



**SURFSIDE BEACH PLANNING & ZONING COMMISSION
TOWN COUNCIL CHAMBERS
SEPTEMBER 5, 2017 ♦ 6:00 P.M.**

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1. CALL TO ORDER. Chairman Abrams called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Abrams, Vice Chairman Seibold, and members Gambino, Johnson, and Lauer. Two seats are vacant. A quorum was present. Others present: Town Administrator Fellner, Town Clerk Herrmann and Deputy Director Harrah.

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

3. AGENDA APPROVAL. Mr. Lauer moved to approve the agenda as presented. Ms. Gambino second. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL. Mr. Seibold moved to approve the August 1, 2017 meeting minutes as submitted. Ms. Gambino second. All voted in favor. **MOTION CARRIED.**

5. PUBLIC COMMENTS- Agenda Items.

Ms. Carol Cook, 7th Avenue South said I am vehemently opposed to §17-396.4 that allows beauty and barber shops in the R1 district. Leaving barbershop and beauty shops on the book really reduces this town to two zones: a business zone and a commercial zone. I lived with a beauty shop across the street from my house over a year. Traffic, littering, speeding and parking were constant issues. Strangers repeatedly in and out of my residential R1 neighborhood is unacceptable. I moved into in R1 neighborhood so that it would be a neighborhood. The only reason the beauty shop across from me closed was because the woman did not have an LLR license. If she obtained a license, she could reopen tomorrow. We need to look at the home business ordinance. Businesses that have a large walk-in customer base need to be eliminated. Realtors and architects cannot have employees, so they're most likely to have a client an hour. The beauty shop had up to four customers at a time. That's four people parked illegally on the street, in the street, for up to an hour and half at a time. We need to get §17-396.4 off the books. Thank you.

6. DIRECTOR'S REPORT. Ms. Fellner introduced Mr. Harrah, the new deputy administrator. Mr. Harrah said I worked for the City of Myrtle Beach for nine years. My background is building and construction. I hold am a certified building official (CBO), certified floodplain manager and certified fire marshal. I hold a Masters in Public Administration and a Masters in Software Engineering. While in Myrtle Beach, I performed plan reviews, was a building official, worked with the zoning department, and with all the other aspects within the city as well. I look forward to working with you bringing that knowledge here to help Surfside bring a better quality of life for the residents. Chairman Abrams said welcome, we look forward to working with you.

7. Business Item. Request from Mr. Ronald Crouch to subdivide his lot for the purpose of converting an existing barn into a residential structure. (Review of requested legal opinion.) Chairman Abrams said we've all been sent the legal opinion that we requested, because what we were inclined to do was approve this subdivision request, but not without conditions on it. Has everybody read the attorney's opinion, and does anyone have any comments on that opinion or any additional concerns? Mr. Lauer said after reading the attorneys opinion, it seems to go right along with what you discussed at the last meeting. I am certainly willing to support the subdivision with stipulations. Mr. Seibold said the commission discussed a one year limitation at the last meeting. The opinion states two years. I'm assuming we can tighten that up. Chairman Abrams said I took that to mean that the final plat approval was a failsafe. I don't know of any reason why we can't put a year stipulation on it; we have the two-year failsafe anyway. Ms. Johnson said that Ms. Morris was told by the attorney that staff

54 could actually approve this without the planning commission's approval, so long as permit was issued for
55 renovations to a residential structure, and the subdivision recorded immediately after the permit was
56 issued. I don't know why if staff can do it, why the commission is hearing the matter. Chairman Abrams
57 said I didn't see that information. Ms. Gambino I feel the same way. If staff can certainly handle it, I
58 would think ... Chairman Abrams said I think if we check the meeting minutes from the last meeting,
59 we'll see that she thought the planning commission was the authority to allow Mr. Crouch to be out of
60 compliance with the zoning ordinance for a certain period of time. Am I the only one who thinks she was
61 saying that the matter had to be brought to us? Mr. Seibold said it was a change in zoning and that's why
62 she brought it to us. It probably would have upset the commission, if she approved it on her own. Bring
63 it to the commission was the right move. Ms. Johnson said that was the legal opinion that she got. I
64 believe she's already related that to Mr. Crouch and the contractor. Chairman Abrams said I did not see
65 that opinion. Mr. Lauer said the commission has the matter before it. Chairman Abrams said the
66 commission has authority to decide and asked if there was a motion. Ms. Gambino said she agreed with
67 Mr. Seibold to have a year; two years is just; he might not be really serious about it if it's that long. Mr.
68 Seibold said correct. Chairman Abrams said I was concerned, since we are setting a precedent here. After
69 much discussion, Mr. Lauer moved to subdivide Lots 9 and 10 as requested, with a stipulation that the
70 final as built survey of a residence must be filed with the Horry County Register of Deeds no later than 18
71 months from this date or the lot subdivision shall be rescinded. Mr. Seibold second. All members voted in
72 favor. **MOTION CARRIED.**

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74 **8. Discussion Items.**

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76 **A. Customer walk-in businesses in residential districts (TC 08/22/2017).** Chairman
77 Abrams said that Ms. Cook spoke about this at the last council meeting, and addressed it for the second
78 time before this commission at this meeting. I have found in the ordinance about home occupations
79 includes things that are causing some of our residents problems. The code does not limit home
80 occupations to those stated in the ordinance. Town Council has asked the planning commission to review
81 home businesses to determine what is detrimental to the R1 district as Ms. Cook has described to disrupt
82 neighborhoods. The definition is all we have. Mr. Lauer said multiple people coming and going
83 throughout the day causes problems. Maybe there is something that can be added to the things that are
84 not allowed. Ms. Johnson said any of the businesses listed can create traffic and have multiple people
85 coming and going. Mr. Lauer believed residential should be just residential. In his opinion it was a
86 mistake to allow businesses to operate from a home. Chairman Abrams asked about somebody teaching
87 piano; shouldn't they be allowed to do that? Mr. Lauer we would need to see a list of all the different
88 kinds of businesses in R1 and go down that list to see whether or not it's acceptable. Chairman Abrams
89 asked if such a list could be provided for the next meeting. Mr. Harrah said yes, that information would
90 be provided at the next meeting. Mr. Seibold said that he agreed with Ms. Cook and that something
91 should be done.

92
93 **b. Continued review of Design Overlay Ordinance (beginning at Section G).** Chairman
94 Abrams said unless there is a question from a previous section, we are ready to begin in Section G. Mr.
95 Seibold asked how the percentages of modification were developed. Ms. Fellner said she would find out
96 from Horry County. After a lengthy discussion about the percentage required to activate the overlay,
97 Chairman Abrams said the town's ordinance can state whatever the commission recommends and Town
98 Council approved. Chairman Abrams explained that the permit technician could not find the draft that
99 could be updated. Ms. Johnson said it was on Mr. Morris' computer under planning commission folder
100 with tonight's meeting date, so I'm just curious as to why nobody could find it. Chairman Abrams said
101 she was not given that information. The commission members were asked to consider the percentages
102 and compare with Chapter 17 to see what we have in our ordinance. Ms. Gambino said we do need to
103 tighten up, but I don't know how they compare, because we don't have a copy. Chairman Abrams said
104 access management is not addressed in the town's code. If there are no objections, we can use the
105 county's ordinance. A discussion ensued regarding proposed upgrades to Highway 17 Business being
106 done by the Department of Transportation, including that some access points would be eliminated.

107 Chairman Abrams asked if the commission was ready to see a design overlay ordinance with the revisions
108 as a business item once Section G was addressed. Several members said they were not ready to see an
109 ordinance. Chairman Abrams asked Mr. Harrah to review Section G and make a recommendation at the
110 next meeting. Mr. Harrah said absolutely.

111
112 Chairman Abrams said at the next meeting, the percentages of modification to trigger the overlay
113 will be discussed, and Mr. Harrah will address Section G, Access Management, other discussion on the
114 overlay ordinance and walk-in businesses in residential districts. **Commission CONCURRED.**

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116 C. Any other matters of concern or information to be discussed by Planning Commission. There
117 was no other discussion.

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119 **10. PUBLIC COMMENTS - General.** There were no public comments.

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121 **11. COMMISSION COMMENTS.**

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123 Ms. Gambino: Just thank everyone for coming. It means a lot, and contributing. Thank you.

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125 Ms. Johnson: Well, as you can see, we've not had a lot of guidance in this meeting, and I think
126 it's a sad day in the Town of Surfside Beach that our planning director was fired, because she did her
127 homework. She always came and could answer about any question that we had. Our meetings usually
128 went a little longer than this, because we kind of knew what we were doing. It's kind of the blind leading
129 the blind now, it seems, and I just think it's a sad time for Surfside Beach, because she was an excellent
130 planning and zoning director. She worked very hard. I do thank you people for coming. We appreciate
131 your comments. God bless you.

132
133 Mr. Seibold: Thank you all for coming. Welcome [Mr. Harrah] to Surfside. I look forward to
134 working with you. I do agree with the comments you just made, [Ms. Johnson.]

135
136 Mr. Lauer: I agree. I was very sorry to see Ms. Morris go, because she was a very good guide
137 for us. She was able to walk us through a lot of the problems we come up against, like section G. We
138 need somebody show us the road. Thank you all for coming out. We'll get through this.

139
140 Chairman Abrams: Thanks everybody for being here tonight. We'll see you again in October.

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142 **12. ADJOURNMENT.** Ms. Johnson moved to adjourn at 6:48 p.m. Ms. Gambino second. All
143 voted in favor. **MOTION CARRIED.**

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145 Prepared and submitted by,

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147 Approved: October 3, 2017 _____
148 Debra E. Herrmann, CMC, Town Clerk

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150 _____
151 Mary Ellen Abrams, Vice Chairman

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153 Clerk's Note: This document constitutes minutes of the meeting that was digitally recorded, and is not
154 intended to be a complete transcript. Appointments to hear recordings may be made with the town
155 clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance with
156 FOIA §30-4-80(E), meeting notice and the agenda were distributed to local media and interested parties
157 via the town's email subscription list. The agenda was posted on the entry door at Town Council
158 Chambers. Meeting notice was also posted on the town website at www.surfsidebeach.org and the
159 marquee.