
1 **2020-19(1ST READING); TO AMEND APPENDIX A ZONING OF THE CODE OF**
2 **ORDINANCES SEC. 1603.B TO INCREASE THE MAXIMUM HEIGHT IN THE R-15**
3 **(SINGLE FAMILY) ZONING DISTRICT FROM 35’ TO 43’.**

4 **Applicant/Purpose:** William & Ann Didelot (applicants) / to amend Appendix A of the Zoning
5 Code to increase the maximum height from 35’ to 43’ in the R15 Zoning District

6
7 **Brief:**

- 8 • The current height limit in the R15 Single-Family Districts is 35’ w/ minimum combined side-
9 yard setback of 22.5’ w/ a minimum of 10’ on each side.
- 10 • Current regulations provide a height “bonus” of up to 50’ w/ an additional 1.5’ of additional
11 setback, on each side yard, per 1’ of additional height.
- 12 • The lowest floor of any residential structure in a flood zone has to be 3’ above the base
13 flood elevation (BFE). When applied, the required additional 3’ is added to the maximum
14 allowable height.
- 15 • The height is measured from grade.
- 16 • The space under a raised home may be used for non-habitable uses, including parking.
- 17 • Planning Commission 02/04/2020: Recommends denial (8-0) per the following findings:
 - 18 ○ The requested amendment is inconsistent w/ the Comp Plan Neighborhoods Goal:
 - 19 ▪ Neighborhoods be protected, preserved, kept safe, & aesthetically pleasing.
 - 20 ▪ Neighborhoods Objective #2: Continue to protect & preserve neighborhoods
21 from disruptive intrusions so they remain vital parts of the community.
 - 22 ○ The precedents & the possible effects of such precedents would be broad-reaching
23 & would negatively impact several established neighborhoods, including The Dunes
24 Club, Dunes Cove, Cliffwood Drive, & the Myrtle Heights Historic District

25
26 **Issues:**

- 27 • The applicant wished to build a home on the oceanfront in an R-15 zone to a height of 43’
28 w/out the necessary additional setbacks prescribed in the Zoning Code.
- 29 • Although the applicant property is oceanfront, the request includes all of the R-15 zones,
30 & will affect The Dunes Club, Dunes Cove, Cliffwood Drive, the Myrtle Beach schools, & the
31 Myrtle Heights Historic District.

32
33 **Public Notification:**

- 34 • Normal advertisements for Planning Commission meetings & public hearings.
- 35 • Normal City Council Meeting notice.

36
37 **Alternatives:**

- 38 • Modify the proposed ordinance.
- 39 • Deny the proposed ordinance.

40
41 **Manager’s Recommendation:** I support PC’s position & recommend denial.

42
43 **Attachment(s):** Proposed ordinance, staff report, public input, & sales flyer.

ORDINANCE 2020-19

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

TO AMEND APPENDIX A ZONING OF
THE CODE OF ORDINANCES SEC.
1603.B TO INCREASE THE MAXIMUM
HEIGHT IN THE R-15 (SINGLE FAMILY)
ZONING DISTRICT FROM 35' TO 43'.

IT IS HEREBY ORDAINED that Article 16 Area, Height and Dimensional Requirements,
Appendix A, Zoning of the Code of Ordinances is amended as follows:

1603.B. Requirements for Residential Zoning Districts

District	Dwelling Unit*	Min. Lot Area (sq. ft.)	Min. Lot Width	Min. Lot Depth	Max. Height	Max. Building Coverage	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Lot Setback
R-5	SF	5,000	60' L	---	35'	40%	D J	10' J	20' J
R-7	SF	7,500	60' L	90'	35'	40%	30'	E F J	H J
R-8	SF	8,000	60' L	---	35'	40%	D J	10' J	20' J
R-10	SF	10,000	75' L	100'	35' A	40%	40'	E F J	30'
R-15	SF	15,000	80' L	120'	35' <u>43'</u> A	35%	40'	F G J	30'

(A) 1' of additional building height is permitted for each 1-1/2' of additional side yard setback per side if the setback is increased in excess of the minimum. All portions of the structure not exceeding ~~35'~~ 43' in height are permitted between the height bonus setback and the minimum side yard setback line in the Multifamily (RM) districts. However, in no instance is the maximum height to exceed 50'.

This ordinance will take effect upon second reading.

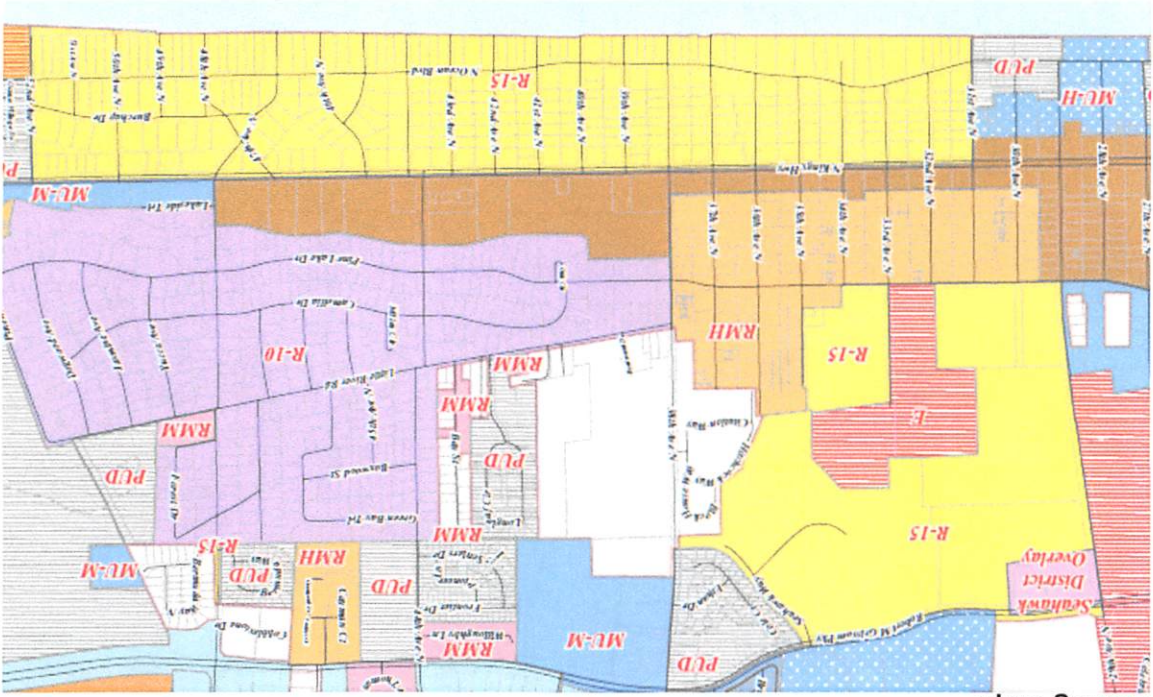
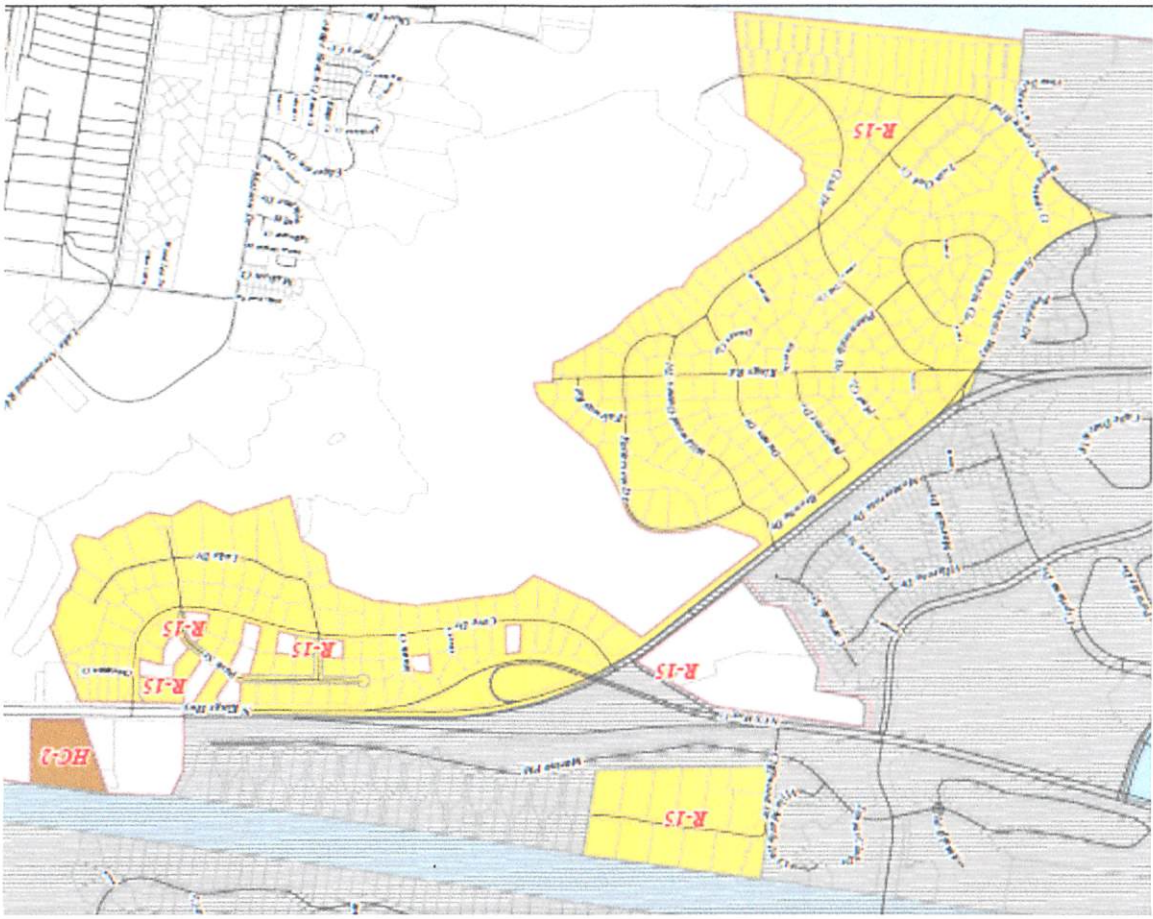
BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER STANFORD, CITY CLERK

1st Reading: 2-25-2020

2nd Reading:



Zoning Map:

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1 **STAFF COMMENTS:**

2 Zoning: The request is not a remedy for the conflicts between building elevation and site
3 grade.

4
5 Public Works, Fire: No Concerns
6
7

8 **Section 403. Findings of Fact Required**
9

10 In reviewing any petition for a zoning amendment, the Planning Commission shall
11 identify and evaluate all factors relevant to the petition, and shall report its findings in full,
12 along with its recommendations for disposition of the petition, to the City Council.

13 Factors shall include, but shall not be limited to, the following:
14

- 15 403.A. Whether or not the requested zoning change is consistent with the
16 Comprehensive Plan or is justified by an error in the original ordinance.
- 17 403.B. The precedents and the possible effects of such precedents, which might
18 result from approval or denial of the petition.
- 19 403.C. The capability of the City or other government agencies to provide any
20 services, facilities, or programs that might be required if the petition were
21 approved.
- 22 403.D. Effect of approval of the petition on the condition or value of property in the
23 City.
- 24 403.E. Effect of approval of the petition on adopted development plans and policies
25 of the City.
26

1 **From:** Dallas Leavitt <dallasc.leavitt@gmail.com>
2 **Sent:** Sunday, January 26, 2020 5:17 PM
3 **To:** Kenneth May <kmay@cityofmyrtlebeach.com>
4 **Subject:** Lots 4706 and 4708 N. Ocean Boulevard

5
6 Dear Ken

7
8 Hope you are doing well and thank you for your service to our community. Dallas and I have been advised
9 of the recent request for variance on the lots located directly across the street from us at 4706/4708 N.
10 Ocean Blvd. We understand that there has been a request for an increase height variance for proposed
11 structures on these lots. We do not agree with a proposed height variance increase for residential
12 structures.

13
14 We were able to construct our own residence, along with additional structures, and stay within the cities
15 existing guidelines. We feel that the City of Myrtle Beach has well established construction criteria that
16 has enhanced our community as well as served its residents equally.

17
18 Please keep us advised of the status of the proposed variance request.

19
20 Chip & Dallas Leavitt - 4705 N Ocean Blvd. -910-540-2029

21
22
23
24
25 **From:** Dallas Leavitt <dallasc.leavitt@gmail.com>
26 **Sent:** Sunday, January 26, 2020 5:39 PM
27 **To:** Allison Hardin <AHardin@cityofmyrtlebeach.com>
28 **Subject:** Lots 4706 & 4708 N Ocean Boulevard

29
30 Dear Allison

31
32 Hope all is well with you and yours. Thanks so much for all of your help in the past with our construction
33 and improvements. Dallas and I have been advised of the recent request for variance on Lots 4706/4708
34 North Ocean Blvd. located directly across the street from us on the ocean front. We understand there has
35 been a request for an increase in height variance for proposed structures on these lots that we do not agree
36 with.

37
38 We were able to construct our own residence and add additional structures while staying within the cities
39 existing guidelines. We feel that the City of Myrtle Beach has established guidelines and criteria that has
40 served its residents well and equally.

41
42 Please keep us advised and up-to-date to the proposed variance request.

43
44 Chip & Dallas Leavitt - 4705 N Ocean Blvd - 910-540-2029

FOR SALE

For More Information Please Call:
(317) 501-2087



Unique opportunity to purchase oceanfront property for your dream home. Lots 4706 and 4708 at .56 acres each can be purchased individually or together to build your ultimate beachfront home. Located in the heart of the Golden Mile on The Grand Strand. Prime location between the avenue public access points to the beach. Property is slated to be coming out of flood zone with new FEMA map adoption.

Individual Lot Size: 75' x 324'

Now Offered:

Each 0.56 Acre Lot \$1,375,000

OR

1.12 Acre Lot \$2,650,000