



**SURFSIDE BEACH PLANNING & ZONING COMMISSION
TOWN COUNCIL CHAMBERS
FEBRUARY 15, 2018 ♦ 6:00 P.M.**

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1. CALL TO ORDER. In the absence of both the chairman and vice chairman, Member Johnson called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Members Gambino, Johnson, Lauer, Mastrosante and McKeen. A quorum was present. Two seats are vacant. Others present: Town Clerk Herrmann and Department Director Morris.

2. PLEDGE OF ALLEGIANCE. Member Johnson led the Pledge of Allegiance.

3. OFFICER ELECTION

i. Chairman. Ms. Gambino moved to elect Ms. Johnson chairman. Mr. Lauer second. All voted in favor. **MOTION CARRIED.**

ii. Vice Chairman. Ms. Gambino moved to elect Mr. Lauer vice chairman. Ms. Mastrosante second. All voted in favor. **MOTION CARRIED.**

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

5. MINUTES APPROVAL. Mr. Lauer moved to approve the December 5, 2017 public hearing minutes and the December 5th regular meeting minutes as submitted. Ms. Gambino second. All voted in favor. **MOTION CARRIED.**

6. PUBLIC COMMENTS- Agenda Items. (3 minutes)

Mr. Nathan Cook, Beach Realty Group, said in regards to the subdivision request at 316 13th Avenue North he represented Mr. and Ms. Chakides. The Chakides built their home on 13th Avenue in 1987. Subsequently, the neighboring lot was purchased to build the pool and pool house. Now their kids have moved on, and in 2007 they decided to retire to McClellanville, South Carolina. They have unsuccessfully marketed this property for over 11 years, and now desire to split the property so the lot with the pool could be marketed and sold separately from the main house. The subdivision would actually put the lots back as originally situated. The exception is that the pool creates an accessory use on the lot. Since the commission approved lot subdivisions similar to this on 11th Avenue North and 12th Avenue North, he hoped the commission would approve this request which allow the original intend use of the lot for a single family home, not just a pool and pool house.

7. DEPARTMENT REPORT. Mr. Morris apologized and said she did not have a department report as she had not been back long enough to know what happened during the last few months. There was an opinion letter from Master Tree Care, a copy of which is on file, regarding the trees that were topped on Sparrow Drive. According to the town code, if the limbs are less than 8 inches they can be cut. The recommendation is that the commission revisit that ordinance to avoid any further confusion about tree topping to which she agreed.

8. BUSINESS.

Design Overlay District. Chairman Johnson referred to the drafts passed out by Ms. Morris, a copy of which is on file, and proceeded with a page-by-page review.

- No changes to pages 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, and 14.
- Page 2 included Sections 17-902 and 17-903 that defined that the district standards are minimums, and that a permit/ certificate of occupancy would not be issued until all requirements of the overlay district were met, respectively.
- Page 4 added (3) Color Scheme to clearly identify the intent to manage paint colors and schemes.
- Page 8 added identification of Article VII Landscape and Tree Protection as an easy reference.

- Page 15 added Section 17-913 Sign Design Standards to prohibit homemade signs on Highway 17, and Section 17-914 Appeals/Variances to state that appeals are made to the Board of Zoning Appeals.
- Page 16 added Section 17-915 to declare that violations of the ordinance are a misdemeanor and remedies, and also to reserve Sections 17-916 to 17-920.

Ms. Morris referred to page 7, (3) Change in Use, paragraph a, and asked if the commission intended to require a traffic study when there is a change in the use of the property, because it would create a hardship. After discussion, the commission **CONCURRED to strike this paragraph.**

The commission **CONCURRED** to accept the design overlay district ordinance with the changes noted, and to hold a public hearing on the overlay ordinance at the March planning commission meeting.

Subdivision of 316 13th Avenue North. Mr. Lauer asked why this was not submitted as a variance request. Ms. Morris explained that the planning commission has authority over land development regulations, and this falls under the commission purview as a lot subdivision. The board of zoning appeals hears requests regarding setback requirements or other zoning matters. Mr. McKeen asked if a home could be constructed on the lot with the pool without exceeding the impervious surface allowed. Ms. Morris said it could. Mr. Cook reiterated the position of Mr. and Mrs. Chakides and expressed confidence that a nice home could be built with the pool and pool house in place. It would be a shame to destroy the pool and pool house, if the new owner would benefit from it. If the subdivision is approved, the wooden pool deck will be cut back to meet the 5-foot setback requirements on the side lot lines. Chairman Johnson asked how large the lot was and if there were smaller lots in the area. Ms. Morris said the lot is almost 21,000 square feet; only 9,000 square feet is required per lot and there are lots of that size. Mr. Cook reiterated the common sense plea to preserve the structures of value and allow time to construct a primary residence. Many potential buyers love the idea of having the pool and pool house already in place. We understand there may be some limitations to the pool deck size. Even though this is a unique large property, appraisals are coming in at \$150 per square foot just as other homes are that do not have the extra lot square footage and accessory structures, because it doesn't match the surrounding area homes with smaller lots. Ms. Gambino said she personally would not want a structure too close to the road; the house should be placed comparably to the other houses next door to the property. Mr. Cook said the location for the house on the pool lot would be almost exactly in line with the newer homes in the area. Ms. Mastrosante said the survey was prepared in 2007 and asked if any changes to either lot since then. Mr. Cook said no. Ms. Mastrosante asked if the subdivided lot would have to comply with current building codes. Ms. Morris said yes, and they would have to meet all setbacks. Mr. Cook said that he understands those requirements. There was a discussion about how the property line would be affected by the wooden deck, if the lot was subdivided. Mr. Cook assured the commission that setback lines would be met. Chairman Johnson pointed out that the pool was built up. The property is in a flood zone, and asked if fill dirt was allowed. Ms. Morris said yes, but there are required steps. Mr. Lauer asked if the fence would remain in place. Mr. Cook said yes, fencing is required by the insurance company because of the pool. Ms. Morris requested that the commission add a time-line stipulation if approval is granted. After a lengthy discussion, about the time necessary to market and build, Mr. McKeen moved to allow the lot subdivision with a stipulation that construction completion be within 18 months. Mr. Lauer second. Chairman Johnson and Members Lauer and McKeen voted in favor. Members Gambino and Mastrosante voted against. **MOTION APPROVED.**

9. DISCUSSION ITEMS. Any other matters of concern or information to be discussed by Planning Commission. There was no other discussion.

10. PUBLIC COMMENTS - General.

Ms. Sandra Elliott, 5th Avenue North, said I don't know if all of you went past the property that you just voted on, but if you look at the pool it's about two feet above the ground and will need fill dirt. Ms. Morris said there are regulations for fill dirt. Ms. Elliott said the house will probably have to be built on a raised foundation, because it's in a flood zone. The neighboring new construction causes all the stormwater to flow into the middle property, even though they did a very good job on the one side where the stormwater goes into the storm sewer and into Dogwood Lake. Sometimes maybe we need to go look at what we're talking about before we make our decision. Thank you.

112 Mr. Boyd Sadler, 8th Avenue South, said I have difficulty finding ordinance, and I've noticed that several
113 things have been slipped passed people that count. I've noticed a couple of lots that have been pretty much clear-cut,
114 but we're required to have a certain number of trees on the south side, particularly the lot at 9th Avenue South and
115 Myrtle Drive that has two trees left on it. I thought you had to keep existing trees and add to those to make up what
116 is required. I know people have been busy, and I'm not sure who is supposed to follow up. I think we'll have it a lot
117 better here as things go now. There are a couple of other lots in town that are the same way. There's no consistency.
118 Trees are a touchy subject in town. I know we had to have a lot of pine trees removed after Hurricane Matthew, but
119 we still have more than we're supposed to have. I'm not trying to pick on a particular lot, but things have not been
120 followed through and it's really time to get more eyes out there from planning and zoning. Because I've attended
121 many council and committee meetings, I've noticed that a lot of committees don't communicate with each other. I
122 think many of them need to at least have a liaison with other committees so that things are coordinated and smoother
123 operation. Everyone has a lot going on and sometimes you need input from other parts. I like to see that take place.
124

125 **11. COMMISSION COMMENTS.**
126

127 Ms. Mastrosante thanked everyone for attending and said I am very excited about the design overlay. It will
128 be really good for Surfside Beach. I'm concerned about the property subdivision. I don't have enough facts. There is
129 too much uncertainty for me to give a 'yes' at this time, which is why I made my decision. Thank you.
130

131 Ms. Gambino thanked everyone for attending and participating. I agree with Ms. Mastrosante. I wish the
132 property owners the best, but I didn't have enough facts. I had ridden by, and to be honest, I just thought it was not
133 enough for me to give a 'yes' to it, but best of luck.
134

135 Mr. Lauer said I'm leaving it to the stormwater folks to take care of that property, because I think they will.
136 I wasn't as concerned about that as some people. Thank you all for being here.
137

138 Mr. John Chakides said when he bought that property [at 13th Avenue North] there was woods in the
139 surrounding four or five blocks. The next door construction was elevated and that caused the natural water flow to
140 go into my lot and completely flood it. The town installed a French drain between the two lots so it drains properly. I
141 don't expect drainage to be a problem, but if it is, we'll certainly rectify it.
142

143 Mr. McKeen said some very good points were made and I agree with them. I've walked all the streets in
144 town. I am really surprised at how much wood cutting is done on many of the lots being cleared or under
145 construction. I share your concern about that, also. I think having a liaison between the committees is a great idea.
146 When we discussed the E entertainment district, I suggested that the parking committee be invited to share its
147 opinions instead of getting them second hand.
148

149 Chairman Johnson said I agree, as well, on that. Hopefully, now that we have Ms. Morris back she will
150 keep an eye on that a little bit better. My suggestion on the lot subdivision is to get everything organized and make
151 sure you're going to be able to bring enough fill dirt and have proper drainage before you [start construction]. Thank
152 you all for coming. We do appreciate your comments.
153

154 **12. ADJOURNMENT.** Ms. Mastrosante moved to adjourn at 6:44 p.m. Mr. Lauer second. All voted in
155 favor. **MOTION CARRIED.**
156

157 Prepared and submitted by,
158

159 _____
160 Debra E. Herrmann, CMC, Town Clerk

161 Approved: March 6, 2018
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163 _____
164 Carrie Johnson, Chairman
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166 Clerk's Note: This document constitutes minutes of the meeting that was digitally recorded, and is not intended to
167 be a complete transcript. Appointments to hear recordings may be made with the town clerk; a free copy of the

Planning Commission
February 15, 2018

168 audio will be given to you provided you bring a new, unopened flash drive. In accordance with FOIA §30-4-80(E),
169 meeting notice and the agenda were distributed to local media and interested parties via the town's email
170 subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting notice was also
171 posted on the town website at www.surfsidebeach.org and the marquee.

Approved