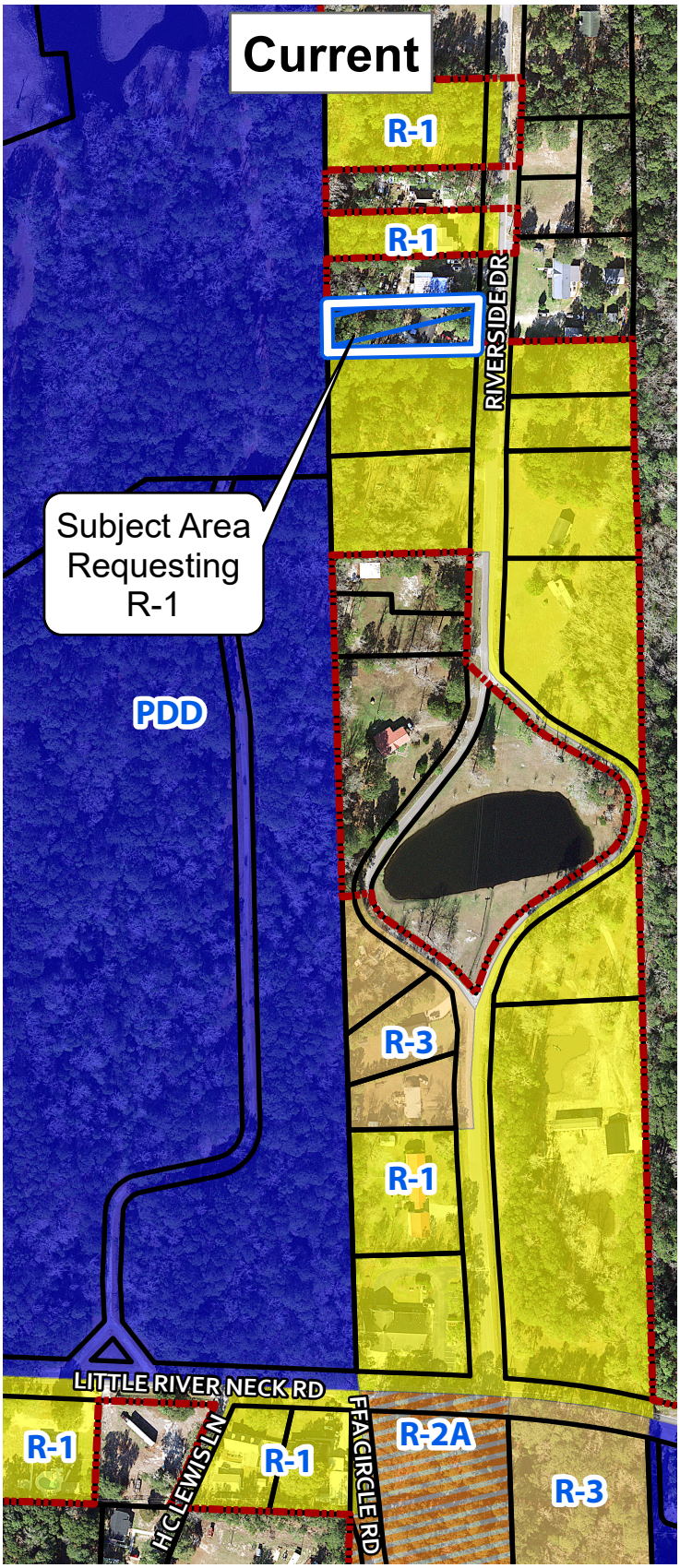
REVIEWED:

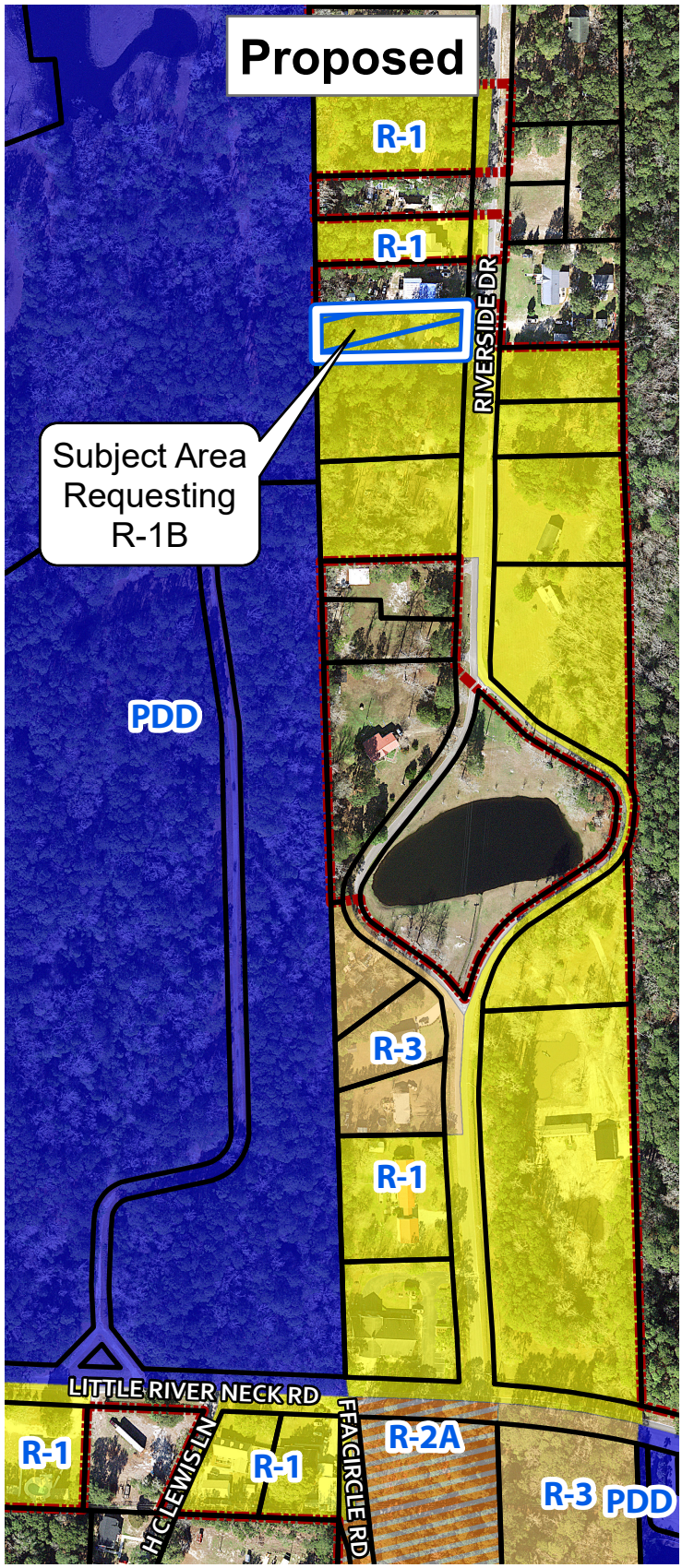
_____
City Manager

FIRST READING: 2.21.2022

SECOND READING: _____

ORDINANCE: _____





THE CITY OF NORTH MYRTLE BEACH SOUTH CAROLINA

Legend

Subject_Area

North Myrtle City Limits

ZONING

R-1

R-3

PDD

R-2A

Exhibit A: Zoning Map (Z-22-1)

0 150 300 Feet

Path: M:\2022\2022-06 Z-22-1 (4747 Riverside Dr)\2022-06 Z-22-1 Zoning.mxd

Date: 1/26/2022

Author: Dawn E. Snider

6A. ANNEXATION & ZONING DESIGNATION Z-22-1: City staff received a petition to annex lands on Riverside Drive totaling ±0.49 acres and identified by PIN 311-16-04-0011. The lot is currently unincorporated and zoned Manufactured/Mobile Single-Family Residential (MSF 10) 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 MSF 10 Residential (MSF 10) under Horry County jurisdiction. Located on Riverside Drive, the parcel has a single-family dwelling located on it. Surrounding parcels within City limits are zoned R-1 and Planned Development District (PDD); adjacent unincorporated county parcels are zoned MSF 10.

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[1]	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: [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:

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

Current public rights-of-way serve this area via the existing, county-maintained Riverside Drive.

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:

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 City Council at their next meeting scheduled for February 22, 2022. 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 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-22-1] as submitted.

OR

2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-22-1] as submitted.

OR

3) I move (an alternate motion).

FILE NUMBER:	Z-22-1
Complete Submittal Date:	January 4, 2022

Notice Published:	January 20, 2022
Planning Commission:	February 8, 2022
First Reading:	February 21, 2022
Second Reading:	March 7, 2022

City of North Myrtle Beach, SC

Petition for Annexation & Zoning

GENERAL INFORMATION	
Date of Request: January 3, 2022	**Property PIN(S): 311-16-04-0011**
Property Owner(s): Steven and Ruth Campbell	**Type of Zoning Map Amendment: Petition for Annexation and Zoning**
Address or Location: 4747 Riverside Dr	**Project Contact: Steven and Ruth Campbell**
Contact Phone Number: 717-951-2866	**Contact Email Address: Camp.bell@comcast.net**
Current County Zoning: MSF 10	**Proposed Zoning: R-1**
Total Area of Property: 0.49 Acres	**Approximate Population of Area to be Annexed:**

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: *Steven and Ruth Campbell*

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.

1018 2nd Avenue South · North Myrtle Beach, SC 29582 · Telephone: (843) 280-5566 · Facsimile: (843) 280-5581

Deed BK: 4481 PG: 3043 Doctype: 001 11/05/2021 at 02:24:25 PM, 1 OF 5 County Stamps: $104.50 State Stamps: $247.00 ELECTRONICALLY RECORDED Marion D. Foxworth III, Horry County, SC Registrar of Deeds

3111604011,

Prepared By and Return to:
Murray Law Offices, PA
3775 Sea Mountain Hwy
Little River, SC 29566
Phone: (843)399-9000
File No.: 21-LR 1824MAL

(Please do not write above this line – Reserved for Register of Deeds Office)

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **Christeen Ann Hopkins**, Grantor(s), in the State aforesaid, for and in consideration of the sum of **Ninety-Five Thousand And No/100 Dollars ($95,000.00)**, hereunto me paid by **Ruth E. Campbell and Steven A. Campbell**, Grantee(s), in the State aforesaid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released and by these presents does grant, bargain, sell, and release unto the said **Ruth E. Campbell and Steven A. Campbell, as joint tenants with right of survivorship and not as tenants in common**, their heirs and assigns, forever, in fee simple, together with every contingent remainder and right of reversion, the following described property, to wit:

ALL AND SINGULAR, all that certain piece, parcel or lot of land, situate in Little River Township, Horry County, South Carolina, being shown and designated as **Lot Eight A (8A) in Riverside Campground** on a map prepared by Harry F. Bruton & Associates. A copy of said map is recorded in Plat Book 214 at Page 174 in the Office of the Register of Deeds for Horry County, South Carolina, reference to said map is craved as forming a part of this description.

THIS BEING the identical property conveyed to Christeen Ann Hopkins from Federal National Mortgage Association Organized and Existing Under the Laws of the United States of America a/k/a Fannie Mae by Deed dated December 26, 2013 and recorded on December 30, 2013 in Deed Book 3707, Page 294, Office of the Register of Deeds of Horry County, South Carolina.

TMS: 131-17-01-001 and PIN# 311-16-04-0011

Property Address: 4747 Riverside Drive, North Myrtle Beach, SC 29582

Grantee(s) Address: 763 Deaver Road, Quarryville, PA 17566

THIS CONVEYANCE IS MADE SUBJECT TO easements and restrictions of record and otherwise affecting the property.

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 and **Ruth E. Campbell and Steven A. Campbell, as joint tenants with right of survivorship and not as tenants in common**, their heirs and assigns, forever, in fee simple, together with every contingent remainder and right of reversion.

Deed BK: 4481 PG: 3044 Doctype: 001 11/05/2021 at 02:24:25 PM, 2 OF 5 County Stamps: $104.50 State Stamps: $247.00 ELECTRONICALLY RECORDED Marion D. Foxworth III, Horry County, SC Registrar of Deeds

AND Grantor does hereby bind herself and her heirs and assigns, to warrant and forever defend all and singular the said premises unto the said **Ruth E. Campbell and Steven A. Campbell, as joint tenants with right of survivorship and not as tenants in common**, their heirs and assigns, forever, in fee simple, together with every contingent remainder and right of reversion against the Grantors and the Grantor's heirs and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

(Signature Page to Follow)

Deed BK: 4481 PG: 3045 Doctype: 001 11/05/2021 at 02:24:25 PM, 3 OF 5 County Stamps: $104.50 State Stamps: $247.00 ELECTRONICALLY RECORDED Marion D. Foxworth III, Horry County, SC Registrar of Deeds

IN WITNESS WHEREOF our Hands and Seals this 4th day of November, 2021.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

1st Witness

Christeen Ann Hopkins

2nd Witness

STATE OF SOUTH CAROLINA)
) PROBATE
COUNTY OF HORRY)

PERSONALLY appeared before me the undersigned witness and made oath that (s)he was present and saw the within Grantor sign, seal, and as his/her/their act and deed, deliver the within Warranty Deed; that deponent with the other witness whose name is subscribed above, witnessed the execution thereof, and that the subscribing witness is not a party to or beneficiary of the transaction.

1st Witness

SWORN to before me this
this 4th day of November, 2021

Notary Public for South Carolina
Notary Public Printed Name: Kristen A Gaetke
My Commission Expires: 02/09/2031

KRISTEN A. GAETKE
My Commission Expires
NOTARY PUBLIC
02-09-2031
STATE OF SOUTH CAROLINA

Deed BK: 4481 PG: 3046 Doctype: 001 11/05/2021 at 02:24:25 PM, 4 OF 5 County Stamps: $104.50 State Stamps: $247.00 ELECTRONICALLY RECORDED Marion D. Foxworth III, Horry County, SC Registrar of Deeds

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

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

1. I have read the information on this Affidavit and I understand such information.

2. The property being transferred is located at 4747 Riverside Drive, North Myrtle Beach, SC 29582 bearing Horry County Tax Map Number 131-17-01-001 and PIN# 311-16-04-0011, and was transferred by Christeen Ann Hopkins to Ruth E. Campbell and Steven A. Campbell on November 4, 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 $95,000.00.
   b. ☐ The fee is computed on the fair market value of the realty which is $_____.
   c. ☐ The fee is computed on the fair market value of the realty as established for property tax purposes which is $_____.

5. Check YES ☐ or NO ☒ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES", the amount of the outstanding balance of this lien or encumbrance is: $_____.

6. The deed recording fee is computed as follows:
   a. Place the amount listed in item 4 above here: $ 95,000.00
   b. Place the amount listed in item 5 above here: $ 0.00
   (If no amount is listed, place zero here.)
   c. Subtract Line 6(b) from Line 6(a) and place result here: $ 95,000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: $351.50.

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

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 dollars or imprisoned no more than one year, or both.

SWORN to before me this 4th of November, 2021.

Notary Public for State of South Carolina
My Commission Expires 02/09/2031.
(Seal)

Christeen Ann Hopkins

KRISTEN A. GAETKE
My Commission Expires
NOTARY PUBLIC
02-09-2031
STATE OF SOUTH CAROLINA

Deed BK: 4481 PG: 3047 Doctype: 001 11/05/2021 at 02:24:25 PM, 5 OF 5 County Stamps: $104.50 State Stamps: $247.00 ELECTRONICALLY RECORDED Marion D. Foxworth III, Horry County, SC Registrar of Deeds

HORRY COUNTY REGISTER OF DEEDS
TRANSMITTAL SHEET

T0 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: Murray Law Offices Little River

ADDRESS:
3775 SEA MOUNTAIN HWY
LITTLE RIVER, SC 29566-7861

TELEPHONE: (843) 399-9000 FAX: (843) 399-9000

E-MAIL ADDRESS: sherrispeer@murraylaw.info

Related Document
(s):

PURCHASE PRICE / MORTGAGE AMOUNT: $ 95000.00

BRIEF PROPERTY DESCRIPTION: Lot Eight A (8A) in Riverside Campground

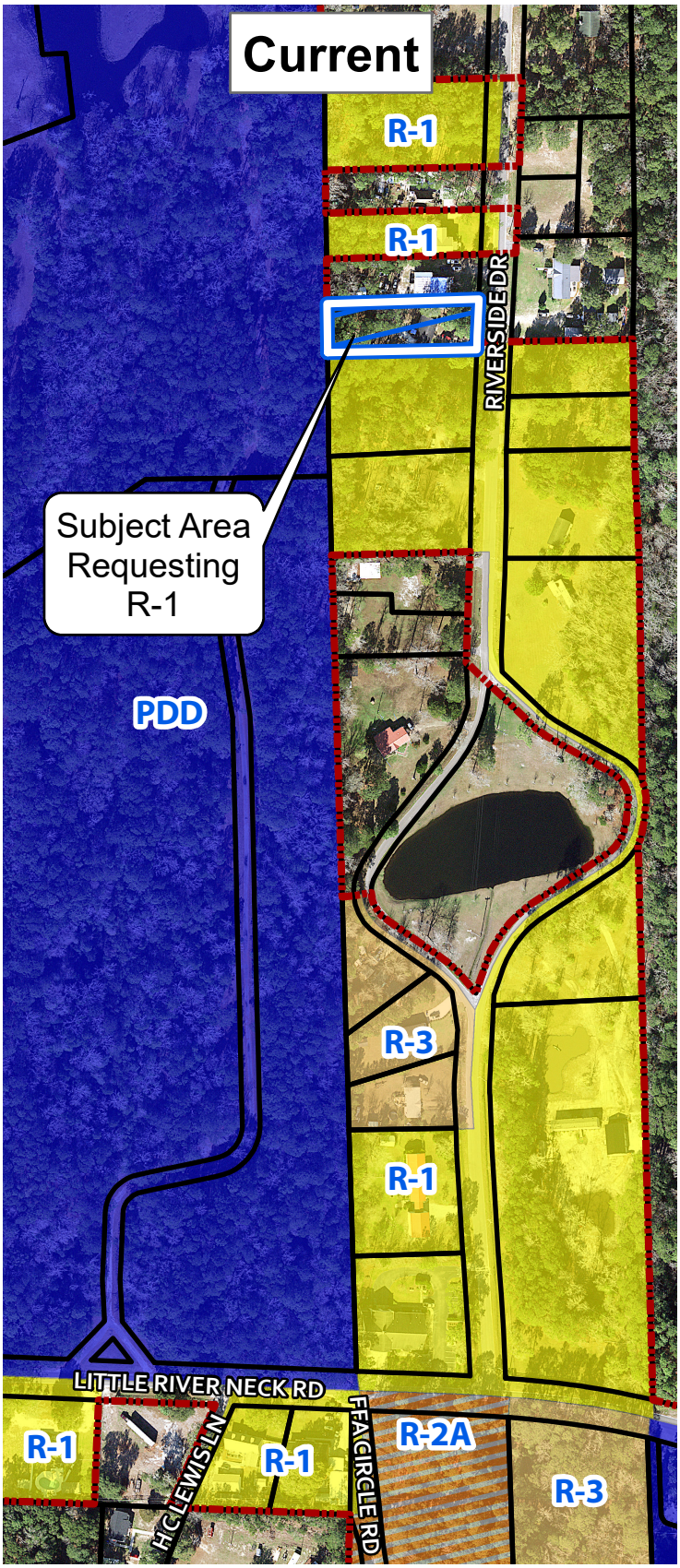
TAX MAP NUMBER (TMS #) 131-17-01-001;PIN# 311-16-04-0011 / **PIN NUMBER:** ,

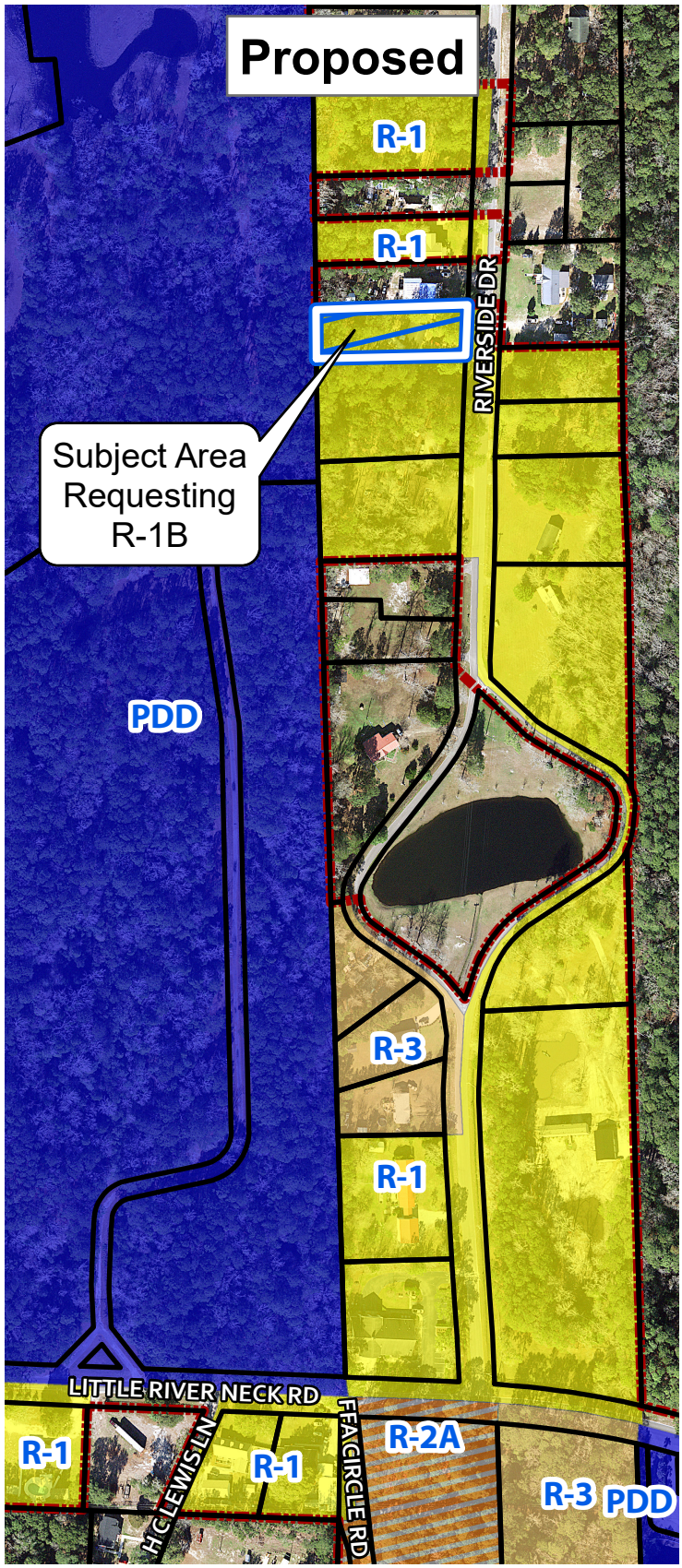
GRANTOR / MORTGAGOR / OBLIGOR / MARKER (FROM WHO):

	LAST NAME	FIRST NAME	MIDDLE NAME
1.	**HOPKINS**	**CHRISTEEN**	**ANN**

GRANTEE / MORTGAGEE / OBLIGEE (TO WHO):

	LAST NAME	FIRST NAME	MIDDLE NAME
1.	**CAMPBELL**	**RUTH**	**E.**
2.	**CAMPBELL**	**STEVEN**	**A.**





THE CITY OF NORTH MYRTLE BEACH SOUTH CAROLINA

Legend

Subject_Area

North Myrtle City Limits

ZONING

R-1

R-3

PDD

R-2A

Exhibit A: Zoning Map (Z-22-1)

0 150 300 Feet

Path: M:\2022\2022-06 Z-22-1 (4747 Riverside Dr)\2022-06 Z-22-1 Zoning.mxd

Date: 1/26/2022

Author: Dawn E. Snider



Legend

- Subject Area
- North Myrtle City Limits
- Existing Land Use
- Common Open Space
- Golf Course
- Mobile Home
- Public, Social, Cultural
- Single-Family
- Vacant

0 150 300 Feet

Existing Land Use Map (Z-22-1)

Path: M:\2022\2022-06 Z-22-1 (4747 Riverside Dr)\2022-06 Z-22-1 ELU.mxd

Date: 1/26/2022

Author: Dawn E. Snider



Legend

Subject_Area

North Myrtle City Limits

Recommended Future Land Use Categories

- CC - Conservation Community
- RPC - Resource, Protection, Conservation
- SP - Service / Production
- RS - Residential Suburban

0 150 300 Feet

Future Land Use Map (Z-21-35)

Path: M:\2022\2022-06 Z-22-1 (4747 Riverside Dr)\2022-06 Z-22-1 FLU.mxd

Date: 1/26/2022
Author: Dawn E. Snider