



**SURFSIDE BEACH PLANNING & ZONING COMMISSION  
TOWN COUNCIL CHAMBERS  
OCTOBER 7, 2014 ♦ 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, and members Abrams, Crone, Elliott, Johnson, Lauer, and Lowery. A quorum was present. Others present: Planning Director Morris, Public Works Director Adair, and Special Events Supervisor Ellis.

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

3. **AGENDA APPROVAL.** Ms. Abrams moved to approve the agenda as presented. Ms. Elliott seconded. All voted in favor. **MOTION CARRIED.**

4. **MINUTES APPROVAL.** Ms. Johnson moved to approve the September 2, 2014 meeting minutes as submitted. Mr. Lauer seconded. All voted in favor. **MOTION CARRIED.**

5. **DIRECTOR'S REPORT.** Ms. Morris said no subdivisions were approved last month. The department issued 137 construction permits last month, which included seven new residential homes. A proposed amendment to the flood damage prevention ordinance is on the Town Council agenda for first reading at the October 14<sup>th</sup> meeting. A public hearing will be held October 28<sup>th</sup> at 6:00 p.m., prior to the 6:30 meeting when second reading will be held. Discussion items presented at the last meeting were submitted to the attorney for legal review, and will be on the next meeting agenda as business items. The mandatory 3-hour training for all commission members, board of zoning appeals members and staff will be October 21<sup>st</sup> at 5:30 p.m. Newly appointed members are required to complete at least 6-hours of training during their first year. That training will be announced later.

The planning, building and zoning (PBZ) department was recently reviewed by ISO (Insurance Service Offices). The fire department also was reviewed. The reviews may help homeowners and businesses with insurance premiums. There were three elements considered: administration of codes; planning reviews, and field inspections. Notification was received today that the department has improved from a rating of 3 to a rating of 2. The planning commission certainly deserves a lot of credit for the improvement. The fire department was rated a 1. Improvements to the PBZ department include additional building and zoning code adoptions; training and multiple staff certifications; full credit was given for the town's zoning ordinances, which had never been given before; enforcement improvements; detail of plan reviews; experience of personnel; management, and re-inspections and inspections. Chairman Pruitt expressed appreciation for staff's diligence and hard work to improve the rating.

6. **DISCUSSION.**

A. **Limit on Yard Sales per parcel, per years §17-418.** Ms. Morris said several legitimate complaints were received over the last six months of yard sales being held every weekend at the same location. The police department is continually being called with traffic problems at these sales. Multiple codes from other municipalities were evaluated and this draft was prepared that she believed would fit the town's needs. The police department reviewed and supports the draft. Ms. Morris outlined the proposed requirements for yard/garage sales. The planning commission was asked to recommend a permit fee; other municipalities have no fee (permit is to track the event) or charge from \$3 up to \$25 per event. After discussion, Chairman Pruitt said there was consensus to charge a \$5 fee for each individual or each premise in a group or community sale. If the proposed ordinance is adopted by Town Council, the applicants will be asked to sign and will receive a copy of the rules certifying that they understand them. After much discussion and suggested amendments the commission asked that the ordinance be brought for consideration at the next meeting. Ms. Morris said the draft will be presented to legal counsel for review and on the next agenda as a business item.

B. **Town initiated Rezoning of Properties Used Currently as Residential Uses within the C-1 Zoning District.** Ms. Morris explained that the commission discussed removing the residential uses out of the C-1 district zoning ordinances, because the Comprehensive Plan states that the town does not have enough commercial businesses, and needs to use the remaining C-1 property for commercial purposes. The change would prohibit

57 rebuilding residential homes that already exists in the district if they are destroyed. All homes in the C-1 zone were  
58 built to the R-3 standard. Staff proposes a joint rezoning, but it would have to be initiated by the town. All of the  
59 affected property owners would notified of the proposed rezoning to R-3, which would make the homes an allowed  
60 use in the district. Ms. Morris had spoken with some owners already; they had no problem with the change. In her  
61 opinion, this was the best action, because residential is no longer allowed in commercial districts. The town did not  
62 want the houses damaged beyond repair, and the people not be able to rebuild. There are several areas that are so  
63 small, the change would be considered "spot zoning," which is illegal. There were no objections to rezoning the  
64 improved properties as long as the current owners/residents were protected. She would check with the attorney for  
65 an opinion on the required size and title insurance availability on nonconforming properties to begin the process.  
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67 **C. Any other matters of concern or information to be discussed by Planning Commission members.**  
68 There was no other discussion.  
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70 **7. PUBLIC COMMENTS - General.** There were no public comments.  
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72 **8. COMMISSION COMMENTS.** Ms. Elliott asked if there were regulations about selling cars from  
73 residential property. Ms. Morris said if the vehicle is owned by the resident/owner of the property; has a current  
74 license tag, and is not on public right of way, it may be sold from the property. If the car was not tagged or did not  
75 belong to the property, it cannot be sold.  
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77 **9. ADJOURNMENT.** Ms. Abrams moved to adjourn at 6:48 p.m. Ms. Elliott seconded. All voted in  
78 favor. **MOTION CARRIED.**  
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80 Prepared and submitted by,

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84 Debra E. Herrmann, CMC, Town Clerk  
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86 Approved February 3, 2015.  
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90 Mikey Pruitt, Chairman  
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92 Clerk's Note: This document constitutes minutes of the meeting that was digitally recorded. These are action  
93 minutes and not intended to be a complete transcript. Contact the town clerk to hear recordings or bring a flash  
94 drive to get a copy of the audio. In accordance with FOIA, meeting notice and the agenda were distributed to local  
95 media and interested parties. The agenda was posted on the entry door at Town Council Chambers, and in the Town  
96 Hall reception area. Meeting notice was also posted on the Town marquee.