

CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
BOARD OF ZONING APPEALS
Thursday, March 12, 2020
5:00 P.M.

MINUTES

Dan Moore, Chairman
William McGonigal
Roger Quinn
Andy Thomas
Trey Skidmore
Ricky Martin
Cynthia Lover

Zoning Department:
Paul Blust
Ben Caldwell

Dawn E. Snider, Acting Clerk

1. **CALL TO ORDER & ROLL CALL:** Chairman Moore called the meeting to order at 5:00 P.M. and acting secretary called the roll and declared a quorum present.
2. **APPROVAL OF MEETING MINUTES:** The motion to approve the minutes of February 13, 2020, meeting as presented was made by Mr. Quinn and seconded by Mr. Martin. Chairman Moore called for the vote. The motion passed 7-0.
3. **COMMUNICATIONS:** None

OLD BUSINESS: None

NEW BUSINESS: None

A. SWEARING IN THOSE PERSON TO SPEAK

- B. **VARIANCE #V03-20:** Mr. Johnson had made application for a variance of 8 feet from the required 20-foot front yard setback in the R-3 (Mobile Home Residential) district at 1313 Seaside Drive.

Mr. Blust stated that Mr. Johnson withdrew his request.

- C. **VARIANCE #V07-20:** Mr. Tim Duncan had made application for variance to remove a tree in excess of the 24-inch caliper measurement that is protected by the ordinance at 225 1st Avenue North.

Chairman Moore called for a motion. Mr. McGonigal motion to table the variance #V09-20 to the April 9, 2020, and was seconded by Mr. Skidmore. The motion passed 7-0.

- D. **VARIANCE #V08-20:** Mr. James Griffith had made application for a variance to reduce the required 5-foot setback in the NC (Neighborhood Commercial) district to zero for a single-family home at 700 17th Avenue South.

Mr. Griffith stated he had hired a contractor to construct a roof over an existing deck and was relying on the contractor to obtain the building permit. It was brought to his attention after it was constructed that a building permit had not been obtained. Ms. Lover asked what the hardship to the property was and Mr. Griffith stated that he had zero options for installing a deck or roof over an existing deck on the property. Discussion between Ms. Lover and Mr. Griffith about current setbacks and all the existing issues as it relates to the property. Ms. Lover stated that the concern was with the roof over the deck. Chairman Moore asked to hear from the City and Mr. Caldwell presented the report.

Mr. Eric Jednat, 702 17th Avenue South, stated that he was concerned with how close the covered deck was to his carport. This roof addition had affected his quality of life by flooding his laundry room on several occasions. Ms. Lover stated that the concern was with the roof over the deck.

Chairman Moore called for a motion. Ms. Lover motion that variance #V12-20 be denied and required Mr. Griffith to remove the roof or cut the roof back to the setback. The reason for denial was that Mr. Griffith had not presented a hardship to the land and there evidence that the roof was detrimental to a neighboring lot. Mr. Skidmore seconded the motion. The motion to deny passed 5-2.

- E. **APPEAL #D3-20:** Mr. Mike Todd had made an appeal of the decision of the Zoning Administrator than an RV (Recreational Vehicle) parked in the front yard at 502 35th Avenue South was not grandfathered and thus allowed to remain parked there.

Mr. Blust stated that the Zoning Department received a request to table to the April 9, 2020 meeting. Mr. Todd's attorney requested the Board table this to the April 9, 2020 meeting.

Chairman Moore called for a motion. Mr. McGonigal motion to table the variance #V09-20 to the April 9, 2020, and was seconded by Mr. Skidmore. The motion passed 7-0.

- F. **VARIANCE #V09-20:** Mr. Mike Todd had made application for a variance to park an RV (Recreational Vehicle) in the front yard in the R-1 (Single-Family Residential) district where an RV may only be parked behind the front line of the house or in a carport or garage at 502 35th Avenue South.

Chairman Moore called for a motion. Mr. McGonigal motioned to table the variance #V09-20 to the April 9, 2020, and was seconded by Mr. Skidmore. The motion passed 7-0.

- G. **VARIANCE #V10-20:** Ms. Jean Franzen had made application for a variance of 10 feet from the required 20-foot front yard setback on a lot with double-fronting streets in the R-3 (Mobile Home Residential) district at 2517 Ridge Street.

Ms. Franzen stated the property had a road in the front and back and wanted to have Robin Circle declared as a rear yard so a 60-foot mobile home can be installed. Mr. Martin asked if the mobile home was 60-foot. Ms. Franzen stated she will purchase the mobile home after the Board's decision. Chairman Moore asked to hear from the City. Mr. Caldwell presented the report.

Chairman Moore called for a motion. Ms. Lover motion to grant the variance #V10-20 on the findings of a hardship double fronting lot, two front yard setback and rear yard setback of and was seconded by Mr. Thomas. The motion passed 7-0.

- H. **VARIANCE #V11-20:** Mr. Mike Deese had made application for a variance of 15 feet from the required 20-foot rear yard setback in the R-1 (Single-Family Residential) district at 511 Elena Court.

Chairman Moore called for a motion. Ms. Lover seconded Mr. Martin motion to denied variance #V11-20 due to not seeing a hardship. The motion passed 6-1.

- I. **VARIANCE #V12-20:** Mr. Paul Gasque had made application for a variance of 17 feet from the required 80-foot lot width for a proposed subdivision in R-1 (Single-Family Residential) district at 4502 Eyerly Street.

Price Branch, representing Mr. Gasque, stated he was only interested in the property if he could structure two more lots with 60-foot lot width to construct two new homes. Mr. Blust clarified that the property in question was subdivided a couple of years ago, and the weird lot shape was to the 80-foot lot frontage requirement. One of the lots had 80-feet on Eylery Street and the second lot had 80-feet on Pinecrest Street. This layout was unique to the neighborhood and there was a large hill. Mr. Blust stated that Mr. Branch wished to remove the older structure and subdivide the lot into two more lots. Ms. Lover noted that the hardship was self-created by the recording of the last subdivision plat. Discussion between the Board and Staff on when the 80-

foot lot wide and whether it was unique to the neighborhood. Chairman Moore asked to hear from the City and Mr. Caldwell presented the report.

Chairman Moore called for a motion. Ms. Lover motion to deny the variance #V12-20 due to the applicant not demonstrating a hardship to the property. The property was perfectly useable and the hardship was self-created when it was subdivided in the past. It was not good practice to grant a variance that could lead to more variance requests in the future. Mr. Skidmore seconded the motion. The motion passed 5-2.

The meeting adjourned at 6:19 P.M.

Respectfully submitted,

Dawn E. Snider

NOTE: BE ADVISED THAT THESE MINUTES REPRESENT A SUMMARY OF THE BOARD OF ZONING COMMISSION MEETING AND ARE NOT INTENDED TO REPRESENT A FULL TRANSCRIPT OF THE MEETING.