1. **CALL TO ORDER.** Chairman Pruitt called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Pruitt, Vice Chairman Abrams and members Crone, Elliott, Johnson, Lauer, and Lowery. A quorum was present. Others present: Town Clerk Herrmann and Planning Director Morris.

2. **PLEDGE OF ALLEGIANCE.** Chairman Pruitt led the Pledge of Allegiance.

3. **AGENDA APPROVAL.** Ms. Crone moved to approve the agenda with an amendment to delete the public hearing. Ms. Abrams seconded. All voted in favor. **MOTION CARRIED.** Chairman Pruitt said the public hearing would be held at a later date; however the discussion would be held.

4. **MINUTES APPROVAL.** Ms. Johnson moved to approve the January 5, 2016 meeting minutes as submitted. Ms. Crone seconded. All voted in favor. **MOTION CARRIED.**

5. **PUBLIC HEARING** – Hearing cancelled, see #3 Agenda Approval.

6. **BUSINESS**

   Establish a new zoning district LI (Limited Industrial) within the town by amending Article Division 1, Section 17.301 to add (10) LI (Limited Industrial District) to the zoning ordinance. Section 17-303 District Dimensional Standards to include LI (Limited Industrial) with dimensional standards. Division 11 Light Industrial District amend Section 17-393 to include intent; Section 17-394 to include uses; Section 17-395 to include minimum lot size; Section 17-396 to include minimum lot width at the building line; 17-397 for yard setbacks; 17-398 for maximum building height; Section 17-39 Reserved.

   Renumber the existing Division 11 to coincide with current amendments. Amend Use Charts to include LI (Limited Industrial Uses) with permitted uses and conditional uses noted. Amend the Use conditions section of Warehousing/storage facility subsections (a) and (b). Add under conditional uses Manufacturing/Industrial Uses and number Section accordingly. Add subsections (a), (b), (c), and (d) under the new Manufacturing/Industrial Uses. Amend Table 17-420 Parking Chart to include “I”, “U” and “V” for parking space requirements. Amend Section 17-007 to include additional definitions for Custom Manufacturing, High Technology, Light Industrial, and Wholesaling, storage, and distribution. Amend Sign Provisions Chart 17-622(c) to include allowed signage for LI (Limited Industrial District) with size and number requirements. Amend Section 17-644 (a) and (b) to include Signs Permitted in Light Industrial District and guidelines. Amend Section 17-652 to include Section 17-644 and add Section (6) (a) – (d) and Section 17-703 (b) to include the new Limited Industrial District with requirements for landscaping.

   Ms. Morris said the advertisement for the public hearing was not published, but that was good, because the commission needs to make sure the ordinance is right before a limited industrial district is established. She received several email comments about the code. Town Council must create the limited industrial district before property could be rezoned. The business committee recommended that Sandy Lane be the designated light industrial district, which conforms to future land use in the Comprehensive Plan. The commission discussed the proposed changes at length and made changes set out below. This topic will be discussed again at the next meeting.

**17-396.44 a. Odor.** Ms. Morris said of the three municipalities that address odor, the codes were vague. Those municipalities did not have any tool with which to measure odor. Ms. Lowery said Line 2 was confusing. Ms. Abrams was concerned because the code is saying you cannot reach an odor threshold, but how do you define and measure that. Ms. Lowery said Line 3 seemed redundant. Ms. Abrams said an ordinance stating don’t emit offensive odors was about as vague as saying don’t store
junk. Odor should be mentioned, but it would have to be vague. Ms. Elliott asked how a paint company would control and treat emissions to protect its employees and the public. Ms. Morris said those protections were controlled by the building and fire codes. She did not know about cleaning the emissions. Number 1 states “The outside boundary of the immediate space occupied,” so it should not be smelled beyond the property line. Mr. Lauer believed noxious odors should be addressed and should not extend beyond the property line. The term “odor threshold” should be removed; there is no way to define odor threshold. Ms. Lowery suggested “No use may generate any noxious odor beyond the property line” to simplify the code. Ms. Abrams suggested the statement “No use may generate any offensive order.” Ms. Crone believed the word “noxious” should be used instead of “offensive,” which is subjective. The odor code should apply to all uses, not just LI. That can be added to the C1 code. Consensus: take out threshold comments; add “No use may generate any noxious odor,” which should apply to C1 and LI.

Pets 17-396.1 and .2 and Use Classifications in Table 17-395 (Continued)

Commercial Offices and Professional Uses. Ms. Elliott referred to animal hospitals, veterinarian clinics, pet boarding facilities, and retail pet shops that are permitted and said that under “Use Classifications” the list has retail pet shops, pet grooming, pet training, no boarding. Ms. Morris explained that C2 allows pet shops, but they do not want boarding in that district, which is the mixed use area. Boarding is allowed as a conditional use in C1, which is Highway 17. Boarding would be permitted in the LI. The “no” would be removed from the description for the LI. Ms. Abrams said the code should be “scrubbed for inconsistencies.”

17-395 Use Chart, Bakery listed three times: Mr. Lowery said bakeries were listed under Entertainment, Recreation and Dining Uses showing not allowed; under retail businesses showing bakeries where products are consumed on site are allowed, and Wholesale Bakeries as a conditional use in LI. Ms. Morris said the business committee recommended allowing bakeries of any type in the LI. Ms. Abrams did not see why not. Ms. Crone said an eat-in bakery would create traffic. She asked if LI should be quasi-retail. Ms. Lowery said other uses in LI allow retail sales. Ms. Lowery said there were not many light industrial businesses in town. If retail were included in the district, it might limit that development. Ms. Abrams asked if retail would drive out the light industrial. Chairman Pruitt said there were currently many places available for retail shops along Highway 17. Mr. Lauer said safety issues were created by traffic, limited parking and pedestrian traffic. Ms. Abrams asked if Ms. Morris had any feel for the business committee’s intentions regarding too much retail or traffic safety. Ms. Morris said the business committee did not discuss traffic safety issues. Retail was discussed and she believed the committee did not want to limit the uses to just industrial uses, just in case someone wanted to open a retail shop. But, the commission members were right, there are many vacant retail buildings on Highway 17. Ms. Johnson said someone may want to open a wholesale bakery. Ms. Morris said that could be allowed. Ms. Crone said that was fine, but once you get into retail, you’re inviting a problem.

Limited Industrial versus Light Industrial. Chairman Pruitt pointed out that both names were used throughout the code. The words have significantly different meanings. Limited allows specific uses while prohibiting other uses. Light industrial is a generic term for warehouse type facilities, car shops, electricians, and other types of workshops. He asked what the town was trying to create on Sandy Lane. There are existing businesses. Do we want more of the same or is the plan to transform that area into something else? Ms. Abrams said if the commission was not going to get into the business of directing traffic, then there were several types of retail businesses that should be allowed, i.e. a dressmaker or seamstress. Ms. Morris agreed with that, but said the planning commission is charged with traffic counts and numbers that come up in new zoning districts or any other plan that comes into effect. The commission needs to address that. Chairman Pruitt said a warehouses, car repairs, or contractors will have deliveries by big trucks. Combining those delivery trucks with commuter vehicles will be an issue to consider. Ms. Abrams said then any business that would draw traffic would be a concern. She thought the commission should decide to “go left or right.”

Ms. Crone suggested light industrial because (a) it generates incomes; (b) gives a location out of the mainstream so the business will not be on Highway 17, and (c) there are places for retail on Highway 17 that includes dressmakers. She thought the commission should encourage some of the smaller places locating in the areas where there would be similar businesses around them. Ms. Lowery was concerned...
with pet boarding, because people would constantly be dropping off and picking up their pets, and there
are so few places for people can board their animals. Ms. Abrams was concerned that under retail
businesses the allowable uses would generate a lot of traffic, i.e. grocery, shoe, and clothing stores. Ms.
Crone suggested totally eliminating retail from the LI. Ms. Abrams said the two paragraphs citing
allowable retail uses were “wide open.” She could understand not allowing a grocery store, but in her
opinion a seamstress could be allowed. Ms. Abrams was concerned about over-regulation.

Chairman Pruitt said businesses currently on Sandy Lane include a karate dojo, a gymnastics
studio, an electrical shop, car repair, wholesale boat soap shop, the town’s public works department, and
some mini warehouses. The karate and gymnastics studios serve as after-school care facilities. Ms.
Morris said the businesses already in place would be grandfathered, but would not be able to reopen if
they were abandoned.

Chairman Pruitt said the bigger question had not been answered. What does the commission
want to see on Sandy Lane? A medical research facility or a retail shop that cannot afford to open on
Highway 17 were the two extremes. Ms. Abrams thought the code should zero in on the two allowed areas
of retail. Ms. Lowery favored light industrial uses. There are other places in Surfside where retail
businesses can locate. Ms. Abrams asked what happened if light industrial did not develop and we end up
with vacant stores. Ms. Lowery said there were vacant stores now, if the light industrial zone is not
created, the spaces will be absorbed into something. Chairman Pruitt asked if anyone had an idea of what
type real estate the town needs. There are open business spaces, so he did not think it needed more retail.
Ms. Elliot asked if the plan was to have light industrial. She said light industrial does not encompass a
customer walking in buying a dozen bagels. Chairman Pruitt said he envisioned Sandy Lane like Scipio
Lane off Holmestown Road where there is a government building, a school, and a clothing printing shop.
Sandy Lane already has businesses similar to that. Mr. Lauer agreed to prohibit retail from the LI. Ms.
Johnson asked what would be done about the pet boarding facilities. Mr. Lauer said if it did not work, it
could be changed later. He thought it would be good to carve this district out and advertise it. Chairman
Pruitt said there might be some favorable tax laws. Ms. Morris said the animal hospital, vet clinics, pet
boarding facilities are being taken out. Ms. Johnson the pet boarding facility should be allowed, because
that would not create a lot of traffic. The hospital, clinic, or pet shop certainly should be taken out.

Ms. Abrams asked what would happen if a light industrial manufacturer sold its merchandise
from the location, i.e. air conditioner parts. Chairman Pruitt said like a company store would sell. Ms.
Johnson said that would be wholesale if the air conditioner repair man purchased parts to resell to his
customers. Chairman Pruitt believed wholesale would be fine. Ms. Johnson agreed. Ms. Abrams
preferred to encourage light industrial without prohibiting retail. Ms. Morris explained that if a retail
business was allowed, and someone wants to open a computer shop or a pawn shop, it would have to be
allowed. If the business was listed, it had to be allowed. Wholesale bakeries were allowed, so wholesale
for other manufacturers should also be considered. Businesses set up only for retail sales should not be
allowed. Several members agreed that wholesale sales would be fine.

Ms. Johnson asked again about animal boarding facilities. There was disagreement as to whether
animal boarding was considered retail. Ms. Crone’s argument was that it was a service industry that
customers walked in to off the street. Chairman Pruitt said it was rare to have a facility that just offered
boarding. Usually boarding facilities were in conjunction with a veterinary office. Several area boarding
facilities were mentioned. Several members supported pet boarding facilities. Ms. Lowery said there was
not that much traffic. Owners would drop off their pets and return a few days later.

Ms. Abrams was concerned that prohibiting retail would bar anyone from selling anything. One
of the approved uses was boat sales and services. She asked if there was there any way to discourage or
prohibit a business whose only purpose was retail sales. Ms. Morris said some businesses were
specifically listed as being allowed in that district so they would be allowed. If the commission wanted to
remove certain items, then it would have to be classified separately to specifically state the use. For
instance, plumbing shops, a customer could go there to buy pipes. Ms. Abrams thought the ordinance was
“down in the weeds.”
Ms. Lowery asked if the high traffic businesses could be eliminated, i.e. establishments selling commodities in small quantities to the consumer; department stores, grocery stores, discount stores, general merchandise, etc. Ms. Morris asked if the low traffic stores should be allowed. Ms. Lowery said that seemed to be the type stores that should be allowed in LI.

Ms. Abrams said this situation just came up at 3rd Avenue South. The list of approved businesses was so specific that reasonable businesses could not open there. Yes, the business committee wants to encourage light industrial. But the town at large might disagree if a gift shop or a seamstress was prohibited. Ms. Lowery said a seamstress in LI would be logical. Ms. Abrams said it was already prohibited. Ms. Lowery said when there are other places zoned for retail, she didn’t understand how anybody could be upset.

Mr. Lauer said the area just did not draw shoppers. If they go, they have a specific reason. Retail is looking for a space that can be seen as you are driving by.

Ms. Johnson said parking was very limited in the area. Ms. Morris said parking requirements would restrict uses.

Ms. Abrams suggested that because of the lot sizes and limited parking in the area, these things are not allowed. Ms. Johnson suggested changing from retail to wholesale businesses. Chairman Pruitt said eliminate retail businesses high traffic and include wholesale businesses low traffic, i.e. restaurant supply stores.

Ms. Morris believed a line with wholesale businesses, low traffic, would cover the intent for the LI.

**Retail Pet Shops, Pet Grooming, & Pet Training.** Chairman Pruitt asked if a new column should be added to show pet boarding is permitted in LI. Several asked about retail sales in the boarding facility. Chairman Pruitt believed that selling shampoos, combs, collars, etc. should be allowed. That would be considered wholesale, low traffic. Ms. Morris said it would be a secondary use for that property. Ms. Crone said the problem with boarding was that the animals had to be walked. Ms. Lowery said there may be some actual ground space in that area for that type facility. Mr. Lauer said the boarding place he takes his dog has an interior play area, and a small outside area where the dog can go for short periods of time. That facility does not sell anything; it’s simply boarding. Several members said that sounded fine.

**17-396.44 Noise.** Mr. Lauer referred to paragraph c, and said 60 decibels between the hours of 7:00 a.m. and 7:00 p.m. On the documents sent out the town ordinance had 55 decibels for that time period. That number should be changed to be consistent.

**17-396.43 Warehouses and Mini-Storage Facilities.** Mr. Lauer felt there was no particular order to this section. He thought it should be set up so the information he needed was first, and he had rewritten the section, if Ms. Morris would review it. Ms. Morris said that would be good. Mr. Lauer said the first statement should be that warehouses and mini-storage is allowed, and then conditions should be set forth and the qualifiers that no business shall operate out of the building for any of the following purposes, which were listed. Ms. Abrams asked if junk storage was addressed. Mr. Lauer said that “junk” was omitted, and “no open storage was allowed” was added. Ms. Morris said that was perfect.

**Signs.** Ms. Morris said initially road signs were being allowed, but the planning commission asked that that be removed, because there would be billboards on Sandy Lane. Roof signs are not allowed in C1. The sign codes for L1 mirror C1, because they did not want to limit anything. Signs are based on the linear frontage. The minimum lot width on Sandy Lane is 50-feet, so the maximum sign size for that lot is 50-square feet. If someone purchased three 50-foot lots, the sign could be 150-square feet. Signs would have to be designed by an engineer.

Ms. Abrams referred to Section 17.652, number 4 in the narrative under wall signs and said the last sentence said “the projecting sign may not extend above the roof line at distance greater than six feet.” Mr. Morris said that should be removed, because the sign should not project at all.
Mr. Lauer referred to Section 17-644(a) (1) and asked if the freestanding sign would be illuminated with a spot light. Ms. Morris said it could be illuminated from the ground or with interior lights; it did not specify. The overlay states that lights could be interior or if it is up-lit, it has to be on the sign only to address the traffic concerns. That language could be included in this section for clarity.

Ms. Elliott said a business could have a 10- x 20-foot sign, 200 square feet maximum. Ms. Morris said it was based on the linear lot frontage. If your lot frontage was 50-feet, you could have a 50-square foot sign. If you combine four 50-foot lots, you could have a 200-square foot sign. That is the same code as is in the C1 Highway Commercial zone. The LI district should not be limited any more than C1 as far as advertising.

**Lot Frontage & Setbacks.** Ms. Elliott asked how a lot with 50-foot frontage would allow 20-feet for the fire apparatus on one side, and a 20-foot setback, because that only leaves 10-feet for the building. Ms. Morris said at least one side yard has to be 20-feet so the fire department can go all the way around the building. The requirement is either 20-feet or a combination of 10- and 10-per neighboring business. Ms. Elliott asked how a building could be built. Ms. Morris said that is the current requirement, so that was a great question. She will speak with the fire department about this. Ms. Elliott did not believe 20-feet was sufficient because of the ladders and fire apparatus. Ms. Morris said most of the town’s two lane roads were only 20-feet wide.

**17-396.44, paragraph d. Prohibited.** Chairman Pruitt asked why some of those businesses were prohibited, particularly soap, etc. Ms. Morris said the business committee reviewed several ordinances and chose this one. The commission may amend it. Ms. Abrams wanted to ensure the business committee understands that there are issues such as parking safety that have to be considered. She did not think the commission was being arbitrary, but was trying to help them. Ms. Morris said she attends the business committee meetings now, so she will let them know. She would review this paragraph with the business committee before it comes back to the planning commission. Chairman Pruitt said he could envision someone opening a boutique paper production shop. Ms. Morris thought the committee was thinking more in line with the paper mill. Chairman Pruitt also saw no problem with rubber or leather goods. He asked what “except fixed ammunition” meant; was that assembling bullets? He saw no problem with that. Ms. Morris said she would have to ask the committee. Chairman Pruitt said manufacturing gun powder and explosives were not acceptable. Mr. Lauer believed assembling bullets was dangerous. Chairman Pruitt believe soap makers, and storage of rawhide were acceptable, because someone might make custom boots. Ms. Abrams said regardless of the various categories, the planning commission was trying to prohibit high traffic shops, because the area cannot handle it. Chairman Pruitt added dangerous enterprises should be prohibited. Several members agreed.

Ms. Lowery asked for an explanation of dead storage. Ms. Abrams said it was a place where people were not in and out all the time. Chairman Pruitt asked for a definition of lamp black. He believed Ms. Abrams said it correctly. It is hard to have a list of businesses that could exists. How many combinations of businesses could be in the district? Ms. Morris said the ordinance states at the beginning of the uses that the planning director or the zoning administrator has the right if the business fits in the use category to approve the use, even if the business is not specifically listed. The business could be allowed if it falls in low traffic category. Ms. Lowery said they did not want to keep someone from opening a business that could actually use the space, but at the same time we don’t want to make exceptions. Ms. Abrams asked if they were more worried about high traffic than about retail. Chairman Pruitt said the two go hand-in-hand.

**Section 17-007 Definitions.** Ms. Crone said new definitions were added for ceramic studios, craft making, candle making, custom jewelry manufacturers, glass blowers; those businesses seem to be artisans. She asked if that was what the commission wants in LI. Mr. Lauer said dress makers fit in that category nicely. Chairman Pruitt thought these businesses would be great. He thought the production studios would be good in the LI with wholesales; but their retail stores would have to be elsewhere. Chairman Pruitt said glass manufacturing is one of those businesses that is “right on the line of yes or no.” There is no clear cut answer. Ms. Lowery said she would love to artisan businesses on 3rd Avenue South. Ms. Crone thought the artisan businesses would benefit the community, but should they be located in LI, and should they be prohibited from having retail sales, if they are located there. Chairman Pruitt
suggested that the question be answered with a square footage percentage be allowed for retail sales of
their products. Ms. Abrams still wanted to discourage any business whose primary purpose was retail
sales. If the primary purpose was producing crafts or boarding dogs, let them sell some of their products,
but it should be a secondary use. Ms. Lowery asked if “primary use” could be added to the description.
Chairman Pruitt believed that would clear up the question.

Ms. Abrams believed this ordinance needed one more “scrub” before it was ready to present,
because there were so many changes. Ms. Morris said the commission could review it again at the next
meeting, because they want to have right. The public hearing did not have to be held next month.

Chairman Pruitt asked Ms. Morris if she had a grasp of the commission’s collective mind. Ms.
Morris thought so. Mr. Lauer was going to furnish his rewrite, and she thought she could get it together.
Ms. Lowery asked if a final review of the proposal could be done before the public hearing. Ms. Morris
said yes.

Ms. Crone asked what would be done with taxidermy, or butchers, or wholesale butcher and
storage businesses. Chairman Pruitt said those were prohibited under tanning, curing or storing of
rawhides, skins, leather, or hair. Ms. Abrams asked if Ms. Crone was talking about a slaughter house. Ms.
Crone said perhaps a hunter brought in a deer that he wanted stuffed, and the meat prepared and stored
for later delivery. Several members agreed that meat processing and storage should be prohibited.

**Limited Industrial or Light Industrial.** Chairman Pruitt asked again if the district would
be call Light Industrial or Limited Industrial. Ms. Abrams believed limited might be better based on the
discussions. Ms. Crone suggested Limited Light Industrial. (*Laughter.*)

6. PUBLIC COMMENTS - General.

Mr. Cabell Young, 15th Avenue South. I’ve been sitting in on the business committee meetings
with Ms. Morris. She looked back at me a couple of times. I think what the committee meant, and I may
be stepping out here, but I’m going to say this, what they’re looking for is diversity. That’s the key word
right there. They’re not looking, and you handled it perfectly on the retail end of it, but when you’re
having discussions with the Economic Development Corporation in Myrtle Beach and there’s
opportunities, we’re just trying to prepare. That’s all they’re doing. Chairman Pruitt asked Mr. Young if
there were any specific things left out. Mr. Young answered from the audience not at this point.

Mr. Troy Berry. I’ve lived here in Surfside for 13 years; from Columbia and Surfside here. I am a
time realtor with Keller Williams Realty and I am a custom homebuilder in Columbia and in Surfside.
So, I’m here to talk about something a lot more fun that odor and (**). I’m here to talk about something
that all y’all live in. You live in a home. As I said, I’m a custom homebuilder. I’ve been working with
[Ms. Morris] for about the past four to five weeks. We’ve exchanged emails and had some conversations.

What I’m looking to do, this is a site location. I own this lot. I bought this lot five years ago to build my
personal home on here, and another client’s home. This lot is at 319 15th Avenue South. It’s four lots up
from Lakeside on 15th Avenue South; 319 is the address. Of course, this is in the R2 district. What I am
looking to do, and what I’ve been looking to do for three years, I’m looking to build two typical raised
beach homes that will be 2,400 square foot heated, with parking under, and storage building at the back
on the ground level. But, it’s two units that are 10-foot in between. Let me show you this, [Ms. Morris]
has already seen this. (*Showed a plan to the members.*) (***) But, here’s the concern that [Ms. Morris]
concern, that why she wanted me to approach y’all tonight and get your blessing on this here. As I said,
this is in R2. There’s no building issues with here, and there’s no fire issues with the 10-foot space
between Unit A and Unit B, two single family homes that look exactly alike. They would just be different
colors, whatever. I have a client that’s from Charlotte. They have lived here in Surfside, and I can send
[Ms. Morris] the email that they sent me here. They’ve lived in Surfside for four years. They recently sold
their home, and they’ve been looking to build for six months in Surfside. One thing they were looking at
when they sold their existing little small 1,100 square foot bungalow cottage, it was on 15th Avenue South.
Their address was 329 15th Avenue South, south this is just five lots away. They are Brian Patterson and
Ann Patterson. And like I said, they’re residents of Surfside also. But, I’m looking to build their home as
Unit A. My personal home will be Unit B on the same lot. So, there’s no building issues. There’s no fire

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Chairman Pruitt asked Mr. Berry what his timeline was. Mr. Berry said he'd been waiting
loss. Because the code states there can only be one primary structure on a lot, you can't build separate
in the Surfside area and all in the Market Common area. You look at what’s going on in the Market
Common area for the past three to four years, it is blowing up with single family detached homes. Nobody
wants the old typical 1970’s, 1980’s duplex units or condos or townhome units. There’s a flood of those on
the market that you can’t sell. Examples right here in Surfside. There was one home to the right of this
lot. It was the old building built about 15 years ago and it was a duplex unit with the two units attached.
Unit B, I’m talking about 319, it’s 321, that address is 321 15th Avenue South, the lot to the right. It just
recently sold about a year ago. People from Pennsylvania bought that. The point I want to make is that
unit, your typical duplex, single family Unit A and Unit B, which was attached with a common wall, it sat
there for three and a half years. It had to have an $80,000 price reduction, and sold well below market
value, just to get it sold. The main reason that realtor, the listing agent, it wasn’t me, but was another
realtor, Surfside Realty, they had that property and it went to two or three different agencies. I never
represented that property. But, the point is, it sold for $80,000 less, and the point I’m trying to make is
what do we want the vision of Surfside to be within the R2 district? Primarily from Lakeside moving
close to Hollywood area. Do we want the existing kind of vague as Ms. Abrams over here said earlier
when she was making some comments about your previous discussion, she said we don’t want to over
regulate. Well, right now, the code is kind of over regulating and it won’t allow this here, and that’s why
[Ms. Morris] needs your blessing as a committee in order to issue the building permit. That’s kind of a
summary of what I’m looking to do. End of the day there will be two single family homes with a 10-foot
space in between. I can address a little bit more. The clients do not want a duplex unit. I don’t want that,
because what it is you have no windows. You have that fire wall in between. You have no windows on the
side of your property where you can look out. There’s an insurance issue. There is a fire risk, even though
you have a fire wall. That’s just a one hour fire wall. Once it burn downs one unit, you have to tear down
the whole complex that is on that lot, Unit A and Unit B. There’s a privacy issue. There’s a noise issue.
This would be two very beautiful, Unit A and Unit B, and I have the plans here. I can show you what it’ll
look like. *(Held up plans showing front and back.)* Like I said, it’s going to look very great. It’s going to
appeal and be an attractive residence in Surfside. These people want it to be their retirement home. They
are from Charlotte, and they’re professionals. Like I said, they just recently sold their home a week ago,
and they’ve been ready to build this with me as the builder. Like I said, I live here in Surfside and I’m a
custom home builder. I’ve been a builder for 14 years; previous engineer. But, we can’t get the building
permit issued unless we get your blessing from this committee for [Ms. Morris] to go ahead and process
the building permit paperwork with the 10-foot space between Unit A and B.

Ms. Abrams did not believe the commission had the authority to approve spot zoning or to direct
Ms. Morris to issue a permit. She would like to see a discussion of R2 in general on the next meeting
agenda. Ms. Morris said perhaps Mr. Berry did not explain it correctly. She and Mr. Berry disagree on
interpretation of the ordinance as it is written. The ordinance says R2 allows for single family and
duplexes. His lot is not large enough for it to be split for two single family residences. So, he can either
build one residential home or he can build a duplex. The ordinance also says you can only have one
principle building per lot. That means the duplex has to be connected and have a fire wall. That is why
when he submitted the plans, he said A and B were a duplex. That is not the way it is interpreted and is
not the way the ordinance was written. Ms. Abrams said the planning commission could discuss it and
considering rewriting the ordinance. Mr. Berry said the lot is 70 feet wide and the houses would be 19.5
feet wide. He was not asking the commission to issue the permit, but he was asking for an amendment to
the existing ordinance for R2. This type construction cannot be done now, and there were many clients
that wanted to build this type houses. A builder has not built a duplex unit in the past ten years in town.
No one would build a duplex, because you cannot sell them, unless you want to sell them at a $100,000
loss. Because the code states there can only be one primary structure on a lot, you can’t build separate
units A and B with a 10-foot space in between.

Chairman Pruitt asked Mr. Berry what his timeline was. Mr. Berry said he’d been waiting
patiently for six weeks. I just have to have the blessing of this committee. What I’m asking for is to
amend. Just add a line to the existing code and just say, you don’t have to change the existing code the
way it’s written. The planning is the one that makes these codes, just amend and add (**). Chairman
Pruitt said it would be a lengthy process to get that changed. Mr. Berry said he just wants an amendment
to allow two single family units on his property. Ms. Lowery explained that even if the commission
approved an amendment at this meeting, it would still be a while before the ordinance was adopted. Ms.
Morris said at least two months. Mr. Berry asked the commission if they would consider the amendment
and send it to council for approval. Mr. Lauer and Ms. Lowery did not mind adding the discussion to the
next agenda.

Ms. Morris said the R2 district would be added to the next agenda. Mr. Berry asked if there were
concerns that he could address at this time. Ms. Abrams said an amendment would affect many areas.
She personally did not want to see Surfside Beach developed like Market Common. Mr. Berry said his
comment was to state that duplex units were not being built in Market Common. He could actually build
three units on this lot. Mr. Lauer asked Ms. Morris if there were negative impacts that might occur as a
result of changing the code. Ms. Morris said a duplex is defined as having a fire wall. She said for the
record that she had issues a few duplex permits in the last year or two. So, they are still being built.
Currently, you cannot have but one principle building anywhere in town on one lot, unless it is in R3 and
you have an acre. She thought it was an issue green space, and several things. Ms. Abrams, Ms. Johnson
and other members said they needed to review the entire R2 district codes before making comments. Ms.
Abrams said changing one phrase for one lot sounded simple, but it could have unintended consequences.
Mr. Berry said this design would add green space, because there would be more landscaping.

Chairman Pruitt said it sounded like Mr. Berry just wanted the duplex structure to be changed to
allow separate buildings. Mr. Berry said correct. Chairman Pruitt personally did not see any problems
with that. He said it would be added to the next meeting agenda, and Ms. Morris could provide the
ordinances. Mr. Berry was invited to attend the meeting. Chairman Pruitt reminded Mr. Berry that it was
a lengthy process to change any ordinance. He appreciated Mr. Berry bringing the question to the
commission.

Ms. Debra Herrmann, North Cedar Drive, said her property was in R2 and there were two
separate houses on the lot. She asked if she could rebuild if something happened. Ms. Morris explained
that the houses were grandfathered and the houses could be rebuilt in the same footprint.

8. COMMISSION COMMENTS.

Ms. Lowery was happy to see people attending the meeting.

Ms. Elliott said thank you for coming.

Mr. Lauer said he was glad Ms. Herrmann could stay in her house. (Laughter.)

12. ADJOURNMENT.

Ms. Johnson moved to adjourn at 7:26 p.m. Mr. Lauer seconded. All voted in favor. MOTION
CARRIED.

Prepared and submitted by,

Approved: April 4, 2015.

Debra E. Herrmann, CMC, Town Clerk

Mikey Pruitt, Chairman