



**Town of Surfside Beach**  
**Planning, Building & Zoning Department**  
**210 Highway 17 South,**  
**Surfside Beach, SC 29575**  
**(843)913-6341**

**BOARD OF ZONING APPEALS**  
**TOWN COUNCIL CHAMBERS/TELECONFERENCE MINUTES**  
**829 Pine Drive, Surfside Beach, SC 29575**  
**Thursday, March 17, 2022 6:30 p.m.**

**CALL TO ORDER** Chairman Willm called the meeting to order at 6:30 p.m. Members present: Chairman Willm, and Members Belanger, Lanham, Lauer, Murdock, Taylor and Dougherty. Also present Director Sabrina Adair and Town Clerk Medina

**PLEDGE OF ALLEGIANCE** Chairman Wilm led in the Pledge of Allegiance.

**AGENDA APPROVAL** Mr. Taylor made a motion to approve the agenda, Mr. Dougherty seconded. All voted in favor. **Motion Carried.**

**MINUTES APPROVAL** - December 16, 2021& January 20, 2022

Mr. Taylor made a motion to approve the minutes as presented, Mrs. Belanger seconded. All voted in favor. **Motion Carried.**

**PUBLIC COMMENTS ON BUSINESS ITEM** - None

**BUSINESS ITEM**

**Appeal No. ZA2022-02 by Benton Blakely requesting approval to construct a new single-family residential home meeting the same front setback requirements of the existing home to be demolished. Existing front setback from habitable structure 12' from the front property line; 6' from the porch/deck. The required front setback in the R3 zoning district is 20'. The property is located at 414 Ocean Blvd. North, Surfside Beach, SC 29575. PIN# 46103040200.**

Director Adair stated this octagon house is located on North Ocean Boulevard, and he's been working on this home for years. He has been attempting to improve it. He anticipated the new changes in the flood maps in December of last year would allow him to finally accomplish the goal. He wanted to add on to the existing structure and then do the required renovations to the existing structure that's needed. There are substantial improvements needed. The interior needs extensive repairs.

He's limited right now to 48% of the value of the structure only. With the improvements that need to be made to the existing structure, he can't meet that. So, he has decided to demolish the home and rebuild with the same setbacks. The lot is oddly shaped, with the property extending into the canal behind his house.

Mr. Murdock asked if the original build was within the proper setbacks?  
Director Adair stated yes because there are no previous variances for this parcel.

He also asked if this is a unique situation that this property has a 28-foot right-of-way setback? Director Adair stated she spoke with the Public Works Director, and he said that some of the lots on Ocean Blvd are unique. There are a few different setbacks.

Mr. Blakely stated he replaced the bulkhead on his property. I want to repair the existing home, but it can't be done with the limit of 48%. That is why I have chosen to tear down and rebuild. I love Surfside Beach. This is my little patch of heaven. The Administrator, Tina and Mitch walked the property and told me that if I waited until December when the flood maps changed, I would be good to go. Now I find that is not the case. I don't know what to do.

Mr. Murdock recapped by stating the 48% rule; I'm assuming it changed because, at some point, that was an issue with the existing property that it didn't meet the flood standards. So now, the 48% standard will be applicable because you would be renovating an existing house that's non-conforming to the setbacks

Director Adair explained that the 48% rule comes into play because he can't make the new flood height requirement. The house is actually non-conforming, even with the latest Flood requirements. So, he can only do 48% of the value of the structure at one point, and then in five years, he can do up to 48%, again, and so on.

Mr. Murdock clarified that this variance would be to approve a future designed home built in the same setbacks as the current home.

Mr. Blakely stated yes.

Mrs. Lauer stated this board does try to help the resident, but the laws in Surfside are made for the best of the Town.

Mr. Murdock made a motion to approve a variance to allow a build in the exact footprint and no further than the house that is currently existing. Give leeway for the new build but not exceed the property's current setback encroachment. Mr. Dougherty second.

Mr. Taylor stated he had reviewed the ordinances for grandfathering, not finding anything. As much as I want to support you, I feel allowing someone to demolish then rebuild in the right of way or setbacks within six feet of the property line is not something I can support.

Mr. Murdock, Mrs. Lauer, and Mr. Dougherty voted in favor. Mr. Taylor, Mrs. Belanger, and Chairman Wilm voted against. Motion failed.

**PUBLIC COMMENTS - General Comments - None**

**BOARD COMMENTS - None**

**ADJOURNMENT** Mr. Taylor made a motion to adjourn at 6:51 p.m., and Mr. Dougherty seconded. All voted in favor. **Motion Carried.**

Respectfully submitted

Sheri L Medina