



SURFSIDE BEACH PLANNING & ZONING COMMISSION
TOWN COUNCIL CHAMBERS
May 3, 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 Elliott, Johnson, Lauer, and Lowery. One seat is vacant. A quorum was present. Others present: Town Clerk Herrmann, Planning Director Morris, and Executive Assistant Messall.

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

3. AGENDA APPROVAL. Ms. Abrams moved to approve the agenda with an amendment to allow public comments on agenda items only just prior to business. Ms. Johnson second. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL. Ms. Johnson moved to approve the March 1, 2016 meeting minutes as submitted. Ms. Lowery second. All voted in favor. **MOTION CARRIED.**

PUBLIC COMMENTS- Agenda Items. There were no public comments on the agenda items.

5. BUSINESS.

a) Article III, Table 17-303 to allow for two single family residential structures to be located on one lot with a minimum of 6,000 square feet per lot. Ms. Morris gave a brief presentation explaining that the property in question was zoned R2 and located near Melody Lane between Lakeside Drive and Poplar. Code currently allows a single family house or a duplex. The owner is requesting that two single family dwellings be allowed on the one lot and he is calling them a duplex, because they will be Units A and B. The town is required to adhere to the International Building Code (IBC) states that a duplex shall have either a shared wall or a shared floor with a not-less than one hour fire resistant rating wall. This commission has no authority to change the IBC. The current land use map identifies the areas in which various types of construction are allowed. Just in the section where the lot is located there are 39 or more duplexes. That number does not include Ocean Pines, which is a planned development district. Although the change was requested by one property owner, it will affect many others. There are over 970 parcels in the R2 zoning district. By allowing the two separate homes to be located on the one parcel, you will ultimately allow infringement of R3 into the R2 medium density zoning district. The primary purpose of zoning is to segregate uses that are thought to be incompatible. In practice, zoning is also used to prevent new development from interfering with existing uses and/or to preserve the character of the community. This particular street, 15th Avenue South, and most of the others in the R2 district, is a well-established family neighborhood. Each resident has a minimum of 6,000 square feet per lot, and housing is only one structure per lot. Residents that she spoke with said one of the main reasons they chose this neighborhood was the zoning protection, density restraints, setback requirements, limited traffic, and prohibition of short term rentals. All of these restrictions establish the quality of the neighborhood, which must be maintained. The future land use map clearly shows the area is to remain medium density residential, which currently allows one building per 6,000 square foot lot. A photograph of a duplex located on the same street was shown, and Ms. Morris said her inspector did not realize the home was a duplex, because of its design. This duplex is three houses down from the subject lot. The town's Comprehensive Plan would also have to be revised, if this change is adopted. Ms. Morris said that during a previous meeting public comment section it was said that no one builds duplexes anymore. According to the Census Bureau, duplexes, or two family dwellings, increased in the Town of Surfside Beach 3.2-percent from 2000 to 2010. In 2012, there was a total of 328 duplexes in the town and the department has issued permits for more duplexes since then.

54 Mr. Lauer asked what the real difference would be between allowing two standalone houses and
55 a duplex. Ms. Morris said impacts were: 1. Impervious/pervious calculations. A duplex would provide
56 much more green space; 2. Parking, and 3. Density; a duplex would prohibit the maximum number of
57 bedrooms, because of the green space calculations. A single family house could have up to seven
58 bedrooms.

59
60 Ms. Abrams asked if recommended changes would be for all 970 parcels in the zone or if it would
61 only affect the one lot. Ms. Morris said it would affect all parcels.

62
63 Chairman Pruitt said to make this allowable, the definition of duplex would have to be changed or
64 the square footage required would have to be reduced. Ms. Morris said two single family residents would
65 have to be allowed. The definition of duplex cannot be changed, because the IBC defines duplex.

66
67 Ms. Lowery said she visited the area today. The building described to the commission would not
68 be compatible with the surrounding buildings, which appear to be single family homes that span the
69 entire lot. She did not see any construction like the owner wants to build until she was much closer to
70 the beach. The subject property has been cleared. There appear to be stakes set, but only for one
71 building. She did not think the building would be compatible with the other structures in that immediate
72 area. Ms. Lowery asked if the zoning had changed since the property was purchased. Ms. Morris said
73 the property was purchased recently, but she did not have the exact date. Zoning was R2, and has not
74 changed.

75
76 Ms. Abrams said Section 17-202 states the reasons the town might want to change the zoning
77 ordinance. One part is "Where public necessity, convenience, general welfare or good zoning practice
78 justify such action." Based on comments, this change would only benefit the owners of one parcel out of
79 almost 1,000.

80
81 Ms. Elliott asked when the current zoning was enacted that requires a duplex to have a solid wall
82 or floor in between the buildings. There some closer to the beach that are connected by 5-foot sections.
83 Ms. Morris said closer to the beach is the R3 district that allows townhouses. This property is R2 and has
84 been in place since the IBC was adopted at least 20 years ago.

85
86 Mr. Lauer said there were really only a couple of reasons to change an ordinance. One was the
87 change would benefit the town in some way. Number two is that the change would benefit the people or
88 the property itself. He was looking for a benefit that this might have, because if there are no benefits to
89 the town, there would be no reason to change. Ms. Morris said some of the neighborhood property
90 owners were present, but in speaking with them previously, they do not want the change. The only
91 benefit to the town that she was told was higher taxes would be paid. She personally did not believe the
92 taxes would be enough to offset changing the character of the entire neighborhood. Mr. Lauer said
93 aesthetically it was very hard for him to image the buildings as they are proposed to be constructed
94 looking very good on that property.

95
96 Ms. Johnson said she personally dislikes two dwellings on one lot in the R3, so she was not in
97 favor of expanding anything to allow more of it.

98
99 Chairman Pruitt said since there was no significant benefit for the town and based on the
100 members' comments, he so no reason to move forward with this item.

101
102 Ms. Abrams moved to recommend denial business items a) and b), which is a request to allow
103 two single family structures and allowing two principal buildings per lot in R2. Ms. Johnson second. All
104 voted in favor. **MOTION CARRIED TO DENY.**

107 **b) Article IV, Section 17-404 One Principle Building per lot.** This item was not
108 specifically addresses since the previous item was denied.

109
110 **6. DISCUSSION ITEMS.** Chairman Pruitt explained that the discussion items were all deferred
111 until the June meeting.

112
113 **7. PUBLIC COMMENTS - General.**

114
115 Mr. Troy Berry, 16th Avenue South. I've been vacationing here for 35 years and have been a
116 permanent resident in a single family home for 13 years. I am the applicant and the land owner for this
117 particular situation. I am somewhat confused, because item 5 on the agenda is the business item to
118 address a) and b) that y'all just discussed among yourselves as board members. But, I'm the applicant
119 for the business item agenda, but I didn't get to state my case.

120
121 Chairman Pruitt: That's actually why the board added public comments prior to business. I'm
122 pretty sure you were here for that.

123
124 Mr. Berry: I thought [Ms. Abrams] was talking about the last meeting's minutes.

125
126 Chairman Pruitt: Well, we just added a public comment section before business.

127
128 Mr. Berry: I was confused about what that was. Were you talking about the meeting from two
129 months ago or this meeting? So, that's why I didn't get up and speak, because I thought I was going to
130 speak when we got to item 5.

131
132 Chairman Pruitt: Well, go ahead and make your case, if you want, now. We heard you a little
133 bit two months ago, and we know a little bit about your situation. So, why don't you go ahead and tell
134 us. Give us your pitch. That's actually what we were looking for when we had the public comments prior
135 to the business.

136
137 Mr. Berry: That's where I'm confused. Why would public comments be moved up before the
138 business item was up?

139
140 Chairman Pruitt: So we can hear from the public.

141
142 Mr. Berry: I think Ms. Herrmann, if I may I ask the town clerk, when the meeting has a business
143 item agenda, you've gotta follow the agenda. Then all of sudden, you moved the public comments, just
144 general public comments, it wasn't just public comments specifically to the business item.

145
146 Chairman Pruitt: Actually, it was. If you go back and read the minutes, it was for business
147 items.

148
149 Mr. Berry: So, do I even need to say anything, because y'all just voted (**). We had a
150 discussion for about 15 minutes the first week of March, is that correct?

151
152 Chairman Pruitt: Yeah.

153
154 Mr. Berry: About 15 minutes in general public comments at the very end of the meeting. I was
155 sat through two hours of a smell ordinance...

156
157 Chairman Pruitt: If you want to use the rest of your time to discuss public comments, we can.
158 But, you have about two and a half minutes left.

159

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160 Mr. Berry: So, I don't have but five minutes total to present my business case?
161

162 Chairman Pruitt: Let's go ahead and start over. We'll give you five minutes. *(Laughter)*
163

164 Mr. Berry: I'm concerned why some people are laughing. Do I need to be sworn in? I know I
165 was sworn in by the zoning board on Thursday night.
166

167 Chairman Pruitt: No, sir.
168

169 Mr. Berry: I guess my time is starting now. I'm here to talk about the business item which is on
170 the agenda tonight, item number 5, sections a) and b) regarding the duplex issue. As the record will
171 state, I guess there was some change to the agenda before this meeting ever started to move any public
172 comments in general up before this business item was ever addressed. Let me clarify, so if I'm speaking
173 now on this business item agenda tonight, what you all just voted on without my ever addressing my
174 business item as the applicant before this committee, what difference does it make regardless of what I
175 am gonna say. You just voted on it without any comments from me.
176

177 Chairman Pruitt: There's plenty of time left in the universe, so. There's no telling where this
178 item will go. We'd love to hear your opinion about it. Please, go ahead.
179

180 Mr. Berry: But, it will not be tonight then?
181

182 Ms. Herrmann: Mr. Chairman? Chairman Pruitt: Yes. Ms. Herrmann: Mr. Berry, *Roberts Rules*
183 *of Order* will allow the commission to reconsider their motion and their action, if you provide the kind of
184 information they need to hear that would convince them to change their mind. So, please state your
185 case, and then if the board feels like the case is made, they can repeal the motion and bring a different
186 motion forward. I'm not saying that they will, but that is allowed.
187

188 Mr. Berry: Okay. I respect that from the town clerk, Debra Herrmann, which has been of great
189 service to this town from all manner of actions over the past five months. So, I am gonna state my
190 business item case here now, and I would request from this committee to reverse your decision you
191 made five or ten minutes ago without ever hearing any facts from me. I wrote down eight notes of all
192 the board members' discussion. Thank you Mr. Chairman Pruitt, and all the committee members for your
193 service. We are all citizens here tonight. The R2 zoning has 39 duplexes according to Ms. Morris with a
194 total of 970 parcels in R2 in this particular area where this lot is located. He requested the total number
195 of single family permits and duplex permits for new construction over the past five years, because it was
196 available electronically.
197

198 Ms. Morris: Our program only shows whether the permit is residential or commercial. It does
199 not separate single family from duplex.
200

201 Mr. Berry: Isn't staff required by the National Homebuilders Association and the State of South
202 Carolina to track whether it is a single family home, an apartment building complex, a commercial
203 structure, duplex; you have no breakdown of your building permits for new construction?
204

205 Mr. Morris: We have commercial (**).
206

207 Mr. Berry: Do you have the numbers on the 5 years of single family new homes that I requested
208 from your office?
209

210 Ms. Morris: No.
211

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212 Mr. Berry: I'm asking a very simple request as to why I didn't get it from the staff to be
213 prepared for tonight. If I don't have the numbers, I can't speak to the facts.
214

215 Chairman Pruitt: Well, I mean, the numbers would matter, but we would love to hear from you,
216 if you want to continue.
217

218 Mr. Berry: There are a number of items, but this was item number 1 that I'm talking about. I
219 don't have the numbers. But, y'all should have the numbers over the last five years of how many new
220 single family homes have been built in R2 in this particular area and how many duplex homes have been
221 built. It would be an important item for you to consider. Item number two which was mentioned was
222 regarding the character of the community in that these two single family homes would be incompatible
223 with the character of the community. I'd requested from Ms. Morris about three weeks ago for a copy of
224 the staff report that would be given to the commission, since I'm the applicant so I can be better
225 prepared and understand what the staff's and town's position. That was never delivered to me. The first
226 time I saw it was when I got a copy from Ms. Herrmann at approximately 5:55 today. That's a concern
227 to me when I cannot get the facts from the town as to the town's and staff's position. I want to address
228 the six points the board members brought up, and then I will present my final pitch. I believe [Mr.
229 Lauer] was trying to visualize what the two single family homes would look like on the lot. Mr. Berry
230 distributed copies of a survey showing the houses for the members' review. As you can see, this lot used
231 to be around 69 to 70 foot in width on the front. As the official survey done January 29th states right
232 now, it's somewhere around approximately 68 foot in width. This is the site survey that's part of my
233 permit application for Unit A only. I cancelled Unit B for right now. (Mr. Berry proceeded to describe
234 how the homes would be placed on the lot.) As the two single family townhomes would exist on the lot
235 they meet all town of Surfside building and zoning requirements. There is no violation of any
236 requirement (***) side setbacks.
237

238 Chairman Pruitt: Individually.
239

240 Mr. Berry: Individually, yes. If you also note, up the top left hand corner, item 5, the building
241 and zoning R2 requirements, which is required, it's got proposed on there. This lot is approximately
242 7,500 square foot in size. The town requires 6,000 minimum in R2. Officially for the record, it is 7,460
243 square feet officially in size. There's 10 foot on the side setbacks. There's 10 foot clearly in between the
244 homes, which meets all IRC building code standards. So, there's no International Residential Building
245 Code 2012 violations. It meets all the front setbacks. It meets all the rear setbacks. So, there's no
246 zoning; there's no building code issues with this site plan. To specially address Mr. Lauer's question
247 about how the buildings would look on the lot, I've ridden around Surfside for the past three months.
248 I've got about 100 photographs of different projects over the past 1 to 5 years. I wish I had provided
249 this to Ann earlier so she could make you some slides, but I'm sure y'all've road around and looked at
250 some of the duplexes built 30 to 40 years ago and some built 15 years ago. Duplexes are not very
251 aesthetically pleasing, because you have two homes slid together with no windows on the [connecting
252 wall.] There is only a one hour fire wall, so if one unit catches on fire that will only allow time to escape.
253 Both units would be destroyed, which makes an insurance risk.
254

255 Chairman Pruitt: Mr. Berry, we've heard a lot about one unit. What you're proposing is two
256 units.
257

258 Mr. Berry: Correct.
259

260 Chairman Pruitt: So, your arguments aren't really valid, and what I would like for you, I'll give
261 you a few more minutes to answer this question, "Why are two houses on a normal size lot beneficial for
262 Surfside?" If it is, we'll consider it. If it is not, which is what we currently think, we will not consider it.
263

264 Mr. Berry: Okay. Since I'm very limited on time to present my case, to talk about his aesthetics
265 to close that issue out, two single family duplex homes 10 feet apart will look much better than two
266 homes slammed together with just a one hour fire wall. You're gonna have more green space. You have
267 all the parking requirements in that. There's four parking spots clearly for each unit as noted on the site
268 survey plan. So parking is not an issue. You have more green space. You have more landscape. A
269 duplex has a higher pitch roof, because it's gotta span a much wider building area and go up higher on
270 the roof. There is a duplex to the right of this lot that was built approximately 15 years ago. It's a fairly
271 nice duplex unit, but it is a Unit A, Unit B two single family Unit A, Unit B homes that are duplexes with
272 the one hour fire wall. These two homes are gonna look much more aesthetically pleasing. And, may I
273 state for the record also that I am a custom homebuilder. I'm not a tract home builder. I'm not a
274 production home builder. I build in Columbia, South Carolina and I'm desiring to build in Surfside for
275 clients. Let me digress for one minute. I have turned down four clients over the past two and a half
276 years to build exactly what I'm proposing here tonight. When it comes to this fourth client from
277 Charlotte, they live just five homes down. Ann Patterson and Brian Patterson, they sold their home at
278 329 15th Avenue South approximately two months ago just to build this Unit A. I am contracted under
279 them as of January of this year to build this structure for them. They own their one half of the lot. I
280 used to own the entire lot, which I purchased in 2006. This is their retirement home. They're from
281 Charlotte, and they used to live down here for eight years. So, keep that in mind. When you talk about
282 people, how does it benefit people and clients? This is people. People are clients. People that are
283 looking to have new homes. From the real estate standpoint, and also for the official record, I may
284 disclose that I am a licensed realtor in the State of South Carolina. I work for Keller Williams Realty,
285 Myrtle Beach South Office. I've been a real estate broker 15 years. Over the past ten years, all the
286 clients and people in the market place for new homes, they do not want duplex homes anymore. For the
287 record, also; I'm just doing Cliff Notes here, because I'm very limited on time. There's been
288 approximately 25 to 30 duplex homes available in this general area of R2 and the specific site area, town
289 of Surfside that have taken at least two and a half to three years to sell, and they sell for 30-percent less
290 than a detached single family home. I've built 48 custom homes in the past 14 years. I am also a
291 former engineer. These homes are going to provide 30- to 40-percent more value than a duplex homes.
292 So it adds more value; adds a higher tax base, and it looks more aesthetically pleasing. What does it do
293 for the people and the town? It provides a higher tax base and it's gonna have a value of 30- to 40-
294 percent more than duplexes. I wish I could have had time to go through all the records, but there's five
295 duplexes within one block, or two blocks of the site area that have been on the market for three years
296 and have not sold. One in particular is around 14th Avenue South near Lakeside that has three units.
297 Duplexes can have three or four units. I am only looking to build one Unit A single family town home
298 detached, one Unit B single family home. Under duplex guidelines as the ordinance was put in 35 years
299 ago to address the question to one of the board members, it went into the books approximately 30 or 35
300 years ago. I have not been able to get from staff the official date as to when the ordinance was
301 adopted. It has not been amended since then, over 30 to 35 years. So, yes, it's a higher tax base of
302 approximately 30- to 40-percent. It's gonna look much better and it provides the homes that people are
303 looking for in the market place. As I have stated, I have turned down

304
305 Chairman Pruitt: Mr. Berry, you have about, we have about a minute and a half left and I've
306 heard you, some of your arguments, and the two that seem most valid to me are they sell for higher
307 price and they provide a larger tax base for the town of Surfside.

308
309 Mr. Berry: And, they're gonna look much better.

310
311 Chairman Pruitt: Now, how does that compare with, how valuable is that compared to the
312 increased density in those areas, in R2? Like, you could potentially have twice as many homes in R2,
313 twice as many bedrooms, so the quality of living in Surfside could possible go down if we do this. What
314 would your argument be against that? That's the last point we're gonna make here tonight.
315

316 Mr. Berry: My argument to you, Chairman Pruitt, on your specific point is that this is a four
317 bedroom, three bath home. Excuse me, four bedroom, three and a half bath. There's a half bath on the
318 main level. There are three bedrooms up. There's master bedroom on the down level at the back, and
319 it's approximately 2,000 square feet. It's a raised beach home; meets all building code requirements;
320 meets all height requirements. It's under 35 feet in height. If I went to a duplex, I could not build it,
321 because it goes above the 35 foot requirements. So, I cannot technically build a duplex, because you
322 have a law (***) for 35 foot height requirement. The roof would go up too high, because you have a roof
323 pitch requirement. To specifically answer your question, when it comes to the green space or impervious
324 [sic] area, you get more with this here. You get 10 foot of nice landscaping in between the two homes.
325 We're adding as part of my landscaping plan that will be submitted with the building permit, eight new
326 trees to this lot. A minimum of eight; four Palm trees at each house, four Crepe Myrtle trees.

327
328 Chairman Pruitt: Palm trees don't have much benefit for erosion, or other things, just so you
329 know.

330
331 Mr. Berry: This site plan has already passed the stormwater. So, there's no issue with the
332 building permit. As far as the building permit package goes, unless I'm not aware of anything from [Ms.
333 Morris's] office, there's been one item over the past three or four days that [Mr. Farria] wanted adjusted
334 on some engineering notes and details, it's passed all building requirements for Unit A. So, if it passes
335 Unit A, it will pass Unit B, because they are both on the same site plan on the entire lot. The final points
336 of two other items the committee members made. Good zoning practices. Why would we want to
337 change this here? Well, laws are made to be changed. Ordinances are made to be amended. This has
338 been on the books for over 30 or 35 years. I am requesting that y'all just visit this and review it to
339 possibly (*time ended*) amend it to allow single family duplexes so it is a good zoning practice...

340
341 Chairman Pruitt: (*** two speaking at once*) Alright, Mr. Berry, thank you for telling us your plans
342 and your sharing with us your point of view, and we appreciate it. This might come up again in the
343 future. As of right now, your only recourse would be to ask Town Council to amend some ordinances for
344 you. We voted against it. Like I said, it's possible it might come back up in the future. But I do
345 appreciate your time this evening and your time over the last couple of weeks, and that's all we need to
346 hear about.

347
348 Mr. Berry: (*** two speaking at once*) May I make the official request that as [Ms. Herrmann]
349 stated that this committee make a motion to possibly reconsider and entertain questions as I've
350 presented my case now so that we have discussion among the board members.

351
352 Chairman Pruitt: Ms. Abrams.

353
354 Ms. Abrams: I would like to hear any other public comments before we think about
355 reconsidering.

356
357 Chairman Pruitt: Thank you, Mr. Berry. Are there any other public comments from anyone in
358 the audience? Regarding anything actually, we're in the general comments section. I'll give you guys
359 five minutes. Mr. Berry, you had about 15 minutes.

360
361 Ms. Debbie Scoles, 15th Avenue South. I live next to Mr. Berry's lot. I agree with the board here
362 tonight. I don't feel that we need any more density in that area, and what that's gonna do when we
363 change it from R2 to R3, we're gonna end up having weekly, monthly rentals on that street. It's a very
364 nice developed neighborhood, and I would like to see it stay that way. I don't have a problem with him
365 building on that lot and building a duplex, you know, if he can do that, but I do not want to see that go
366 to R3. I just purchased my home in November of last year there and I researched to make sure I was
367 moving into an R2 district where there would not be a weekly rental and people coming and going. So, I
368 appreciate your consideration of the neighbors on that street. Thank you.

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Ms. Morris read a letter from Ms. Wanda Burgess who could not attend the meeting. The letter is attached to these minutes.

Chairman Pruitt: So we've heard both sides of the coin here tonight. Any other public comments?

Mr. Bill Goddard, 15th Avenue South: We agree with [Ms. Burgess.] He says this complies with all the regulations, but last week before the zoning board, I wish you'd read those minutes, because he was asking for variances for height and variances for setback. So, it's, it ain't over till it's over, and I suggest that you watch this guy real close, because he cleared the lot. He took, somebody took the sign down, if there was a meeting, and somebody was moving boundary stakes. I don't know who. But, somebody did it. Somebody that had an interest. Thank you.

Chairman Pruitt: Any other public comments regarding anything at all? We've already heard from you, Mr. Berry. (***Mr. Berry speaking from audience.*) That's okay. We're gonna move on to the board comments.

Mr. Berry: So I'm not allowed to provide my public comments?

Chairman Pruitt: No, we've heard 15 minutes of it. Thank you very much. So we're gonna move on to board comments.

Mrs. Johnson: We've already heard your comments.

Mr. Berry: So, I can't respond to the three people that ... I respect my citizens. The three neighbors that spoke. I want to address their items ... (***two speaking at once.*)

Chairman Pruitt: Mr. Berry.

Ms. Abrams: Public comments are not a debate.

Mr. Berry: So, when may I have this as a business agenda item to address these facts again? I'm trying to address the citizens' facts; the residents that surround this property. I want to address them. I want to work with them.

Ms. Johnson: Well, maybe you should call them personally.

Chairman Pruitt: They're your neighbors.

Mr. Berry: That's right. I want to work with them.

Chairman Pruitt: You don't have to talk to them in this room. You can talk to 'em anywhere.

Ms. Elliott: Like one of the neighbors said, we meet out in the street and we discuss. Maybe you should meet them there also.

Mr. Berry: Correct. I walked the street last Saturday, this past Saturday at ten o'clock and I was very cold-hearted in the middle of the street. Scolded for two or three minutes... (***two speaking at once.*)

Ms. Abrams: Mr. Berry, I think you've had more than your turn to speak.

422 Mr. Berry: ... (**) by a neighbor. I said let me know your concerns and I'll be happy to work
423 with you.
424

425 Chairman Pruitt: (***two speaking at once*) And we appreciate you coming to speak your views
426 here tonight. It's not a completely dead issue, we voted against it, and we're gonna go ahead and move
427 on to the board comments.
428

429 Mr. Berry: One of the points I want to make is (*** two speaking at once.*)
430

431 Chairman Pruitt: We have to keep moving along our agenda. You've had 15 minutes.
432

433 Ms. Elliott: Mr. Berry, this is not a personal thing against you. We have to look at the whole
434 area, which is 970 parcels, and for you to build two separate homes on one lot means possibly someone
435 can come in buy one of their homes, knock it down, put two houses up and we could have 1,840 homes
436 in that area renting.
437

438 Mr. Berry: And I respect that. That's (***two speaking at once.*) I'm not asking you to make that
439 rental...
440

441 Ms. Elliott: (***two speaking at once.*) ... We're not just against you, you're not being turned
442 down just because it's personal. We don't like Mr. Berry, we don't want you to build. We have to look at
443 the town as a whole and the benefit to the town.
444

445 Mr. Berry: And I'm not requesting this be a rental district. I do not want this a rental district.
446

447 Ms. Herrmann: Mr. Berry, excuse me, Mr. Berry, the Chairman has said that they're moving to
448 board comments. Parliamentary Rules ...
449

450 Mr. Berry: I will stop my public comments.
451

452 Ms. Herrmann: Thank you.
453

454 Ms. Abrams: Thank you.
455

456 **11. COMMISSION COMMENTS.**
457

458 Ms. Abrams: I have heard nothing that causes me to want to reconsider my previous motion and
459 vote.
460

461 Ms. Johnson: I haven't heard anything either, and I, there are many, many duplexes, two story
462 duplexes in the town that meet the height requirement. So, him stating the case that he couldn't do this
463 because of the height requirement, I don't understand why not, because there are many already in the
464 town that do meet the height requirement.
465

466 Ms. Lowery: My concern is that a single lot apparently has been divided without actually being
467 divided into two areas, and the sale would have been at a time when there should have been no
468 expectation of two single buildings. So, I'm concerned about that. But at this time, I really have not
469 heard anything that would change my mind. I'm not saying that that might not happen in the future, but
470 at this time, I have to continue to vote against it.
471

472 Ms. Elliott: I have no reason to change my vote. There are 970 parcels out there and this could
473 affect several people.
474

475 Mr. Lauer: I agree. It just doesn't seem to make any sense to change it where it's going benefit
476 seriously one person. If we're gonna change an ordinance, it better benefit an awful lot of people.
477 Thanks.

478
479 Chairman Pruitt: Yeah, I agree with those comments, and I would encourage you, Mr. Berry, to
480 think of the near endless configurations of a house you could put there that would already be legal. You
481 know, there are some very talented engineers and you, yourself, could probably do it. There are many,
482 many, many configurations that are acceptable to go ahead and put on that lot. So, why would you
483 continue to waste your efforts on trying to get a law changed when you could move forward with your
484 plans to build a house and live in Surfside? So, that's just my comment.

485
486 **12. ADJOURNMENT.** Ms. Lowery moved to adjourn at 6:48 p.m. Mr. Lauer second. All voted
487 in favor. **MOTION CARRIED.**

488
489 Prepared and submitted by,

490
491 _____
492 Debra E. Herrmann, CMC, Town Clerk

493 Approved: June 7, 2016

494
495
496 _____
497 Mikey Pruitt, Chairman

498
499 Clerk's Note: This document constitutes action minutes of the meeting that was digitally recorded, and
500 not intended to be a complete transcript. Appointments to hear recordings may be made with the town
501 clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance with
502 FOIA, meeting notice and the agenda were distributed to local media and interested parties via the
503 town's email subscription list. The agenda was posted on the entry door at Town Council Chambers.
504 Meeting notice was also posted on the Town marquee.