

A BUILDING PERMIT IS REQUIRED

A building permit is required for:

It shall be unlawful for any person to construct or improve any building at a cost in excess of five hundred dollars (\$500.00) (including materials and labor) unless an application has been filed with and a permit granted. Labor costs are based on what a licensed contractor would charge you for the work.

Replacing windows, siding, or doors will require a building permit

A building permit is not required for:

- Alterations & repairs of less than \$500 value including labor
- Fences 6 ft. or less in height, approval may be required by town please call
 - One story freestanding structures 200 sq ft or less unless in a flood zone
 - Sidewalks or driveways not more than 30 inches above adjacent grade
 - Painting, Wallpaper, Tile, Carpeting, Cabinets, Counter Tops
 - Swimming pools less than 24" deep.
- Retaining walls less than 4' in height from bottom of footing to top of the wall,
 - unless supporting a surcharge. Residential swings & playground equipment
- Window Awnings supported by exterior wall which do not project more than 54"

If you have a question whether or not a building permit is required please call: 843.915.5090

EXPIRATION OF PERMITS AND/OR APPLICATIONS

Applications

An application shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a building permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and a justifiable cause demonstrated.

Building Permits

All building permits shall have an expiration date as follows:

- (1) If the work described in any building permit has not begun within six months from the date of issuance thereof, said permit shall expire.
 - (2) If the work described in any building permit commences and then ceases for a period of 45 consecutive days, said permit shall expire.
- If the certificate of occupancy is not issued within 18 months from the day the building permit is issued, said permit shall expire.

RESIDENTIAL PERMITTING PROCESS

BRIARCLIFFE ACRES

Town of Briarcliffe Acres
121 North Gate Road
Myrtle Beach, SC 29572
Phone: 843.272.8863
Fax: 843.272.1854
Email: tofba29572@gmail.com
Website: www.townofbriarcliffe.us

Horry County Code Enforcement
Horry County Government & Justice Center
1301 2nd Ave., Suite 1D09
Conway, SC 29526
Phone: 843.915.5090
Fax: 843.915.6090



April 3, 2023

Harrar Holdings 1 LLC

harrardaniel@yahoo.com

Via email, Certified, and USPS mail

Corbett Law

ken@corbettlaw.com

Via email, Certified, and USPS mail

Re: 240 Center Drive, Town of Briarcliffe Acres

Dear Mr. Harrar and Mr. Corbett:

I received the survey for 240 Center Drive and the scope of work completed on the 2004 permitted garage converted to an accessory building.

The accessory building does not meet the minimum setbacks set forth (Sec. 32-27 (6)) for accessory buildings larger than 200 square feet. See chart Sec. 32-78 R-1 for setbacks of 20 ft. on sides and 30 ft. in rear.

Your permit application is DENIED.

You have two options of appeal, either must follow statutory procedure (Sec. 32-166). Either option will require a Public Hearing heard by the Town of Briarcliffe Acres Board of Zoning Appeals. You can apply to return the accessory building to its formerly permitted, grandfathered, garage, or may apply for a variance in its new, unpermitted accessory building use. You may contact the Town Clerk (info@townofbriarcliffe.us) for the required paperwork.

Sincerely.

Tammie Bannhill

Tammie Barnhill
Town of Briarcliffe Acres Code Enforcement
barnhilltam@gmail.com
843.742.7280

TB/MB/jbn

Notice of Public Hearing

Zoning Appeal

According to S.C. Code § 6-29-800, the Board of Zoning Appeals of the Town of Briarcliffe Acres, S.C. will hold a public hearing at 6:30pm Thursday, June 1, 2023, 121 North Gate Road, Myrtle Beach, SC, 29572 on the following:

Appeal of denial for 240 Center Drive building permit application to convert existing, permitted garage to nonconforming accessory building not meeting setbacks set forth in Sec. 32-27(6).

Documents related to the appeal are available for public inspection in the Town Office weekdays 10:30am - 2:00pm 843.272.8863 info@townofbriarcliffe.us.

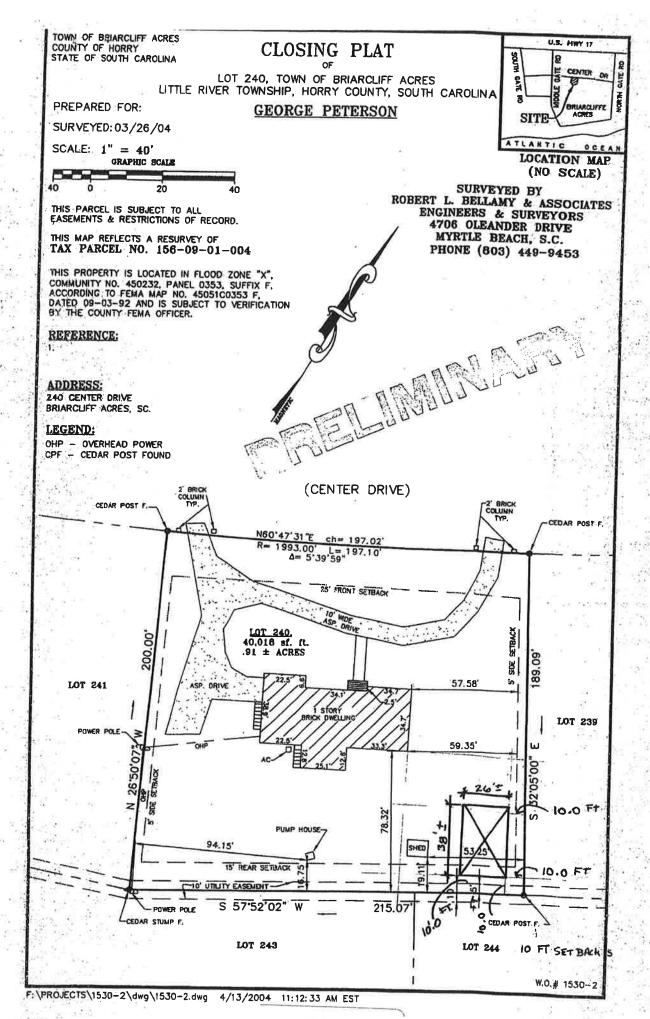
Public comment registration is required by 12pm, May 30, 2023.

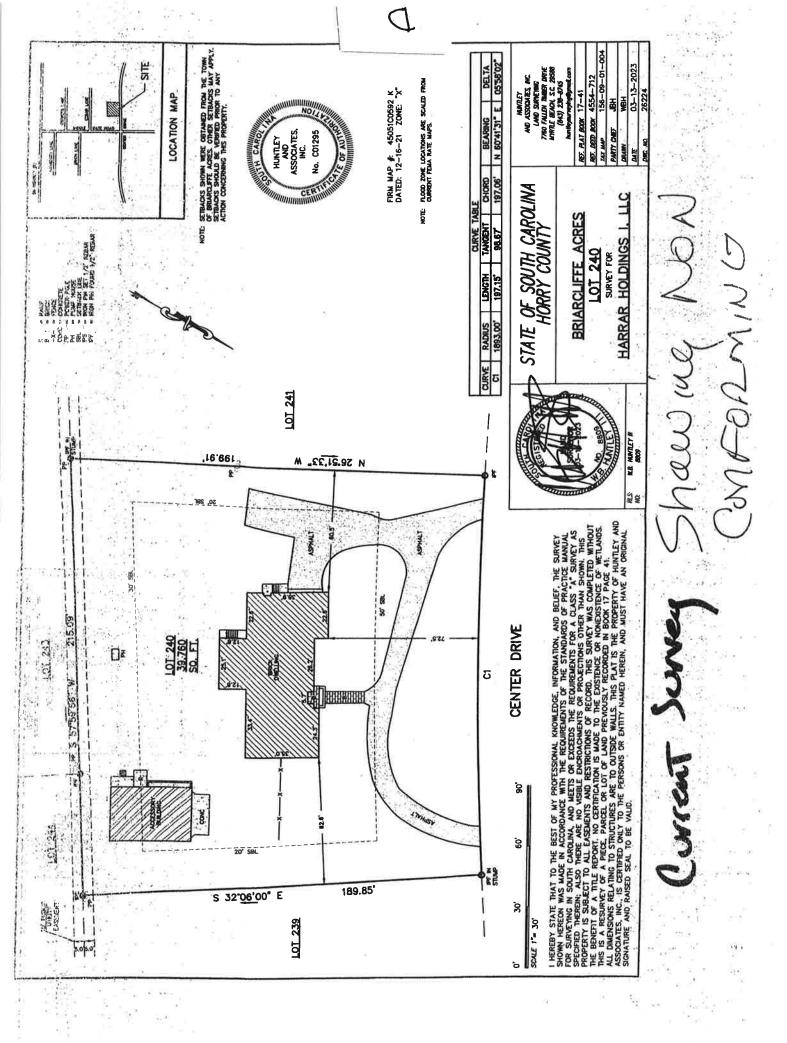


HORRY COUNTY CODE ENFORCEMENT DEPARTMENT 1301 Second Avenue Conway, SC 29526 Date 07/08/04 RE: BUILDING PERMIT Contract price for work to be performed \$ 32, 560,00 This letter is to cortify that GOOG B. A | GETELSTO) lot # 240., street address , Briarcliffe Acres has met the Town of Briarcliffe Acres criteria for obtaining a building permit to perform the following work. DETICHED COMMUNE. NOTICE TO HOMEOWNER: ANY DAMAGE INCURRED BY THE CONTRACTOR'S CREW AND/OR VEHICLES TO ANY TOWN PROPERTY THAT INCLUDES THE ROADWAYS, CROSSOVERS, MEDIANS, AND LANDSCAPING - IS THE HOMEOWNER'S RESPONSIBILITY. Phone #(643)361-8280 Contractor GROOGE PETROLCUL Exp. Date Contractor's License # Tony Kyzer **Building Commissioner** (843) 361-1016 **Deputy Building Commissioner** (843) 272-8963

Office Of Town Clerk · P.O. Box 1250 · N. Myrtle Beach, SC 29598 · (843) 272-8863

C-1







Ordinance #2021.03 1st Reading 07.19.2021 2nd Reading 08.09.2021

STATE OF SOUTH CAROLINA COUNTY OF HORRY TOWN OF BRIARCLIFFE ACRES

- An Ordinance to amend Ordinance #2014-08
-) Sec. 32-27. Application of regulations.
-) (6)Customary accessory building in residential district

Sec. 32-27. - Application of regulations.

Except as herein provided:

- (1) Use. With the exception of existing non-conforming uses and lots determined in accordance with the provisions of section 32-26(a)(1) through (4) and (b)(1) through (2) hereof, no building or land shall hereinafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located.
- (2) Street frontage. No dwelling shall be erected on a lot which does not abut on at least one public street for at least 50 feet, except that lots fronting on cul-de-sacs may have a minimum road frontage of 30 feet if the lot is at least 100 feet in width at the building line.
- (3) Corner lots. Minimum width of side yard along an intersecting street shall be 40 feet on each street.
- (4) One principal building on a lot. Only one principal building and its customary accessory buildings may hereafter be erected on any lot except in the CSC district where there may be more than one principal building on a lot provided that the zoning administrator does not find them to be incompatible with each other for reasons of public health, safety and welfare.
- (5) Reduction of lot size. Except as may be permitted by the zoning board of appeals, no lots shall be reduced so that minimum setbacks, minimum lot area, minimum lot width, or other provisions of this chapter shall not be maintained. This section shall not apply when a portion of a lot is acquired for public purposes.
- (6) Customary accessory buildings in residential districts. Accessory buildings of 200 square feet or less shall not be closer than ten feet to any property line. Sec. 32-78 setbacks apply to accessory buildings over 200 square feet. The construction or replacement of accessory buildings or structures on the property cannot be started until the principal single-family building has been issued a certificate of occupancy.

Sec. 32-78. - Area, yard, and height requirements.

	Minimum Lot Size		Minimum Yard Requirements from Property Line			Maximum Height of Structures	
District	Area (sq. ft.)	Lot width at building line (ft.)	Front (ft.)	Side (ft.)	Rear (ft.)	Stories	Feet
R-1	40,000	100	50	* 20	X 30	2	35 ·
CSC	7,000	100	50	<u>10</u>	30	2	45 *1

Footnotes

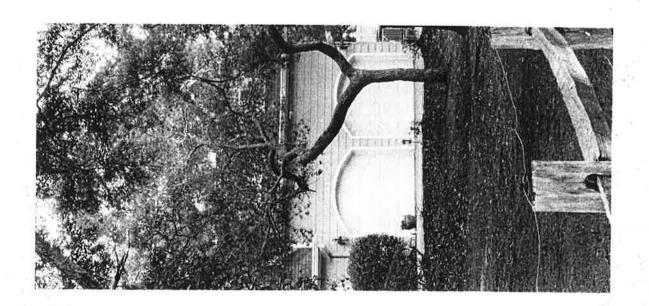
 $^{^{*1}}$ All structures East of Highway 17 shall have a maximum height of 35 feet.

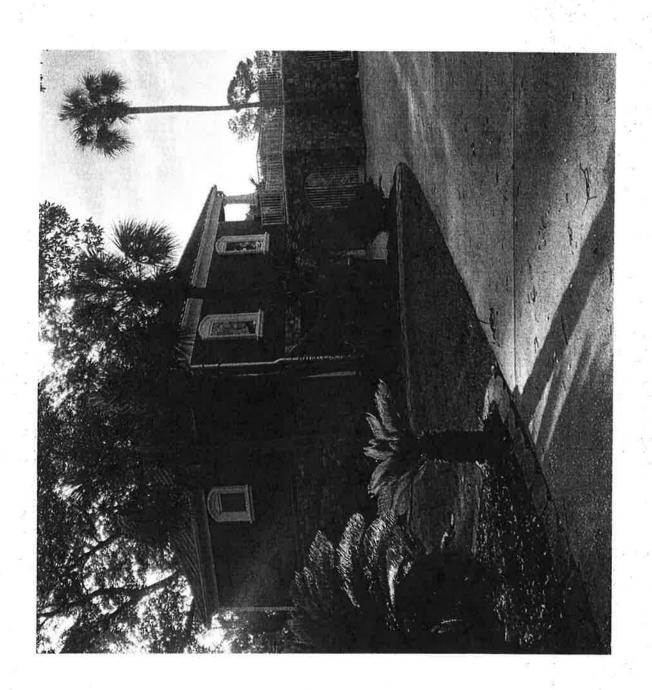
Sec. 32-3. - Definitions.

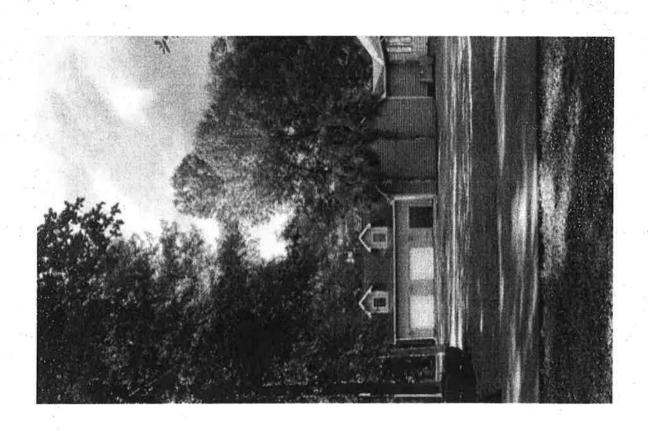
Unless otherwise stated the following words shall, for the purpose of this ordinance, have the meaning herein indicated. Words used in the present tense include future. The singular number includes the plural and the plural the singular. The word "shall" is mandatory, not directory. The words "used" or "occupied," as applied to any land or building shall be construed to include the words "intended," "arranged," or "designed" to be used or occupied.

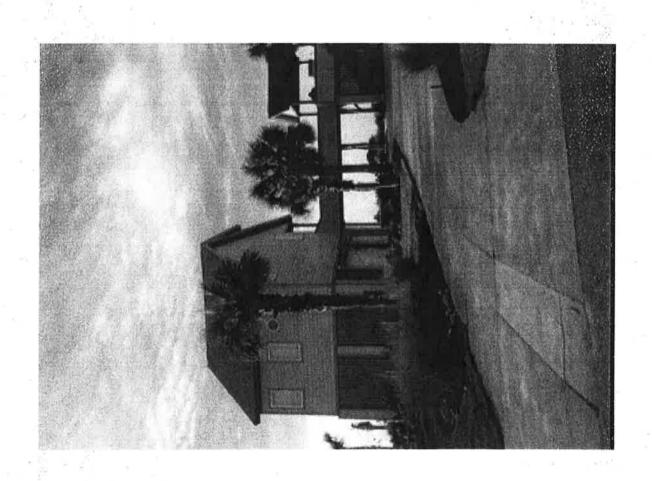
Accessory building or use means a building or use customarily incidental and subordinate to the principal building or use and located on the same lot with such building or use.

Nonconforming use means any structure or land lawfully occupied by a use that does not conform to the use regulations of the district in which it is situated.









Sec. 32-27. - Application of regulations.

Except as herein provided:

(1)



Use. With the exception of existing non-conforming uses and lots determined in accordance with the provisions of section 32-26(a)(1) through (4) and (b)(1) through (2) hereof, no building or land shall hereinafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located.

(2)

Street frontage. No dwelling shall be erected on a lot which does not abut on at least one public street for at least 50 feet, except that lots fronting on cul-de-sacs may have a minimum road frontage of 30 feet if the lot is at least 100 feet in width at the building line.

(3)

Corner lots. Minimum width of side yard along an intersecting street shall be 40 feet on each street.

(4)

One principal building on a lot. Only one principal building and its customary accessory buildings may hereafter be erected on any lot except in the CSC district where there may be more than one principal building on a lot provided that the zoning administrator does not find them to be incompatible with each other for reasons of public health, safety and welfare.

(5)

Reduction of lot size. Except as may be permitted by the zoning board of appeals, no lots shall be reduced so that minimum setbacks, minimum lot area, minimum lot width, or other provisions of this chapter shall not be maintained. This section shall not apply when a portion of a lot is acquired for public purposes.

(6)

Customary accessory buildings in residential districts. Accessory buildings of 200 square feet or less shall not be closer than ten feet to any property line. Section 32-78 setbacks apply to accessory buildings over 200 square feet. The construction or

replacement of accessory buildings or structures on the property cannot be started until the principal single-family building has been issued a certificate of occupancy.

(7)

Building area. On any lot, within an R-1 residential district, the area occupied by all buildings including accessory buildings, shall not exceed 15 percent of the total area of such a lot.

(8)

Annexations. All territory which may hereafter be annexed to the Town of Briarcliffe Acres, South Carolina, shall be considered to be in the R-1 low density residential district until otherwise classified.

(9)

Manufactured homes. Manufactured homes are excluded from R-1, single-family districts, CP, conservation preservation districts and the CSC, church, school and community uses districts.

(10)

Home occupations. No professional or business activities are permitted in R-1 districts.

(11)

Utility services. Any and all changes in existing services planned by any utility company shall require a building permit before proceeding. All new utility services within the VE17, AE16 and AE13 zones on the most current flood insurance rate map (No. 45051CINDOB) shall be underground.

(12)

Rentals. Rental of any single-family dwelling for a period of less than six consecutive months constitutes a commercial activity and is prohibited within the town.

(Ord. No. 2014-08, § 1(Att. A), 10-20-2014; Ord. No. <u>2021.03</u>, 8-9-2021; Ord. No. <u>2021.06</u>, 12-13-2021)

Sec. 32-26. - Nonconforming uses and lots.

(a)

Nonconforming uses. Any lawful use of any building or land existing at the time of the enactment of the ordinance (from which this chapter is derived), and any lawful use of any building or land existing within a zoning district which is changed by a subsequent amendment may be continued although such use does not conform with the provisions of this chapter or any subsequent amendment hereof with the following limitations:

(1)

No building or land containing a nonconforming use shall hereafter be extended unless such extensions shall conform to the provisions of this chapter for the district in which it is located.

(2)

Provided, however, that a nonconforming use may be extended throughout those parts of the building which were manifestly arranged or designed for such use prior to the time of enactment of the ordinance (from which this chapter is derived) or any subsequent amendment hereof.



CODE CASE DETAILED REPORT CASE-007865-2022 FOR HORRY COUNTY CODE ENFORCEMENT - 843-915-5090

Case Type:

Building and Building Regulations

Project:

Opened Date: 10/07/2022

NOT CLOSED

Status:

In Violation

District:

Closed Date:

Assigned To:

Description:

Detached Garage turn into an accessary living

Parcel: 39108040004

Main Address: 240 Center Dr Main

Myrtle Beach, SC 29572

Owner

Harrar Holdings I Llc

Inspection Number

Inspection Type

Inspection Status

Inspection Date

INSP-7114287-2022

CE-BWOP Inspection

Incomplete

10/10/2022 3:00 pm

Inspector: Darrell Johnson

Checklist Comments:

Altering detached garage into accessory living space. Door and windows are locked and can only see in door entering kitchen. What can be seen is kitchen cabinets, refrigerator and cook top. A permit is required for change of use osb

870

structure.

Power is on structure but it and house on property appear to be unoccupied.

Please contact Chief Mike Farria at 843-915-6791 or 843-855-6240 within 5 business days with questions.

Pictures taken

Follow up on10/18/22

INSP-7115429-2022

CE-BWOP Inspection

Incomplete

10/18/2022 9:00 am

Inspector: Darrell Johnson

Checklist Comments:

Follow up on BWOP from 10/10/22

No indication of contact made

Call to Chief Mike Farria went to voicemail

Will try Chief again later and update inspection accordingly

Follow up on 10/26/22

INSP-7123135-2022

CE-BWOP Inspection

Incomplete

10/26/2022 8:14 am

Inspector: Darrell Johnson

Checklist Comments:

Per Tammy Barnhill of Briarcliffe Acree structure may have to be removed. It is under further review.

Follow up on 11/10/22

INSP-7123150-2022

CE-BWOP Inspection

Incomplete

. 11/10/2022 3:14 pm

Inspector: Darrell Johnson

Checklist Comments:

BWOP is still pending decision from the Town of Briarcliffe per Chief Mile Farria

Follow up on 11/23/22

INSP-7130815-2022

CE-BWOP Inspection

Incomplete

11/23/2022 1:37 pm

Inspector: Darrell Johnson

Checklist Comments:

Per Chief Mike Farria still waiting on a decision fro Briarcliffe if structure can be used as a dwelling

Follow up on 12/1/22

INSP-7136311-2022

CE-BWOP Inspection

Incomplete

12/01/2022 9:47 am

Inspector: Darrell Johnson

Checklist Comments:

Per Chief Mike Farria no new updates. Still waiting on clarification from Briarcliffe

Follow up on 12/9/22

INSP-7138624-2022

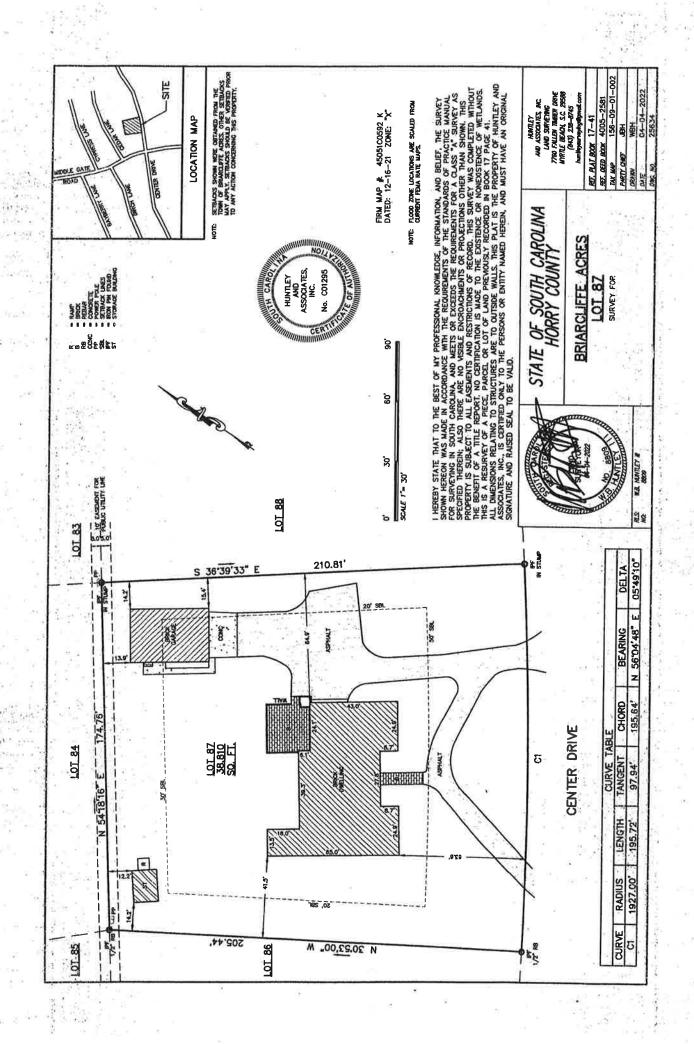
CE-BWOP Inspection

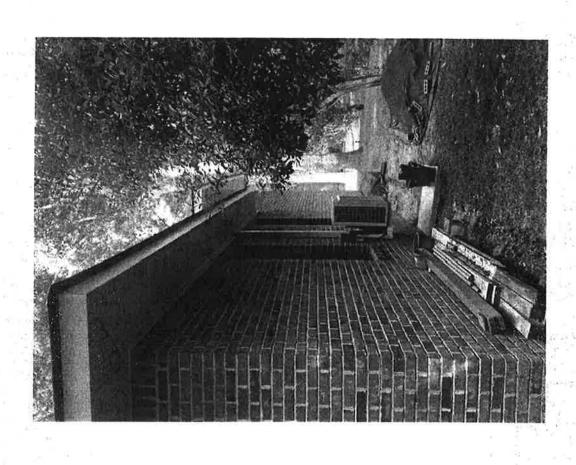
Pending Inspection

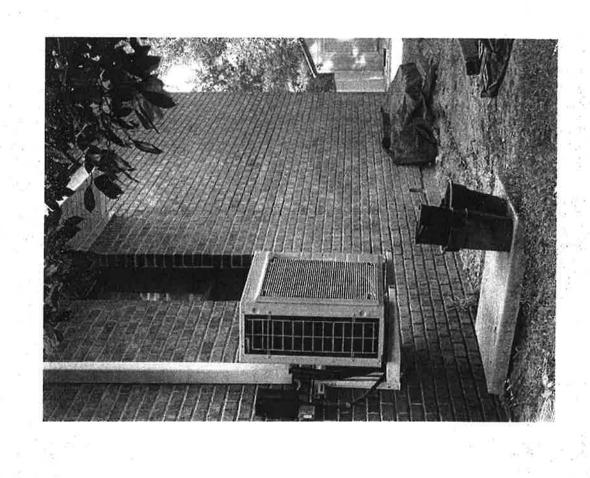
12/09/2022 9:49 am

Inspector: Mike Farria

Checklist Comments:











CODE CASE DETAILED REPORT CASE-007865-2022 FOR HORRY COUNTY CODE ENFORCEMENT - 843-915-5090

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Building and Building Regulations

Project:

Opened Date: 10/07/2022

Status:

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NOT CLOSED

Assigned To:

Description:

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Parcel: 39108040004

Address: 240 Center Dr.

Main

Myrtle Beach, SC 29572

Owner

Harrar Holdings I Llc

Inspection Number

Inspection Type

Inspection Status

Inspection Date

INSP-7114287-2022

CE-BWOP Inspection

incomplete

870

10/10/2022 3:00 pm

Inspector: Darrell Johnson

Checklist Comments:

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Power is on structure but it and house on property appear to be unoccupied.

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Pictures taken

Follow up on 10/18/22

INSP-7115429-2022

CE-BWOP Inspection

Incomplete

10/18/2022 9:00 am

Inspector: Darrell Johnson

Checklist Comments:

Follow up on BWOP from 16/10/22

No indication of contact made

Call to Chief Mike Farria went to voicemail.

Will try Chief again later and update inspection accordingly

Follow up on 10/26/22

INSP-7123135-2022

CE-BWOP Inspection

incomplete

10/26/2022 8:14 am

Inspector: Damel Johnson

Checklist Comments:

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INSP-7123150-2022

CE-BWOP Inspection

Incomplete

11/10/2022 3:14 pm

Inspector: Darrell Johnson

Checklist Comments:

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INSP-7130815-2022

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EXHIBIT