



**SURFSIDE BEACH PLANNING & ZONING COMMISSION
TOWN COUNCIL CHAMBERS
MARCH 1, 2016 ♦ 6:00 P.M.**

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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.

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

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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.

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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.**

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

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6. BUSINESS

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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.

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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.

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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

58 junk. Odor should be mentioned, but it would have to be vague. Ms. Elliott asked how a paint company
59 would control and treat emissions to protect its employees and the public. Ms. Morris said those
60 protections were controlled by the building and fire codes. She did not know about cleaning the
61 emissions. Number 1 states "The outside boundary of the immediate space occupied," so it should not be
62 smelled beyond the property line. Mr. Lauer believed noxious odors should be addressed and should not
63 extend beyond the property line. The term "odor threshold" should be removed; there is no way to define
64 odor threshold. Ms. Lowery suggested "No use may generate any noxious odor beyond the property line"
65 to simplify the code. Ms. Abrams suggested the statement "No use may generate any offensive order."
66 Ms. Cronen believed the word "noxious" should be used instead of "offensive," which is subjective. The
67 odor code should apply to all uses, not just LI. That can be added to the C1 code. **Consensus: take out
68 threshold comments; add "No use may generate any noxious odor," which should apply to
69 C1 and LI.**

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71 ***Pets 17-396.1 and .2 and Use Classifications in Table 17-395 (Continued)***
72 ***Commercial Offices and Professional Uses.*** Ms. Elliott referred to animal hospitals, veterinarian
73 clinics, pet boarding facilities, and retail pet shops that are permitted and said that under "Use
74 Classifications" the list has retail pet shops, pet grooming, pet training, *no* boarding. Ms. Morris
75 explained that C2 allows pet shops, but they do not want boarding in that district, which is the mixed use
76 area. Boarding is allowed as a conditional use in C1, which is Highway 17. Boarding would be permitted
77 in the LI. The "no" would be removed from the description for the LI. Ms. Abrams said the code should
78 be "scrubbed for inconsistencies."

79
80 ***17-395 Use Chart, Bakery listed three times:*** Mr. Lowery said bakeries were listed under
81 Entertainment, Recreation and Dining Uses showing not allowed; under retail businesses showing
82 bakeries where products are consumed on site are allowed, and Wholesale Bakeries as a conditional use in
83 LI. Ms. Morris said the business committee recommended allowing bakeries of any type in the LI. Ms.
84 Abrams did not see why not. Ms. Crone said an eat-in bakery would create traffic. She asked if LI should
85 be quasi-retail. Ms. Lowery said other uses in LI allow retail sales. Ms. Lowery said there were not many
86 light industrial businesses in town. If retail were included in the district, it might limit that development.
87 Ms. Abrams asked if retail would drive out the light industrial. Chairman Pruitt said there were currently
88 many places available for retail shops along Highway 17. Mr. Lauer said safety issues were created by
89 traffic, limited parking and pedestrian traffic. Ms. Abrams asked if Ms. Morris had any feel for the
90 business committee's intentions regarding too much retail or traffic safety. Ms. Morris said the business
91 committee did not discuss traffic safety issues. Retail was discussed and she believed the committee did
92 not want to limit the uses to just industrial uses, just in case someone wanted to open a retail shop. But,
93 the commission members were right, there are many vacant retail buildings on Highway 17. Ms. Johnson
94 said someone may want to open a wholesale bakery. Ms. Morris said that could be allowed. Ms. Crone
95 said that was fine, but once you get into retail, you're inviting a problem.

96
97 ***Limited Industrial versus Light Industrial.*** Chairman Pruitt pointed out that both names
98 were used throughout the code. The words have significantly different meanings. Limited allows specific
99 uses while prohibiting other uses. Light industrial is a generic term for warehouse type facilities, car
100 shops, electricians, and other types of workshops. He asked what the town was trying to create on Sandy
101 Lane. There are existing businesses. Do we want more of the same or is the plan to transform that area
102 into something else? Ms. Abrams said if the commission was not going to get into the business of
103 directing traffic, then there were several types of retail businesses that should be allowed, i.e. a
104 dressmaker or seamstress. Ms. Morris agreed with that, but said the planning commission is charged
105 with traffic counts and numbers that come up in new zoning districts or any other plan that comes into
106 effect. The commission needs to address that. Chairman Pruitt said a warehouses, car repairs, or
107 contractors will have deliveries by big trucks. Combining those delivery trucks with commuter vehicles
108 will be an issue to consider. Ms. Abrams said then any business that would draw traffic would be a
109 concern. She thought the commission should decide to "go left or right."

110
111 Ms. Crone suggested light industrial because (a) it generates incomes; (b) gives a location out of
112 the mainstream so the business will not be on Highway 17, and (c) there are places for retail on Highway
113 17 that includes dressmakers. She thought the commission should encourage some of the smaller places
114 locating in the areas where there would be similar businesses around them. Ms. Lowery was concerned

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115 with pet boarding, because people would constantly be dropping off and picking up their pets, and there
116 are so few places for people can board their animals. Ms. Abrams was concerned that under retail
117 businesses the allowable uses would generate a lot of traffic, i.e. grocery, shoe, and clothing stores. Ms.
118 Crone suggested totally eliminating retail from the LI. Ms. Abrams said the two paragraphs citing
119 allowable retail uses were "wide open." She could understand not allowing a grocery store, but in her
120 opinion a seamstress could be allowed. Ms. Abrams was concerned about over-regulation.
121

122 Chairman Pruitt said businesses currently on Sandy Lane include a karate dojo, a gymnastics
123 studio, an electrical shop, car repair, wholesale boat soap shop, the town's public works department, and
124 some mini warehouses. The karate and gymnastics studios serve as after-school care facilities. Ms.
125 Morris said the businesses already in place would be grandfathered, but would not be able to reopen if
126 they were abandoned.
127

128 Chairman Pruitt said the bigger question had not been answered. What does the commission
129 want to see on Sandy Lane? A medical research facility or a retail shop that cannot afford to open on
130 Highway 17 were the two extremes. Ms. Abrams thought the code should zero in on the two allowed areas
131 of retail. Ms. Lowery favored light industrial uses. There are other places in Surfside where retail
132 businesses can locate. Ms. Abrams asked what happened if light industrial did not develop and we end up
133 with vacant stores. Ms. Lowery said there were vacant stores now, if the light industrial zone is not
134 created, the spaces will be absorbed into something. Chairman Pruitt asked if anyone had an idea of what
135 type real estate the town needs. There are open business spaces, so he did not think it needed more retail.
136 Ms. Elliot asked if the plan was to have light industrial. She said light industrial does not encompass a
137 customer walking in buying a dozen bagels. Chairman Pruitt said he envisioned Sandy Lane like Scipio
138 Lane off Holmestown Road where there is a government building, a school, and a clothing printing shop.
139 Sandy Lane already has businesses similar to that. Mr. Lauer agreed to prohibit retail from the LI. Ms.
140 Johnson asked what would be done about the pet boarding facilities. Mr. Lauer said if it did not work, it
141 could be changed later. He thought it would be good to carve this district out and advertise it. Chairman
142 Pruitt said there might be some favorable tax laws. Ms. Morris said the animal hospital, vet clinics, pet
143 boarding facilities are being taken out. Ms. Johnson the pet boarding facility should be allowed, because
144 that would not create a lot of traffic. The hospital, clinic, or pet shop certainly should be taken out.
145

146 Ms. Abrams asked what would happen if a light industrial manufacturer sold its merchandise
147 from the location, i.e. air conditioner parts. Chairman Pruitt said like a company store would sell. Ms.
148 Johnson said that would be wholesale if the air conditioner repair man purchased parts to resell to his
149 customers. Chairman Pruitt believed wholesale would be fine. Ms. Johnson agreed. Ms. Abrams
150 preferred to encourage light industrial without prohibiting retail. Ms. Morris explained that if a retail
151 business was allowed, and someone wants to open a computer shop or a pawn shop, it would have to be
152 allowed. If the business was listed, it had to be allowed. Wholesale bakeries were allowed, so wholesale
153 for other manufacturers should also be considered. Businesses set up only for retail sales should not be
154 allowed. Several members agreed that wholesale sales would be fine.
155

156 Ms. Johnson asked again about animal boarding facilities. There was disagreement as to whether
157 animal boarding was considered retail. Ms. Crone's argument was that it was a service industry that
158 customers walked in to off the street. Chairman Pruitt said it was rare to have a facility that just offered
159 boarding. Usually boarding facilities were in conjunction with a veterinary office. Several area boarding
160 facilities were mentioned. Several members supported pet boarding facilities. Ms. Lowery said there was
161 not that much traffic. Owners would drop off their pets and return a few days later.
162

163 Ms. Abrams was concerned that prohibiting retail would bar anyone from selling anything. One
164 of the approved uses was boat sales and services. She asked if there was there any way to discourage or
165 prohibit a business whose only purpose was retail sales. Ms. Morris said some businesses were
166 specifically listed as being allowed in that district so they would be allowed. If the commission wanted to
167 remove certain items, then it would have to be classified separately to specifically state the use. For
168 instance, plumbing shops, a customer could go there to buy pipes. Ms. Abrams thought the ordinance was
169 "down in the weeds."
170

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171 Ms. Lowery asked if the high traffic businesses could be eliminated, i.e. establishments selling
172 commodities in small quantities to the consumer; department stores, grocery stores, discount stores,
173 general merchandise, etc. Ms. Morris asked if the low traffic stores should be allowed. Ms. Lowery said
174 that seemed to be the type stores that should be allowed in LI.
175

176 Ms. Abrams said this situation just came up at 3rd Avenue South. The list of approved businesses
177 was so specific that reasonable businesses could not open there. Yes, the business committee wants to
178 encourage light industrial. But the town at large might disagree if a gift shop or a seamstress was
179 prohibited. Ms. Lowery said a seamstress in LI would be logical. Ms. Abrams said it was already
180 prohibited. Ms. Lowery said when there are other places zoned for retail, she didn't understand how
181 anybody could be upset.
182

183 Mr. Lauer said the area just did not draw shoppers. If they go, they have a specific reason. Retail
184 is looking for a space that can be seen as you are driving by.
185

186 Ms. Johnson said parking was very limited in the area. Ms. Morris said parking requirements
187 would restrict uses.
188

189 Ms. Abrams suggested that because of the lot sizes and limited parking in the area, these things
190 are not allowed. Ms. Johnson suggested changing from retail to wholesale businesses. Chairman Pruitt
191 said eliminate retail businesses high traffic and include wholesale businesses low traffic, i.e. restaurant
192 supply stores.
193

194 Ms. Morris believed a line with wholesale businesses, low traffic, would cover the intent for the LI.
195

196 **Retail Pet Shops, Pet Grooming, & Pet Training.** Chairman Pruitt asked if a new column
197 should be added to show pet boarding is permitted in LI. Several asked about retail sales in the boarding
198 facility. Chairman Pruitt believed that selling shampoos, combs, collars, etc. should be allowed. That
199 would be considered wholesale, low traffic. Ms. Morris said it would be a secondary use for that property.
200 Ms. Crone said the problem with boarding was that the animals had to be walked. Ms. Lowery said there
201 may be some actual ground space in that area for that type facility. Mr. Lauer said the boarding place he
202 takes his dog has an interior play area, and a small outside area where the dog can go for short periods of
203 time. That facility does not sell anything; it's simply boarding. Several members said that sounded fine.
204

205 **17-396.44 Noise.** Mr. Lauer referred to paragraph c, and said 60 decibels between the hours of
206 7:00 a.m. and 7:00 p.m. On the documents sent out the town ordinance had 55 decibels for that time
207 period. That number should be changed to be consistent.
208

209 **17-396.43 Warehouses and Mini-Storage Facilities.** Mr. Lauer felt there was no
210 particular order to this section. He thought it should be set up so the information he needed was first, and
211 he had rewritten the section, if Ms. Morris would review it. Ms. Morris said that would be good. Mr.
212 Lauer said the first statement should be that warehouses and mini-storage is allowed, and then conditions
213 should be set forth and the qualifiers that no business shall operate out of the building for any of the
214 following purposes, which were listed. Ms. Abrams asked if junk storage was addressed. Mr. Lauer said
215 that "junk" was omitted, and "no open storage was allowed" was added. Ms. Morris said that was perfect.
216

217 **Signs.** Ms. Morris said initially road signs were being allowed, but the planning commission
218 asked that that be removed, because there would be billboards on Sandy Lane. Roof signs are not allowed
219 in C1. The sign codes for L1 mirror C1, because they did not want to limit anything. Signs are based on
220 the linear frontage. The minimum lot width on Sandy Lane is 50-feet, so the maximum sign size for that
221 lot is 50-square feet. If someone purchased three 50-foot lots, the sign could be 150-square feet. Signs
222 would have to be designed by an engineer.
223

224 Ms. Abrams referred to Section 17.652, number 4 in the narrative under wall signs and said the
225 last sentence said "the projecting sign may not extend above the roof line at distance greater than six feet."
226 Mr. Morris said that should be removed, because the sign should not project at all.
227

228 Mr. Lauer referred to Section 17-644(a) (1) and asked if the freestanding sign would be
229 illuminated with a spot light. Ms. Morris said it could be illuminated from the ground or with interior
230 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
231 sign only to address the traffic concerns. That language could be included in this section for clarity.
232

233 Ms. Elliott said a business could have a 10- x 20-foot sign, 200 square feet maximum. Ms. Morris
234 said it was based on the linear lot frontage. If your lot frontage was 50-feet, you could have a 50-square
235 foot sign. If you combine four 50-foot lots, you could have a 200-square foot sign. That is the same code
236 as is in the C1 Highway Commercial zone. The LI district should not be limited any more than C1 as far as
237 advertising.
238

239 **Lot Frontage & Setbacks.** Ms. Elliott asked how a lot with 50-foot frontage would allow 20-
240 feet for the fire apparatus on one side, and a 20-foot setback, because that only leaves 10-feet for the
241 building. Ms. Morris said at least one side yard has to be 20-feet so the fire department can go all the way
242 around the building. The requirement is either 20-feet or a combination of 10- and 10-per neighboring
243 business. Ms. Elliott asked how a building could be built. Ms. Morris said that is the current
244 requirement, so that was a great question. She will speak with the fire department about this. Ms. Elliott
245 did not believe 20-feet was sufficient because of the ladders and fire apparatus. Ms. Morris said most of
246 the town's two lane roads were only 20-feet wide.
247

248 **17-396.44, paragraph d. Prohibited.** Chairman Pruitt asked why some of those businesses
249 were prohibited, particularly soap, etc. Ms. Morris said the business committee reviewed several
250 ordinances and chose this one. The commission may amend it. Ms. Abrams wanted to ensure the
251 business committee understands that there are issues such as parking safety that have to be considered.
252 She did not think the commission was being arbitrary, but was trying to help them. Ms. Morris said she
253 attends the business committee meetings now, so she will let them know. She would review this
254 paragraph with the business committee before it comes back to the planning commission. Chairman
255 Pruitt said he could envision someone opening a boutique paper production shop. Ms. Morris thought the
256 committee was thinking more in line with the paper mill. Chairman Pruitt also saw no problem with
257 rubber or leather goods. He asked what "except fixed ammunition" meant; was that assembling bullets?
258 He saw no problem with that. Ms. Morris said she would have to ask the committee. Chairman Pruitt
259 said manufacturing gun powder and explosives were not acceptable. Mr. Lauer believed assembling
260 bullets was dangerous. Chairman Pruitt believe soap makers, and storage of rawhide were acceptable,
261 because someone might make custom boots. Ms. Abrams said regardless of the various categories, the
262 planning commission was trying to prohibit high traffic shops, because the area cannot handle it.
263 Chairman Pruitt added dangerous enterprises should be prohibited. Several members agreed.
264

265 Ms. Lowery asked for an explanation of dead storage. Ms. Abrams said it was a place where
266 people were not in and out all the time. Chairman Pruitt asked for a definition of lamp black. He believed
267 Ms. Abrams said it correctly. It is hard to have a list of businesses that could exist. How many
268 combinations of businesses could be in the district? Ms. Morris said the ordinance states at the beginning
269 of the uses that the planning director or the zoning administrator has the right if the business fits in the
270 use category to approve the use, even if the business is not specifically listed. The business could be
271 allowed if it falls in low traffic category. Ms. Lowery said they did not want to keep someone from opening
272 a business that could actually use the space, but at the same time we don't want to make exceptions. Ms.
273 Abrams asked if they were more worried about high traffic than about retail. Chairman Pruitt said the
274 two go hand-in-hand.
275

276 **Section 17-007 Definitions.** Ms. Crone said new definitions were added for ceramic studios,
277 craft making, candle making, custom jewelry manufacturers, glass blowers; those businesses seem to be
278 artisans. She asked if that was what the commission wants in LI. Mr. Lauer said dress makers fit in that
279 category nicely. Chairman Pruitt thought these businesses would be great. He thought the production
280 studios would be good in the LI with wholesales; but their retail stores would have to be elsewhere.
281 Chairman Pruitt said glass manufacturing is one of those businesses that is "right on the line of yes or no."
282 There is no clear cut answer. Ms. Lowery said she would love to artisan businesses on 3rd Avenue South.
283 Ms. Crone thought the artisan businesses would benefit the community, but should they be located in LI,
284 and should they be prohibited from having retail sales, if they are located there. Chairman Pruitt

285 suggested that the question be answered with a square footage percentage be allowed for retail sales of
286 their products. Ms. Abrams still wanted to discourage any business whose primary purpose was retail
287 sales. If the primary purpose was producing crafts or boarding dogs, let them sell some of their products,
288 but it should be a secondary use. Ms. Lowery asked if "primary use" could be added to the description.
289 Chairman Pruitt believed that would clear up the question.

290
291 Ms. Abrams believed this ordinance needed one more "scrub" before it was ready to present,
292 because there were so many changes. Ms. Morris said the commission could review it again at the next
293 meeting, because they want to have to right. The public hearing did not have to be held next month.

294
295 Chairman Pruitt asked Ms. Morris if she had a grasp of the commission's collective mind. Ms.
296 Morris thought so. Mr. Lauer was going to furnish his rewrite, and she thought she could get it together.
297 Ms. Lowery asked if a final review of the proposal could be done before the public hearing. Ms. Morris
298 said yes.

299
300 Ms. Crone asked what would be done with taxidermy, or butchers, or wholesale butcher and
301 storage businesses. Chairman Pruitt said those were prohibited under tanning, curing or storing of
302 rawhides, skins, leather, or hair. Ms. Abrams asked if Ms. Crone was talking about a slaughter house. Ms.
303 Crone said perhaps a hunter brought in a deer that he wanted stuffed, and the meat prepared and stored
304 for later delivery. Several members agreed that meat processing and storage should be prohibited.

305
306 **Limited Industrial or Light Industrial.** Chairman Pruitt asked again if the district would
307 be call Light Industrial or Limited Industrial. Ms. Abrams believed limited might be better based on the
308 discussions. Ms. Crone suggested Limited Light Industrial. (*Laughter.*)

309
310 **6. PUBLIC COMMENTS - General.**

311
312 Mr. Cabell Young, 15th Avenue South. I've been sitting in on the business committee meetings
313 with Ms. Morris. She looked back at me a couple of times. I think what the committee meant, and I may
314 be stepping out here, but I'm going to say this, what they're looking for is diversity. That's the key word
315 right there. They're not looking, and you handled it perfectly on the retail end of it, but when you're
316 having discussions with the Economic Development Corporation in Myrtle Beach and there's
317 opportunities, we're just trying to prepare. That's all they're doing. Chairman Pruitt asked Mr. Young if
318 there were any specific things left out. Mr. Young answered from the audience not at this point.

319
320 Mr. Troy Berry. I've lived here in Surfside for 13 years; from Columbia and Surfside here. I am a
321 full time realtor with Keller Williams Realty and I am a custom homebuilder in Columbia and in Surfside.
322 So, I'm here to talk about something a lot more fun than odor and (**). I'm here to talk about something
323 that all y'all live in. You live in a home. As I said, I'm a customer homebuilder. I've been working with
324 [Ms. Morris] for about the past four to five weeks. We've exchanged emails and had some conversations.
325 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
326 personal home on here, and another client's home. This lot is at 319 15th Avenue South. It's four lots up
327 from Lakeside on 15th Avenue South; 319 is the address. Of course, this is in the R2 district. What I am
328 looking to do, and what I've been looking to do for three years, I'm looking to build two typical raised
329 beach homes that will be 2,400 square foot heated, with parking under, and storage building at the back
330 on the ground level. But, it's two units that are 10-foot in between. Let me show you this, [Ms. Morris]
331 has already seen this. (*Showed a plan to the members.*) (**) But, here's the concern that [Ms. Morris]
332 had and that is why she wanted me to approach y'all tonight and get your blessing on this here. As I said,
333 this is in R2. There's no building issues with here, and there's no fire issues with the 10-foot space
334 between Unit A and Unit B, two single family homes that look exactly alike. They would just be different
335 colors, whatever. I have a client that's from Charlotte. They have lived here in Surfside, and I can send
336 [Ms. Morris] the email that they sent me here. They've lived in Surfside for four years. They recently sold
337 their home, and they've been looking to build for six months in Surfside. One thing they were looking at
338 when they sold their existing little small 1,100 square foot bungalow cottage, it was on 15th Avenue South.
339 Their address was 329 15th Avenue South, south this is just five lots away. They are Brian Patterson and
340 Ann Patterson. And like I said, they're residents of Surfside also. But, I'm looking to build their home as
341 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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342 code issues, because I checked with [Chief Otte], the fire chief as [Ms. Morris] had recommended to make
343 sure the 10-foot space is suitable, and it is, and there's no issues there. The only problem is currently the
344 way the zoning code works for the R2 district is, and what [Ms. Morris] has illustrated to me in some
345 conversation that in order to have a Unit A and a Unit B single family home as the planning commission
346 has it right now, the two units much be attached, and the clients don't want that. I don't want that. Like I
347 stated earlier, I am a realtor with the Keller Williams Myrtle Beach South office, and I do a lot of business
348 in the Surfside area and all in the Market Common area. You look at what's going on in the Market
349 Common area for the past three to four years, it is blowing up with single family detached homes. Nobody
350 wants the old typical 1970's, 1980's duplex units or condos or townhome units. There's a flood of those on
351 the market that you can't sell. Examples right here in Surfside. There was one home to the right of this
352 lot. It was the old building built about 15 years ago and it was a duplex unit with the two units attached.
353 Unit B, I'm talking about 319, it's 321, that address is 321 15th Avenue South, the lot to the right. It just
354 recently sold about a year ago. People from Pennsylvania bought that. The point I want to make is that
355 unit, your typical duplex, single family Unit A and Unit B, which was attached with a common wall, it sat
356 there for three and a half years. It had to have an \$80,000 price reduction, and sold well below market
357 value, just to get it sold. The main reason that realtor, the listing agent, it wasn't me, but was another
358 realtor, Surfside Realty, they had that property and it went to two or three different agencies. I never
359 represented that property. But, the point is, it sold for \$80,000 less, and the point I'm trying to make is
360 what do we want the vision of Surfside to be within the R2 district? Primarily from Lakeside moving
361 closing to Hollywood area. Do we want the existing kind of vague as Ms. Abrams over here said earlier
362 when she was making some comments about your previous discussion, she said we don't want to over
363 regulate. Well, right now, the code is kind of over regulating and it won't allow this here, and that's why
364 [Ms. Morris] needs your blessing as a committee in order to issue the building permit. That's kind of a
365 summary of what I'm looking to do. End of the day there will be two single family homes with a 10-foot
366 space in between. I can address a little bit more. The clients do not want a duplex unit. I don't want that,
367 because what it is you have no windows. You have that fire wall in between. You have no windows on the
368 side of your property where you can look out. There's an insurance issue. There is a fire risk, even though
369 you have a fire wall. That's just a one hour fire wall. Once it burn downs one unit, you have to tear down
370 the whole complex that is on that lot, Unit A and Unit B. There's a privacy issue. There's a noise issue.
371 This would be two very beautiful, Unit A and Unit B, and I have the plans here. I can show you what it'll
372 look like. (*Held up plans showing front and back.*) Like I said, it's going to look very great. It's going to
373 appeal and be an attractive residence in Surfside. These people want it to be their retirement home. They
374 are from Charlotte, and they're professionals. Like I said, they just recently sold their home a week ago,
375 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
376 custom home builder. I've been a builder for 14 years; previous engineer. But, we can't get the building
377 permit issued unless we get your blessing from this committee for [Ms. Morris] to go ahead and process
378 the building permit paperwork with the 10-foot space between Unit A and B.

379
380 Ms. Abrams did not believe the commission had the authority to approve spot zoning or to direct
381 Ms. Morris to issue a permit. She would like to see a discussion of R2 in general on the next meeting
382 agenda. Ms. Morris said perhaps Mr. Berry did not explain it correctly. She and Mr. Berry disagree on
383 interpretation of the ordinance as it is written. The ordinance says R2 allows for single family and
384 duplexes. His lot is not large enough for it to be split for two single family residences. So, he can either
385 build one residential home or he can build a duplex. The ordinance also says you can only have one
386 principle building per lot. That means the duplex has to be connected and have a fire wall. That is why
387 when he submitted the plans, he said A and B were a duplex. That is not the way it is interpreted and is
388 not the way the ordinance was written. Ms. Abrams said the planning commission could discuss it and
389 considering rewriting the ordinance. Mr. Berry said the lot is 70 feet wide and the houses would be 19.5
390 feet wide. He was not asking the commission to issue the permit, but he was asking for an amendment to
391 the existing ordinance for R2. This type construction cannot be done now, and there were many clients
392 that wanted to build this type houses. A builder has not built a duplex unit in the past ten years in town.
393 No one would build a duplex, because you cannot sell them, unless you want to sell them at a \$100,000
394 loss. Because the code states there can only be one primary structure on a lot, you can't build separate
395 units A and B with a 10-foot space in between.

396
397 Chairman Pruitt asked Mr. Berry what his timeline was. Mr. Berry said he'd been waiting
398 patiently for six weeks. I just have to have the blessing of this committee. What I'm asking for is to

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399 amend. Just add a line to the existing code and just say, you don't have to change the existing code the
400 way it's written. The planning is the one that makes these codes, just amend and add (**). Chairman
401 Pruitt said it would be a lengthy process to get that changed. Mr. Berry said he just wants an amendment
402 to allow two single family units on his property. Ms. Lowery explained that even if the commission
403 approved an amendment at this meeting, it would still be a while before the ordinance was adopted. Ms.
404 Morris said at least two months. Mr. Berry asked the commission if they would consider the amendment
405 and send it to council for approval. Mr. Lauer and Ms. Lowery did not mind adding the discussion to the
406 next agenda.

407
408 Ms. Morris said the R2 district would be added to the next agenda. Mr. Berry asked if there were
409 concerns that he could address at this time. Ms. Abrams said an amendment would affect many areas.
410 She personally did not want to see Surfside Beach developed like Market Common. Mr. Berry said his
411 comment was to state that duplex units were not being built in Market Common. He could actually build
412 three units on this lot. Mr. Lauer asked Ms. Morris if there were negative impacts that might occur as a
413 result of changing the code. Ms. Morris said a duplex is defined as having a fire wall. She said for the
414 record that she had issues a few duplex permits in the last year or two. So, they are still being built.
415 Currently, you cannot have but one principle building anywhere in town on one lot, unless it is in R3 and
416 you have an acre. She thought it was an issue green space, and several things. Ms. Abrams, Ms. Johnson
417 and other members said they needed to review the entire R2 district codes before making comments. Ms.
418 Abrams said changing one phrase for one lot sounded simple, but it could have unintended consequences.
419 Mr. Berry said this design would add green space, because there would be more landscaping.

420
421 Chairman Pruitt said it sounded like Mr. Berry just wanted the duplex structure to be changed to
422 allow separate buildings. Mr. Berry said correct. Chairman Pruitt personally did not see any problems
423 with that. He said it would be added to the next meeting agenda, and Ms. Morris could provide the
424 ordinances. Mr. Berry was invited to attend the meeting. Chairman Pruitt reminded Mr. Berry that it was
425 a lengthy process to change any ordinance. He appreciated Mr. Berry bringing the question to the
426 commission.

427
428 Ms. Debra Herrmann, North Cedar Drive, said her property was in R2 and there were two
429 separate houses on the lot. She asked if she could rebuild if something happened. Ms. Morris explained
430 that the houses were grandfathered and the houses could be rebuilt in the same footprint.

431
432 **8. COMMISSION COMMENTS.**

433
434 Ms. Lowery was happy to see people attending the meeting.

435
436 Ms. Elliott said thank you for coming.

437
438 Mr. Lauer said he was glad Ms. Herrmann could stay in her house. (*Laughter.*)

439
440 **12. ADJOURNMENT.**

441
442 Ms. Johnson moved to adjourn at 7:26 p.m. Mr. Lauer seconded. All voted in favor. **MOTION**
443 **CARRIED.**

444
445 Prepared and submitted by,

446
447 Approved: April 4, 2015.

448 _____
449 Debra E. Herrmann, CMC, Town Clerk

450
451 _____
452 Mikey Pruitt, Chairman

453
454 Clerk's Note: This document constitutes action minutes of the meeting that was digitally recorded, and not intended to be a complete transcript.
455 Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given to you provided you bring a flash drive. In
456 accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties via the town's email subscription list. The
agenda was posted on the entry door at Town Council Chambers. Meeting notice was also posted on the Town marquee.