BOARD OF ZONING APPEALS
TOWN COUNCIL CHAMBERS
MAY 25, 2017 • 6:30 P.M.

1. CALL TO ORDER – Chair Wilm

2. PLEDGE OF ALLEGIANCE

3. AGENDA APPROVAL

4. MINUTES APPROVAL – next meeting

5. PUBLIC COMMENT ON BUSINESS ITEM

6. BUSINESS

   Appeal No. ZA2017-02 by Tom and Laura Evans requesting a variance from Section 17-320(1) of the Zoning Ordinance to allow for encroachment into the front yard setback of property located at 316 Melody Lane, Surfside Beach, SC (TMP# 195-07-03-033)

7. PUBLIC COMMENTS – General Comments.

8. BOARD COMMENTS

9. ADJOURNMENT
ISSUE PAPER FOR ZONING BOARD OF APPEALS CONSIDERATION

Meeting Date: May 25, 2017
Prepared by: Sabrina Morris

Agenda Item: 6
Subject: Appeal No. ZA2017-02 by Tom and Laura Evans requesting a variance from Section 17-320(1) of the Zoning Ordinance to allow for encroachment into the front yard setback of property located at 316 Melody Lane, Surfside Beach, SC (TMP# 195-07-03-033)

BACKGROUND:

Mr. & Mrs. Evans would like to add a front door and subsequently a front porch. The home currently has no front door, you enter the home from the side. They would like to add a more esthetically pleasing entrance to help bend the home into the neighborhood. The proposed porch would encroach 6’ into the front setback.

The property is currently zoned R2 having the following setback requirements:

- Front: 25'
- Sides: 10'
- Rear: 20'

ATTACHMENTS

Application for variance and applicants supporting documents
Section 17-320(1) of the zoning ordinance
Letter sent to surrounding properties and list of property owners
Town of Surfside Beach Board of Zoning Appeals
Application for Variance, Special Exception or Appeal of
Administrative Official Decision

843-913-6341(Phone) 843-839-0057(Fax)

Instructions: Submit this application, along with the required information and fee, to the Planning, Building & Zoning Department at 115 Hwy. 17 North, Surfside Beach, SC 29575. Applications are due 30 days prior to the scheduled meeting date and must be complete to be accepted and placed on the agenda. A sign will be posted on the property, and the public hearing will be conducted by the Board of Zoning Appeals.

THE APPLICANT HEREBY REQUESTS:

☑ A Variance as indicated on page 2 of this application (complete pages 1 & 2 only)
☐ A Special Exception as indicated on page 3 of this application (complete pages 1 & 3 only)
☐ An Appeal of a decision of the administrative official as indicated on page 4 of this application (complete pages 1 & 4 only)

Property Address: 316 Melody Ln., Surfside Beach, SC 29575
TPMS: 19507 03 033

Property Owner: Tom & MARSHA EVANS
Daytime Phone: 704-550-8622

Applicant: Tom & MARSHA EVANS
Daytime Phone: 704-550-8622

Applicant’s Mailing Address: 2700 CAL POST Rd. McLean, VA 28107
E-Mail Address: THOMAS EVANS@GFC.NET

Relationship of applicant to owner (same, representative, prospective buyer, other): SAME

Zoning of Property: Residential

Information required with application: (Check information submitted)
☐ Scaled plan(s) or plat(s), including elevations of structures and locations of structures (proposed and existing) showing the variance(s) or special exception(s) being requested
☐ Stamped envelopes addressed to property owners within 150 ft. of the property requesting the variance or special exception. The return address of all the envelopes should be labeled as: Planning, Building & Zoning Dept. 115 Hwy. 17 N. Surfside Beach, SC 29575
☐ A list of same property owners on a separate piece of paper for the Planning, Building and Zoning Department file.
☐ Filing fee of $200.00

DESIGNATION OF AGENT [Complete only of owner is not applicant]:
I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Owner Signature: Thomas O. Evans
Date: 4/28/17

Owners Signature: MARSHA K. EVANS

Owners / Authorized Agent Signature: THOMAS K. EVANS
Date: 4/28/17

I hereby certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there is any, and that I am the owner of the subject property or the authorized agent of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Date: 4/28/17

Owners / Authorized Agent Signature: THOMAS K. EVANS
VARIANCE FORM

1. Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application of the ordinance applicable to the property described on page 1 of this document of the following provisions of the Zoning Ordinance:

   Set back in front of 25 ft.

so that a zoning permit may be issued to allow use of the property in a manner shown on the attached scaled plan or plat, described as follows:

   Addition of a front porch 9' depth + 17' width

   For which a permit has been denied by the Development Administrator on the grounds that the proposal would be in violation of the cited section(s) of the Zoning Ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by State Law and the ordinance are met by the following facts:

   a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

      The house doesn’t have a front door or front porch now. It does have a side entrance porch.

   b. These conditions do not generally apply to other property in the vicinity as shown by:

      Others properties on melody lane already exceed the 25' setback but may have been built prior to zoning change

   c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows:

      We are unable to construct usable front porch within the current setback. Desire the porch to extend out 9 feet with a width of 18.

   d. The authorization of the variance will not be of substantial detriment to the adjacent property(ies) or the public good, and the character of the district will not be harmed by granting the variance for the following reasons:

      The addition of a front porch will allow a new front door to be built, protect a large glass window, increase curb appeal and tax value.

3. The following documents are submitted and attached in support of this application:

   Survey & sketch

   ____________________________

   Signature of Applicant/Owner

   4/28/17

   Date
ARTICLE III. DISTRICT AND USE REGULATIONS

DIVISION 3. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

SECTION 17-316. INTENT

The intent of the provisions of this division is to: (1) Provide an area for medium density residential neighborhoods; (2) encourage the use of land for residential purposes; and (3) prohibit any use which would substantially interfere with the development or the construction of residential development.

SECTION 17-317. PERMITTED USES

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the R-2 medium density residential district in accordance with the Use Regulations of Division 11 of this article.

SECTION 17-318. MINIMUM LOT SIZE

The minimum size of lots in the R-2 minimum density residential district is six thousand (6,000) square feet.

SECTION 17-319. MINIMUM LOT WIDTH AT BUILDING LINE

The minimum width of lots at the building line in the R-2 medium density residential district is sixty (60) feet.

SECTION 17-320. YARD SETBACKS

The yard setback requirements in the R-2 medium density residential district are as follows:

1. Front yard setback: Twenty-five (25) feet.
2. Rear yard setback: Twenty (20) feet.
3. Side yard setback: Ten (10) feet.

SECTION 17-321. BUILDING HEIGHT AND ROOF PITCH

The maximum building height in the R-2 minimum density residential district is thirty-five (35) feet. The minimum roof pitch required in the R-2 district shall be 6/12.

SECTION 17-322. MAXIMUM BUILDING AND IMPERVIOUS COVERAGE

On any lot within an R-2 medium density residential district, the area occupied by all buildings including accessory buildings, shall not exceed thirty (30) percent of the total area of such lot. The maximum impervious coverage on any lot within the R-2 medium residential district shall not exceed forty five (45) percent of the total area of such lot.

SECTION 17-323. MAXIMUM FLOOR AREA RATIO

The floor area ratio shall not exceed four-tenths (0.4) for any two-family (duplex) dwelling within the R-2 medium density residential district.

SECTION 17-324 & 17-325. [RESERVED]
May 4, 2017

Dear Property Owner,

The Board of Zoning Appeals of the Town of Surfside Beach, SC will hold a Public Hearing at 6:30 PM on Thursday, May 25, 2017 in the Council Chambers of the Surfside Beach Town Hall located at 115 US Highway 17 N. Surfside Beach, SC. The purpose of the meeting will be to hear the following appeal:

**Appeal No. ZA2017-02 by Tom and Laura Evans requesting a variance from Section 17-320(1) of the Zoning Ordinance to allow for encroachment into the front yard setback of property located at 316 Melody Lane, Surfside Beach, SC (TMP# 195-07-03-033)**

You are being notified by letter of the public hearing because you own property that lies within 150 ft. of the property requesting the variance.

You may attend the meeting and speak to the Board of Zoning Appeals members as a whole in regards to the request. Time will be allotted by the board for each person wanting to speak on the issue. Or, you may send any comments in regards to the request by email to smorris@surfsidebeach.org.

Documents relating to the appeal are available for public inspection in the Building and Zoning Department at 115 Highway 17 North, Surfside Beach, SC 29575. You may contact the Building and Zoning Department if you should have any questions at 843-913-6341.

Sincerely,

[Signature]

Sabrina Morris
Director of Planning, Building & Zoning