

CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
BOARD OF ZONING APPEALS
Thursday, April 9, 2020
5:00 P.M.

MINUTES

Dan Moore, Chairman
Cynthia Lover
Ricky Martin
William McGonigal
Roger Quinn
Trey Skidmore
Andy Thomas

City Staff:
Paul Blust
Ben Caldwell
Chris Noury
Jim Wood
Dawn E. Snider, Acting Clerk
Allison K. Galbreath, Clerk

- 1. CALL TO ORDER & ROLL CALL:** Chairman Moore called the meeting to order at 5:08 P.M. In accordance with South Carolina Office of Governor, Executive Order 2020-17, the called meeting was virtually held via Zoom.
- 2. APPROVAL OF MEETING MINUTES:** Chairman Moore called for a motion to table the approval of the minutes of March 12, 2020 meeting to the next meeting, May 14, 2020, in order to have more time to review minutes. The motion was made by Ms. Lover and seconded by Mr. Skidmore. Chairman Moore called for the vote. The motion passed 7-0.
- 3. COMMUNICATIONS:** None
- 4. OLD BUSINESS:** None
- 5. NEW BUSINESS:**
 - A. SWEAR IN THOSE PERSONS TO SPEAK:** Ms. Snider swore in persons to speak.
 - B. VARIANCE #V07-20:** Mr. Tim Dunkin has made an application for a variance to remove a tree in excess of the 24-inch caliper measurement that is protected by the ordinance at 225 1st Avenue North. Mr. Dunkin has requested to table this application until next meeting, May 14, 2020.

Chairman Moore called for a motion. Mr. Quinn motioned to table Variance #V07-20 to the May 14, 2020 meeting and was seconded by Mr. McGonigal. No further discussion. The motion passed 7-0.
 - C. APPEAL #D3-20:** Mr. Mike Todd has filed an appeal of the decision of the Zoning Administrator that an RV (Recreational Vehicle) parked in the front yard at 502 35th Avenue South is not grandfathered and thus allowed to remain parked at residence. Mr. Kirk Truslow, attorney for applicant has requested to table this appeal until next meeting, May 14, 2020.

Chairman Moore called for a motion. Mr. McGonigal motioned to table Appeal #D3-20 to the May 14, 2020 meeting and was seconded by Mr. Skidmore. No further discussion. The motion passed 7-0.

- D. VARIANCE #V09-20:** Mr. Mike Todd has made an application for a variance to park an RV (Recreational Vehicle) parked in the front yard in the R-1 (Single-Family Residential) district where an RV may only be parked behind the front line of the house or in a carport or garage at 502 35th Avenue South. Mr. Kirk Truslow, attorney for applicant has requested to table this application until next meeting, May 14, 2020.

Chairman Moore called for a motion. Mr. Skidmore motioned to table Variance #V09-20 to the May 14, 2020 meeting and was seconded by Ms. Lover. No further discussion. The motion passed 7-0.

- E. VARIANCE #V13-20:** Our Lady Star of The Sea Catholic Church has made an application for a variance to erect a second freestanding sign on the property at 1100 8th Avenue North. The second sign is 32 square feet. Due to the inability to successfully contact the applicant, Chairman Moore asked if there was a suggestion from the Board. Ms. Lover motioned to table Variance #V13-20 to the May 14, 2020 meeting and was seconded by Mr. Skidmore. No further discussion. The motion passed 7-0.

- F. VARIANCE #V14-20:** Mr. Richard Neff made an application for a variance to remove a tree in excess of the 24-inch caliper measurement that is protected by the ordinance at 4608 South Island Drive. Mr. Quinn recused himself from discussion and vote. Mr. Neff has requested to table this application until next meeting, May 14, 2020.

Chairman Moore called for a motion. Mr. McGonigal motioned to table Variance #V14-20 to the May 14, 2020 meeting and was seconded by Ms. Lover. No further discussion. The motion passed 6-0.

- G. VARIANCE #V15-20:** Mr. Jeff Kiser has made an application for an 8 inch reduction of the required 5-foot side yard setback in the R-3 (Medium Density Residential) district at 506 Hillside Drive South. Mr. Kiser has requested to table this application until next meeting, May 14, 2020.

- H. VARIANCE #V16-20:** NGD Property, II, LLC has made application to remove 18 trees in excess of the 24-inch caliper measurement that are protected by the ordinance in a proposed new subdivision located on the old Waterway Hills Golf Course. The subdivision is accessible by Water Tower Road off Highway 31 and is known as Waterway Hills Village at Grande Dunes. Mr. Cameron Parker, agent for Development Resource Group, presented the plans for Pod 6B/6D, the second development phase of the overall master plan. This plan was approved by the Planning Commission on Tuesday, April 7, 2020 with the acceptance of the minor amendment to the Waterway Hills Village PDD. Design approvals are approaching final stages from various Staff and departments. The Planning Commission will be voting on final plat approval. Mr. Parker's presentation is asking permission to remove 18 trees on various lots within the development. The following trees will be removed or saved:

- Lot 3: 2 trees, 26 ½ in. laurel oak, 15 in. plus 11 in. double hickory
- Lot 9: Demonstrates the steps taken to save this particular laurel oak

- Lot 15: 2 trees, both 24 in. water oaks
- Lot 16: 30 in. chestnut oak is 2.2 feet away from building footprint. 28 in. poplar with 2 feet of fill required. 2 trees near rear 45 in. laurel oak and 24 in. water oak will be saved.
- Lot 17: 24 in. laurel oak, 24 in. poplar, 35 in. laurel oak, 35 in. poplar, 27 ½ in. laurel oak
- Lot 18: 24 in. gum, 29 ½ in. maple
- Lot 20: Demonstrates the steps taken to save a 25 in. water oak
- Lot 21: 23 ½ in. water oak
- Lot 41: 26 ½ in. maple
- Lot 51: 23 ½ in. water oak
- Lot 65: 24 in. post oak
- Lot 88: 14 plus 14 ½ plus 6 triple tree, 30% canopy would be compromised
- Lot 89: 20 plus 20 in. double water oak, 50% canopy would be compromised

Ms. Lover asked if the property would be totally cleared by bulldozer. Mr. Parker stated the property would be cleared, minus the trees that are marked to save. Mr. McGonigal inquired how fast the water oaks in this area tend to grow in a year. Mr. Stewart indicated they are very hardy trees and have a faster growth rate than other species. Ms. Lover discussed the concern of Lot 17 and not being able to save some of those trees. Mr. Parker stated 512.5 inches would be the total amount of trees removed from the property. There will be a proposed total of 243 inches (81 trees) of replacement trees placed back on the property. The cumulative trees proposed exceeds the amount required to mitigate. Trees placed on individual lots would be at the discretion of the property owner. Landscaping on individual lots will be subject to the same Architectural Review Committee that governs the Grande Dunes. Chairman Moore expressed concern over not replacing trees on individual lots vs. street trees. Mr. Stewart stated there is a requirement from Grande Dunes to have at least one canopy tree per lot. Mr. Parker stated the perimeter buffer will be heavily landscaped. Ms. Lover suggested not to clear cut all the buffer trees in order to save money on replanting, as well as keeping the natural buffer that already exists. Mr. Stewart stated they are making efforts to reasonably save the natural trees within the property. Mr. McGonigal asked for confirmation that there will be at least one canopy tree per lot. Mr. Stewart stated there will be, depending on species, a 3 in. caliper x 12 foot tall canopy tree on each lot.

Chairman Moore called for any other questions or comments. Ms. Lover stated she wished there could be more trees saved on Lot 17. Mr. McGonigal stated for future purposes, the Board's objective is tasked with making sure we can do the best we can to protect the terrain.

Having no further questions or discussion, Chairman Moore called for a motion. Ms. Lover motioned to approve Variance #V16-20. If there is a hardship with the terrain of the property that would be difficult to preserve the trees to be removed, they would be granted a variance and allowed to remove the trees specified, with the stipulation they have to save the trees indicated and are required to replant 273 caliper inches of trees, with at least one per lot, at least 3 caliper inches in diameter, with laurel oak, water oak, hickory or poplar trees. Mr. Quinn seconded the motion. No further discussion. The motion passed 7-0.

Having no further business, Chairman Moore asked for a motion to adjourn. Mr. McGonigal motioned to adjourn and was seconded by Mr. Quinn. The motion passed 7-0. The meeting adjourned at 6:05 PM.

Respectfully submitted,

Allison K. Galbreath
Clerk

NOTE: BE ADVISED THAT THESE MINUTES REPRESENT A SUMMARY OF THE BOARD OF ZONING APPEALS MEETING AND ARE NOT INTENDED TO REPRESENT A FULL TRANSCRIPT OF THE MEETING.