



CITY COUNCIL MEETING  
CITY HALL COUNCIL CHAMBERS  
229 MAIN STREET, CONWAY, SC 29526  
MONDAY, AUGUST 21, 2023 - 4:00 PM

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*PLEASE SILENCE ALL ELECTRONIC DEVICES*

I. CALL TO ORDER

II. INVOCATION/PLEDGE OF ALLEGIANCE – Brandon Wilson, Ekklesia Christian Church

III. APPROVAL OF AGENDA

IV. CONSENT AGENDA

- A. Final Reading of Ordinance #ZA2023-08-21 (A) to annex approximately 7.18 acres of property located on Highway 501 (Church Street) (PIN's 338-09-02-0008, 338-09-02-0009, 338-09-02-0011, 338-09-02-0014) and .09 acres of property located on Highway 501 (Church Street) (PIN 338-09-02-0007), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) and Conservation Preservation (CP) districts.
- B. Final Reading of Ordinance #ZA2023-08-21 (C) to rezone approximately 15.61 acres of property located at 300 Bellamy Ave (PIN 383-00-00-0381) from City of Conway Institutional (IN) district to City of Conway High-Density Residential (R-3) district.
- C. Approval to Authorize Memorandum of Agreement with SC Department of Juvenile Justice
- D. Approval to Apply for Entitlement Grant Funding from the FY2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program
- E. Approval of the Backup Software Maintenance Agreement Renewal (Budgeted)
- F. Resolution accepting dedication of roadways & drainage system in the White Oak Estates subdivision (Tiger Tail Road, Wild Oak Lane, Tiger Run Lane).
- G. Special Event Request – Conway High School Annual Homecoming Parade – September 15, 2023
- H. Approval of August 7, 2023 Council Meeting Minutes

V. PUBLIC INPUT

*"I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city."*

## VI. SPECIAL PRESENTATIONS

- A. Public Works Employee of the Month
- B. Discussion of a request to annex approximately 15 acres located at 154 Winyah Road (PIN 383-00-00-0339), and rezone from the Horry County Limited Industrial (LI) district to the City of Conway Heavy Industrial (HI) district. (Hucks)
- C. Discussion of a request to rezone approximately 4.15 acres of property at 1520 Grainger Road (PIN 368-01-02-0027) from the Low/Medium-Density Residential (R-1) district to a Planned Development (PD) district. (Hucks)

## VII. FIRST READING

- A. First Reading of Ordinance #ZA2023-09-05 (A) to annex approximately 4.48 acres of property located at 1136 Highway 501 Business (PIN 367-11-03-0003), and request to rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district. (Hucks)
- B. First reading of Ordinance #ZA2023-09-05 (B) to annex approximately 7.02 acres (total) of property located at 778, 830, and 878 Hwy 544, and 793, 795, and 799 Carter Lane (PIN's 382-05-04-0001, -0002, 382-05-04-0127 and 382-12-01-0014), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low-Density Residential (R) district. (Hucks)
- C. First reading of Ordinance #ZA2023-09-05 (C) to annex approximately 4.71 acres (total) of property located at 876 & 878 Hwy 544 (PIN's 382-12-01-0011, -0012, and -0013), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low-Density Residential (R) district. (Hucks)
- D. First reading of Ordinance #ZA2023-09-05 (D) to annex approximately 0.29 acres of property located at 21 Clemson Rd (PIN 383-10-03-0003), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)
- E. First reading of Ordinance #ZA2023-09-05 (E) to annex approximately 0.39 acres of property located at 29 Clemson Rd (PIN 383-10-03-0001), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)
- F. First reading of Ordinance #ZA2023-09-05 (F) to annex approximately .14 acres of property located at 113 Quail Run (PIN 383-09-04-0070), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)

*"I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city."*

- G. First reading of Ordinance #ZA2023-09-05 (G) to annex approximately 0.27 acres of property located at 131 Quail Run (PIN 382-12-03-0005), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)
- H. First reading of Ordinance #ZA2023-09-05 (H) to annex approximately 0.16 acres of property located at 184 Quail Run (PIN 383-09-04-0039), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)
- I. First reading of Ordinance #ZA2023-09-05 (I) to annex approximately 0.39 acres of property located at 1759 Juniper Drive (PIN 383-01-04-0037), and rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)
- J. First reading of Ordinance #ZA2023-09-05 (J) to annex approximately 0.24 acres of property located at 1775 Juniper Drive (PIN 383-01-04-0035), and rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)
- K. First reading of Ordinance #ZA2023-09-05 (K) to annex approximately 0.24 acres of property located at 1815 Juniper Drive (PIN 382-04-03-0156), and rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)

## VIII. CONSIDERATION

- A. Consideration of a request for waiver of sidewalk requirements for the Fresh Seafood Market, to be located at 1620 Fourth Ave (formerly Coastal Ice Company). (Hucks)
- B. Consideration of a Hotel and Short-Term Rental Incentive Application for Trident Hospitality Group, LLC, (d.b.a. Holiday Inn at The University) Located at PIN 382-12-04-0006. (Dennis)
- C. Consideration of a Request to Place a Historical Marker at Collins Park (Hyman)
- D. Consideration of a Special Event Request – Chicora Car Club Car Show – September 30, 2023 (Rogers)
- E. Consideration of a Special Event Request – 1<sup>st</sup> Annual Youth Performing Arts Festival – September 23, 2023 (Rogers)
- F. Consideration of a Special Event Request - CCU vs. UCLA Broadcast and Tailgate – September 2, 2023 (Emrick)

## IX. CITY ADMINISTRATOR’S REPORT

### X. COUNCIL INPUT

*“I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city.”*

## XI. BREAK

## XII. WORKSHOP

## XIII. ADJOURNMENT

Any citizen of the municipality may make an appearance before City Council concerning any municipal matter with the exception of personnel matters. Persons desiring to speak must notify the City Clerk prior to the beginning of the meeting. However, if you are speaking regarding a public hearing item, then you would do so during that time on the agenda. Please address Council from the podium stating your name, address, and the subject you would like to discuss.

The public may also access the meeting at [www.cityofconway.com](http://www.cityofconway.com) under the “Latest Events” tab on the home page. If you are unable to attend and would like to voice your concerns or comments regarding a request, please call the City Hall at 843-248-1760 or email [ashelley@cityofconway.com](mailto:ashelley@cityofconway.com), to be received prior to 12:00 noon on August 21, 2023. To assure proper recording of public comments left on the City’s voicemail, callers are urged to clearly pronounce their names and addresses, preferably providing spelling for both.

*“I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city.”*



**DATE: AUGUST 21, 2023**  
**ITEM: IV.A**

**ISSUE:**

**Final Reading of Ordinance #ZA2023-08-21 (A)**, to annex approximately 7.27 (total) acres of property located at on HWY 501 (Church Street) (PIN's 338-09-02-0007, -0008, -0009, -0010, and -0011), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC), and property on HWY 501 (Church Street) (PIN 338-09-02-0014) from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) and Conservation Preservation (CP) district.

**BACKGROUND:**

In May, the applicant submitted annexation and rezoning applications for the subject property, located on HWY 501. The property is currently in Horry County's jurisdiction, zoned Highway Commercial (HC).

The applicant is seeking to annex the property into the City limits to facilitate development of commercial/retail establishments. Staff has reviewed one conceptual plan of the proposed layout, and comments regarding the conceptual plan were sent back to the applicant last month. The conceptual (sketch) plan that was reviewed is included in your packet.

One of the current uses of one of the properties is the Roadrunner Antiques store.

Per *Section 3.2.10* of the UDO, the intent of the Highway Commercial (HC) district is to *provide compatible locations to serve the automobile-oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City.*

*Surrounding Uses / Zoning Districts:*

The properties are surrounded by property in the City limits, already zoned Highway Commercial. The High School, located on the other side of the HCS Transportation office, is zoned Institutional (IN). Property behind these parcels is zoned Conservation Preservation (CP); likely due to the proximity of the Crabtree Swamp in relation to these parcels.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* identifies the properties as HC and Conservation Preservation (CP) (a majority of the rear acreage is within the AE flood zone and/or contains wetlands).

Per *Section 3.2.15* of the UDO, the intent of the *Conservation Preservation (CP) district* is to provide needed open space for general outdoor and indoor recreational uses, and to protect environmentally sensitive areas and flood prone areas from the encroachment of any residential, commercial, industrial, or other uses capable of adversely affecting the relatively undeveloped character of the district.

**PLANNING COMMISSION:**

Planning Commission held a public hearing on the requests at their July 13<sup>th</sup> meeting. There was no public input. Staff recommended that the property be split zoned Highway Commercial (HC) and Conservation Preservation (CP). The CP district would be assigned to the portions of property identified on the wetland's delineation maps and flood zone areas identified on the flood zone map. Planning Commission recommended the same in their motion to approve.

**AUGUST 7<sup>TH</sup> CITY COUNCIL MEETING:**

City Council approved First Reading of the request at their August 7, 2023 meeting.

**STAFF RECOMMENDATION:**

Approve **Final Reading of Ordinance #ZA2023-08-21 (A).**

**ATTACHMENTS:**

Application;

GIS Maps

Sketch plan

## **ORDINANCE #ZA2023-08-21 (A)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 7.27 (TOTAL) ACRES OF PROPERTY LOCATED ON HIGHWAY 501 (CHURCH STREET) (PIN'S 338-09-02-0007, -0008, -0009, -0010, and -0011), AND REZONE FROM THE HORRY COUNTY HIGHWAY COMMERCIAL (HC) DISTRICT TO THE CITY OF CONWAY HIGHWAY COMMERCIAL (HC) DISTRICT, AND PROPERTY ON HIGHWAY 501 (CHURCH STREET) (PIN 338-09-02-0014) FROM THE HORRY COUNTY HIGHWAY COMMERCIAL (HC) DISTRICT TO THE CITY OF CONWAY HIGHWAY COMMERCIAL (HC) AND CONSERVATION PRESERVATION (CP) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

### **SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 7.27 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 7.27 acres of property located on Highway 501 (Church Street) (PIN's 338-09-02-0007, -0008, -0009, -0010, AND -0011), and request to rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district, as well as property also located on Highway 501 (Church Street) (PIN 338-09-02-0014) from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) and Conservation Preservation (CP) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property. For a more specific description of said property, see attached map.

### **SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

### **SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this 21 day of August, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton, Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

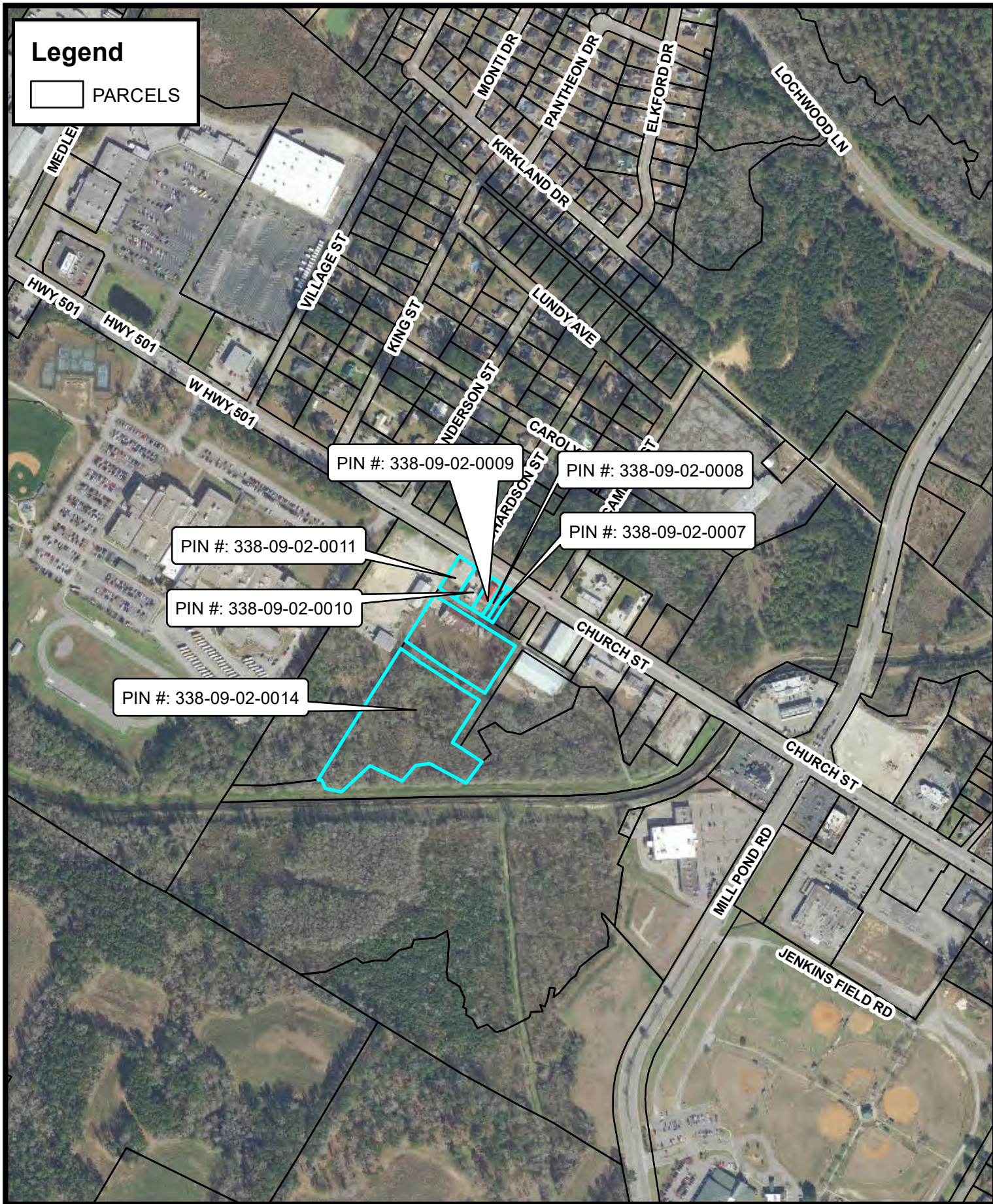
First Reading: August 7, 2023

Final Reading: August 21, 2023

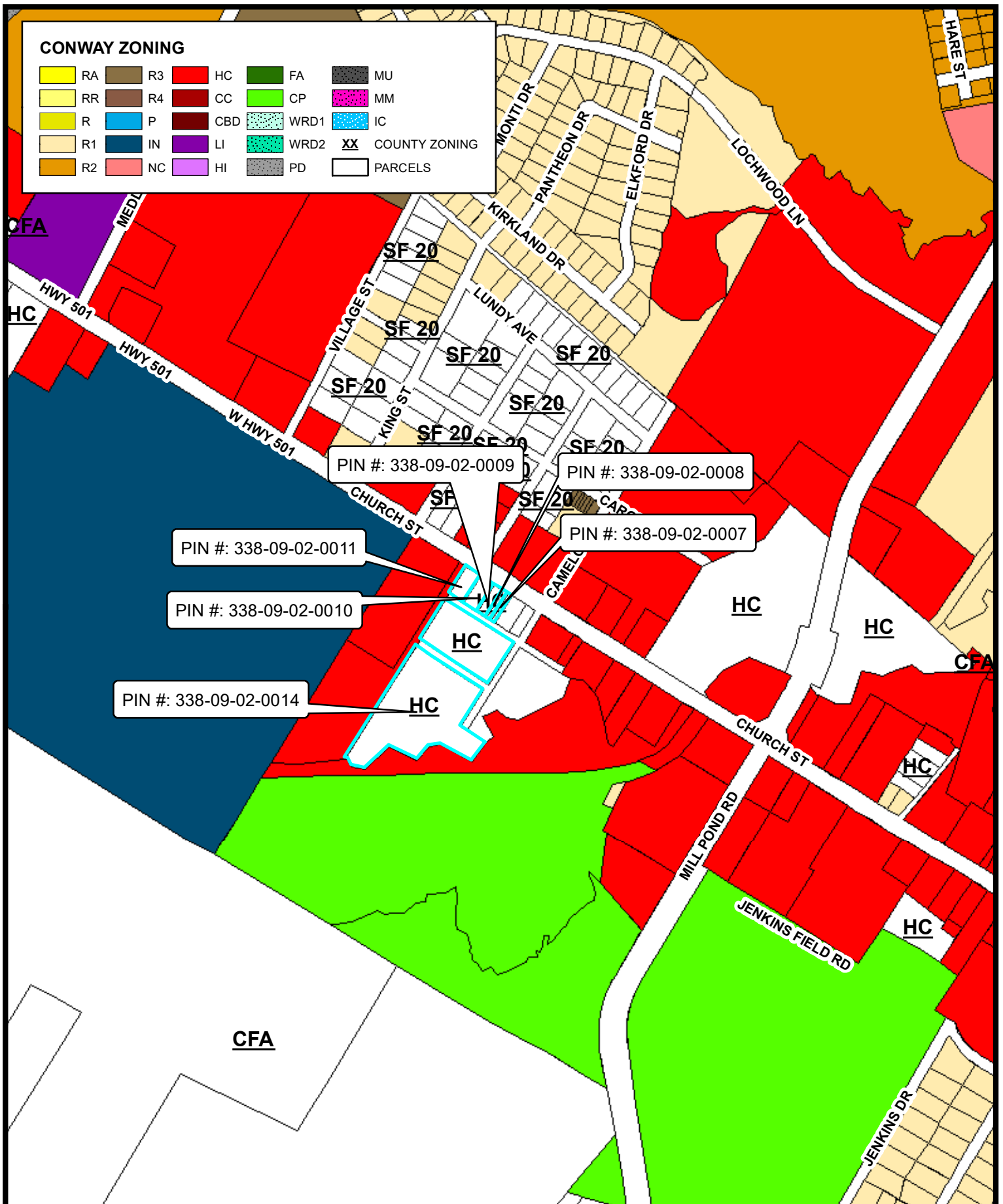




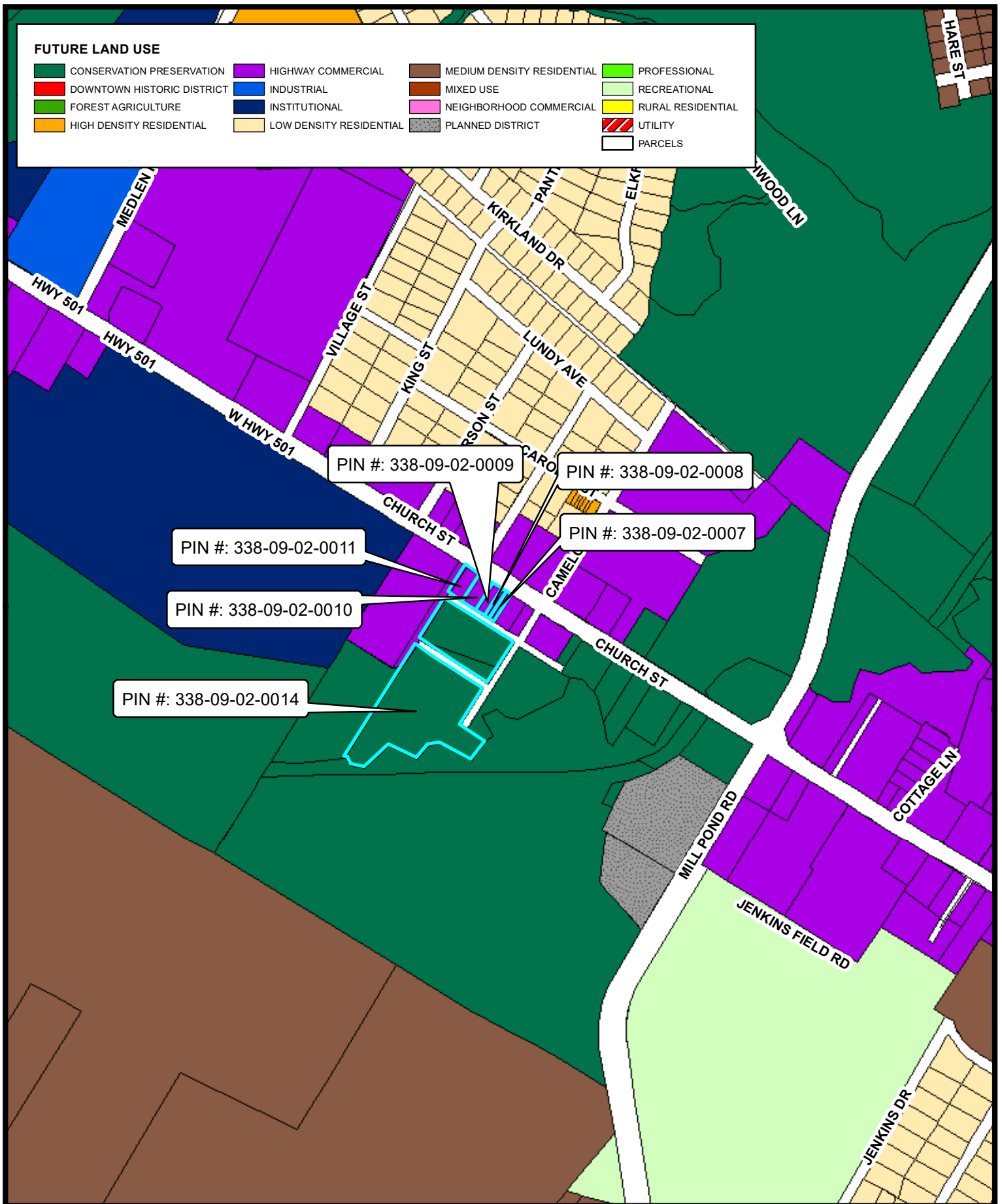


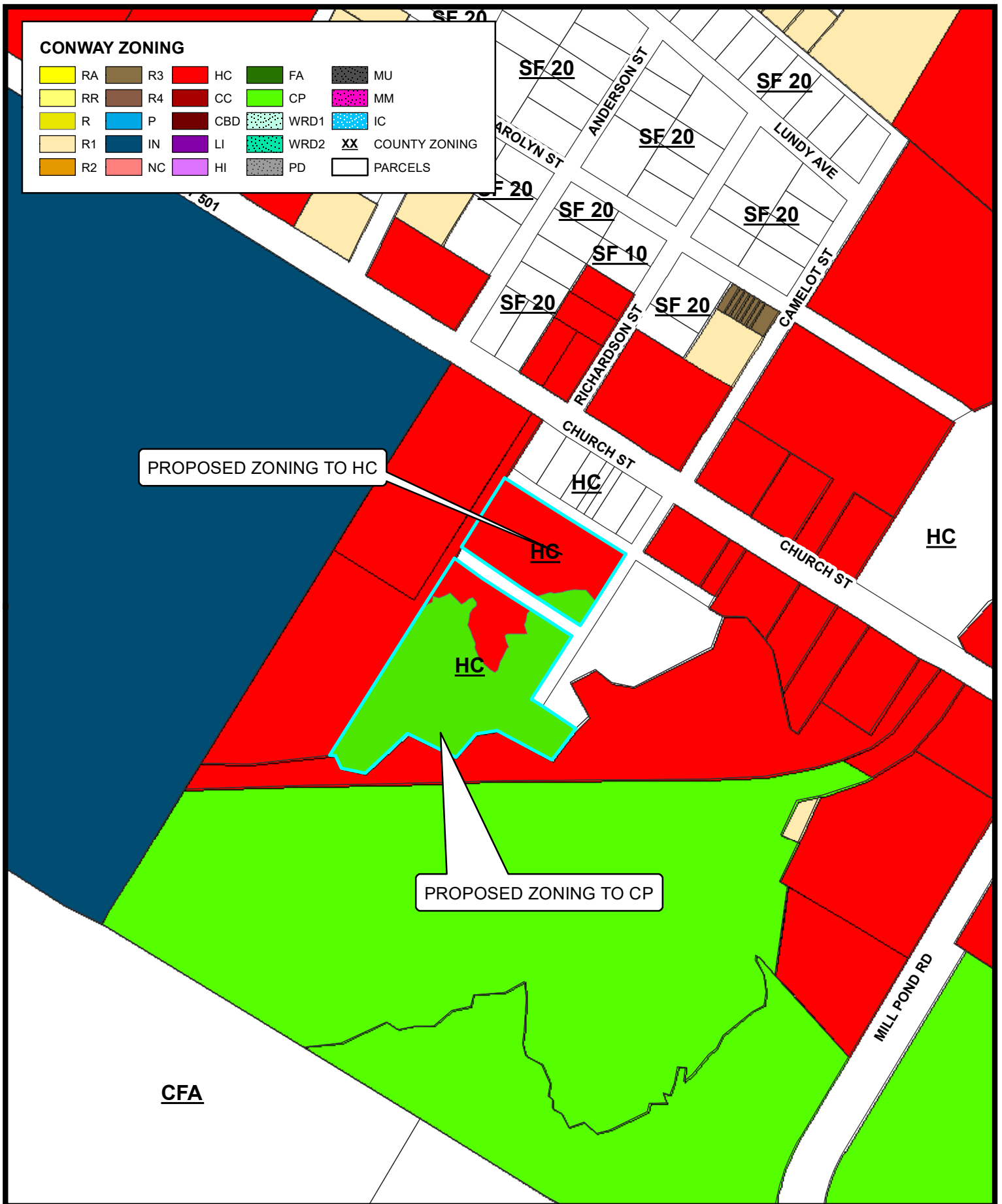


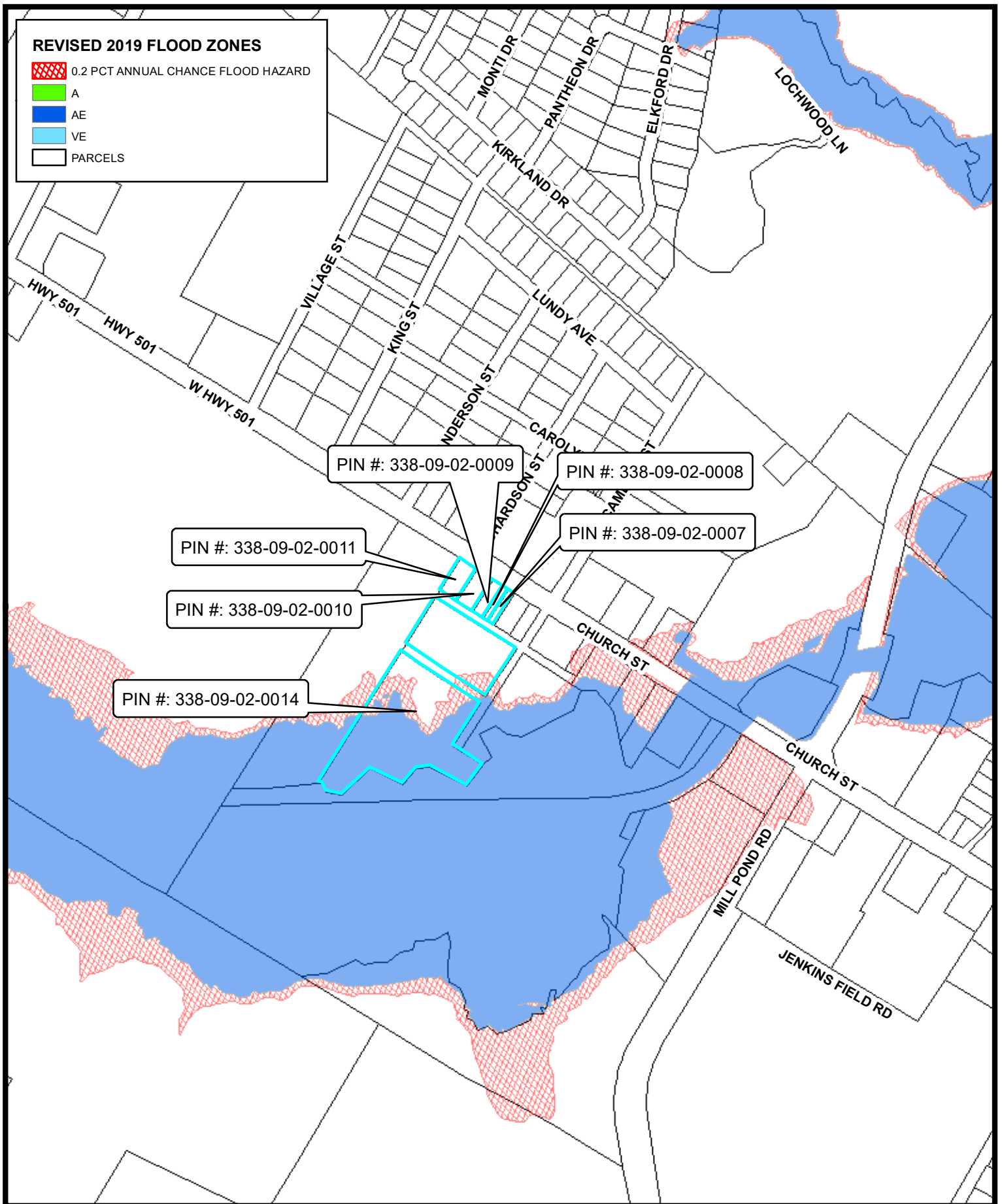














# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

## PETITION FOR ANNEXATION

### TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Conway - Crabtree

PIN: 3380902008-11 & 14 ACREAGE: 7.18

PROPERTY ADDRESS: 2197-2199 Church St.

PROPERTY OWNER MAILING ADDRESS: 1304 9th Ave Conway, SC 29526

PROPERTY OWNER TELEPHONE NUMBER: 843-222-5900

PROPERTY OWNER EMAIL: JTHENRY@SCCOAST.NET

APPLICANT: RDC Conway, LLC

APPLICANT'S EMAIL: mike.ziegler@eagledevgroup.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☐ NO ☒

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.  
PROPERTY OWNERS (Attach additional sheets if necessary)

Michael P. Ziegler, Sr.  
(Print)

(Signature)

DATE: 5/10/23

(Print)

(Signature)

DATE: \_\_\_\_\_





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: Yes Structure Type: Commercial buildings

Current Use: Retail/Highway Commercial

Are there any wetlands on the property?

CIRCLE: YES ☒ NO ☐

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☒ NO ☐

If yes, please describe.

Public right of way near the rear of the property and Horry Avenue along the southeastern property boundary

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☐

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)



# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 2197-2199 Church St. FEE PAID ( ) YES ( ) NO  
AREA OF SUBJECT PROPERTY (ACREAGE): 7.18 PIN: 33809020008-11 & 14  
CURRENT ZONING CLASSIFICATION: Highway Commercial  
COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Highway Commercial  
REQUESTED ZONING CLASSIFICATION: PUD  
NAME OF PROPERTY OWNER(S):  
John Henry (Designated Agent) PHONE # 843-222-5900  
\_\_\_\_\_  
PHONE # \_\_\_\_\_  
MAILING ADDRESS OF PROPERTY OWNER(S):  
1304 9th Ave Conway, SC 29526  
1304 9th Ave Conway, SC 29526

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

\_\_\_\_\_  
PROPERTY OWNER'S SIGNATURE(S)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PROPERTY OWNER'S SIGNATURE(S)

\_\_\_\_\_  
DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



# PETITION FOR ANNEXATION

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BS&A #: \_\_\_\_\_

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Department 196 Laurel Street, 29526

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**Instructions:**

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

COUNTY OF HORRY )

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Conway-Crabtree

PIN: 33809020007 ACREAGE: +/- 0.09

PROPERTY ADDRESS: 2201 Church St. Conway, SC 29526

PROPERTY OWNER MAILING ADDRESS: 715 Jasmine Ave. Myrtle Beach, SC 29577-2425

PROPERTY OWNER TELEPHONE NUMBER: 843-365-1765

PROPERTY OWNER EMAIL: jessejohn3@icloud.com

APPLICANT: RDC Conway, LLC

APPLICANT'S EMAIL: mike.ziegler@eagledevgroup.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☐ NO ☒

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Michael P. Ziegler Sr.

(Print)

(Signature)

DATE: 5/10/23

(Print)

(Signature)

DATE: \_\_\_\_\_





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_

BS&A #: \_\_\_\_\_

Is there a structure on the lot: No Structure Type: \_\_\_\_\_

Current Use: Vacant Land

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)



# Zoning Map Amendment Application

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196 Laurel Street, 29526

Phone: (843) 488-9888  
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PHYSICAL ADDRESS OF PROPERTY: 2201 Church St. FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): 0.09 PIN: 33809020007

CURRENT ZONING CLASSIFICATION: Highway Commercial

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Highway Commercial

REQUESTED ZONING CLASSIFICATION: PUD

NAME OF PROPERTY OWNER(S):

Jess Johnson

PHONE # 843-421-2249

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

715 Jasmine Ave. Myrtle Beach, SC 29577-2425

715 Jasmine Ave. Myrtle Beach, SC 29577-2425

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I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

(Signature)  
PROPERTY OWNER'S SIGNATURE(S)

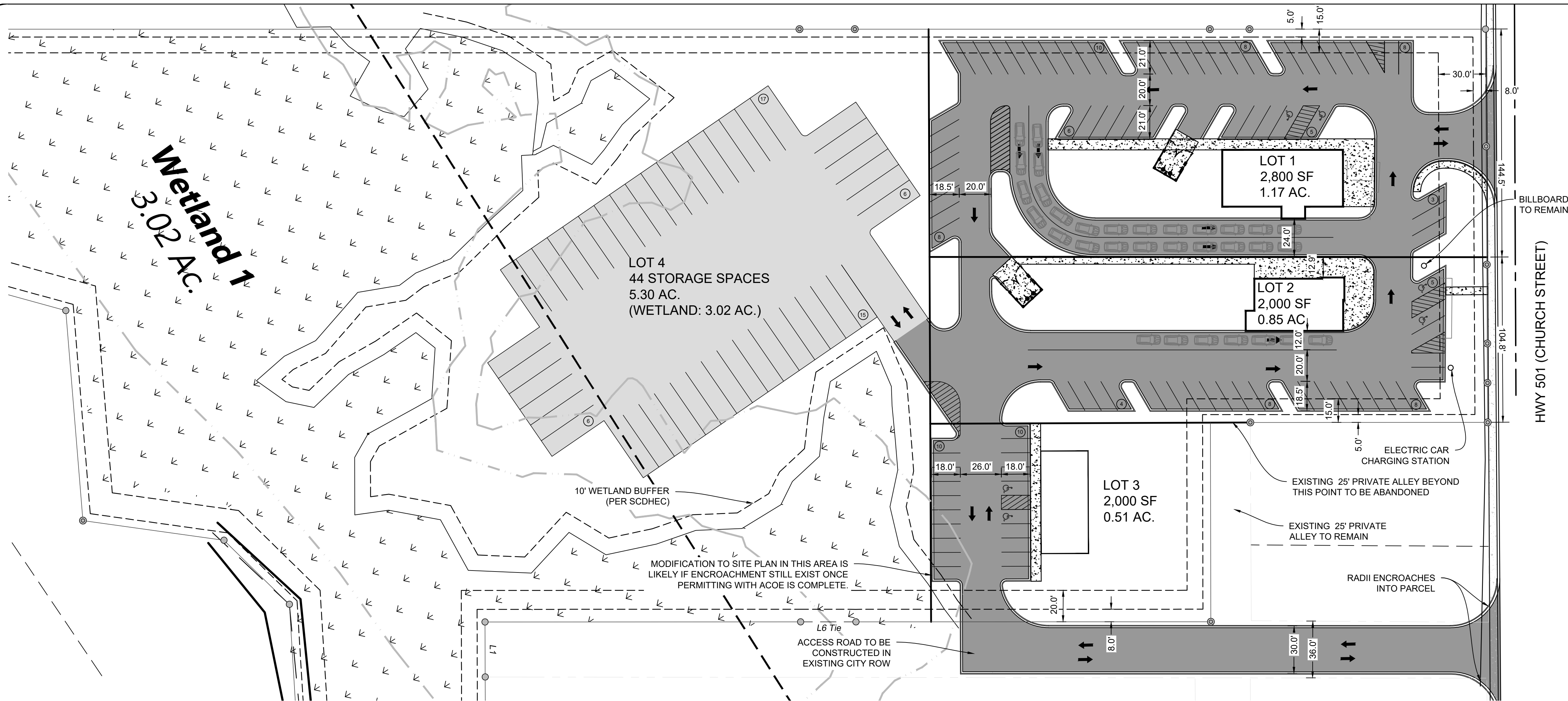
5/10/23  
DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.





SITE DATA:

PIN: 338-09-02-0014, 338-09-02-0011, 338-09-02-0010,  
338-09-02-0009, 338-09-02-0008  
TOTAL SITE = 7.84 AC  
TOTAL DISTURBED AREA = TBD

PROPOSED ZONING - HC (HIGHWAY COMMERCIAL)

SETBACKS -  
FRONT - 30'  
REAR - 20'  
SIDES - 15' DEPENDENT UPON ADJACENT USE  
(20' IF ADJACENT TO ROAD)

BUFFER YARDS  
FRONT - 8'  
SIDE - TYPE A (5') \*A PORTION OF SIDE REQUIRES  
8' IF ADJACENT TO PUBLIC ROAD  
REAR - TYPE A (5')

PARKING DATA:

REQUIRED SPACES:	MIN	MAX	PROVIDED
LOT 1: 2,800 SQ FT REST.	22.4	49.7	48
LOT 2: 2,800 SQ FT REST.	16	35.5	25
LOT 3: 2,000 SQ FT	6.66	10.66	20
TOTAL	46	95.86	93

SPACES PROVIDED: 96 SPACES

NOTE: LOT 3 EXCEEDS PARKING COUNT



\*\*\*CAUTION\*\*\*



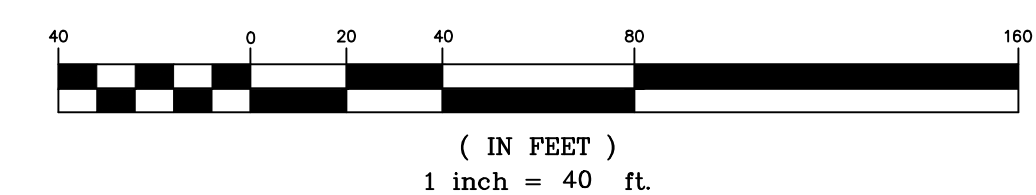
THE UTILITIES SHOWN ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

LEGEND

SYMBOLS	ABBREVIATIONS
CB □ CATCH BASIN	BL BUILDING LINE
DI ■ DROP INLET	CL CENTERLINE
ELEC TRANSFORMER	CT CRIMP TOP
x 90.0 ELEVATION (EXIST. GRADE)	DE DRAINAGE EASEMENT
x 80.0 ELEVATION (FINISH GRADE)	EP EDGE OF PAVEMENT
⊗ FIRE HYDRANT	FFE FINISHED FLOOR ELEVATION
⊗ GAS METER	FG FINISHED GRADE
⊗ GAS VALVE	IE INVERT ELEVATION
IP ○ IRON PIN	IPS IRON PIN SET
LP ☆ LIGHT POLE	IPO IRON PIN OLD
MHBS ⊕ MANHOLE (BELLSOUTH)	N&C NAIL & CAP
MHSD ⊕ MANHOLE (SD)	OT OPEN TOP
MHSS ⊕ MANHOLE (SS)	RB REBAR
PP ⊕ POWER POLE	RCP REINFORCED CONCRETE PIPE
TEL ⊕ TELEPHONE	R/W RIGHT OF WAY
⊗ WATER METER	SSE SANITARY SEWER EASEMENT
⊗ WATER VALVE	SL SETBACK LINE
→ STORMWATER FLOW	VCP VITRIFIED CLAY PIPE
→ TRAFFIC FLOW	

LINETYPES	ABBREVIATIONS
— CTV	— SS — SANITARY SEWER — EXIST.
— x — CABLE TV	— S — SANITARY SEWER — NEW
— x — CHAIN LINK FENCE (PROPOSED)	— S — SILT FENCE
— x — CHAIN LINK FENCE (EXISTING)	— SD — STORM SEWER — EXIST.
— -650 — CONTOURS — EXIST. GRADE	— S — STORM SEWER — NEW
— (675) — CONTOURS — FINISHED GRADE	— UGP — UNDERGROUND POWER
— FOC — FIBER OPTIC	— UGT — UNDERGROUND TEL
— FM — FORCE MAIN	— w — WATER LINE — EXIST.
— GAS — GAS LINE	— w — WATER — NEW
— OP — OVERHEAD POWER	— W — WOOD FENCE
— OHT — OVERHEAD TELEPHONE	— WPCS — LIMITS OF DISTURBANCE
— RD — ROOF DRAIN — NEW	

GRAPHIC SCALE



**SITE DESIGN, INC.**  
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS  
www.sitedesign-inc.com  
225 ROCKY CREEK ROAD  
COLUMBIA, SC 29210  
PH: (803) 721-0086

DATE: \_\_\_\_\_

NO. 10. 9. 8. 7. 6. 5. 4. 3. 2. 1.

THIS DRAWING IS THE PROPERTY OF SITE DESIGN, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF SITE DESIGN, INC. FURTHERMORE, THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF SITE DESIGN, INC. REQUIRED FOR THE WORK OF THIS SPECIFIC PROJECT.

SITE DESIGN, INC.  
No. 000122  
CERTIFICATE OF REGISTRATION  
SC. REG. NO. 1234

**CONWAY COMMERCIAL**  
  
**CITY OF CONWAY  
HORRY COUNTY  
SOUTH CAROLINA**

**EAGLE DEVELOPMENT GROUP, LLC**

HORZ. SCALE: 1" = 40'  
VERT. SCALE: N/A  
DESIGNED BY: ELO  
DRAWN BY: ELO  
CHECKED BY: ELO  
DATE: 04/12/2023  
S220855.dwg

**SITE PLAN**  
  
SHEET 1 OF 1  
**C200**



**DATE: AUGUST 21, 2023**

**ITEM: IV.B**

**ISSUE:**

**Final Reading of Ordinance #ZA2023-08-21 (C)**, to rezone approximately 15.61 acres located at 300 Bellamy Ave from the City of Conway Institutional (IN) district to the City of Conway High-Density Residential (R-3) district (PIN 383-00-00-0381).

**BACKGROUND:**

On May 23, 2023, the applicants submitted a rezoning application for the subject property, located on Bellamy Lane. The property is currently zoned Institutional (IN). The property is accessed via Bellamy Lane, an entrance off Lonestar Street and within Commerce Plaza; a primarily industrial area.

The property was annexed into the City limits in 2017 as Institutional (IN), in order to facilitate the development of student housing. Per *Article 4 – Use Tables*, of the UDO, student housing is identified as an “accessory use” to a college or university. Some of the student housing developments along HWY 544 are zoned IN as well for this reason. However, current staff has come to interpret this “use” as only being permitted in conjunction with a principal use on the same property in which the student housing is proposed to be constructed (*i.e.* dormitory). Construction of the Bellamy Student Housing development began in 2018, and the units were issued a certificate of occupancy in the same year.

The applicants have not specified a reason for the rezoning, other than that the proposed buyer(s) are concerned with the residential use of the property under the current zoning, as they intend to rent entire units to families (lease entire units), rather than to lease individual bedrooms to college students. However, the zoning of the property does not dictate “who” the units can be leased to. Evidence suggests that since the buildings were completed, the units have been leased to anyone who qualifies, not just college students.

Per *Section 3.2.5* of the UDO, the intent of the High-Density Residential (R-3) district is to *provide areas for high-density attached, detached, semi-attached, and multifamily residential development in the City of Conway and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the district.*

*Surrounding Uses / Zoning Districts:*

The property is directly adjacent to Commerce Plaza, with parcels zoned City Heavy Industrial (HI). Property behind the development is zoned Horry County CFA and property beside the development is zoned Horry County PUD and MA2 (a manufacturing district).

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* also identifies the property as being High-Density Residential (R-3).

**PLANNING COMMISSION:**

Planning Commission held a public hearing on the request at their July 13<sup>th</sup> meeting, and recommended approval of the request.

**AUGUST 7– CITY COUNCIL MEETING:**

City Council gave first reading of the rezoning requests. The applicant, Christopher Pearce, explained the request and addressed concerns.

**STAFF RECOMMENDATION:**

Staff supports the future land use identified on the City’s Future Land Use Map of the Comprehensive Plan. There are concerns that some of the uses within the commerce plaza industrial area will become legal-nonconforming, based on their distance from the subject property, as there are certain uses that must be a minimum distance from residentially zoned property. For example, per *Section 5.1.24* of the UDO, tattoo parlors and body piercing establishments are required to be located a minimum of 600-ft from all residential zoning districts. If the subject property is rezoned to R-3, an existing tattoo parlor will abut the property and will become legal-nonconforming. The existing business can continue, but if it were to cease operating at the location for 180 days or longer, it cannot be re-established at the current location, nor can any other use that is required to be a certain distance from residentially zoned property.

**ATTACHMENTS:**

Application;

GIS Maps;

Supplement(s) provided by applicant

**ORDINANCE #ZA2023-08-21 (C)**

**AN ORDINANCE TO REZONE APPROXIMATELY 15.61 ACRES OF PROPERTY  
LOCATED AT 300 BELLAMY AVE (PIN 383-00-00-0381) FROM THE CITY OF  
CONWAY INSTITUTIONAL (IN) DISTRICT TO THE CITY OF CONWAY HIGH-  
DENSITY RESIDENTIAL (R-3) DISTRICT.**

**WHEREAS,** pursuant to Title 6, Chapter 29 of the Code of Laws of South Carolina, the City of Conway enacted the Zoning Ordinance of the City of Conway, South Carolina; and

**WHEREAS,** Article 13, Section 13.1.7 of the City of Conway Unified Development Ordinance (UDO) provides that regulations, restrictions, and boundaries set forth in the UDO may be amended, supplemented, changed, or repealed in accordance with S.C. Code §6-29-760; and

**WHEREAS,** a petition has been submitted to rezone approximately 15.61 acres located at 300 Bellamy Ave (PIN 383-00-00-0381) from the City of Conway Institutional (IN) district to the City of Conway High-Density Residential (R-3) district; and

**WHEREAS,** the Planning Commission of the City of Conway, on July 13, 2023, held the required public hearing to discuss the request to rezone from Institutional (IN) to High-Density Residential (R-3), and made their recommendation; and

**WHEREAS,** City Council determined that it is in the best interest of the health, safety, and general welfare of the City of Conway and its citizens to approve the subject rezoning petition as presented. Therefore, be it

**ORDAINED,** by Conway City Council, in Council duly assembled, that the zoning boundaries of the Official Map of the City of Conway, together with explanatory matter herein, be revised as follows:

Rezone approximately 15.61 acres located at 300 Bellamy Ave (PIN 383-00-00-0381) from Institutional (IN) to High-Density Residential (R-3); and be it further

**ORDAINED,** that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**EFFECTIVE DATE:** This Ordinance shall become effective upon final reading.

**RATIFIED BY CITY COUNCIL**, duly assembled, this 21 day of August, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton, Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

First Reading: August 7, 2023

Final Reading: August 21, 2023



## Legend

 PARCELS

PIN #: 383-00-00-0381

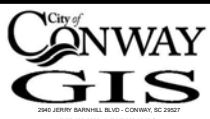
LOVE STAR ST

BELLAMY AVE

EARNHART ST

UNIVERSITY BLVD

ALLIED DR



Disclaimer: This map is a graphic representation only. It is NOT a survey. All efforts have been made to ensure its accuracy. However, the City of Conway disclaims all responsibility & liability for the use of this map.



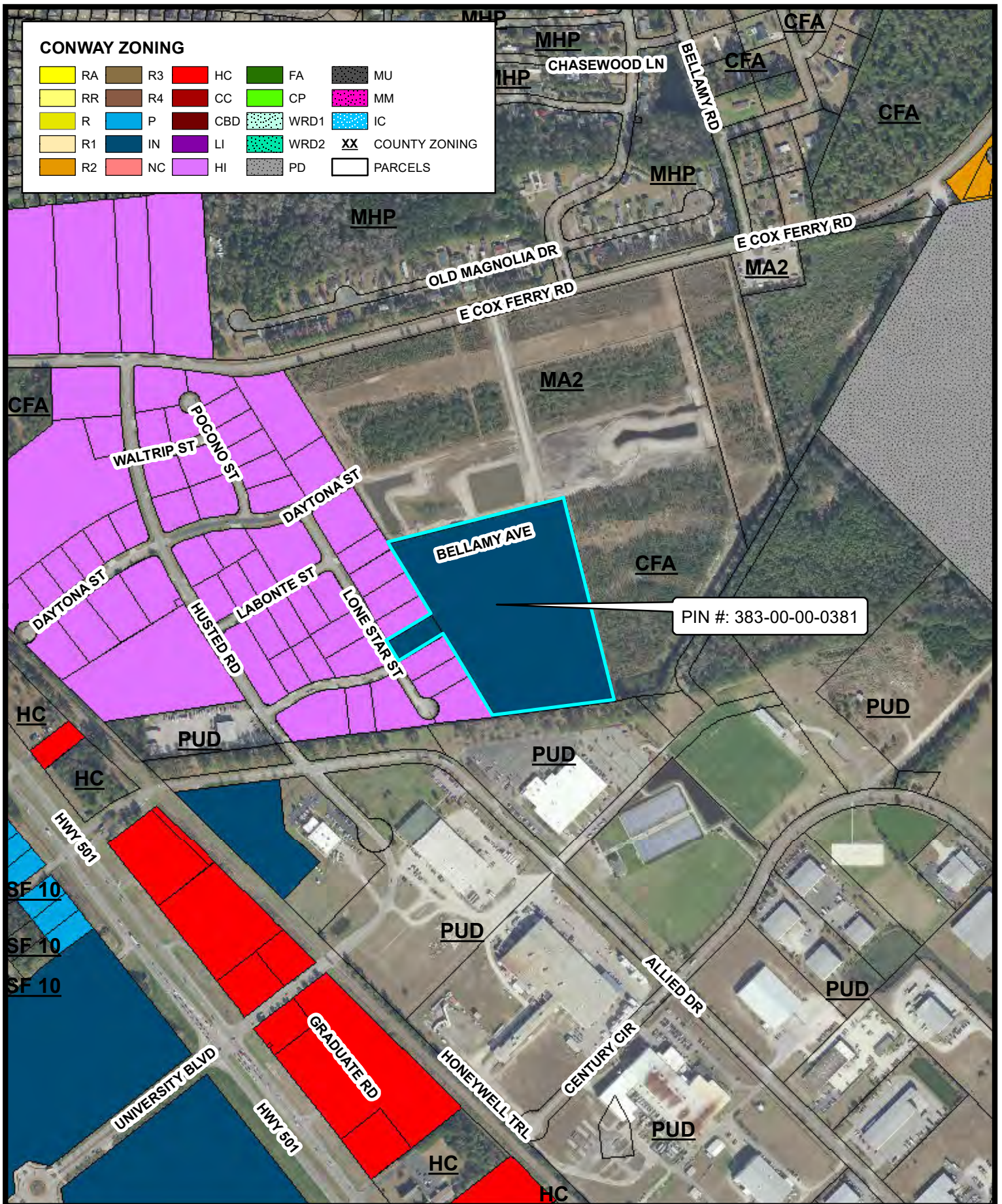
PIN #: 383-00-00-0381  
300 BELLAMY AVE  
(P23-0164)



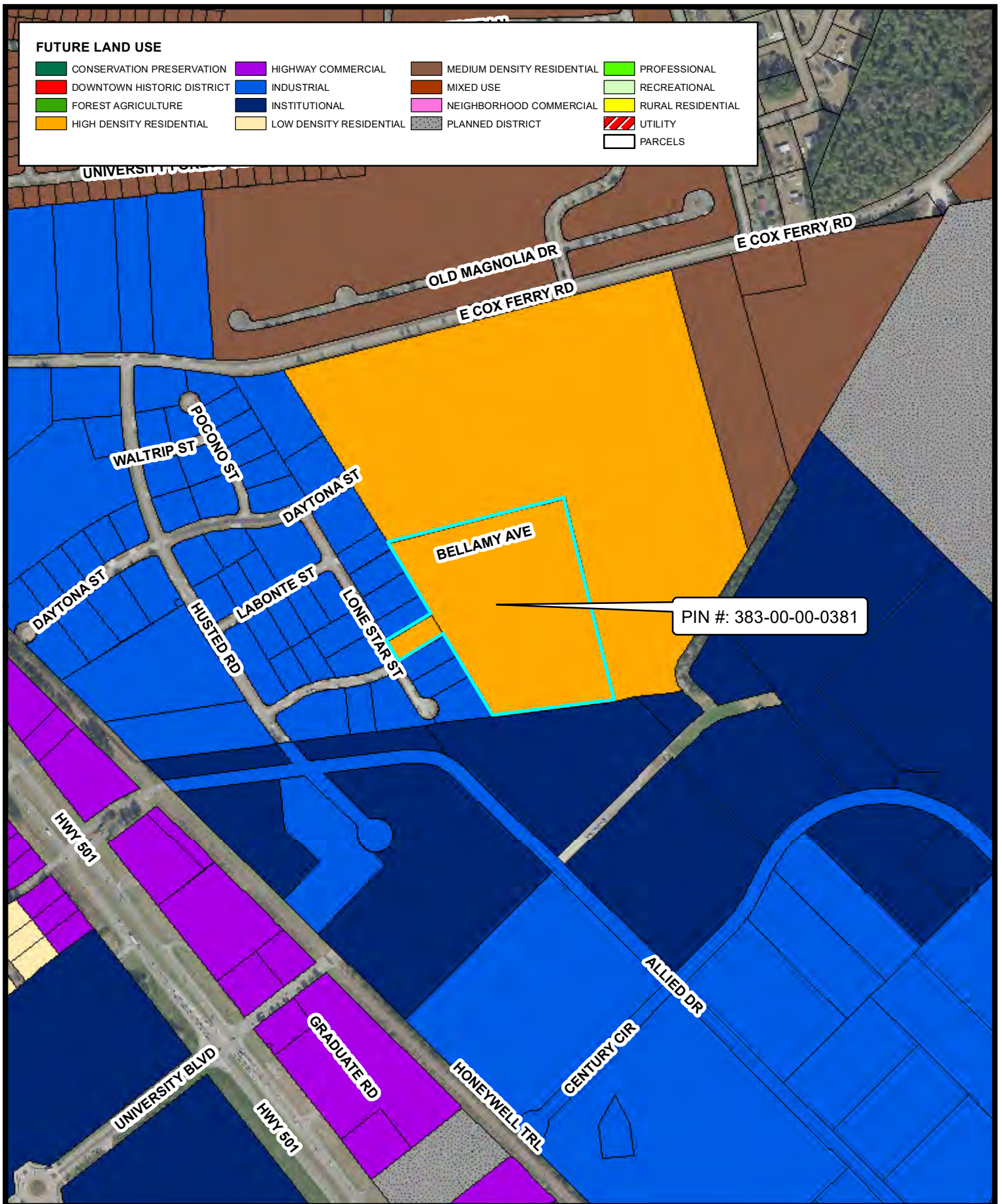




















# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 300 Bellamy Lane, Conway, SC 29526 FEE PAID ☐ YES ☐ NO

AREA OF SUBJECT PROPERTY (ACREAGE): 15.61 Acres PIN: 38300000381

CURRENT ZONING CLASSIFICATION: Institutional

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: High Density Residential

REQUESTED ZONING CLASSIFICATION: R3 - High Density Residential

NAME OF PROPERTY OWNER(S):

Coastal Carolina Student Housing Partners, LLC PHONE # 404-297-1044

c/o John G. Dixon, Jr. PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

625 Kentucky Street, Scottdale, Georgia 30079

\*\*\*\*\*  
I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

[Signature] 5/23/23  
PROPERTY OWNER'S SIGNATURE(S) DATE

\_\_\_\_\_  
PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

**COASTAL CAROLINA HOUSING PARTNERS, LLC**  
**City of Conway**  
**Zoning Map Amendment Application - Supplement**

**INTRODUCTION:**

Coastal Carolina Housing Partners, LLC (“the Applicant”) is the owner of a +/- 15.61 acre tract of land located in the City of Conway, SC (“the Property”) which was previously approved by the City of Conway and developed by the Applicant as a multi-family residential housing complex known as Coastal Bellamy (“the Project”). See photos of existing Project attached as “**Exhibit A.**”

The PIN # for the Property is # 38300000381 and the Project is currently located in an Institutional (“IN”) Zoning District<sup>1</sup> and has a Future Land Use Map Designation of High Density Residential (“HDR”) and Institutional (“IN”). See City of Conway Zoning and Land Use Map Excerpts attached as “**Exhibits B and C.**” The Project currently serves a mix of student and non-student residents associated with the nearby higher education institutions (i.e. - Horry-Georgetown Technical College, Coastal Carolina University) and includes “per bedroom” lease arrangements for its residents.<sup>2</sup>

**REQUESTED ZONING MAP AMENDMENT:**

The Applicant seeks to amend the City of Conway’s Zoning Map for the subject Property from the current IN Zoning District to reflect a more traditionally recognized R—3 (High Density Residential) Zoning District to better reflect the current mix of student and non-student residents residing at the multi-family Project and to better address long-term concerns regarding the IN Zoning District for the Project. Moving forward, the Applicant intends to continue to lease its multi-family units to students at the Project. However, from an operational and management standpoint, the Applicant intends to review and potentially eliminate the “per bedroom” lease requirements more typically associated w/ student housing in the future.

**City of Conway Development Standards:**

Upon information and belief, the existing Property was originally designed, developed and constructed in compliance with the City of Conway’s applicable Design Standards for the current IN Zoning District and the requested R-3 High Density Residential Zoning District as outlined in Articles 6.2.7 and 6.3.3 of the City of Conway’s Unified Development Ordinance (“UDO”). See

---

<sup>1</sup> City of Conway UDO 3.2.8 - The intent of the IN District is to provide areas for the development of medical, educational, and higher educational, facilities in a campus-like setting. More specifically, the district is intended to accommodate the development styles, uses, and accessory uses associated with these facilities. This district is not intended for businesses engaged in retail sales, except for those businesses that are clearly accessory to and specifically provide services to the permitted principal use.

<sup>2</sup> Accessory uses in the Institutional (IN) Zoning District shall only be permitted when the principal use in a college or university (Pa3).



***Coastal Carolina Housing Partners, LLC***  
***Zoning Map Amendment – Supplement***

site plan attached as **Exhibit “D.”** The City of Conway issued a series of Certificates of Occupancy (“CO’s”) for the existing Project on or about August 2, 2018. Thus, the Applicant is unaware of any design, development, and/or construction standard issues presented by this R-3 rezoning request at this time. However, the Applicant is prepared to review and address the same with its design professionals as needed.

**CONCLUSION:**

The Applicant’s request to amend the City of Conway’s Zoning Map for the subject Property from the current IN Zoning District to R—3 (High Density Residential) Zoning District is appropriate based upon the facts and circumstances presented and it is consistent with the City of Conway’s UDO and 2035 Comprehensive Plan, Land Use Element.

**EXHIBIT “A”**



***Coastal Carolina Housing Partners, LLC  
Zoning Map Amendment – Supplement***





***Coastal Carolina Housing Partners, LLC  
Zoning Map Amendment – Supplement***



**EXHIBIT “B”**

Legend Layers Measure Details Share Print



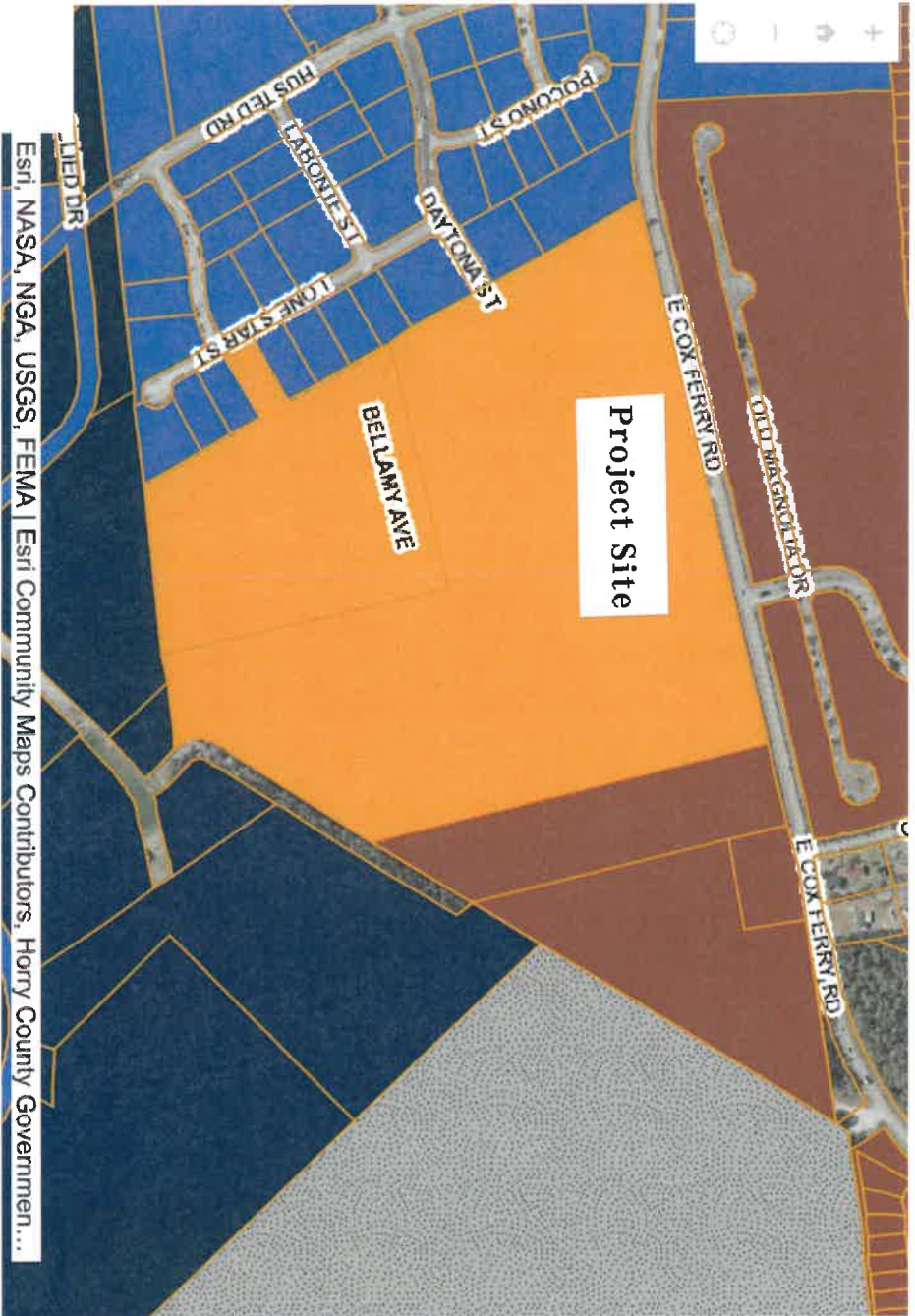
Horry County, State of North Carolina DOT, Esri, HERE, HERE, Garmin, INCREMENT P, USGS, EPA, ...

Legend

- RURAL AGRICULTURAL (RA)
- RURAL RESIDENTIAL (RR)
- LOW DENSITY RESIDENTIAL (R)
- LOW DENSITY RESIDENTIAL (R1)
- MEDIUM DENSITY RESIDENTIAL (R2)
- HIGH DENSITY RESIDENTIAL (R3)
- TRADITIONAL RESIDENTIAL (R4)
- PROFESSIONAL (P)
- INSTITUTIONAL (IN)
- NEIGHBORHOOD COMMERCIAL (NC)
- HIGHWAY COMMERCIAL (HC)



**EXHIBIT “C”**



- CONWAY DATA
- FUTURE LAND USE 2019-2029
- CONSERVATION
- PRESERVATION
- DOWNTOWN HISTORIC DISTRICT
- FOREST AGRICULTURE
- HIGH DENSITY RESIDENTIAL
- HIGHWAY COMMERCIAL
- INDUSTRIAL
- INSTITUTIONAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY
- PRESERVATION

**EXHIBIT “D”**





**DATE: AUGUST 21, 2023**  
**ITEM: IV.C.**

**ISSUE:**

Approval to authorize memorandum of agreement with SC Department of Juvenile Justice.

**BACKGROUND & ANALYSIS:**

Each year, the City must renew its agreement with the Department of Juvenile Justice to handle juvenile offenders for our Police Department. The City agrees to pay to DJJ a cost of fifty (50) dollars per day to house those offenders. This agreement will remain effective through June 30, 2024.

**RECOMMENDATION:**

Approve the memorandum of agreement with the SC Department of Juvenile Justice.



## **MEMORANDUM OF AGREEMENT FOR THE DETENTION OF JUVENILES**

**THIS AGREEMENT** is made this 1<sup>st</sup> day of July, 2023, by and between the South Carolina Department of Juvenile Justice (SCDJJ), by and through its duly authorized employee, and the governing body of City of Conway, hereinafter referred to as City of Conway, by and through its duly authorized official and/or employee;

**WHEREAS**, the South Carolina Constitution and state and federal law, mandate that juveniles who are held in detention be confined in separate and distinct facilities from adults similarly confined; and

**WHEREAS**, City of Conway does not operate or manage its own detention facility for juveniles, or otherwise have such a facility available to it for the detention of juveniles; and

**WHEREAS**, SCDJJ operates a facility for the detention of juveniles, along with an array of other residential placements for juveniles, who are awaiting their return to another jurisdiction or state, or awaiting their adjudication and/or dispositional hearings in the Family Courts of this State, which have passed all necessary state inspections or approvals, and are suitable for the detention of juveniles; and

**WHEREAS**, the General Assembly has mandated that “the governing body of the law enforcement agency having original jurisdiction (over) where the offense occurred” be responsible for paying a portion of the costs of the detention services for juveniles provided by SCDJJ, who are charged with committing crimes within the governing body’s jurisdictional limits or ordered by the Family Court to be detained;

**NOW THEREFORE**, in consideration of the mutual promises contained herein, it is agreed as follows:

SCDJJ will admit into its Juvenile Detention Center in Columbia, and detain such juveniles in this Center, subject to its design/operational capacity and any limitations set forth in Section 63-19-830(A), those juveniles who are charged with committing offenses within the jurisdictional limits of the above listed entity and who have been/are:

1. qualified to be placed in secure detention (as determined by Section 63-19-820(B)), which the local law enforcement entity wishes to have detained prior to a detention hearing before the Family Court; or
2. ordered to be taken into custody and detained by the Family Court or other lawful authority; or

3. 16 years old or younger who have been waived to the Court of General Sessions to be tried as adults; or
4. 16 years old and charged as an adult with committing a Category A-D felony or any felony offense which provides for a maximum term of imprisonment of fifteen years or more (applicable only to crimes alleged to have occurred prior to 7/1/2019).

Persons 17 years old and older who are charged as adults will not be admitted to SCDJJ's Juvenile Detention Center. Acceptance and retention of detainees in its Juvenile Detention Center will be on a space available basis and will be in accordance with admission and detention criteria established by SCDJJ. In addition, City of Conway agrees to remove any detainees accepted and detained under criteria 3 and 4 above, on or within one week after that detainee's 17<sup>th</sup> birthday.

City of Conway agrees to assign an open Purchase Order Number \_\_\_\_\_, to be effective from July 1, 2023 to June 30, 2024.

City of Conway agrees to comply with Section 63-19-1610 of the South Carolina Code of Laws which provides, "local governments utilizing the juvenile detention services provided by the Department of Juvenile Justice must pay the department a per diem of fifty dollars a day per child." Accordingly, City of Conway will pay SCDJJ \$50.00 per 24-hour day per child. (Detention periods of between from 1 to 23 hours shall be charged as a ½ day charge of \$25.00). Payments to SCDJJ will be made on a monthly basis as the costs accrue.

SCDJJ agrees to bill City of Conway on a monthly basis; said bills to be sent on or before the 15<sup>th</sup> day of the month after the month where the costs are incurred, with payment to be made on or before the first (1<sup>st</sup>) day of the following month. If City of Conway fails to make payment within 30 days of receipt of an invoice for detention services, SCDJJ may take any and all available measures to collect on the outstanding debt.

SCDJJ agrees to periodically provide City of Conway with a report on City of Conway's use of the SCDJJ Detention Facility. This report will reflect the status of juveniles being detained for periods greater than 30 days.

Pursuant to South Carolina Code Section 63-19-360, the "local law enforcement agency having jurisdiction where the offense was committed" shall be responsible for transporting all juveniles to and from DJJ's Juvenile Detention Center. However, a local law enforcement entity may enter into agreements with other local law enforcement agencies or other entities for transporting of a juvenile to and from SCDJJ's Juvenile Detention Center, and the fact that a particular local law enforcement agency or entity transports a juvenile to or from SCDJJ shall not be determinative as to which law enforcement agency has jurisdiction over the offense committed or necessarily obligate the governing board of the transporting entity to pay for the cost of that juvenile's detention.

In accordance with state law relating to Juvenile Detention and consistent with the criteria outlined in SCDJJ Policy 408 (Community Detention Screening and Detention Hearing Process), no juvenile shall be placed in and/or transported to a SCDJJ detention facility until law enforcement has notified

SCDJJ and SCDJJ has conducted a detention screening, or until a Family Court Judge has determined that placement in secure detention is appropriate.

City of Conway shall provide the SCDJJ Juvenile Detention Center with all relevant information pertaining to the juvenile, including medical history/limitations/pre-existing conditions, known psychological and psychiatric problems, charges pending before the court, and completed screening or detention forms if such records or information are in the possession of, or otherwise known to, the transporting law enforcement agency.

SCDJJ's Juvenile Detention Center shall have the right to refuse admission when a juvenile is presented for placement without an appropriate detention order signed by the Court or detention referral papers, completed and signed by a SCDJJ employee or screening agent. SCDJJ's Juvenile Detention Center shall also have the right to refuse admission when a juvenile is deemed inappropriate by the Center for placement due to age, not meeting referral/admissions criteria, indications of alcohol or other drug intoxication, medical condition which requires emergency or immediate medical care or treatment or for any other reason which puts the Center at risk, should such a juvenile be accepted.

SCDJJ shall not be financially responsible for the cost of medical care provided to a juvenile detained in its juvenile detention center for any injury, illness, condition, or medical need that pre-existed the juvenile's admission to its Detention Center.

Detention services provided by SCDJJ shall commence upon execution of this contract and terminate, unless this contract is reauthorized and renewed, on July 1, 2024. Either party may cancel this agreement upon thirty (30) days' written notice.

**APPROVED:**

\_\_\_\_\_  
Administrator/Manager  
(or other Authorized Official)



L. Eden Hendrick, Director  
South Carolina Department of Juvenile Justice

\_\_\_\_\_  
Date

July 1, 2023  
Date



**DATE: AUGUST 21, 2023**  
**ITEM: IV.D.**

**ISSUE:**

Approval to apply for entitlement grant funding from the FY2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

**BACKGROUND:**

The City of Conway is eligible to apply for \$11,219 in entitlement grant funding from the FY2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program from the US Department of Justice's Bureau of Justice Assistance. Grant requests must fall under one of the following broad statutory program areas:

1. Law enforcement programs
2. Prosecution and court programs
3. Prevention and education programs
4. Corrections and community corrections programs
5. Drug treatment and enforcement programs
6. Planning, evaluation, and technology improvement programs
7. Crime victim and witness programs (other than compensation)
8. Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams
9. Implementation of state crisis intervention court proceedings and related programs or initiatives, including, but not limited to, mental health courts, drug courts, veterans' courts, and extreme risk protection order programs.

Staff identified a need for enhanced security features in the City Finance Building and plans to use JAG funds to purchase and install a card reader door lock system similar to the system installed at City Hall. The system would restrict public access to private areas and offer increased security to finance staff. In addition to the door system, a printer for ID badges would also be purchased.

There is no match for this grant, however the City must spend at least the full grant amount. Any overage will be spent from the existing Information Technology budget. The total cost of this project is \$13,516. The balance of \$2,297 will be paid out of the IT budget.

JAG requires the grant application be made available for review by the governing body of the applicant's jurisdiction and to the public for 30 days. A public notice was posted on the City website on August 3<sup>rd</sup> with comments due by September 3<sup>rd</sup>.

**RECOMMENDATION:**

Authorize staff to apply for \$11,219 for the FY2023 Edward Byrne Memorial Justice Assistance Grant Program.

## Application for Federal Assistance SF-424

**\* 1. Type of Submission:**

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

**\* 2. Type of Application:**

- ☒ New  
☐ Continuation  
☐ Revision

**\* If Revision, select appropriate letter(s):**

**\* Other (Specify):**

**\* 3. Date Received:**

Completed by Grants.gov upon submission.

**4. Applicant Identifier:**

**5a. Federal Entity Identifier:**

**5b. Federal Award Identifier:**

**State Use Only:**

**6. Date Received by State:**

**7. State Application Identifier:**

**8. APPLICANT INFORMATION:**

**\* a. Legal Name:**

City of Conway

**\* b. Employer/Taxpayer Identification Number (EIN/TIN):**

57-6001017

**\* c. UEI:**

ENX9JD17R7M3

**d. Address:**

**\* Street1:**

1001 Third Ave

**Street2:**

**\* City:**

Conway

**County/Parish:**

Horry

**\* State:**

SC: South Carolina

**Province:**

**\* Country:**

USA: UNITED STATES

**\* Zip / Postal Code:**

29526-5101

**e. Organizational Unit:**

**Department Name:**

Administration

**Division Name:**

Grants

**f. Name and contact information of person to be contacted on matters involving this application:**

**Prefix:**

Ms.

**\* First Name:**

Rosanne

**Middle Name:**

**\* Last Name:**

Dates

**Suffix:**

**Title:**

Grants Supervisor

**Organizational Affiliation:**

Employee

**\* Telephone Number:**

843-488-7609

**Fax Number:**

843-248-1769

**\* Email:**

rdates@cityofconway.com

## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

Bureau of Justice Assistance

### 11. Catalog of Federal Domestic Assistance Number:

16.738

CFDA Title:

Edward Byrne Memorial Justice Assistance Grant Program

### \* 12. Funding Opportunity Number:

O-BJA-2023-171790

\* Title:

BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation

### 13. Competition Identification Number:

C-BJA-2023-00104-PROD

Title:

Category 1- Applicants with eligible allocation amounts of less than \$25,000

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

CITY LIMITS MAP JULY 2021.pdf

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

City of Conway Government Building Security Enhancements

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments



<b>Application for Federal Assistance SF-424</b>	
<b>16. Congressional Districts Of:</b>	
* a. Applicant	07
* b. Program/Project	07
Attach an additional list of Program/Project Congressional Districts if needed.	
<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span>Add Attachment</span> <span>Delete Attachment</span> <span>View Attachment</span> </div>	
<b>17. Proposed Project:</b>	
* a. Start Date:	10/02/2023
* b. End Date:	10/31/2024
<b>18. Estimated Funding (\$):</b>	
* a. Federal	11,219.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	11,219.00
<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on 08/07/2023 .	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
<b>* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span>Add Attachment</span> <span>Delete Attachment</span> <span>View Attachment</span> </div>	
<b>21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)</b>	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
<b>Authorized Representative:</b>	
Prefix:	
* First Name:	Adam
Middle Name:	
* Last Name:	Emrick
Suffix:	
* Title:	City Administrator
* Telephone Number:	843-248-1760
Fax Number:	843-248-1769
* Email:	aemrick@cityofconway.com
* Signature of Authorized Representative:	Completed by Grants.gov upon submission.
* Date Signed:	Completed by Grants.gov upon submission.

## **Edward Byrne Memorial Justice Assistance Grant (JAG) Program**

### **FY 2023 Local Solicitation**

#### **Program Narrative for Category 1 – Eligible Allocation Amounts of less than \$25,000**

##### **Background**

The City of Conway, SC, is a full-service municipal government agency which provides services and public safety to a population of approximately 27,346 citizens over 25 square miles. It is located in Horry County just inland of the Atlantic Ocean near Myrtle Beach, South Carolina.

The City is a gateway to the Grand Strand beaches and its roads are vital arteries to tourist and business destinations, swelling daily to high volumes with transient traffic and commuters traveling through the center of the City. Conway is the county seat and is home to the county's some of the county's largest employers, including the school district, county government, hospitals, a university, and technical schools. The City of Conway is a municipal government that was identified as eligible for funding under the Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Local Solicitation. The Bureau of Justice Assistance (BJA) identified the City of Conway for an eligible allocation of \$11,219.

##### *Equipment \$11,219*

The City of Conway is comprised of multiple public buildings in its downtown campus, among those are the historic City Hall and other buildings such as court, construction, and finance/utility billing services. The City has been increasing security features for the safety of employees and public throughout these buildings. Security features that have been installed include cameras and card reader door locks which limit public access within buildings. The City of Conway proposes to use JAG funds to purchase and install a card reader door lock system to secure the Finance/Utility Billing Building. With this system, a card reader is installed at each entry door.

Employees will need to scan an ID badge that is read by the card reader to gain access.

Anyone without a special ID card will not be able to access the secure areas. This building sees the heaviest traffic of public during the day as it is used for water and utility payments. It also houses the City's accounting and finance department. The front portion of the building is accessible to the public to pay bills, but the back portion is not secure and is a sensitive area as it houses employees performing accounting functions involving money. The front portion of the building also includes offices that should not be accessible to the public and need to be secure. The City proposes installing a card reader door lock system on four doors in this building. The cost for security features to be installed on four entry/office doors is \$10,052.

In addition to installation of security features on doors, the City proposes to purchase a printer/ID kit to produce security badges for employees to gain access to secure areas. The remaining balance of funds of \$1,167 will be used to purchase this printer. Any additional costs not funded by this grant will be paid for by the City using local funds. Items will be procured according to City and Federal procurement rules.



**D. Equipment** – List non-expendable items that are purchased (Note: Organization’s own capitalization policy for classification of equipment should be used). Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project, and describe the procurement method to be used. [To View an Example, Click Here](#)

**EQUIPMENT (FEDERAL)**

Item	Computation		Cost
	Quantity	Cost	
			\$0
Software and Security System for 1 Public Building	1	\$10,052.00	\$10,052
Printer Kit for IDs	1	\$1,167.00	\$1,167
FEDERAL TOTAL			\$11,219

**EQUIPMENT NARRATIVE (FEDERAL)**

Card reader door lock system and associated software for four doors inside City's Finance/Utility Billing Building. System includes software and smart readers for ID badges to gain entry access. The cost estimate is based on the quote provided by the software and security company that installed identical systems on the City's other public buildings. The Printer Kit will be used to make ID badges that will be scanned by the card reader to allow employees to access secure areas once the security system has been installed. Doors can then only be accessed by using the special badge made with this printer. The City of Conway's procurement policy will be utilized in purchasing all items requested in this grant. In addition, the City of Conway will abide by all applicable Federal procurement guidelines. Any additional costs not funded by this grant will be paid for by the City of Conway's local funds.

**EQUIPMENT (NON-FEDERAL)**

Item	Computation		Cost
	Quantity	Cost	
			\$0
Printer Kit for IDs	1	\$2,297.00	\$2,297
NON-FEDERAL TOTAL			\$2,297

**EQUIPMENT NARRATIVE (NON-FEDERAL)**

The Printer Kit will be used to make ID badges that will be scanned by the card reader to allow employees to access secure areas once the security system has been installed. Doors can then only be accessed by using the special badge made with this printer. The total cost for the Printer Kit is \$3,464. \$1,167 of the cost will be paid through this JAG grant and the City will provide the balance of \$2,297 from its Information Technology fund. The City of Conway's procurement policy will be utilized in purchasing all items requested in this grant. In addition, the City of Conway will abide by all applicable Federal procurement guidelines. Any additional costs not funded by this grant will be paid for by the City of Conway's local funds.

TOTAL EQUIPMENT	\$13,516
-----------------	----------

**Budget Summary** – When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Request	Non-Federal Amounts	Total
A. Personnel	\$0	\$0	\$0
B. Fringe Benefits	\$0	\$0	\$0
C. Travel	\$0	\$0	\$0
D. Equipment	\$11,219	\$2,297	\$13,516
E. Supplies	\$0	\$0	\$0
F. Construction	\$0	\$0	\$0
G. Consultants/Contracts	\$0	\$0	\$0
H. Other	\$0	\$0	\$0
Total Direct Costs	\$11,219	\$2,297	\$13,516
I. Indirect Costs	\$0	\$0	\$0
<b>TOTAL PROJECT COSTS</b>	<b>\$11,219</b>	<b>\$2,297</b>	<b>\$13,516</b>

<b>Federal Request</b>	\$11,219
<b>Non-Federal Amount</b>	\$2,297
<b>Total Project Cost</b>	\$13,516

#### *Public Reporting Burden*

*Paperwork Reduction Act Notice: Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this application is four (4) hours per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write the Office of Justice Programs, Office of the Chief Financial Officer, 810 Seventh Street, NW, Washington, DC 20531; and to the Public Use Reports Project, 1121-0188, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.*





### Background

Recipients' financial management systems and internal controls must meet certain requirements, including those set out in the "Part 200 Uniform Requirements" (2.C.F.R. Part 2800).

Including at a minimum, the financial management system of each OJP award recipient must provide for the following:

- (1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, and the name of the Federal agency.
- (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.
- (3) Records that identify adequately the source and application of funds for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest, and be supported by source documentation.
- (4) Effective control over, and accountability for, all funds, property, and other assets. The recipient must adequately safeguard all assets and assure that they are used solely for authorized purposes.
- (5) Comparison of expenditures with budget amounts for each Federal award.
- (6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury and the disbursement by the OJP recipient.
- (7) Written procedures for determining the allowability of costs in accordance with both the terms and conditions of the Federal award and the cost principles to apply to the Federal award.
- (8) Other important requirements related to retention requirements for records, use of open and machine readable formats in records, and certain Federal rights of access to award-related records and recipient personnel.

#### 1. Name of Organization and Address:

Organization Name:

Street1:

Street2:

City:

State:

Zip Code:

#### 2. Authorized Representative's Name and Title:

Prefix:

First Name:

Middle Name:

Last Name:

Suffix:

Title:

#### 3. Phone:

#### 4. Fax:

#### 5. Email:

#### 6. Year Established:

#### 7. Employer Identification Number (EIN):

#### 8. Unique Entity Identifier (UEI) Number:

9. a) Is the applicant entity a nonprofit organization (including a nonprofit institution of higher education) as described in 26 U.S.C. 501(c)(3) and exempt from taxation under 26 U.S.C. 501(a)? ☐ Yes ☐ No

If "No" skip to Question 10.

If "Yes", complete Questions 9. b) and 9. c).



### AUDIT INFORMATION

9. b) Does the applicant nonprofit organization maintain offshore accounts for the purpose of avoiding paying the tax described in 26 U.S.C. 511(a)?

☐ Yes ☐ No

9. c) With respect to the most recent year in which the applicant nonprofit organization was required to file a tax return, does the applicant nonprofit organization believe (or assert) that it satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to the reasonableness of compensation of certain individuals)?

☐ Yes ☐ No

If "Yes", refer to "Additional Attachments" under "What An Application Should Include" in the OJP solicitation (or application guidance) under which the applicant is submitting its application. If the solicitation/guidance describes the "Disclosure of Process related to Executive Compensation," the applicant nonprofit organization must provide -- as an attachment to its application -- a disclosure that satisfies the minimum requirements as described by OJP.

For purposes of this questionnaire, an "audit" is conducted by an independent, external auditor using generally accepted auditing standards (GAAS) or Generally Governmental Auditing Standards (GAGAS), and results in an audit report with an opinion.

10. Has the applicant entity undergone any of the following types of audit(s) (Please check all that apply):

☐ "Single Audit" under OMB A-133 or Subpart F of 2 C.F.R. Part 200

☐ Financial Statement Audit

☐ Defense Contract Agency Audit (DCAA)

☐ Other Audit & Agency (list type of audit):

☐ None (if none, skip to question 13)

11. Most Recent Audit Report Issued: ☐ Within the last 12 months ☐ Within the last 2 years ☐ Over 2 years ago ☐ N/A

Name of Audit Agency/Firm:

### AUDITOR'S OPINION

12. On the most recent audit, what was the auditor's opinion?

☐ Unqualified Opinion ☐ Qualified Opinion ☐ Disclaimer, Going Concern or Adverse Opinions ☐ N/A: No audits as described above

Enter the number of findings (if none, enter "0"):

Enter the dollar amount of questioned costs (if none, enter "\$0"):

Were material weaknesses noted in the report or opinion?

☐ Yes ☐ No

13. Which of the following best describes the applicant entity's accounting system:

☐ Manual ☐ Automated ☐ Combination of manual and automated

14. Does the applicant entity's accounting system have the capability to identify the receipt and expenditure of award funds separately for each Federal award?

☐ Yes ☐ No ☐ Not Sure

15. Does the applicant entity's accounting system have the capability to record expenditures for each Federal award by the budget cost categories shown in the approved budget?

☐ Yes ☐ No ☐ Not Sure

16. Does the applicant entity's accounting system have the capability to record cost sharing ("match") separately for each Federal award, and maintain documentation to support recorded match or cost share?

☐ Yes ☐ No ☐ Not Sure



17. Does the applicant entity's accounting system have the capability to accurately track employees actual time spent performing work for each federal award, and to accurately allocate charges for employee salaries and wages for each federal award, and maintain records to support the actual time spent and specific allocation of charges associated with each applicant employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
18. Does the applicant entity's accounting system include budgetary controls to preclude the applicant entity from incurring obligations or costs that exceed the amount of funds available under a federal award (the total amount of the award, as well as the amount available in each budget cost category)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
19. Is applicant entity familiar with the "cost principles" that apply to recent and future federal awards, including the general and specific principles set out in 2 C.F.R. Part 200?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
<b>PROPERTY STANDARDS AND PROCUREMENT STANDARDS</b>	
20. Does the applicant entity's property management system(s) maintain the following information on property purchased with federal award funds (1) a description of the property; (2) an identification number; (3) the source of funding for the property, including the award number; (4) who holds title; (5) acquisition date; (6) acquisition cost; (7) federal share of the acquisition cost; (8) location and condition of the property; (9) ultimate disposition information?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
21. Does the applicant entity maintain written policies and procedures for procurement transactions that -- (1) are designed to avoid unnecessary or duplicative purchases; (2) provide for analysis of lease versus purchase alternatives; (3) set out a process for soliciting goods and services, and (4) include standards of conduct that address conflicts of interest?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. a) Are the applicant entity's procurement policies and procedures designed to ensure that procurements are conducted in a manner that provides full and open competition to the extent practicable, and to avoid practices that restrict competition?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. b) Do the applicant entity's procurement policies and procedures require documentation of the history of a procurement, including the rationale for the method of procurement, selection of contract type, selection or rejection of contractors, and basis for the contract price?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
23. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from entering into a procurement contract under a federal award with any entity or individual that is suspended or debarred from such contracts, including provisions for checking the "Excluded Parties List" system ( <a href="http://www.sam.gov">www.sam.gov</a> ) for suspended or debarred sub-grantees and contractors, prior to award?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
<b>TRAVEL POLICY</b>	
24. Does the applicant entity: (a) maintain a standard travel policy? <input type="checkbox"/> Yes <input type="checkbox"/> No (b) adhere to the Federal Travel Regulation (FTR)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>SUBRECIPIENT MANAGEMENT AND MONITORING</b>	
25. Does the applicant entity have written policies, procedures, and/or guidance designed to ensure that any subawards made by the applicant entity under a federal award -- (1) clearly document applicable federal requirements, (2) are appropriately monitored by the applicant, and (3) comply with the requirements in 2 CFR Part 200 (see 2 CFR 200.331)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure  <input type="checkbox"/> N/A - Applicant does not make subawards under any OJP awards





26. Is the applicant entity aware of the differences between subawards under federal awards and procurement contracts under federal awards, including the different roles and responsibilities associated with each?

☐ Yes ☐ No ☐ Not Sure  
☐ N/A - Applicant does not make subawards under any OJP awards

27. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from making a subaward under a federal award to any entity or individual is suspended or debarred from such subawards?

☐ Yes ☐ No ☐ Not Sure  
☐ N/A - Applicant does not make subawards under any OJP awards

#### DESIGNATION AS 'HIGH-RISK' BY OTHER FEDERAL AGENCIES

28. Is the applicant entity designated "high risk" by a federal grant-making agency outside of DOJ? (High risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant.)

☐ Yes ☐ No ☐ Not Sure

If "Yes", provide the following:

(a) Name(s) of the federal awarding agency:

(b) Date(s) the agency notified the applicant entity of the "high risk" designation:

(c) Contact information for the "high risk" point of contact at the federal agency:

Name:

Phone:

Email:

(d) Reason for "high risk" status, as set out by the federal agency:

#### CERTIFICATION ON BEHALF OF THE APPLICANT ENTITY

(Must be made by the chief executive, executive director, chief financial officer, designated authorized representative ("AOR"), or other official with the requisite knowledge and authority)

On behalf of the applicant entity, I certify to the U.S. Department of Justice that the information provided above is complete and correct to the best of my knowledge. I have the requisite authority and information to make this certification on behalf of the applicant entity.

Name:

Date:

Title: ☐ Executive Director ☐ Chief Financial Officer ☐ Chairman

☐ Other:

Phone:

**U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS**

**Edward Byrne Memorial Justice Assistance Grant Program FY 2023 Local Solicitation**

**Certifications and Assurances by the Chief Executive of the Applicant Government**

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2023 Edward Byrne Memorial Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (*e.g.*, city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.

\_\_\_\_\_  
Signature of Chief Executive of the Applicant Unit of  
Local Government

\_\_\_\_\_  
Barbara Jo Blain-Bellamy  
Printed Name of Chief Executive

\_\_\_\_\_  
City of Conway  
Name of Applicant Unit of Local Government

\_\_\_\_\_  
Date of Certification

\_\_\_\_\_  
Mayor  
Title of Chief Executive

The City of Conway made its JAG application available for review and comment at its City Council meeting on August 21, 2023. Public notice regarding the City's intended application was posted on the City's website on August 2, 2023 with public comments due by September 3, 2023. Time did not permit the City to fulfill the 30-day governing body review requirement prior to submitting this application.

Therefore, the City acknowledges in this written statement that special conditions will be applied to the award restricting drawdown until the 30-day governing body review requirement has been satisfied. The City of Conway will submit the signed certification form with the future award documents.

## PUBLIC NOTICE

The City of Conway is eligible for \$11,219 in grant funding from the FY2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program from Dept. of Justice/Bureau of Justice Assistance. JAG funds awarded to a city under this FY 2023 solicitation may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including any one or more of the following:

1. Law enforcement programs
2. Prosecution and court programs
3. Prevention and education programs
4. Corrections and community corrections programs
5. Drug treatment and enforcement programs
6. Planning, evaluation, and technology improvement programs
7. Crime victim and witness programs (other than compensation)
8. Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams
9. Implementation of state crisis intervention court proceedings and related programs or initiatives, including, but not limited to, mental health courts, drug courts, veterans courts, and extreme risk protection order programs.

The City of Conway intends to apply for \$11,219 under the equipment program area to provide enhanced security features for the City's Finance Building. If you would like to provide any written comments or questions, please do so prior to **5:00 PM** on **Sunday, September 3, 2023**, to Linda Alston, Grants Coordinator at [lalston@cityofconway.com](mailto:lalston@cityofconway.com) or by mail at City of Conway, 229 Main St., Conway, SC 29526.



**DATE: AUGUST 21, 2023**  
**ITEM: IV.E.**

**ISSUE:**

Renew Maintenance for backup system.

**BACKGROUND:**

The current backup solution maintenance agreement expires September 4, 2023.

This agreement provides staff with technical support and software upgrades throughout the coverage that consists of three years from the date of renewal.

There is \$25,000 in the FY2023-2024 budget for this agreement.

Bids not including tax:

CDW-G:	\$28,720.00
Paragon:	\$29,359.86
SHI:	\$30,193.60

The difference between the budgeted amount and the higher bids is due to the vender changing to a new subscription licensing model and with the growth of the amount of data the city now needs to backup.

**RECOMMENDATION:**

Staff recommends that City Council approve the renewal of the backup maintenance agreement for 3 years with CDW-G.



Thank you for choosing CDW. We have received your quote.

Hardware

Software

Services

IT Solutions

Brands

Research Hub

## QUOTE CONFIRMATION

JEFF LEVEILLE,

Thank you for considering CDW•G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

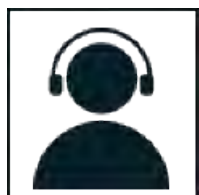
**Convert Quote to Order**

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
NMDJ130	7/28/2023	VEEAM QUOTE (NEW)	10631658	\$28,720.00

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<a href="#">Veeam Data Platform Foundation Universal License - Upfront Billing License</a> Mfg. Part#: P-FDNVUL-0I-SU3YP-00 Electronic distribution - NO MEDIA Contract: MARKET	2	7499849	\$2,600.00	\$5,200.00
<a href="#">VEEAM DATA PLFTM FOUNDATION LIC 3Y</a> Mfg. Part#: V-FDNVUL-1S-PE3MG-05 Electronic distribution - NO MEDIA Contract: MARKET	12	7540692	\$1,960.00	\$23,520.00

<b>SUBTOTAL</b>	\$28,720.00
<b>SHIPPING</b>	\$0.00
<b>SALES TAX</b>	\$0.00
<b>GRAND TOTAL</b>	<b>\$28,720.00</b>

PURCHASER BILLING INFO	DELIVER TO
<b>Billing Address:</b> CITY OF CONWAY ACCOUNTS PAYABLE PO BOX 1075 CONWAY, SC 29528-1075 <b>Phone:</b> (843) 555-1212 <b>Payment Terms:</b> Net 30 Days-Govt State/Local	<b>Shipping Address:</b> CITY OF CONWAY JEFF LEVEILLE 1600 9TH AVE CONWAY, SC 29526-4100 <b>Shipping Method:</b> ELECTRONIC DISTRIBUTION
<b>Please remit payments to:</b>	
CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	



### Sales Contact Info

Emily Tarashi | 800.808.4239 | [emiltar@cdwg.com](mailto:emiltar@cdwg.com)

LEASE OPTIONS			
FMV TOTAL	FMV LEASE OPTION	BO TOTAL	BO LEASE OPTION
\$28,720.00	\$776.88/Month	\$28,720.00	\$895.20/Month

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

Why finance?

- Lower Upfront Costs. Get the products you need without impacting cash flow. Preserve your working capital and existing credit line.
- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.
- Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

## Need Help?



My Account



Support



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For more information, contact a CDW account manager

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Paragon Micro

PO Box 775695  
Chicago IL 60677-5695

DUNS: 800436714  
TIN: 20-0144408  
CAGE CODE: 4ZHT8

Bill To:

City of Conway  
Sandra Skipper  
PO Box 1075  
Conway SC 29526



Quote Q5126203

Date:	Expires:
8/8/2023	9/7/2023
Sales Rep	
Russo, Jeff 847-719-8417 jrusso@paragonmicro.com	
Customer Contact	
Contact: Leveille, Jeff Account: 18522322 PO#: Phone: 843-488-7646 Email: jleveille@cityofconway.com	

Quote Name			Terms	Cost Center	
Veeam Data Platform Migration - 3Yr (12/2)			Net 30		
External Notes					
Qty	MPN	Description	Notes	Unit Price	Total
12	New SKU Required - Software, Service & Support	VEEAM SIMPLE MIGRATION FROM VEEAM DATA PLATFORM FOUNDATION ENTERPRISE TO VEEAM DATA PLATFORM FOUNDATION UNIVERSAL LICENSE. INCLUDES ENTERPRISE PLUS EDITION FEATURES.-3 YEARS WITH PRODUCTION SUPPORT. 5 INSTANCE PACK	Mfg # V-FDNVUL-1S-PE3 MG-05	1,874.99	22,499.88
2	New SKU Required - Software, Service & Support	VEEAM DATA PLATFORM FOUNDATION UNIVERSAL SUBSCRIPTION LICENSE. INCLUDES ENTERPRISE PLUS EDITION FEATURES. 10 INSTANCE PACK. 3 YEARS SUBSCRIPTION UPFRONT BILLING & PRODUCTION (24/7) SUPPORT.	Mfg # V-FDNVUL-0I-SU3 YP-00	3,429.99	6,859.98
		Subtotal			29,359.86
		Shipping Cost (FedEx Ground® (2-5 Business Days))			0.00
		Total			\$29,359.86

We value your business and will continue to provide you with excellent service in addition to our comprehensive product line.

SALES TAXES ARE ESTIMATED and may change depending on the rates levied by the destination's tax jurisdiction at the time of invoicing. Finalized invoice will be sent by Paragon Micro's Accounting Department.

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Accepted By: Printed Name

Purchase Order #

Authorized Signature

Date





Pricing Proposal  
Quotation #: 23798255  
Created On: Aug-08-2023  
Valid Until: Aug-31-2023

## SC-City of Conway

### Jeff Leveille

Phone: (843) 488-7646  
Fax:  
Email: jleveille@cityofconway.com

## Inside Account Executive

### Paul Rocci

290 Davidson Ave  
Somerset, NJ 08873  
Phone: 800-527-6389 EXT 555-XXXXX  
Fax:  
Email: paul\_rocci@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 3YR SIMPLE MIGRFROM ENT PROD SUP 5 DENTY Veeam - Part#: V-FDNVUL-1S-PE3MG-05 Coverage Term: Sep-04-2023 – Sep-03-2026	12	\$1,932.80	\$23,193.60
2 VEEAM DATA PLATFORM FOUNDATION UNIVERSAL SUBSCRIPTION LICENSE. INCLUDES ENTERPRISE PLUS EDITION FEATURES. 10 INSTANCE PACK. 3 YEARS SUBSCRIPTION UPFRONT BILLING & PRODUCTION (24/7) SUPPORT. Veeam Software - Part#: V-FDNVUL-0I-SU3YP-00 Coverage Term: Sep-04-2023 – Sep-03-2026	2	\$3,500.00	\$7,000.00
Total			\$30,193.60

## Additional Comments

Veeam has a no returns policy.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084. SHI International Corp. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

The Products offered under this proposal are resold in accordance with the [SHI Online Customer Resale Terms and Conditions](#), unless a separate resale agreement exists between SHI and the Customer.

**DATE: AUGUST 21, 2023**  
**ITEM: IV.F.**

**ISSUE:**

Resolution accepting dedication of roadways & drainage and the financial guarantees for the roadway warranty and stormwater warranties for the White Oak Estates Subdivision, located on Cultra Rd (Tiger Tail Rd, Wild Oak Lane, Tiger Run Lane).

**BACKGROUND:**

RE1 Land Company LLC requests to dedicate the roadways and drainage system in the White Oak Estates subdivision. The road(s) inside this development being offered for dedication are: Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane.

Upon approval of this request by City Council, the City will accept the documents from RE1 Land Company LLC that are required (and applicable) to finalize acceptance of the roadways and drainage system, namely: Warranty Agreement, Certification of Non-Litigation, Utility Joinder and Consent to Dedication, Right-of-Way Deed, Drainage Easement, Warranty Bond, and the Warranty Surety in the form of a financial guarantee. The roadway warranty shall be in place for a period of three (3) years.

Per the Unified Development Ordinance, the required roadway warranty agreement will be for three (3) years from the date of the acceptance of the road dedication in the amount of **\$25,712.50**, which is calculated by multiplying \$27.50 per linear foot of 2 lane roadway:

Tiger Tail Road (2-lane roadway): 795 Linear Feet x \$27.50 per LF = \$21,862.50

Wild Oak Lane (2-lane roadway): 70 Linear Feet x \$27.50 per LF = \$1,925.00

Tiger Run Lane (2-lane roadway): 70 Linear Feet x \$27.50 per LF = \$1,195.00

A separate stormwater surety/financial guarantee, in accordance with *Section 10.6.6 – Stormwater Warranty and Maintenance Responsibility*, of the UDO (adopted in 2022 as part of the Residential Design Standards ordinance), will be submitted in the amount equal to 10% of the costs of the stormwater improvements dedicated to the city. For the White Oak Estates subdivision, the cost estimate for stormwater improvements is \$38,330.00, requiring a stormwater warranty surety of **\$3,833.00**.

Prior to dedication and acceptance, the City's Public Works Department must also inspect the roadways and drainage within the subdivision and find that they are in acceptable condition.

**RECOMMENDATION**

Adopt the resolution accepting dedication of roadways and drainage system in the White Oak Estates subdivision (Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane) with a financial guarantee for a three-year warranty in the amount of **\$25,712.50**.

STATE OF SOUTH CAROLINA            )  
COUNTY OF HORRY                    )                   **RESOLUTION**  
CITY OF CONWAY                        )

**ACCEPTING THE ROADWAYS AND DRAINAGE SYSTEM  
IN THE WHITE OAK ESTATES SUBDIVISION**

**WHEREAS,** RE1 Land Company, LLC has installed a roadway and drainage system within the city limits of Conway; and

**WHEREAS,** RE1 Land Company, LLC is requesting approval to dedicate street rights of way for the Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane; and

**WHEREAS,** RE1 Land Company, LLC also requests to convey their right, title and all interest related to the drainage system together with all public easements and rights of way thereto, located within the Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane rights-of-way; and

**WHEREAS,** Conway City Council has determined it would be in the best interest of Conway and its citizens to accept the street and drainage system for Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane, as depicted on maps prepared by Dunes Land Surveying, titled Final Plat of White Oak Estates, and recorded in the Horry County Registrar of Deeds Plat Book 315, Page 79; and

**NOW, THEREFORE BE IT RESOLVED,** by the City Council of the City of Conway, South Carolina to accept road right of way and drainage on the above stated Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane, from RE1 Land Company, LLC as presented in the deed and easement signed by Shawn Becker, RE1 Land Company, LLC.

**RATIFIED BY CITY COUNCIL**, duly assembled, this 21 day of August, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton, Jr.

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk



**SUBDIVISION WARRANTY AMOUNT COST ESTIMATE**  
WHITE OAK ESTATES

Date: **5/16/2023**

ROAD NAME AS SHOWN ON FINAL PLAT	ROAD WIDTH	SPEED LIMIT	R/W	SIDEWALK	CURBING	LINEAR FOOT OF ROAD	CLASSIFICATION	NUMBER OF LANES	AMOUNT PER LANE PER LINEAR FOOT	TOTAL PER LF
TIGER TAIL ROAD	24'	15	50'	YES	C&G	795	LOCAL	2	\$ 27.50	\$ 21,862.50
WILD OAK LANE	24'	15	50'	YES	C&G	70	LOCAL	2	\$ 27.50	\$ 1,925.00
TIGER RUN LANE	24'	15	50'	YES	C&G	70	LOCAL	2	\$ 27.50	\$ 1,925.00
							<b>TOTAL AMOUNT OF WARRANTY LOC</b>		<b>\$</b>	<b>25,712.50</b>





Stormwater Warranty-White Oak Estates

DATE : June 27, 2023

ITEM	QUAN.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
<u>Storm Drainage</u>					
1	260.0	L.F.	18" Reinf. Conc. Pipe	\$48.00	\$12,480.00
2	2.0	Ea.	Drop Inlet	\$2,300.00	\$4,600.00
3	1700.0	LF	Underdrain	\$12.50	\$21,250.00
				Total Amount of Stormwater	\$38,330.00
				10 % of Cost	\$3,833.00



**APPENDIX L**

**ROADWAY DEDICATION  
REQUIREMENTS**

(Ord. 08-04, Appendix L, 2-17-04)

White Oak Estates

## CITY OF CONWAY

## WARRANTY AGREEMENT

KNOW ALL MEN BY THESE PRESENTS THAT RE1 Land Company, LLC (Shawn Becker)  
of 123 Prather Park Drive, Myrtle Beach SC 29588, hereinafter referred to as  
"Developer", as principal is held and firmly bound unto the City of Conway existing under  
the laws of the State of South Carolina, as oblige in full and just sum of  
\$ 25,712.50, lawful money of the United States of America, to the payment of which  
sum, well and truly made the Developer binds themselves, their heirs, executors,  
administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Developer has lawfully developed and constructed a development in the  
City of Conway, South Carolina, known and identified as White Oak Estates  
and in connection therewith has constructed, certain roadways, drainage ways, and other  
appurtenant road and drainage structures, and has dedicated those facilities to the City  
on Conway for public use and maintenance.

NOW THEREFORE, the condition of this obligation is such that the Developer shall give to the  
City of Conway fee simple title to said improvements, and warrants that said improvements  
are in first-class condition, and shall remain in said condition, less normal wear, for a period  
of three (3) years from the date of action by Conway City Council to accept said facilities.  
Should said facilities, or any portion thereof require repair or replacement for failure of  
workmanship, materials, or damages resulting from any construction related activities,  
including utility construction or building construction performed by other parties who  
purchased land from said Developer, within three (3) years from date of said acceptance,  
the Developer shall make the necessary repairs or shall be liable to the City of Conway in  
the amount of the full and just sum herein stated above for costs to repair and replace said  
facilities to a first-class condition. All repairs made shall be of good quality and shall be  
subject to an additional twelve-month warranty period with a suitable financial guarantee  
being posted for 125% of the estimated cost of the repair work as determined by the  
Technical Review Committee.

SIGNED, SEALED, AND DATED this 25<sup>th</sup>

day of May 2023

## WITNESS:

## DEVELOPER:

Veronica Dale  
VERONICA DALE

Witness Print Name

RE1 Land Company, LLC (Shawn Becker)  
Shawn Becker

Developer Print Name

STATE OF SOUTH CAROLINA)  
COUNTY OF HORRY )

The foregoing was acknowledged before me

this 25<sup>th</sup> day of May 2023  
by Shawn Becker, RE1 Land Company, LLC

Amanda Elliott  
Notary Public

3/28/2024  
My commission expires:





## CITY OF CONWAY

## CERTIFICATION OF NON-LITIGATION

I, (We), hereby certify that there is no pending or threatened actions at law that will affect the fee simple dedication of the below named project. I, (We), further certify that all contractors, subcontractors, material suppliers, surveyors, attorneys, or other persons, firms or corporations retained for the purpose of designing, planning, and constructing the project have been paid in full.

Project and Road Name(s): White Oak Estates

Road Names: Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane

VERONICA DALE  
Witness Print Name

VERONICA DALE  
Witness Signature

RE1 Land Company, LLC (Shawn Becker)  
Developer Print Name

Shawn Becker  
Developer Signature

Amanda Elliott  
Witness Print Name

Amanda Elliott  
Witness Signature

David Quandt (D&S Sitework)  
General Contractor Print Name

David Quandt  
General Contractor Signature

Amanda Elliott  
Witness Print Name

Amanda Elliott  
Witness Signature

Amber L. Wall (Wall Engineering)  
Engineer Print Name

Amber L. Wall  
Engineer Signature

STATE OF SOUTH CAROLINA )

COUNTY OF HORRY )

The foregoing was acknowledged before me

this 25<sup>th</sup> day of May 2023  
by Shawn Becker, David Quandt, & Amber Wall

Amanda Elliott  
Notary Public

My commission expires: 3/28/2024



**CITY OF CONWAY****GENERAL JOINDER AND CONSENT TO DEDICATION**

The undersigned hereby certifies that it is the holder of a mortgage, lien, easement, right-of-way, or encumbrance on certain lands properly known as \_\_\_\_\_

\_\_\_\_\_  
mortgage, lien, easement, right-of-way or other encumbrance which is recorded in Official Records Book \_\_\_\_\_ at Page \_\_\_\_\_, of the Public Records of Horry County, South Carolina, shall be subordinated to the above dedication.

\_\_\_\_\_  
Witness Print Name

\_\_\_\_\_  
Signatory Print Name

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Signature

**STATE OF SOUTH CAROLINA** )

**COUNTY OF HORRY** )

The foregoing was acknowledged before me

This \_\_\_\_\_ day of \_\_\_\_\_

By: \_\_\_\_\_

Notary Public \_\_\_\_\_

My commission expires: \_\_\_\_\_

N/A  
No  
Mortgage

## CITY OF CONWAY

## UTILITY JOINDER AND CONSENT TO DEDICATION

The undersigned hereby certifies that it is the holder of an easement or right-of-way on certain lands properly known as White Oak Estates and that the undersigned hereby joins in the consent to the dedication of the roadways, drainage ways, easements, and other appurtenances located on or in said described property by the owner hereof, and agrees that its easement, right-of-way or other encumbrance which is recorded in Official Records Book \_\_\_\_\_ at Page \_\_\_\_\_, of the Public Records of Horry County, South Carolina, shall be subordinated to the above dedication on the condition that City of Conway will have perpetual, complete and full access to any of its utility lines which run along, cross overhead, or extend underneath the roadways to replace, repair, maintain, and upgrade said lines and facilities.

RE1 Land Company, LLC (Shawn Becker) agrees to repair any and all damage to the roadways and drainage facilities caused by its activities within the subject right-of-ways and easements. Said repairs shall be promptly performed and meet City of Conway standards of construction.

VERONICA DAE

Witness Print Name

[Signature]

Witness Signature

RE1 Land Company, LLC (Shawn Becker)

(Signatory Print Name)

[Signature]

Signature

STATE OF SOUTH CAROLINA )

COUNTY OF HORRY )

The foregoing was acknowledged before me

This 25<sup>th</sup> day of May 2023

By Shawn Becker, RE1 Land Company, LLC

Notary Public

[Signature]

My commission expires:

3/28/2024



## CITY OF CONWAY PUBLIC WORKS

## WARRANTY BOND

Purpose: Prior to Service Authorization Contractor's Warranty Bond for One Year

KNOW ALL MEN BY THESE PRESENTS, THAT RE1 Land Company, LLC (Shawn Becker) of 123 Prather Park Drive, Myrtle Beach SC 29588, South Carolina, hereinafter referred to as "Developer", as principal and \_\_\_\_\_ a \_\_\_\_\_ company authorized to do business in the State of South Carolina, hereinafter called "Surety", and held and firmly bound under the City of Conway, a body politic existing under the laws of the State of South Carolina, as obligee in full and just sum of \$ 25,712.50, lawful money of the United States of America, to the payment of which sum, well and truly made, the Developer and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these present.

WHEREAS, the Developer has developed and constructed a development in Horry County, South Carolina, known and identified as \_\_\_\_\_ and in connection therewith has installed with approval of the City of Conway Technical Review Committee, certain water distribution and/or wastewater collection facilities, and had dedicated those facilities to the City of Conway.

NOW THEREFORE, the condition of this obligation is such that the Developer shall give to the City fee simple title said water distribution and wastewater collection facilities and warrants that said facilities are in first class condition, and shall remain in said condition, less normal wear, for a period of one (1) year from the date of Agreement by the City of Conway to accept said facilities. Should said facilities, or any portion thereof require replacement for failure of workmanship or materials within one (1) year from date of said acceptance, the Developer and their Surety shall be jointly and severally liable to the City of Conway in the amount of the full and just sum herein stated above for costs to replace said facilities to a first class condition.

SIGNED, SEALED AND DATED this 25<sup>th</sup> day of May, 20 23.

Annie Elliott 3/29/2024

WITNESSES:

VERONICA DALE

Randy Connor

\_\_\_\_\_

Surety



STATE OF SOUTH CAROLINA )

## DRAINAGE EASEMENT

COUNTY OF HORRY )

KNOW ALL MEN BY THESE PRESENTS, THAT I (or we)

in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release, unto the City of Conway, its successors and assigns, a right-of-way easement for the following road(s) named Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane as shown on a plat prepared by \_\_\_\_\_ titled \_\_\_\_\_ and dated \_\_\_\_\_ said plat being recorded in the Horry County Register of Deeds at \_\_\_\_\_.

Said drainage easement having been offered for dedication and said dedication being accepted by action of Conway City Council at its meeting on \_\_\_\_\_, 20 \_\_\_\_

TO HAVE AND TO HOLD, all and singular, the said right-of-way and the rights hereinabove granted, unto the said City of Conway, its successors and assigns forever.

IN WITNESS WHEREOF I (or we) have hereunto set my/our hand(s) and seal(s) this \_\_\_\_ day of \_\_\_\_\_ in the year of our Lord Two Thousand and \_\_\_\_\_.

Signed, sealed and delivered in the presence of:

W Dale  
Witness #1 VERONICA DALE

[Signature]  
OWNER

[Signature]  
Witness #2 Randy Conner

\_\_\_\_\_  
OWNER

STATE OF SOUTH CAROLINA )

## PROBATE

COUNTY OF HORRY )

Personally appeared before me Amanda Elliott and made oath that he/she was present and saw the within named owner(s), Shawn Becker sign, seal and as their act and deed deliver the within easement for right-of-way; and that Veronica Dale with Randy Conner witnessed the execution thereof.

Sworn to before me this 25th day of May, 20 23.

W Dale  
Witness Signature

Notary Public Amanda Elliott  
My commission expires: 3/28/2024

Witness is not a party to or a beneficiary of the transaction

STATE OF SOUTH CAROLINA )

## RIGHT-OF-WAY DEED

COUNTY OF HORRY )

KNOW ALL MEN BY THESE PRESENTS, THAT I (or we) RE1 Land Company, LLC (Shawn Becker)  
in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, have granted,  
bargained, sold and released, and by these presents do grant, bargain, sell and release, unto the City  
of Conway, its successors and assigns, a right-of-way deed for the following road(s) named  
Tiger Tail Road, Wild Oak Lane, and Tiger Run Lane as shown on a plat prepared  
by \_\_\_\_\_ titled \_\_\_\_\_ and dated \_\_\_\_\_ said  
plat being recorded in the Horry County Register of Deeds at \_\_\_\_\_.

Said road right-of-way having been offered for dedication and said dedication being accepted  
by action of Conway City Council at its meeting on \_\_\_\_\_ 20 \_\_\_\_.

TO HAVE AND TO HOLD, all and singular, the said right-of-way and the rights hereinabove granted,  
unto the said City of Conway, its successors and assigns forever.

IN WITNESS WHEREOF I (or we) have hereunto set my/our hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_  
in the year of our Lord Two Thousand and \_\_\_\_\_

Signed, sealed and delivered in the presence of:

Veronica Dale  
Witness #1 VERONICA DALE

Shawn Becker  
OWNER

Kandy Connor  
Witness #2

OWNER

STATE OF SOUTH CAROLINA )

## PROBATE

COUNTY OF HORRY )

Personally appeared before me Amanda Elliott and made oath that  
he/she was present and saw the within named owner(s), Shawn Becker  
sign, seal and as their act and deed deliver the within deed for right-of-way; and that  
Veronica Dale with Kandy Connor

Sworn to before me this 25th day of May, 20 2023

Veronica Dale  
Witness Signature

Notary Public Amanda Elliott  
My commission expires: 3/28/2024

Witness is not a party to  
or a beneficiary of  
the transaction



**DATE: AUGUST 21, 2023**  
**ITEM: IV.G.**

**ISSUE:**

Request from Ashley Hinch, Conway High School for annual Homecoming Parade – Friday, September 15, 2023.

**BACKGROUND:**

Conway High School is requesting to have its annual homecoming parade on Friday, September 15, 2023, from 4:00 p.m. to 5:00 p.m. The parade will start at Marina Drive, continue down Elm Street, turn right onto Third Avenue, turn left onto Main Street, turn left onto Fourth Avenue with a right turn onto Elm Street and end at Twelfth Avenue.

The applicant has requested rolling stops at Third and Main Street and Fourth and Main Street. Approval from SCDOT has been requested.

**RECOMMENDATION:**

Approve the special event permit as presented.



RECEIVED  
Aug 14 2023



**For Office Use Only**

**Permit Application**

- ☐ Approved
- ☐ Disapproved
- ☐ Charges required in the amount of \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**SPECIAL EVENT PERMIT APPLICATION**

According to the Code of Ordinances of the City of Conway, it is unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on any parade or public meeting or assembly or picketing, in or upon any public street, park or other public grounds in the city unless and until a permit to conduct such meeting, assembly, parade or picketing has been obtained. A special event application is also required for events held on private property within the city that may expect a large crowd, impact on the neighborhood and/or city services, or require other permits such as zoning, signage, etc. Charges may apply to each application. The City of Conway, at its discretion, may choose to waive any fees and charges for special events held by bonafide, non-profit organizations.

**APPLICATION FOR PERMIT MUST BE FILED NOT LESS THAN  
30 DAYS IN ADVANCE OF THE PROPOSED ACTIVITY.**

Name of the event: Conway High Homecoming Parade

Name of permit holder: Conway High School

Address of permit holder: 2301 Church St.

City: Conway State: SC Zip: 29526

Telephone number of permit holder: 843.488.0662 Cell: 304-389-2331

Are you conducting the activity on behalf of an organization? ☒ Yes ☐ No

Is your organization a non-profit 501(c)(3) organization? ☒ Yes ☐ No

Name of organization: Conway High School Key Club

Address of organization: 2301 Church St, Conway, SC 29526

Telephone number of organization: 843.488.0662

What is the purpose of the activity? Homecoming parade containing homecoming contestants, class floats + student organizations

What is the proposed date(s) of the activity? Sept. 15, 2023

What are the proposed times of the activity? 4-5 pm / set up begins @ 2 pm

What are the plans for the event? Line up cars on Marina Dr / Elm St @ 2 pm.

Cars will line Marina Dr from 2nd on both sides. The parking on Elm St between Elm St + Marina Dr will be used.

What is the location or route of the activity? (Please attach any necessary route maps.) Map Attached.

Rolling stops on Main St at 3rd + 4th Ave.

**If you are conducting a parade, please attach a map showing the route with the portion of the street(s) and/or sidewalk(s) to be utilized clearly marked.**



List any streets which may need to be closed, including specific dates and times of closing and re-opening:

Intersections on Elm St. between Maring Dr + Conway Middle School. Rolling stops on Main St @ 3rd + 4th Ave until parade passes.

What is the approximate number of participants?

100

What is the approximate number of vendors?

0

**BUSINESS LICENSE REQUIREMENTS:** Any vendors at this event who do not have 501(c)(3) nonprofit status are required to purchase a business license.

Will there be any vehicles, water craft, equipment or animals used for the event? ☒ Yes ☐ No

If yes, please explain:

Vehicles, floats on trailers, + golf carts

Are you requesting any road blockades? (charges may apply)

☒ Yes ☐ No

If yes, please attach a map showing the locations of any road blockades.

Are you requesting any police assistance? (charges may apply)

☒ Yes ☐ No

SEO to lead parade / road closures

Are you requesting to set up tents or temporary structures? (charges may apply)

☐ Yes ☒ No

If yes, please attach a drawing showing the locations and sizes of all auxiliary structures.

Are you requesting any fire/medical standby assistance? (charges may apply)

☐ Yes ☒ No

Will supplementary utility services such as power and water be used in addition to what is available in the area? If yes, describe in detail the specific utilities and location. Any additional utilities must be provided by the applicant.

☐ Yes ☒ No

Have you requested or obtained a permit from any other jurisdiction (city or county) within which the activity shall commence, terminate or occur in part?

☐ Yes ☒ No

How do you plan to remove garbage?

Will existing restroom facilities be adequate?

☒ Yes ☐ No

If not, describe plans to augment available sanitary facilities:

Please include any additional information that may be useful:

Does any of the following apply to the proposed activity: ND Fireworks Display ☐ Other (live band, band, loudspeakers, sound amplifiers, etc.). Please specify:

**ALCOHOL SALES AT SPECIAL EVENT:** *Procedures and logistics for serving alcoholic beverages must be submitted with the special event permit application. These should include but are not limited to location, hours of operation, locations with site diagram and security procedures. Consideration will also be given as to whether alcohol sales would create potentially dangerous situations due to the nature of the event. Permission to serve or consume alcohol may be granted by the city as part of the special event permit; however, such service must comply with all South Carolina Alcohol Beverage Control Commission regulations and the City of Conway Special Events Alcohol Control Policy. The City reserves the right to revoke the permit or require the applicant to discontinue alcohol sales whenever the consumption of alcohol by participants becomes excessive or when, over a period of time, participants regularly demonstrate obnoxious, loud, or other inappropriate behavior following events.*

Will alcoholic beverages be served?

☐ Yes ☒ No

Will alcoholic beverages be sold? *If yes, SC ABC permit required.*

☐ Yes ☒ No

*Hard alcohol (liquor) may not be present, possessed, consumed and/or served at any permitted special event. Section 7-2-2 (b) (1) states "The sale of alcohol within the designated area of a special event is limited to beer and wine." Beer and/or wine must be served in opaque paper, plastic or Styrofoam cups.*

**VENDORS:** Please list any vendors, including applicant, for whom you are requesting permission to sell alcohol and the proposed locations for sales.

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**RESTAURANTS:** Please list any restaurants for which you are requesting permission to sell alcohol for public consumption during the special event.

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Times for alcohol to be served: From \_\_\_\_\_ To \_\_\_\_\_

Event map must show requested designated special event area for alcohol sales/public consumption.

The following does not apply to restaurants:

Have you applied for a South Carolina temporary ABC Permit? ☐ Yes ☒ No

Name of insurance company providing general liability with liquor liability insurance for the event naming the City of Conway as additional insured (a copy of the Certificate of Insurance must be provided): \_\_\_\_\_

\_\_\_\_\_

**ACKNOWLEDGMENT:** *I acknowledge that I have read and do fully understand the Special Event Alcohol Control Policy attached to this application and agree to comply with the guidelines.*

Applicant's Signature: N/A Date: \_\_\_\_\_



## **SPECIAL EVENTS**

### **ALCOHOL CONTROL POLICY**

All event organizers and restaurants are required to be familiar with and follow the guidelines when participating in special events where alcoholic beverages will be permitted. It is understood that responsibility for fully meeting these requirements during an event rests with the event organization and/or restaurant serving alcohol within a designated special event area.

1. Hard alcohol (liquor) may not be present, possessed, consumed and/or served at any permitted special event. *Section 7-2-2 (b) (1) states "The sale of alcohol within the designated area of a special event is limited to beer and wine."*
2. Public consumption of alcohol as authorized by the special event permit shall not begin before the designated event start time. There shall be no open containers of alcohol allowed in the event area before this designated time. The event organizers and all participating restaurants must discontinue alcohol distribution for public consumption within the event area at a minimum of 30 minutes prior to the end of the event. All alcohol must be cleared from the event site at the end of the event.
3. At no other time may alcohol be present, possessed, served, and consumed in the public area. The event organizer is responsible for informing participating restaurants of the event hours for compliance and to make certain that no one leaves restaurant premises with alcohol except during the time of the special event.
4. It is a violation to permit or knowingly allow a person under 21 years of age to purchase or possess or consume liquor, beer or wine. The seller of beer or wine must clearly display signs stating that the purchase or possession of beer or wine by a person under the age of 21 is unlawful.
5. Signs informing participants that alcohol beverages are prohibited on City streets and sidewalks beyond the boundaries of the designated special event area will be posted by the City.
6. No alcohol may be served in glass containers, cans or bottles; only opaque plastic, paper, or Styrofoam containers will be allowed.
7. It is a violation to sell liquor, beer or wine to an intoxicated person. Any person in an intoxicated condition, even if of legal age, must be denied alcohol.
8. The event organizer shall supply identification wristbands to the vendors and/or participating restaurants at any special event that includes the sale/public consumption of alcoholic beverages. Anyone 21 years of age or older wishing to consume alcohol on public property must be wearing the colored wristband assigned to the special event in order to be served alcohol.

If your event is to be held on property not owned by the sponsoring organization, the property owner must complete the following:

### PROPERTY OWNER PERMISSION LETTER

I (we), being the property owner of \_\_\_\_\_ (address),  
give permission for \_\_\_\_\_ to hold a special event on  
my/our property.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Address

\_\_\_\_\_  
Printed Witness Name

\_\_\_\_\_  
Telephone Number

.....  
**INSURANCE REQUIREMENTS FOR SPECIAL EVENTS HELD ON CITY PROPERTY**

The event must maintain general liability insurance and, if beer and wine is to be served, liquor liability insurance for the event for which the permit has been obtained. The City of Conway shall be named as an additional insured on the policy with respect to claims arising from the use of property owned or operated by the city and the issuing of the permit by the city. The applicant shall submit a Certificate of Insurance verifying the following minimum coverage and specifically identifying the City of Conway as an additional insured. Your permit will not be issued if the Certificate of Insurance has not been received prior to event. The City of Conway must be listed as the "Certificate Holder" on the Certificate of Insurance.

Each Occurrence	1,000,000
Personal Injury	1,000,000
General Aggregate	2,000,000

.....  
Application completed by: \_\_\_\_\_

Contact No.: \_\_\_\_\_

Date: \_\_\_\_\_

Special events permits are granted in accordance with the City of Conway Code of Ordinances and in no way imply assumption of liability by the City of Conway. Your organization is fully responsible for complying with all applicable laws and safety procedures. A permit does not authorize you to enter upon private property or to, in any way, hinder or obstruct pedestrian or vehicular traffic. The City of Conway reserves the right to modify the conditions of this permit or to cancel it entirely if it is deemed appropriate.

Please return completed permit application to:

City of Conway Planning Department  
Attn: Special Event Permits  
P.O. Drawer 1075  
Conway, SC 29528-1075



[FOR OFFICE USE ONLY]

Special Event: Homecoming Parade Date(s) Sept 15 2023

Sponsoring Organization: Conway High School

Application completed by: Ashley Hinson Contact No.: 843 389-2331 Date: July 25 2023

<input checked="" type="checkbox"/> Recommend approval	<input type="checkbox"/> Recommend disapproval
<u>8/14/2023</u> Date	
Police Department	
Fees or charges associated with this event: <u>see attached</u>	
Special Conditions/Comments: <u>see attached</u>	
<u> </u>	
<u> </u>	
Police Officers	\$40.00/hour per officer

<input checked="" type="checkbox"/> Recommend approval	<input type="checkbox"/> Recommend disapproval
<u>8/14/2023</u> Date	
Fire Department	
Fees or charges associated with this event: <u>see attached</u>	
Special Conditions/Comments: <u>see attached</u>	
<u> </u>	
<u> </u>	
Fire Inspector/Fire-Rescue Officers	\$40.00/hour per officer

<input checked="" type="checkbox"/> Recommend approval	<input type="checkbox"/> Recommend disapproval
<u>8/14/2023</u> Date	
Public Works Department	
Fees or charges associated with this event: <u> </u>	
Special Conditions/Comments: <u>see attached</u>	
<u> </u>	
<u> </u>	
<u>Residential &amp; Non Residential Street Closure</u>	
Barricades	\$20.00 each
Public Works Employee	\$25.00/hour per employee

<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend disapproval	
Parks & Rec. Department	Date
Fees or charges associated with this event: _____	
Special Conditions/Comments: _____ _____ _____	
Parks & Rec. Employee	\$25.00/hour per employee

<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend disapproval	
Planning Department	Date
Special Conditions/Comments: _____ _____ _____	

<input type="checkbox"/> License(s) obtained for _____ vendor(s) <input checked="" type="checkbox"/> License(s) not required	
Has general liability and liquor liability insurance (if applicable) listing the City of Conway as additional insured been secured? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Business License Department	Date
Special Conditions/Comments: <span style="color: blue; font-family: cursive;">see attached</span> _____ _____	

**RELEASE AND INDEMNIFICATION AGREEMENT**  
City of Conway

***THIS IS A RELEASE OF LIABILITY AND INDEMNIFICATION AGREEMENT. THE SPECIAL EVENTS HOLDER MUST READ CAREFULLY BEFORE SIGNING.***

In consideration for being permitted to engage in the following special event on City of Conway property:

Conway High School Homecoming Parade

Special Event Holder hereby acknowledges, represents, and agrees as follows:

- A. We understand that activities associated with the above-described special event are or may be dangerous and do or may involve risks of injury, loss, or damage to us and/or to third parties. We further acknowledge that such risks may include but are not limited to bodily injury, personal injury, sickness, disease, death, and property loss or damage, arising from the following circumstances, among others:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AM (Special Event Holder initial here)

- B. If required by this paragraph, we agree to require each participant in our special event to execute a release and indemnification agreement for ourselves and for City of Conway on a form approved by the City of Conway.

AM (Special Event Holder initial here)

- C. We agree to procure, keep in force, and pay for special event insurance coverage, from an insurer acceptable to the City of Conway, for the duration of the above referenced event.

AM (Special Event Holder initial here)

- D. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby expressly assume all such risks of injury, loss, or damage to us or to any related third party, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

AM (Special Event Holder initial here)

- E. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we further hereby exempt, release, and discharge the City of Conway, its officers, and its employees, from any and all claims, demands, and actions for such injury, loss, or damage to us or to any third party, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

AM (Special Event Holder initial here)

F. We further agree to defend, indemnify and hold harmless the City of Conway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, court costs, and attorneys' fees, including those arising from any third party claim asserted against the City of Conway, its officers, employees, insurers, or self-insurance pool, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any way related to the above-described activities, whether or not caused by our act, omission, negligence, or other fault, or by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

AM (Special Event Holder initial here)

G. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby acknowledge and agree that said agreement extends to all acts, omissions, negligence, or other fault of the City of Conway, its officers, and/or its employees, and that said agreement is intended to be as broad and inclusive as is permitted by the laws of the State of South Carolina. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding, continue in full legal force and effect.

AM (Special Event Holder initial here)

H. We understand and agree that this **RELEASE AND INDEMNIFICATION AGREEMENT** shall be governed by the laws of the State of South Carolina, and that jurisdiction and venue for any suit or cause of action under this agreement shall lie in the courts.

AM (Special Event Holder initial here)

I. This **RELEASE AND INDEMNIFICATION AGREEMENT** shall be effective as of the date or dates of the applicable Special Event, shall continue in full force until our responsibilities hereunder are fully discharged, and shall be binding upon us, our successors, representatives, heirs, executors, assigns, and transferees.

AM (Special Event Holder initial here)

IN WITNESS THEREOF, this **RELEASE AND INDEMNIFICATION AGREEMENT** is executed by the Special Event Holder, acting by and through the undersigned, who represents that he or she is properly authorized to bind the Special Event Holder hereto.

**PRINTED NAME OF SPECIAL EVENT PERMIT HOLDER:**

Conway High School

**PRINTED NAME AND TITLE OF PERSON SIGNING ON BEHALF OF SPECIAL EVENTS HOLDER:**

**NAME:**

Ashley Hinch

**TITLE:**

Key Club Advisor

**SIGNATURE:**

[Signature]

**DATE:**

07/25/23

HCS Exhibit A Standard Notice of Limitation incorporated by reference into this Agreement with the same force and effect as if set forth in full herein.

Page 9 of 10

**Robin Strickland, CPPB**

Digitally signed by Robin Strickland, CPPB  
DN: cn=Robin Strickland, CPPB, o=Horry County Schools, ou=Procurement  
Office, email=rstrickland@horrycountyschools.net, c=US  
Date: 2023.08.11 15:12:56 -04'00'

89



**FACILITY USE AGREEMENT AND RELEASE/INDEMNIFICATION**  
**City of Conway**

- A. In consideration for being permitted to use the facilities of the City of Conway, Conway High School  
(hereinafter "Applicant") agrees to indemnify and hold harmless, City of Conway its officers, employees, insurers, and SCMIT/SCMIRF Insurance Programs, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity, on account of damage, loss, or injury, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City of Conway, its officers, or its employees, or from any other cause whatsoever.
- B. By signing below, Applicant agrees that, in the event of any damage, loss, or injury to the facilities or to any property or equipment therein, the City of Conway may require reimbursement for the full amount of such damage, loss, or injury and all costs associated therewith upon billing by City of Conway.
- C. In addition, in consideration for being permitting to use the facilities, Applicant, on behalf of itself, and its officers, employees, members, and invitees, hereby expressly exempts and releases the City of Conway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City of Conway, its officers, or its employees, or from any other cause whatsoever.

Conway High School  
NAME OF PERSON/ORGANIZATION

Robin  
Strickland,  
CPPB

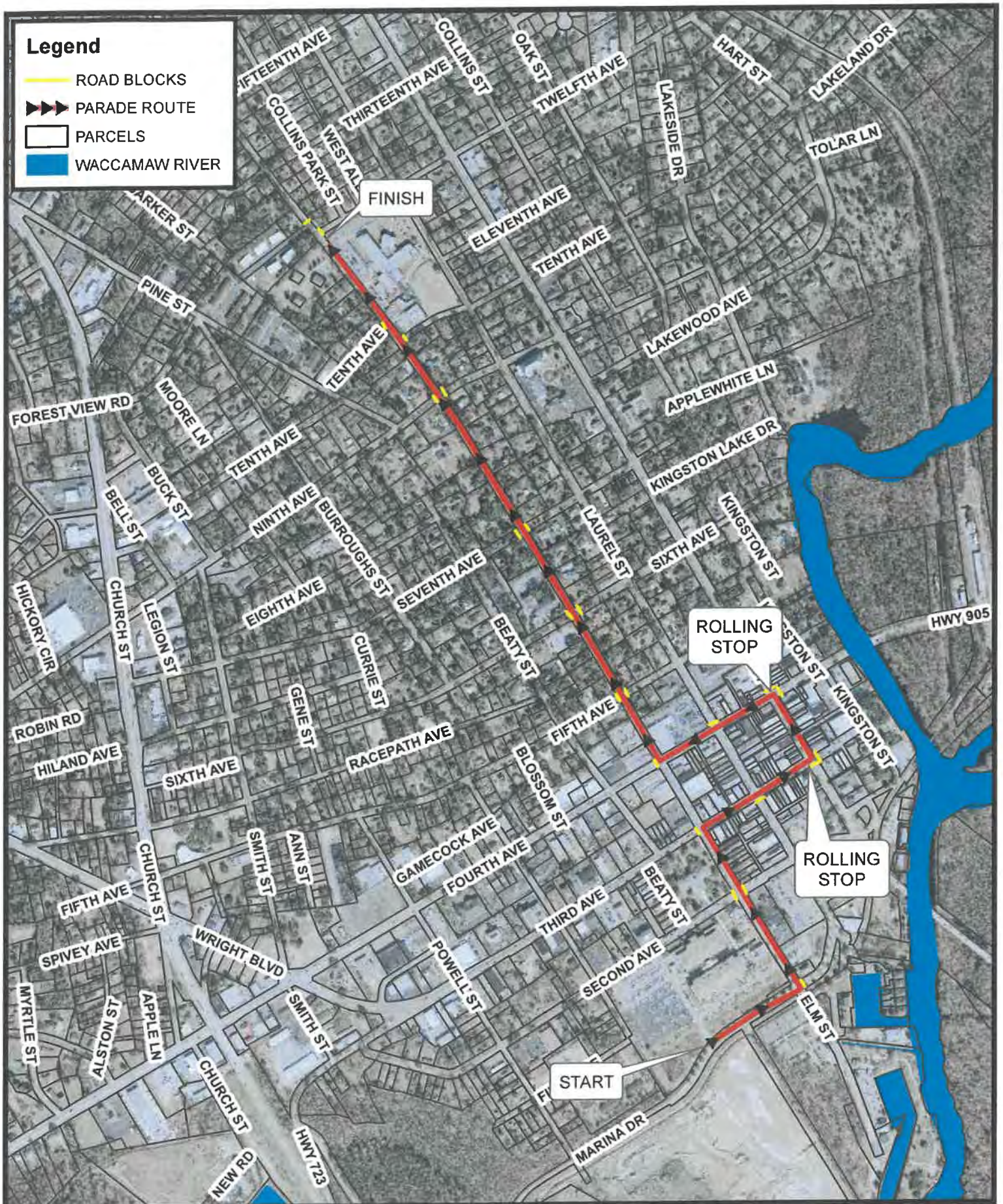
Digitally signed by Robin Strickland,  
CPPB  
DN: cn=Robin Strickland, CPPB, o=Horry  
County Schools, ou=Procurement  
Office,  
email=rstrickland@horrycountyschools.  
net, c=US  
Date: 2023.08.11 15:12:15 -04'00'

Robin Strickland  
SIGNATURE OF PERSON/ORGANIZATION REPRESENTATIVE

07/25/23  
DATE

HCS Exhibit A Standard Notice of Limitation incorporated by reference into this Agreement with the same force and effect as if set forth in full herein.







**STATE FISCAL ACCOUNTABILITY AUTHORITY**

INSURANCE RESERVE FUND  
POST OFFICE BOX 11066  
COLUMBIA, SOUTH CAROLINA 29211

Phone: (803) 737-0020

POLICY NUMBER	FROM	POLICY PERIOD	TO	TYPE OF INSURANCE	DATE PRINTED
T150260024	05/10/2023	05/10/2024		GENERAL TORT LIABILITY	27 APR 2023

COVERAGE PROVIDED UNDER THIS POLICY PART IS SUBJECT TO THE FOLLOWING FORMS:  
CD-01 CD-12 CD-47 CD-48

NAMED INSURED AND ADDRESS	CONTACT PERSON AND PHONE	FORM #	PAGE
HORRY COUNTY SCHOOLS DISTRICT PO BOX 260005 CONWAY, SC 29528-6005	RUSSELL TYLER (843)488-6594	CD-12	1 OF 1
	TYPE OF ACTIVITY		ACTIVITY #
	ENDORSEMENT CERTIFICATE OF INSURANCE		027

EFFECTIVE DATE - 05/10/2023

NAME AND ADDRESS OF CERTIFICATE HOLDER: 0062

CITY OF CONWAY  
PO BOX 1075  
CONWAY SC 29528-0000

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

THIS IS TO CERTIFY THAT A POLICY HAS BEEN ISSUED TO THE ABOVE NAMED INSURED AND IS IN FORCE AT THIS TIME. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THIS POLICY DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF THIS POLICY.

POLICY EXCLUDES ALL CONTRACTUAL LIABILITY.

CANCELLATION: SHOULD THIS POLICY BE CANCELLED BEFORE EXPIRATION DATE THEREOF THE INSURANCE RESERVE FUND WILL ENDEAVOR TO PROVIDE 30 DAYS WRITTEN NOTICE TO ABOVE NAMED CERTIFICATE HOLDER, BUT FAILURE TO PROVIDE SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY.

COVERAGE PROVIDED FOR:

LIMIT OF LIABILITY

THE ABOVE NAMED INSURED, ITS EMPLOYEES  
AND/OR VOLUNTEER EMPLOYEES

\$1,000,000 PER OCCURRENCE

THIS ENDORSEMENT SHOULD BE ATTACHED TO AND BECOME PART OF POLICY T150260024

APRIL 26, 2023

DATE

ANNE MACON SMITH  
Director



Exhibit A

ATTENTION: SUPPLIER

NOTICE: STANDARD NOTICE OF LIMITATION OF TERMS OF CONTRACTS

TO WHOM IT MAY CONCERN:

You are receiving this notice because you have supplied a document for execution as a contract with Horry County Schools. Any term in a vendor supplied contract document but inconsistent with South Carolina law and/or the Horry County Schools Procurement Code is, by operation of law, invalid and unenforceable, the District has no authority to accept such terms, and execution by the District of the vendor supplied document but inconsistent with South Carolina law and/or the Code is, by operation of law, invalid and unenforceable, the District has no authority to accept such terms, and execution by the District of the vendor-supplied form contract expressly contemplates these limitations. See *Unisys Corp. v. South Carolina Budget and Control Bd. Div. of General Services*, 345 S.C. 158, 551 S.E.2d 263 (S.C. 2001). Expressly included in such terms, without exclusion of others, are (1) any indemnity or hold-harmless clause by which the District assumes any responsibility for the torts of others; (2) any mandatory arbitration of mediation clause; (3) any form selection clause inconsistent with the remedial provisions of the Code and South Carolina law; and (4) any choice of law clause inconsistent with the Code and South Carolina law. The District does not have legal power to negotiate over these matters, and this notice is provided merely as a courtesy to avoid subsequent misunderstandings.

Horry County Schools adheres to the below listed Opinion as issued by The South Carolina Attorney General Office in regards to the matter of Hold Harmless or Indemnification.

Op. S.C. Atty. Gen., October 6, 1980.

(W)e have been taking the position that the State cannot agree to come in and defend or hold harmless third parties. (For example, we have offered the opinion that the State cannot give general warranties in real estate deeds, because this would require the State to defend title on behalf of subsequent property owners.) Paragraph eight (8) would require the State to come in and defend and hold harmless C&S from any claims. Furthermore, I think it is arguable that this indemnity and hold harmless provision might run afoul of Article X, Section 6 of the South Carolina Constitution as pledging credit of the State for the benefit of third parties.

Id.

We are not aware of any provision under the law of this State that allows the District to enter into a hold harmless or indemnity agreement. Thus, based on our prior opinions, we are of the opinion that the District may not enter into such agreements. Furthermore, in keeping with our 2004 opinion, we do not believe the addition of any language explaining the extent of the District's liability under State law changes the District's ability to consent to such agreements. As some of our opinions indicate, we questions whether the inclusion of such a provision can bind the District. Therefore, we advise the District not to consent to any hold harmless or indemnification clauses.

Concerning Governing Law – the District to the following paragraph

This Agreement, any addendums or Exhibits and their terms and conditions are governed by and shall be construed in accordance with the laws of the State of South Carolina, without regard to conflicts of law provisions. Each Party agrees to accept and acknowledge service of any and all process that may be served in any suit, action, or proceeding. Each Party agrees that any service of process upon it mailed by registered or certified mail, return receipt requested to such Party at the address in the notices Section above shall be deemed in every respect effective service of process upon such Party in any such suit, action, or proceeding.

Additional information can be obtained by visiting <http://www.scag.gov/opinions>

An questions about this should be referred to your own legal counsel or submitted in writing to the Procurement Office, Horry County Schools, P.O. Box 260005, Conway, SC 29528-6005

Horry County Schools Purchase Order is required prior to commencement of services. Final Execution of Agreement is the date of issu purchase order. All services provided under the agreement is subject to and incorporate the terms and conditions found at: <https://www.horrycountyschools.net/Page/10671>.

RS



## Natasha Sherman

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**From:** Brandon Harrelson  
**Sent:** Monday, August 14, 2023 2:30 PM  
**To:** Natasha Sherman  
**Subject:** RE: Conway High 2023 Homecoming Parade

We are good.

**Brandon Harrelson**  
Public Works Director  
City of Conway | 2940 Jerry Barnhill Blvd, Conway, SC 29527  
Phone: 843.397.2494 | Fax: 843.488.9890



**From:** Natasha Sherman  
**Sent:** Monday, August 14, 2023 11:25 AM  
**To:** Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>  
**Subject:** Conway High 2023 Homecoming Parade

Please review for approval and email me back.

*Natasha Sherman*  
*Executive Assistant*  
*City of Conway*

**From:** cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>  
**Sent:** Saturday, July 15, 2023 9:27 PM  
**To:** Natasha Sherman <nshefman@cityofconway.com>  
**Subject:** Message from KM\_C450i

## Natasha Sherman

---

**From:** Business License  
**Sent:** Monday, August 14, 2023 12:41 PM  
**To:** Natasha Sherman  
**Subject:** RE: Conway High 2023 Homecoming Parade

Good with business license.

---

**From:** Natasha Sherman  
**Sent:** Monday, August 14, 2023 11:25 AM  
**To:** Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>  
**Subject:** Conway High 2023 Homecoming Parade

Please review for approval and email me back.

*Natasha Sherman*  
*Executive Assistant*  
*City of Conway*

**From:** cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>  
**Sent:** Saturday, July 15, 2023 9:27 PM  
**To:** Natasha Sherman <nsherman@cityofconway.com>  
**Subject:** Message from KM\_C450i

## Natasha Sherman

---

**From:** Dale Long  
**Sent:** Monday, August 14, 2023 11:57 AM  
**To:** Natasha Sherman  
**Subject:** RE: Conway Homecoming Map

OK for PD.

---

**From:** Natasha Sherman <nsherman@cityofconway.com>  
**Sent:** Monday, August 14, 2023 11:54 AM  
**To:** Dale Long <dlong@cityofconway.com>  
**Subject:** Conway Homecoming Map

Sorry. Forgot to attach it to the application.

*Natasha Sherman*  
*Executive Assistant*  
*City of Conway*

**From:** [cityhallprinter@cityofconway.com](mailto:cityhallprinter@cityofconway.com) <[cityhallprinter@cityofconway.com](mailto:cityhallprinter@cityofconway.com)>  
**Sent:** Saturday, July 15, 2023 9:57 PM  
**To:** Natasha Sherman <nsherman@cityofconway.com>  
**Subject:** Message from KM\_C450i

## Natasha Sherman

---

**From:** Phillip L. Hendrick, Jr.  
**Sent:** Monday, August 14, 2023 11:56 AM  
**To:** Natasha Sherman  
**Subject:** RE: Conway High 2023 Homecoming Parade

Fire is good. We will have the antique fire truck there (if that is still the preferred method for Council) by 3:00.

---

**From:** Natasha Sherman <nsherman@cityofconway.com>  
**Sent:** Monday, August 14, 2023 11:25 AM  
**To:** Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>  
**Subject:** Conway High 2023 Homecoming Parade

Please review for approval and email me back.

*Natasha Sherman*  
*Executive Assistant*  
*City of Conway*

**From:** cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>  
**Sent:** Saturday, July 15, 2023 9:27 PM  
**To:** Natasha Sherman <nsherman@cityofconway.com>  
**Subject:** Message from KM\_C450i



CITY OF CONWAY  
CITY COUNCIL MEETING  
CONWAY CITY HALL  
229 MAIN STREET, CONWAY  
MONDAY, AUGUST 7, 2023 - 4:00 P.M.

**PRESENT:** Mayor Barbara Jo Blain-Bellamy, Autry Benton, Amanda Butler, William Goldfinch, Beth Helms, Larry White. **ABSENT:** Mayor Pro Tem Justin Jordan,

**STAFF:** Adam Emrick, City Administrator; Mary Catherine Hyman, Deputy City Administrator; John Rogers, Deputy City Administrator; June Wood, Public Information Officer; Dale Long, Chief of Police; Jeff Leveille, Technology Services Director; Allison Williams, Finance Director; Timmy Williams, Hospitality & Beautification Director; Kayla Fleming, Associate Judge; Brandon Harrelson, Public Works Director; Reggie Jenerette, Solid Waste Director; Lynn Smith, Human Resource Director; Rock Rabon, Fleet Maintenance Director; Jasmine Waites Parker, City Attorney; James Friday, Public Utilities Director; Jessica Hucks, Planning and Development Director; Kym Wilkerson, Deputy Planning Director/Zoning Administrator; Le Hendrick, Fire Chief; Ashley Smith, Recreation Director; Robert Cooper, Construction Services Director; and Alicia Shelley, City Clerk.

**OTHERS:** Priscilla Fuller, Robert Bauman, Hillary Howard, and approximately 20 others were in attendance.

**CALL TO ORDER:** Mayor Blain-Bellamy called the meeting to order. Mike Roberts, St Anne's Episcopal Church gave the invocation and led the Pledge of Allegiance.

The requirements for posting notice of this meeting under South Carolina's Freedom of Information Act (FOIA) were met.

**APPROVAL OF AGENDA:** **Motion:** Goldfinch made a motion, seconded by Butler, to approve the August 7, 2023 meeting agenda. **Vote:** Unanimous. Motion carried.

**CONSENT AGENDA:**

- A. Final Reading of Ordinance #2023-08-07 (A) to amend the City of Conway Municipal Code to implement a new Industrial Incentive, which aims to provide economic incentives to the development of industrial use businesses in the City of Conway.**
- B. Final Reading of Ordinance #2023-08-07 (B) to amend Title 1, Chapter 5, Article F of the Code of Ordinances, an incentive program which provides economic incentives for the development of family entertainment facilities in the City of Conway.**
- C. Final Reading of Ordinance #2023-08-07 (C) to amend Title 1, Chapter 5, Article G of the Code of Ordinances, an incentive program which provides economic incentives for the redevelopment of existing vacant commercial buildings 25,000 sq. ft. or greater in the City of Conway.**

- D. Final Reading of Ordinance #2023-08-07 (D) to amend Title 1, Chapter 5, Article H, of the Code of Ordinances, an incentive program which provides economic incentives to businesses occupying existing vacant buildings located in the Central Business District (CBD) in the City of Conway.**
- E. Final Reading of Ordinance #2023-08-07 (E) to amend Title 1, Chapter 5, Article I, of the Code of Ordinances, the Redevelopment Enhancement Incentive Program, which provides economic incentives to develop or expand commercial businesses in the City of Conway.**
- F. Final Reading of Ordinance #2023-08-07 (F) to amend Title 1, Chapter 5, Article J, of the Code of Ordinances, the Hotel / Short-term Rental Incentive Program, which provides economic incentives to develop hotels, motels, inns, and commercial short-term rentals in the City of Conway.**
- G. Final Reading of Ordinance #2023-08-07 (G) to amend Title 1, Chapter 8, Section 1-8-3(a)(2) of the Code of Ordinances, Nonpartisan elections; procedure, to update the fees for municipal elections in the City of Conway.**
- H. Approval of Purchase of Water Meters for Public Utilities (budgeted)**
- I. Special Event – First Baptist Church Back to School Bash – August 20, 2023**
- J. Special Event – First Baptist Church Trunk or Treat – October 31, 2023**
- K. Approval of July 17, 2023 Council Meeting Minutes**

**APPROVAL OF CONSENT AGENDA:** **Motion:** White made a motion, seconded by Helms to approve the August 7, 2023 consent agenda. **Vote:** Unanimous. Motion carried.

**PUBLIC INPUT:**

- Reverend Cheryl Moore Adamson spoke on behalf of the Whittemore Racepath Historical Society, and shared the unveiling of the Harriett Tubman statue in Georgetown, read a list of sponsors for the event, and then told Council that the Society still wishes to express their continued interest in the acquisition of the former Whittemore Elementary School located on Horry Street.
- Antonio Knight, Peel Scooters briefed Council on the last 6 months of the Pilot Program.
- Alan Todd asked Council to create an Ordinance that requires all demo permits with buildings built before 1970 be given to his company, Conway Architectural and Salvage or some non-profit organization like his.
- Le Hendrick spoke on behalf of the Conway High School Educational Foundation and announced that the following would be inducted into the foundation: Mary Owens,

William Timmons Johnson, and Mayor Blain-Bellamy. Hendrick said that the Hall of Fame banquet would be held on October 10, 2023.

**Motion:** Butler made a motion, seconded by Goldfinch, to close public input. **Vote:** Unanimous. Motion carried.

#### **SPECIAL PRESENTATION:**

- A. Presentation of Longevity Awards – June 2023 – 5 Years: Robert Borgatta, Streets; 5 Years: Robert Bauman Jr, Beautification; 5 Years: Carla Major, Recreation; 5 Years: McKinley Sellers, Recreation; 35 Years: Kenneth McDowell, Construction Services** – Emrick and Butler presented the longevity awards.
- B. Discussion of a request to annex approximately 4.48 acres of property located at 1136 Highway 501 Business (PIN 367-11-03-0003), and request to rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.** Hucks informed Council that this annexation request was submitted in July. The property is currently in Horry County’s jurisdiction, zoned Highway Commercial and the proposed use of the property has not yet been disclosed. The property abuts parcels zoned City of Conway Forest Agriculture, a gas station and a dental office zoned Horry County Highway Commercial, and a vacant parcel zoned Horry County Commercial Forest Agriculture. The future land use map of the Comprehensive Plan identifies the subject property as Highway Commercial. Planning Commission held a public hearing at their August 3 meeting and First Reading will go before Council on August 21, 2023.
- C. Discussion of a request to annex approximately 1.46 acres (total) of property located at 610 and 624 Highway 544 (PIN’s 382-05-01-0003 and 382-05-01-0004), and request to rezone from the Horry County Highway Commercial (HC) and Convenience & Auto-Related Services (RE3) districts to the City of Conway Highway Commercial (HC) district.** Hucks informed Council that this annexation request was submitted in July as a requirement for utility services. Both properties contain a single-family residence and restrictive covenants for 610 Highway 544 have been recorded. The properties are across from and abutting the Institutional zoning district and also adjacent to Horry County Highway Commercial zoned property. Surrounding uses include student housing, the old university bookstore, a gas station and a wrecker business. The future land use map of the Comprehensive Plan identifies the subject property as Highway Commercial. Planning Commission is scheduled to hold a public hearing at their September 7 meeting.
- D. Proclamation Recognizing National Health Center Week** – Blain-Bellamy presented Health Care Partners with a Proclamation recognizing August 6-12 as National Health Center Week.
- E. Proclamation Honoring Eagle Scout Christian Alan Price** – Blain Bellamy presented Eagle Scout Christian Price with a Proclamation honoring his achievements and proclaiming August 8, 2023 as Eagle Scout Christian Alan Price Day.

## FIRST READING

- A. First Reading of Ordinance #ZA2023-08-21 (A) to annex approximately 7.18 acres of property located on Highway 501 (Church Street) (PIN's 338-09-02-0008, 338-09-02-0009, 338-09-02-0011, 338-09-02-0014) and .09 acres of property located on Highway 501 (Church Street) (PIN 338-09-02-0007), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) and Conservation Preservation (CP) districts.** Hucks stated that the applicant submitted this annexation request in May and is seeking to annex the properties into the City limits to facilitate development of commercial/retail establishments. The properties are surrounded by property in the City limits, already zoned Highway Commercial. The high school, located on the other side of the HCS Transportation office, is zoned Institutional (IN). Property behind these parcels is zoned Conservation Preservation (CP); likely due to the proximity of the Crabtree Swamp in the relation to these parcels. The future land use map of the Comprehensive Plan identifies the properties as Highway Commercial and Conservation Preservation. Planning Commission held a public hearing on this request at their July 13 meeting. There was no public input. Staff recommended that this property be split zoned Highway Commercial (HC) and Conservation Preservation (CP). The CP district would be assigned to the portions of property identified on the wetland's delineation maps and flood zone areas identified on the flood zone map. Planning Commission recommended the same in their motion to approve.

**Motion:** Goldfinch made a motion, seconded by Benton, to approve first reading of this ordinance. **Vote:** Unanimous. Motion carried.

- B. First Reading of Ordinance #ZA2023-08-21 (B) to annex approximately 1.32 acres of property located at 1701 and 1703 Radio Lane (PIN 337-13-01-0003), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.** Hucks stated that this annexation application was submitted as a requirement to connect to city utilities. In accordance with City ordinance and policy, restrictive covenants were also filed for the property and recorded in July of this year. There are 2 residential structures on the subject property. The requested zoning district on their application is R-1. Across Hwy 378 is property zoned City of Conway Highway Commercial (HC), although vacant. Across Radio Lane is the Speedway gas station / convenience store, also zoned City of Conway HC. Abutting the subject property is Horry County RE4 (High Bulk Retail) district, which is commercial zoning district with outdoor storage; comparable to the City's HC district, and is currently the site of a used car sales lot. Further down Radio Lane is a mix of residential zoning, including additional county CFA, MSF20, and SF20 zoning districts and City of Conway R-1. The future land use map of the Comprehensive Plan identifies the property as Highway Commercial. The requested zoning classification of R-1, is not consistent with City's Future Land Use Map, which classifies the property as Highway Commercial. Hucks said that if Council chooses to annex the property, staff recommends that it move forward as Highway Commercial, as Highway Commercial is consistent with the City's Future Land Use Map, and once Planning Commission has held the required public hearing and provided a recommendation, the request can come back



to Council for final reading. Alternatively, Council could choose not to annex the property at this time to avoid creating a legal nonconforming use and/or structure. Now that there are restrictive covenants recorded for the property, Council could require annexation in the future as conditions change.

There was some discussion and concerns regarding the R1 district vs. Highway Commercial along the Highway 378 corridor.

**Motion:** Goldfinch made a motion, seconded by Helms, to deny this annexation request.  
**Vote:** Unanimous. Motion carried.

- C. First Reading of Ordinance #ZA2023-08-21 (C) to rezone approximately 15.61 acres of property located at 300 Bellamy Ave (PIN 383-00-00-0381) from City of Conway Institutional (IN) district to City of Conway High-Density Residential (R-3) district.** Hucks informed Council that this rezoning request application was submitted in May 2023. The property was annexed into the City limits in 2017 as Institutional, in order to facilitate the development of student housing. Article 4 of the UDO identifies student housing as an accessory use to a college or university. Some of the student housing developments along Highway 544 are zoned Institutional for this reason. Current staff has come to interpret this use as only being permitted in conjunction with a principal use on the same property in which the student housing is proposed to be constructed. Construction of the Bellamy Student Housing development began in 2018, and the units were issued a certificate of occupancy in the same year. The applicants have not specified a reason for the rezoning, other than that the proposed buyers are concerned with the residential use of the property under the current zoning, as they intend to rent entire units to families (lease entire units), rather than to lease individual bedrooms to college students. However, the zoning of the property does not dictate who the units can be leased to. Evidence suggests that since the buildings were completed, the units have been leased to anyone who qualifies, not just college students. The future land use map of the Comprehensive Plan identifies the property as being High-Density Residential (R-3). Planning Commission held a public hearing on this request at their July 13 meeting and recommended approval of the request.

Hucks stated that staff supports the future land use identified on the City's Future Land Use Map of the Comprehensive Plan. There are concerns that some of the uses within the commerce plaza industrial area will become legal-nonconforming, based on their distance from the subject property, as there are certain uses that must be a minimum distance from residentially zoned property. For example, per *Section 5.1.24* of the UDO, tattoo parlors and body piercing establishments are required to be located a minimum of 600-ft from all residential zoning districts. If the subject property is rezoned to R-3, an existing tattoo parlor will abut the property and will become legal-nonconforming. The existing business can continue, but if it were to cease operating at the location for 180 days or longer, it cannot be re-established at the current location, nor can any other use that is required to be a certain distance from residentially zoned property.

Chris Pearce, agent for the applicant further explained the request.

There was some discussion regarding the differences in Institutional and R3.

**Motion:** Blain-Bellamy made a motion, seconded by Goldfinch, to approve first reading of this ordinance. **Vote:** Unanimous. Motion carried.

## **CONSIDERATION:**

- A. **Consideration of the non-exclusive franchise agreement between the City of Conway and Antonio Knight, D.B.A. Peel Scooters, Ordinance #ZA2023-02-20, initially approved as a six (6) month pilot program, to remove the pilot program status.** Hucks stated that City Council approved a Franchise Agreement for Peel Scooters in February of this year, and did so as a pilot program, for a period of six months and the six months is set to expire on August 20, 2023. Council went with the pilot program status so that the agreement could be revisited and discussed if any issues were presented over the period of the pilot program. Hucks said that some of the conditions of the agreement that the applicant is in violation of include: (1) #8: the scooters are to be gathered each evening and delivered to the approved sites each morning. Scooters are not to remain on City of Conway property overnight. (2) #9: vendor shall not store, park, or leave any equipment overnight on any public property. (3) #10: vendor shall ensure that all walkways in use by customers begin and end their use clear and free of obstruction to allow safe pedestrian flow at all times.

There was some discussion with the applicant regarding the riding of scooters around pedestrians, where the scooters are left, hours of operation, and the possibility of obtaining a docking station.

**Motion:** Benton made a motion, seconded by Blain-Bellamy, to approve continuation of the pilot program for 6 more months with the conditions that the scooters are picked up every day and the hours of operation will be from 7:00 a.m. until 1:00 a.m. **Vote:** Benton, White, Butler and Blain-Bellamy voted yes, with Goldfinch and Helms voting no. Motion carried 4-2.

Goldfinch asked that the minutes reflect that he has no problem with the scooters, but does with the time restrictions.

- B. **Consideration of Approval of Service Area Adjustment located at Colonial Farms on Highway 548** – Friday stated that the Colonial Farms Subdivision on Highway 548 is planning to build 131 single family homes and 112 townhomes. The single-family homes are in the Bucksport service area. The City will be supplying wastewater service for the entire subdivision and water to the townhouses. One road in with single-family homes dips into the Conway service area that puts approximately 35 houses out of the Bucksport service area. To keep the two water companies from running side by side water mains and confusion about who services whom; the City utilities departments requests that all single-family homes be serviced by Bucksport Water.

**Motion:** White made a motion, seconded by Benton, to allow Bucksport to provide water service to all the single-family homes in the subdivision. **Vote:** Unanimous. Motion carried.

- C. **Consideration of Recommendation on Selection of Firm to Design/Build the Riverwalk Expansion** – Hyman stated that the 2017 Riverfront and Downtown Master Plan identified the need to extend the Riverwalk to Kingston Lake. In 2018, the City received approval from the Army Corps of Engineers for a portion of this extension in front of the proposed multi-family project. Although not yet constructed, this project has remained a top priority. The recently drafted 2022 Riverfront and Downtown Master Plan lists a 2030 Goal that states “The Riverwalk connects from Highway 905 to the former Grainger Plant site”. At the 2022 Budget Retreat, City Council directed staff to move forward with plans to construct the extension from Bonfire to Kingston Lake, which requires an update to the current permit. ACOE and SDHEC permits were received in May 2023, and the City of Conway advertised publicly to select a firm to design/build the Riverwalk Expansion. Proposals were required to be submitted to the City no later than July 13, 2023. Five firms submitted proposals, and were ranked based on the following criteria: (a) Specialized experience or technical expertise of the firm, qualifications of its professional personnel and all parties proposed for the project, and proposed approach in connection with the type of services to be provided and complexity of the project; (b) Past record of related experience on similar projects/contracts with the City and other clients including projects in navigable waters, including quality of work, timeliness, cost control, and financial stability; (c) Capacity of firm to perform the work within a reasonable time limitation, taking into consideration the recent current and projected workload of the firm. Bidder proposal shall include an estimated time frame for completion of the project; (d) Familiarity of the firm with the type of problems applicable to the project; and (e). Cost. Hyman said that bids were received from Greenwall Construction, Sellers Construction, Intercoastal Marine, ARC, and Fetter Marine Construction and that staff recommends the selection of Sellers General Construction.

**Motion:** Benton made a motion, seconded by Helms, to approve the selection of Sellers General Construction to design/build the Riverwalk expansion. **Vote:** Unanimous. Motion carried

#### **CITY ADMINISTRATOR’S REPORT:**

Emrick informed Council of the following:

- SC has extended their litter pickup program and monthly they communicate with the City’s Keep Conway Beautiful folks about what state roads need attention. Since March, the contractors that SCDOT hires have cleaned up almost 80 miles of state roads within the City limits. Kudos to SCOOT and their contracted labor crews.
- Work on Scarborough Alley began this morning. The City crews are removing concrete and asphalt, in part to access some aging utility and stormwater infrastructure and in part to move forward with the improved design of the alley and eventual public restrooms and ERF.
- Horry County Library has partnered with us to create a Story Walk at Collins Park. Each quarter a new book will be displayed on storyboards around the walking trail at Collins Park. Children can walk from board to board and read a story. A second Story Walk project is in the works for Sherwood Park.
- The asphalt for the pickleball courts at Collins Park is currently in the curing stage.

Before crews can complete the surface work on the pickleball courts, it has to sit for 30 days. During this time, however, staff is continuing to work on the site. New net posts will be set this week. Sidewalks will be next. Fence work has already begun, with some of the new fencing going up around the basketball courts. The City did receive a grant from the Coastal Carolina Association of Realtors and they have volunteered for a work day in mid-September at Collins Park too. That work will include landscaping, bleachers, tables, benches and other finishing features.

- Resurfacing of the tennis courts at Collins Park is underway. Once completed, they will resurface the basketball court, then jump over to Smith Jones Park for the resurfacing of the tennis courts there, then they will come back to Collins Park to apply the new surface on the new pickleball courts.
- As you are all aware of, the City received a very large multi-million dollar grant that will allow us to build a parallel sewer line, which will both upgrade capacity on the line and reduce flooding issues. Some of the construction work along Oak Street or near Church Street have begun. City crews are currently working on the bores under roadways and are between 15 and 20 % complete. The project is required to be completed by October of 2024. The City is working with Grand Strand Water and Sewer to contribute financially to the project as a significant amount of the flow comes from their system.
- The new City fire training facility will have its grand opening on August 22, 2023.
- The City got an approval to do something that staff has been trying to do for a long time. On September 2nd, Coastal will have their first football game of the season at UCLA. It is a very important game for Coastal and because they are playing on the west coast, it doesn't start until 10:30 p.m. our time. The City has gotten permission to broadcast the game outdoors for our residents, fans and potentially students to enjoy. We are working on multiple scenarios to make this a successful event despite the late hour it starts. On the next agenda, we will have a special event permit on for consideration that at a minimum will ask to close Laurel Street that evening into early morning between 2nd and 3rd and for a waiver of the noise ordinance for the broadcasting of the game. A few things staff are considering adding are a tailgate and food trucks. Emrick asked Council if they have any ideas to make the event a better one, please let him know between now and the next meeting so staff can include them in the event permit.

## **COUNCIL INPUT:**

**Butler** said that she is excited that the City's Mayor will be the President of the MASC and that the annual meeting in Greenville was phenomenal. Butler said that Unity Park in Greenville is something that she hopes Conway can do in the Whittemore Park area.

**Goldfinch** also congratulated the Mayor on her honor as being the MASC President. Goldfinch stated that Greenville is doing some cool things that Conway can certainly learn from. Goldfinch asked staff to get a legal opinion on restricting the scooters on hours of operation. Goldfinch talked about Vivian Chestnut, whom passed away last week as having a rich full life whom did a lot for the City and he was honored to have lowered her casket to the ground. Goldfinch thanked Council for electing him to the Ride IV project committee.



**White** read the statement from the MASC that is located on the bottom of the City Council agenda: “I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city.” White stated that he hopes everyone can promote civility better in our community.

**Helms** said that Greenville was nice. Helms said that she attended the Affordable Housing session and wants Conway to plan ahead for more affordable housing. Helms said that Conway High School Educational Foundation was a big deal and she was proud of the Mayor. Helms said that Conway also has their first scrimmage tonight on their new field and she looks forward to supporting the Conway Tigers this year.

**Benton** said that he also wants to remember Vivian Chestnut, as she was a very classy woman that loved Conway and will be missed. Benton congratulated the Mayor on her position at the MASC. Benton would like for the City to clean up and promote as parking the lot on Fourth Avenue by Ocean Fish Market. Benton then read a letter thanking the City for the opportunity to serve its concrete needs for the past 30 years but now that he has been elected Councilman for the City, he is relinquishing the contract that Benton Concrete has with the City of Conway. Benton said that the company would be glad to work with the City until other arrangements can be made and put into place.

**Blain-Bellamy** said that the unveiling of Harriett Tubman’s statue was a very fitting depiction of her at work. Blain-Bellamy said that she spoke to Emrick and that staff and Council would be looking at possibilities of affordable housing. Blain-Bellamy said that she would like to honor Vivian Chestnut for her service to the City of Conway. Blain-Bellamy said that she attended the graduation at Camp Blue, and it was fabulous as staff has served a large number of children with teaching them morals, ethics, and leadership. Blain-Bellamy stated that she would like the City’s recycling efforts to be useful and to better educate the community. Blain-Bellamy then talked about the MASC Annual Meeting and the keynote speaker for the luncheon, Chris Singleton. Blain-Bellamy said that he was a great speaker and if you get a chance to read his book, Stories Behind Stances, that you should. Blain-Bellamy simply suggested that just because everyone doesn’t agree, but that none should ever have to hate each other just because beliefs are different.

Blain-Bellamy called for a short break.

## **WORKSHOP:**

**Planning – Allowing RV Parks in the City limits.** Hucks stated that staff recently received a request to review a site plan for a proposed RV park on property located on Waccamaw Drive, directly in front of the Best Western motel and adjacent to a Horry County boat landing. The site plan is for a 2.45-acre parcel and proposed to contain 14 parking pads for RV’s/campers. Horry County has a Destination Park (DP) district, which permits the use of an RV park, but it is not the only district that allows them. The City’s UDO does not list a RV park as a permitted use, or at all. City staff is currently reviewing the site plan, which will be denied, but wanted to gauge whether the use of RV parks is something that Council would like to consider allowing in the City. If so, staff can gather additional research and bring back. Hucks then spoke of other campgrounds in the area such as Bucksport, Carolina Pines, Daddy Joe’s in Tabor City and the new campground being built on Highway 544.

August 7, 2023

After some discussion, it was decided that Council should take a field trip to tour some of the other campgrounds in the area.

Hyman also recommended the campground in Lake City as an option for Council to visit.

**Police** – Chief Long gave a presentation to Council on how the Police Department fields speed complaints, gathers data, notifies the public if there is an issue, and then enforcement when needed.

**Administration - Designated Parking Spaces**– Rogers informed Council that the Horry County Sheriff's office had contacted the City about reserving 3 parking spaces on Elm Street next to the reserved Judge spots. Rogers then said that other County departments have contacted as well asking for about a dozen total reserved parking spots.

After much discussion it was decided that staff would propose to the County reserving, by permit only, 5 non-ADA parking spots on Second Avenue between Elm and Beaty Street (closer to Beaty), with hours of Monday-Friday from 8 a.m. until 5 p.m. and removing the 2 reserved Judge parking spaces that are currently located on Elm Street.

**EXECUTIVE SESSION: Motion**: Goldfinch made a motion, seconded by Butler to enter into Executive Session for the following: A. Discussion of Contractual Negotiations Incident to the Potential Acquisition of Downtown Properties. [pursuant to SC Code §30-4-70 (A) (2)]; and B. Discussion of Contractual Negotiations Incident to the Potential Acquisition of a Parcel on Highway 378. [pursuant to SC Code §30-4-70 (A) (2)]; **Vote**: Unanimous. Motion carried.

**RECONVENE FROM EXECUTIVE SESSION: Motion**: White made a motion, seconded by Benton to leave Executive Session. **Vote**: Unanimous. Motion carried.

**POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: Motion**: White made a motion, seconded by Helms authorizing the Administrator to make a bid on the Bank of America building. **Vote**: White, Helms, Butler, Blain-Bellamy, Goldfinch voted yes, with Benton voting no. Motion carried 5-1.

**ADJOURNMENT: Motion**: Goldfinch made a motion, seconded by Blain-Bellamy to adjourn the meeting. **Vote**: Unanimous. Motion carried.

**APPROVAL OF MINUTES**: Minutes approved by City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Alicia Shelley, City Clerk

**DATE: AUGUST 21, 2023**  
**ITEM: V.I.A.**

Employee of the Month for August 2023 – Public Works

**DATE: AUGUST 21, 2023**

**ITEM: VI.B**

**ISSUE:**

Discussion of a request to annex approximately 15 acres of property located at 154 Winyah Road, and rezone from the Horry County Limited Industrial (LI) district to the City of Conway Heavy Industrial (HI) district (PIN 383-00-00-0339).

**BACKGROUND:**

On August 1, the applicant, Michael Crenshaw, President, of King Asphalt, Inc., submitted an annexation and rezoning application for the subject property, located at 154 Winyah Road. The property is currently in Horry County's jurisdiction, zoned Horry County Limited Industrial (LI). The use of the property is an existing asphalt plant. The property was transferred to the applicant on August 1<sup>st</sup>, which would have triggered annexation when the utility accounts were requested to be changed to the current owner, King Asphalt, Inc. Restrictive covenants for the property were recorded and received on August 1<sup>st</sup> as well.

*Per Section 3.2.10 of the UDO, the intent of the Heavy Industrial (HI) zoning district is to accommodate areas for heavy manufacturing, distribution, and processing.*

*Surrounding Uses / Zoning Districts:*

The property is within a primarily industrial area, with Horry County Limited Industrial (LI) zoning across the road (Yaeger Ave) (Capital Materials Coastal – building materials store) and directly behind the subject property is also Horry County LI (Blue Max Trucking). At the end of Yaeger Ave is a (approx.) 15-acre tract, zoned City of Conway Heavy Industrial (HI), and is the site of “Vulcan Materials Company.” Across Winyah Rd is property zoned PD, which is the industrial portion of the Wild Wing Planned Development.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* also identifies the subject property as Highway Commercial (HC).

*Per Section 3.2.10 of the UDO, the intent of the Highway Commercial (HC) district is to provide compatible locations to serve the automobile-oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City.*

**NEXT STEPS AND DATES/ESTIMATES:**

September 7, 2023      Planning Commission to hold the required public hearing on the request. If PC provides a recommendation, the request will be forwarded to the City Clerk for inclusion on the next available Council agenda for First Reading, tentatively September 18, 2023.

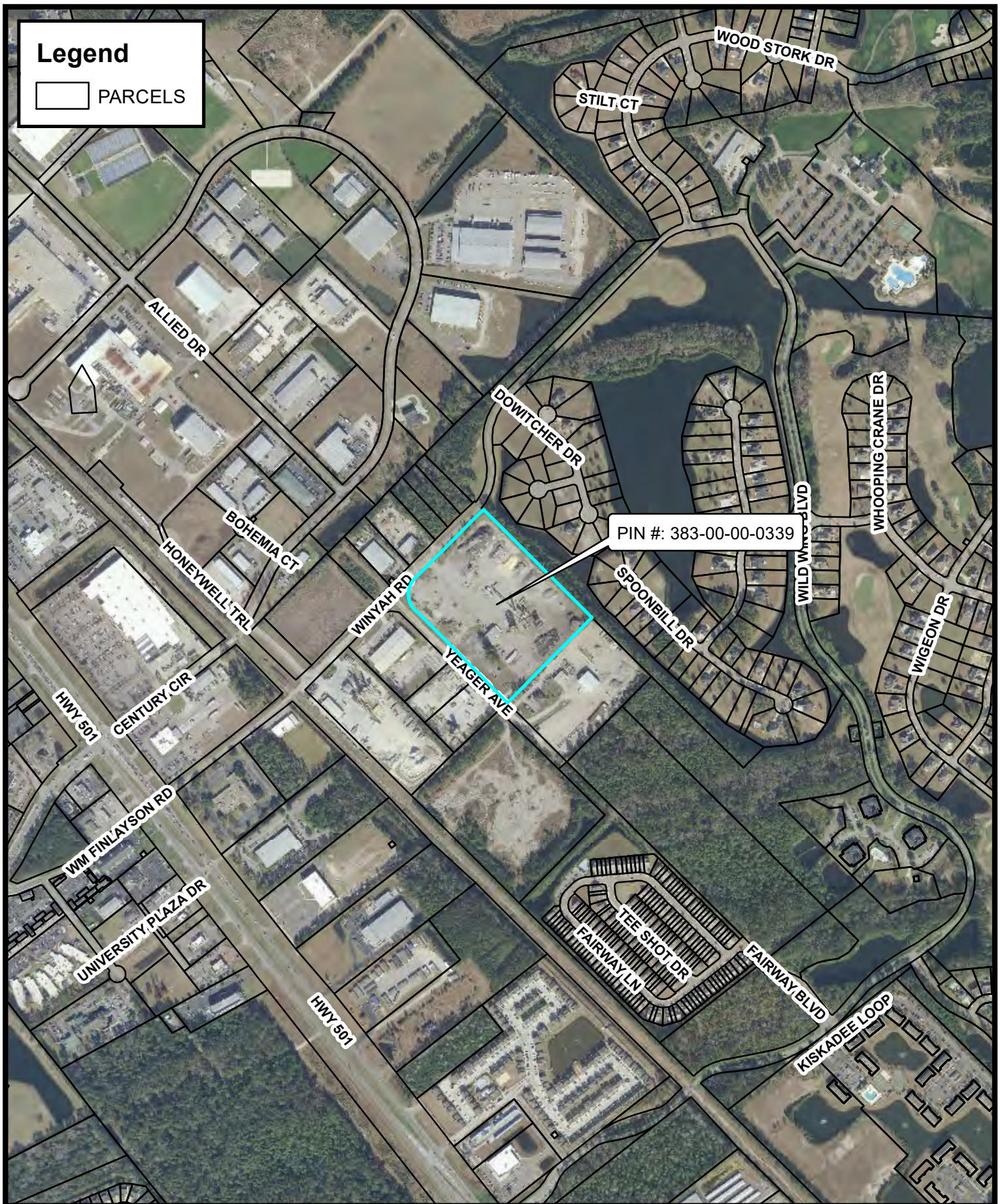
**ATTACHMENTS:**

Application; GIS Maps; Google Street Views

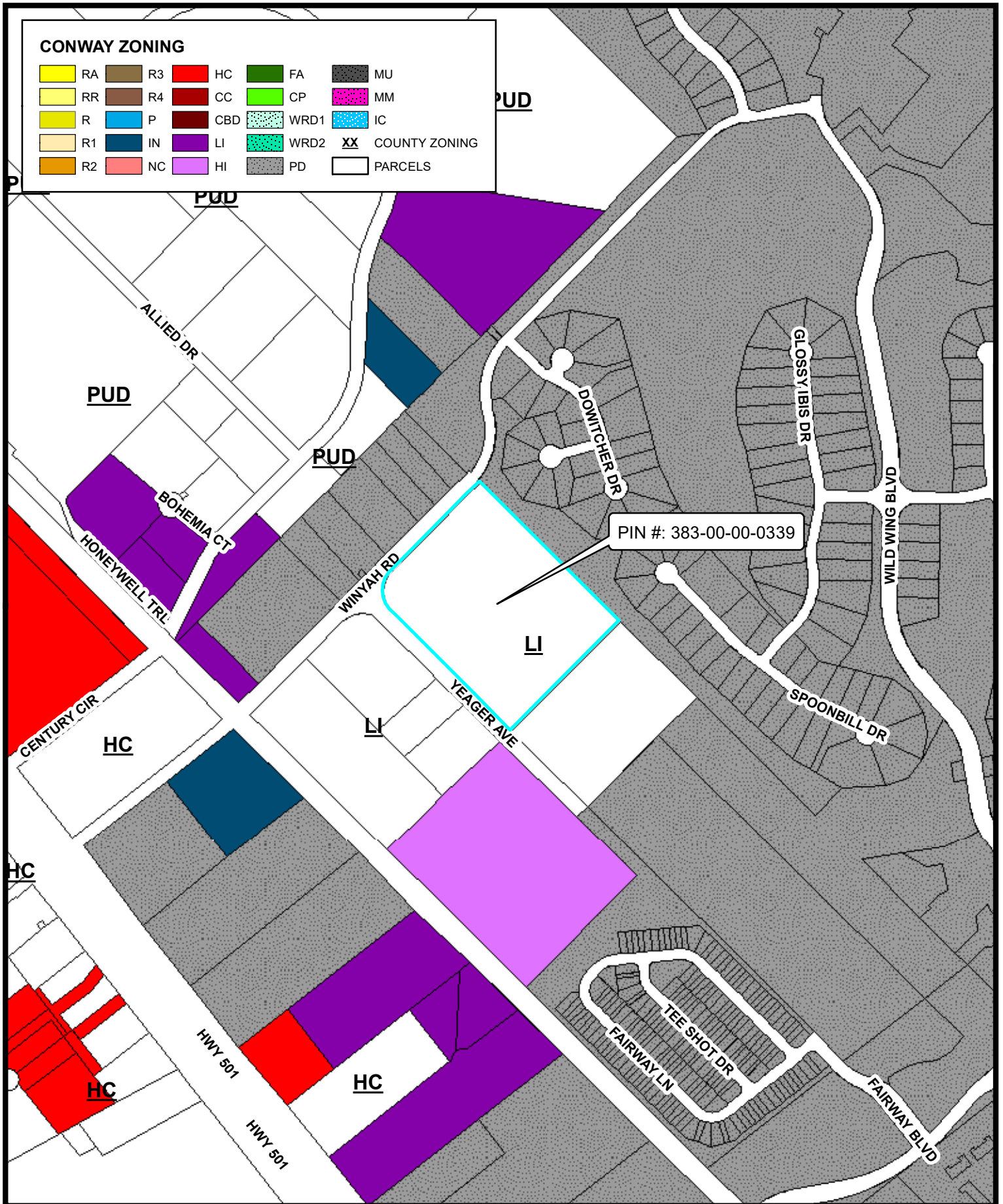























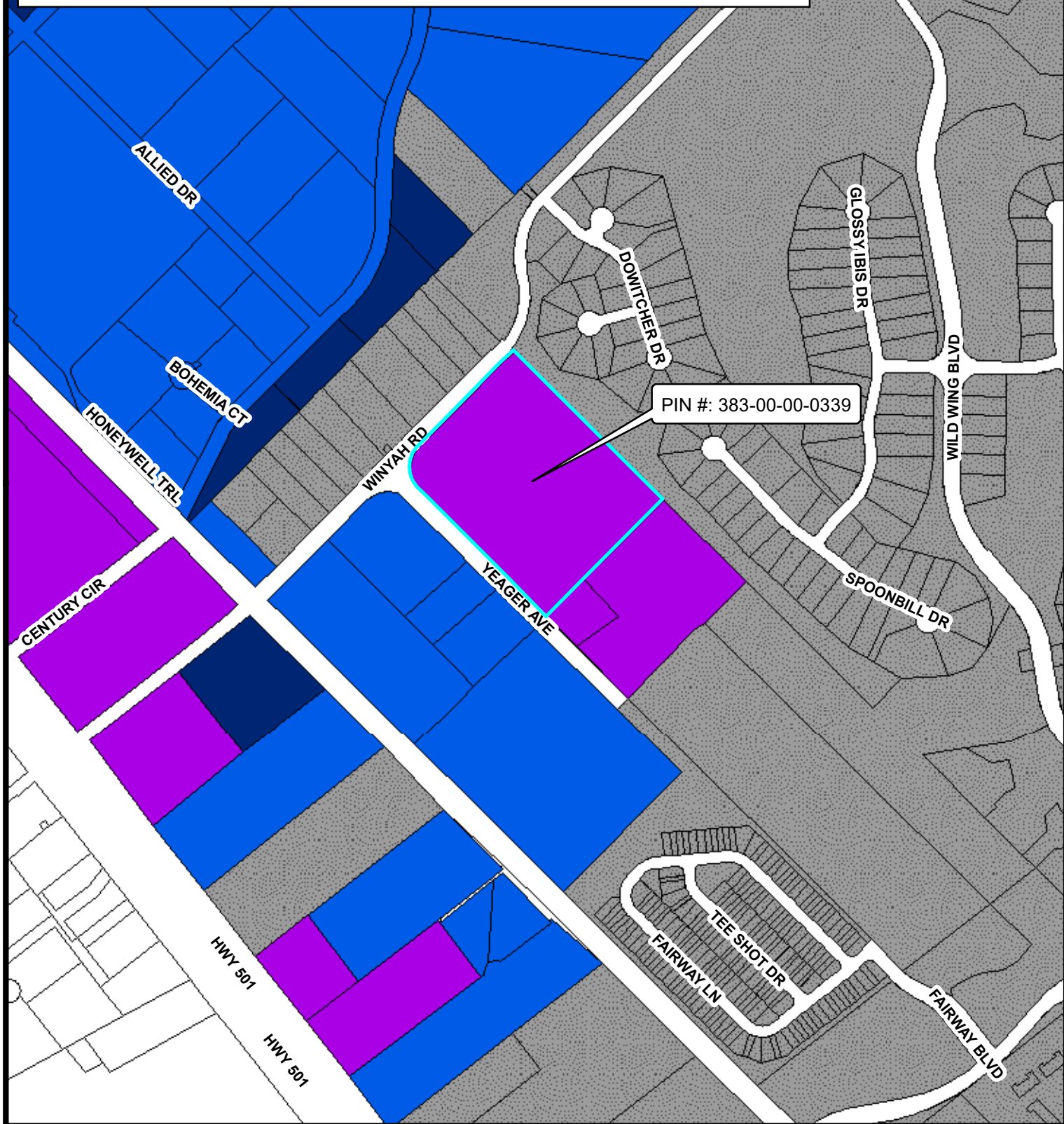






# FUTURE LAND USE

 CONSERVATION PRESERVATION	 HIGHWAY COMMERCIAL	 MEDIUM DENSITY RESIDENTIAL	 PROFESSIONAL
 DOWNTOWN HISTORIC DISTRICT	 INDUSTRIAL	 MIXED USE	 RECREATIONAL
 FOREST AGRICULTURE	 INSTITUTIONAL	 NEIGHBORHOOD COMMERCIAL	 RURAL RESIDENTIAL
 HIGH DENSITY RESIDENTIAL	 LOW DENSITY RESIDENTIAL	 PLANNED DISTRICT	 UTILITY
			 PARCELS







# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

)

PETITION FOR ANNEXATION

COUNTY OF HORRY )

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Parcel A-1 Plat Book 75, Page 61

PIN: 38300000339 ACREAGE: 15.00

PROPERTY ADDRESS: 154 Winyah Road

PROPERTY OWNER MAILING ADDRESS: 107 Tech Lane, Liberty SC 29657

PROPERTY OWNER TELEPHONE NUMBER: 864-855-0338

PROPERTY OWNER EMAIL: mcrenshaw@kingasphaltinc.com

APPLICANT: King Asphalt, Inc.

APPLICANT'S EMAIL: mcrenshaw@kingasphaltinc.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

King Asphalt, Inc.

(Print)

Michael H. Crenshaw  
(Signature)

DATE: August 1, 2023

By: Michael Crenshaw - President

(Print)

(Signature)

DATE: \_\_\_\_\_



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: Yes Structure Type: Utility Shed

Current Use: Hot Mix Asphalt Plant

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

**[planning@cityofconway.com](mailto:planning@cityofconway.com)**



# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 154 Winyah Road FEE PAID ☒ YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): 15.00 PIN: 38300000339

CURRENT ZONING CLASSIFICATION: Currently Not Within City Limits

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Highway Commercial

REQUESTED ZONING CLASSIFICATION: Heavy Industrial

NAME OF PROPERTY OWNER(S):

King Asphalt, Inc. PHONE # 864-855-0338

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

107 Tech Lane, Liberty SC 29657

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

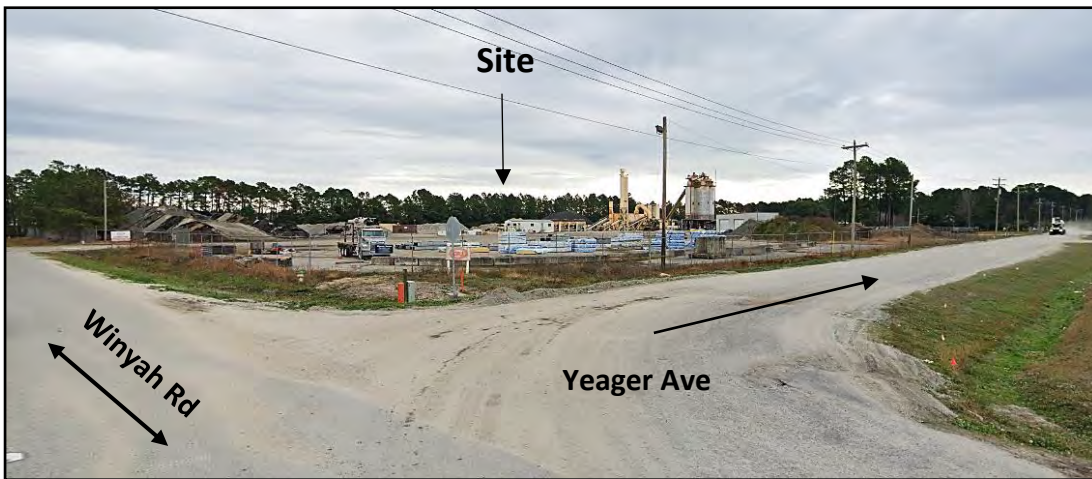
Michael K. Crenshaw August 1, 2023  
PROPERTY OWNER'S SIGNATURE(S) DATE

King Asphalt, Inc., by Michael Crenshaw, President  
PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



154 Winyah Road – Google Street View, Dec. 2022 (from Winyah Rd)



Google Street View, June 2019 (from Yeager Ave)





**DATE: AUGUST 21, 2023**

**ITEM: V.I.C.**

**ISSUE:**

Discussion of a request to rezone approximately 4.2 acres of property located at 1520 Grainger Road from the City of Conway Low/Medium-Density Residential (R-1) district to the City of Conway Planned Development (PD) district (PIN 368-01-02-0027).

**BACKGROUND:**

On August 3, the applicants submitted a rezoning application for property located at 1520 Grainger Road, the site of the New Faith Temple Church. The applicants are requesting that the property be rezoned to a Planned Development (PD) district, in order to allow the installation of an Electronic Message Center (EMC) sign, as the current zoning does not allow these types of signs, with the exception of educational institutions. The property is currently zoned Low/Medium-Density Residential (R-1). Because the property is three (3) acres or more in size, the Unified Development Ordinance, *Section 5.1.22 – Religious Institutions*, requires that they be a Planned Development (PD). Therefore, rather than ask to rezone to another zoning district that may permit the use of an EMC sign (*i.e.* Institutional district), they have requested to rezone to a Planned Development (PD).

*Per Section 3.3.2 of the UDO, the intent of the PD district is to provide for large-scale, quality development projects (3 acres or larger) with mixed land uses which create a superior environment through unified development and provide for the application of design ingenuity while protecting surrounding developments.*

Staff is currently working with the applicant on details of their PD narrative and Master Plan.

*Surrounding Uses / Zoning Districts:*

The property is within a residential area, with different housing densities surrounding the subject parcel, including single-family and multifamily uses and zoning districts, including R-1 and R-2. The church is across from the Rose Hill Memorial Gardens Cemetery. The property is also approx. 360 feet from the intersection of Grainger Road and Wright Blvd (Hwy 378). Properties at the Grainger Rd and Wright Blvd (Hwy 378) intersection are zoned Highway Commercial (HC).

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* also identifies the subject property as a Planned Development (PD).

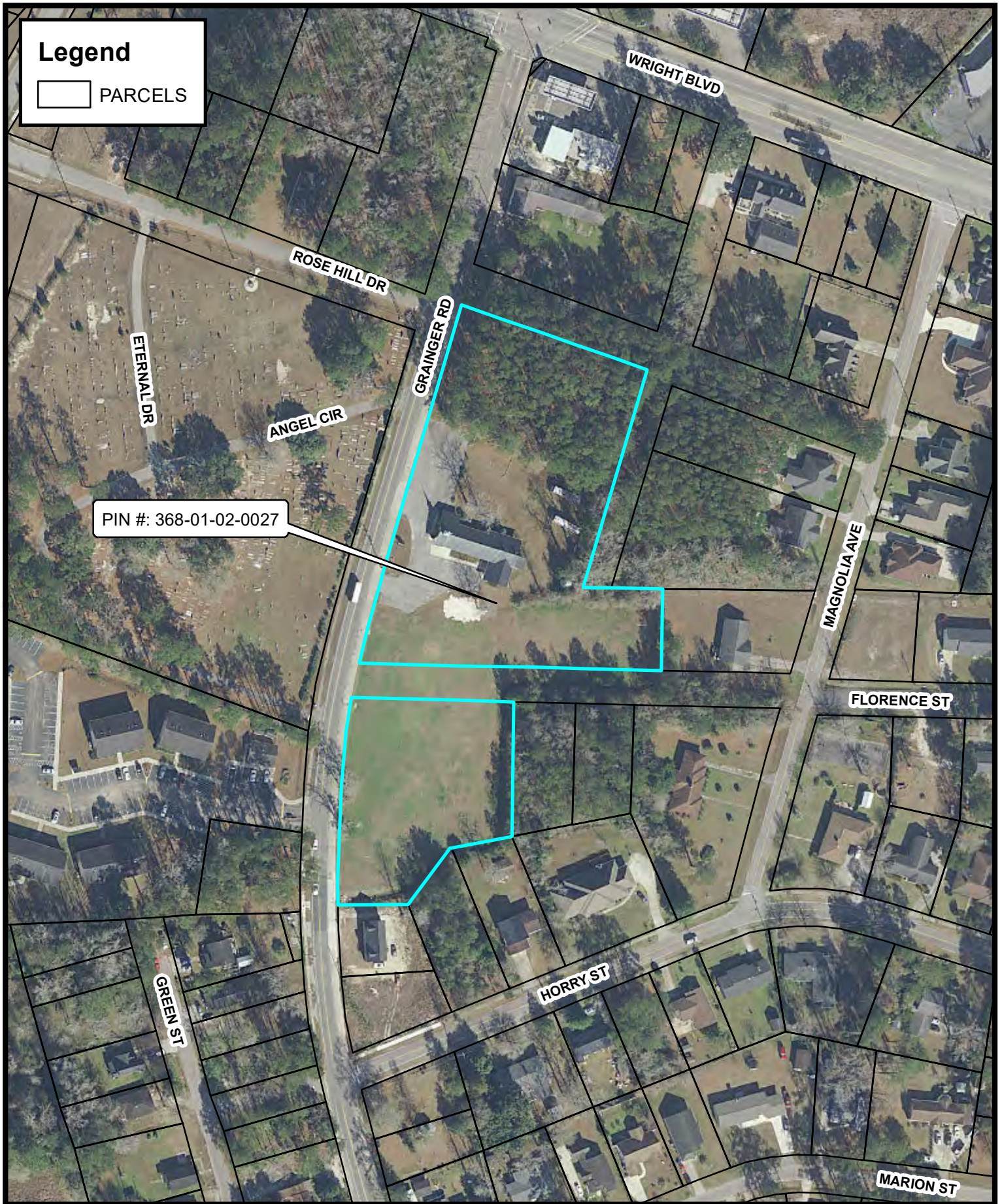
**NEXT STEPS AND DATES/ESTIMATES:**

September 7, 2023      Planning Commission to hold the required public hearing on the request. If PC provides a recommendation, the request will be forwarded to the City Clerk for inclusion on the next available Council agenda for First Reading, tentatively September 18, 2023.

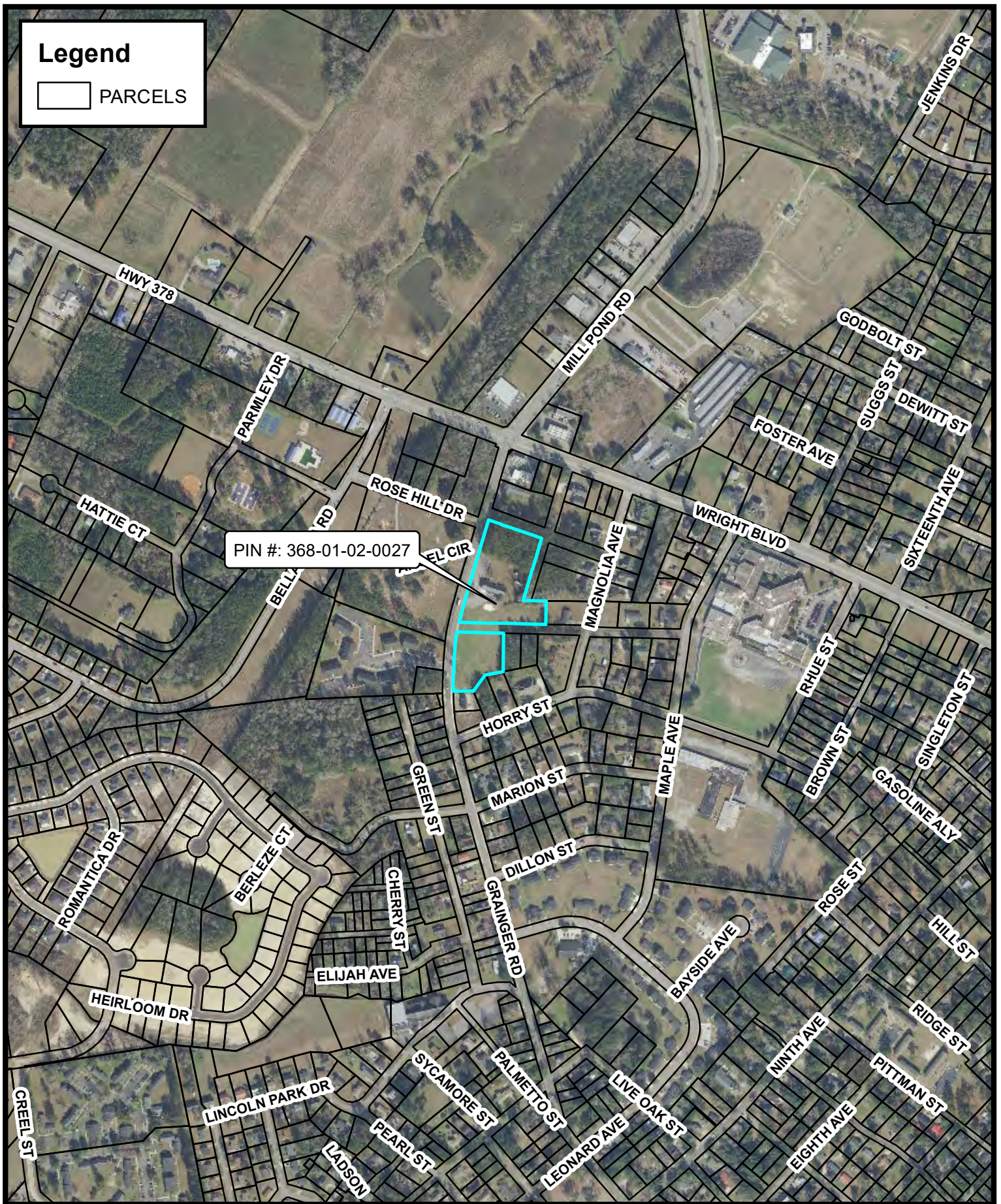
**ATTACHMENTS:**

Application; GIS Maps; property survey

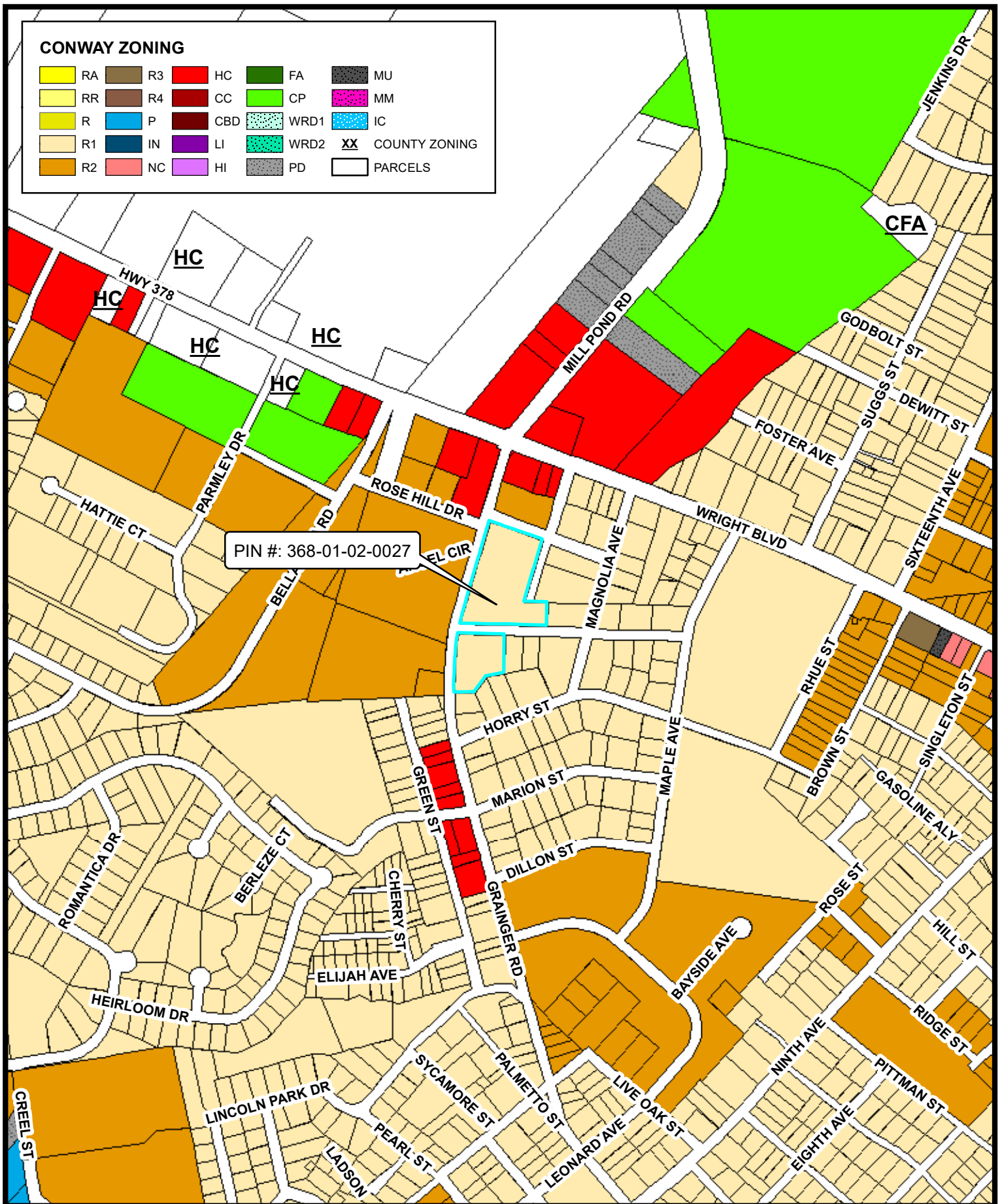




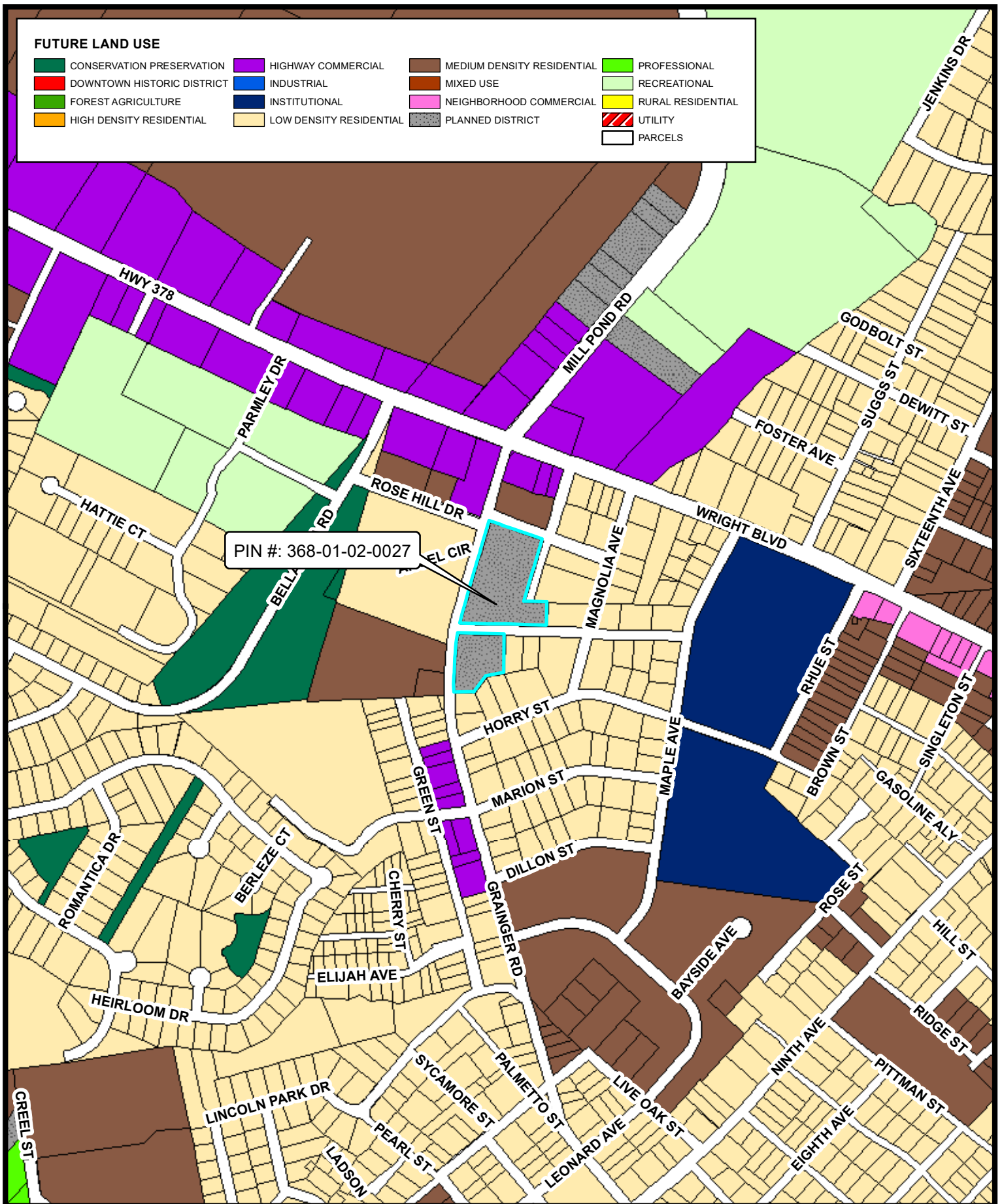














# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only  
Received: 8/3/23  
BS&A #: P23-0240

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

\* P23-0240

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 1520 Grainger Road FEE PAID ☐ YES ☐ NO

AREA OF SUBJECT PROPERTY (ACREAGE): 4.15 acres PIN: 368-01-02-0027

CURRENT ZONING CLASSIFICATION: R-1

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: PD (Planned District)

REQUESTED ZONING CLASSIFICATION: PD (Planned District)

NAME OF PROPERTY OWNER(S):

Faith Temple Church Trustees

PHONE #

843-902-2495

1520 Grainger Road, Conway, SC 29527

PHONE #

MAILING ADDRESS OF PROPERTY OWNER(S):

FaithTemple4@gmail.com

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

PROPERTY OWNER'S SIGNATURE(S)

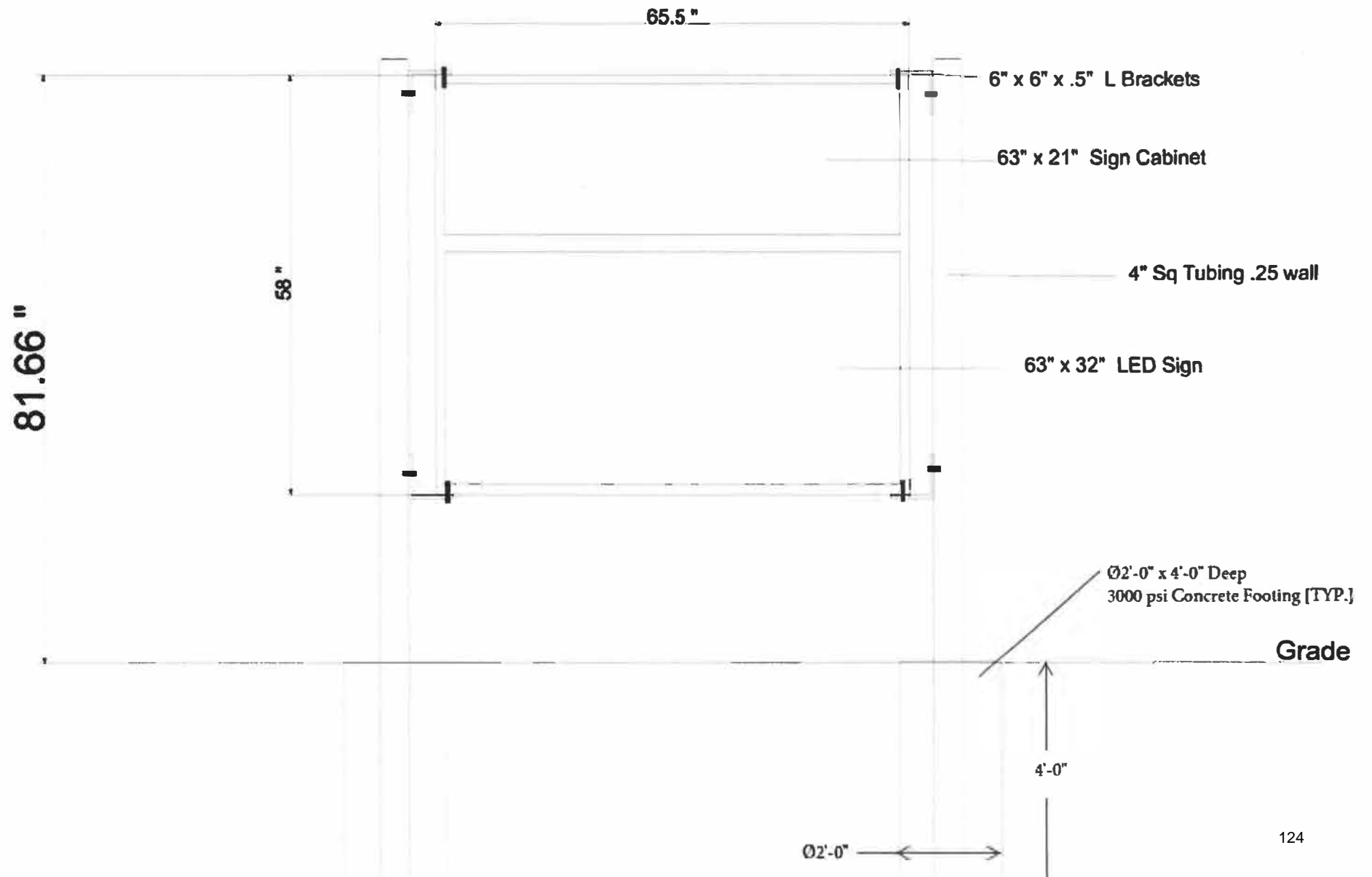
DATE

8/3/23

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.





# New Faith Temple

## New Message Sign







**DATE: AUGUST 21, 2023**

**ITEM: VII.A**

**ISSUE:**

**First Reading of Ordinance #ZA2023-09-05 (A)**, to annex approximately 4.48 acres of property located at 1136 HWY 501 Business (PIN 367-11-03-0003), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.

**BACKGROUND:**

On July 6, the applicant submitted an annexation and rezoning application for the subject property, located on HWY 501 Business. The property is currently in Horry County's jurisdiction, zoned Highway Commercial (HC). The proposed use of the property has not yet been disclosed.

Per *Section 3.2.10* of the UDO, the intent of the Highway Commercial (HC) district is to *provide compatible locations to serve the automobile-oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City.*

*Surrounding Uses / Zoning Districts:*

The property abuts parcels (behind the subject property) zoned City of Conway Forest Agriculture (FA). Other adjacent uses include a gas station (zoned County HC), a vacant parcel (zoned County CFA), and a dental office (zoned County HC), all of which are currently in the county's jurisdiction.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* also identifies the subject property as Highway Commercial (HC).

**PLANNING COMMISSION:**

Planning Commission held the required public hearing on the request at their August 3<sup>rd</sup> meeting, and recommended approval.

**STAFF RECOMMENDATION:**

Approve **First Reading of Ordinance #ZA2023-09-05 (A)**.

**ATTACHMENTS:**

Application;

GIS Maps;

Wetland Determination & Maps

**ORDINANCE #ZA2023-09-05 (A)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 4.48 ACRES OF PROPERTY LOCATED AT 1136 HIGHWAY 501 BUSINESS (PIN 367-11-03-0003), AND REQUEST TO REZONE FROM THE HORRY COUNTY HIGHWAY COMMERCIAL (HC) DISTRICT TO THE CITY OF CONWAY HIGHWAY COMMERCIAL (HC) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 4.48 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 4.48 acres of property located at 1136 Highway 501 Business (PIN 367-11-03-0003), and request to rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.

For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Highway Commercial (HC) District area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton, Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_





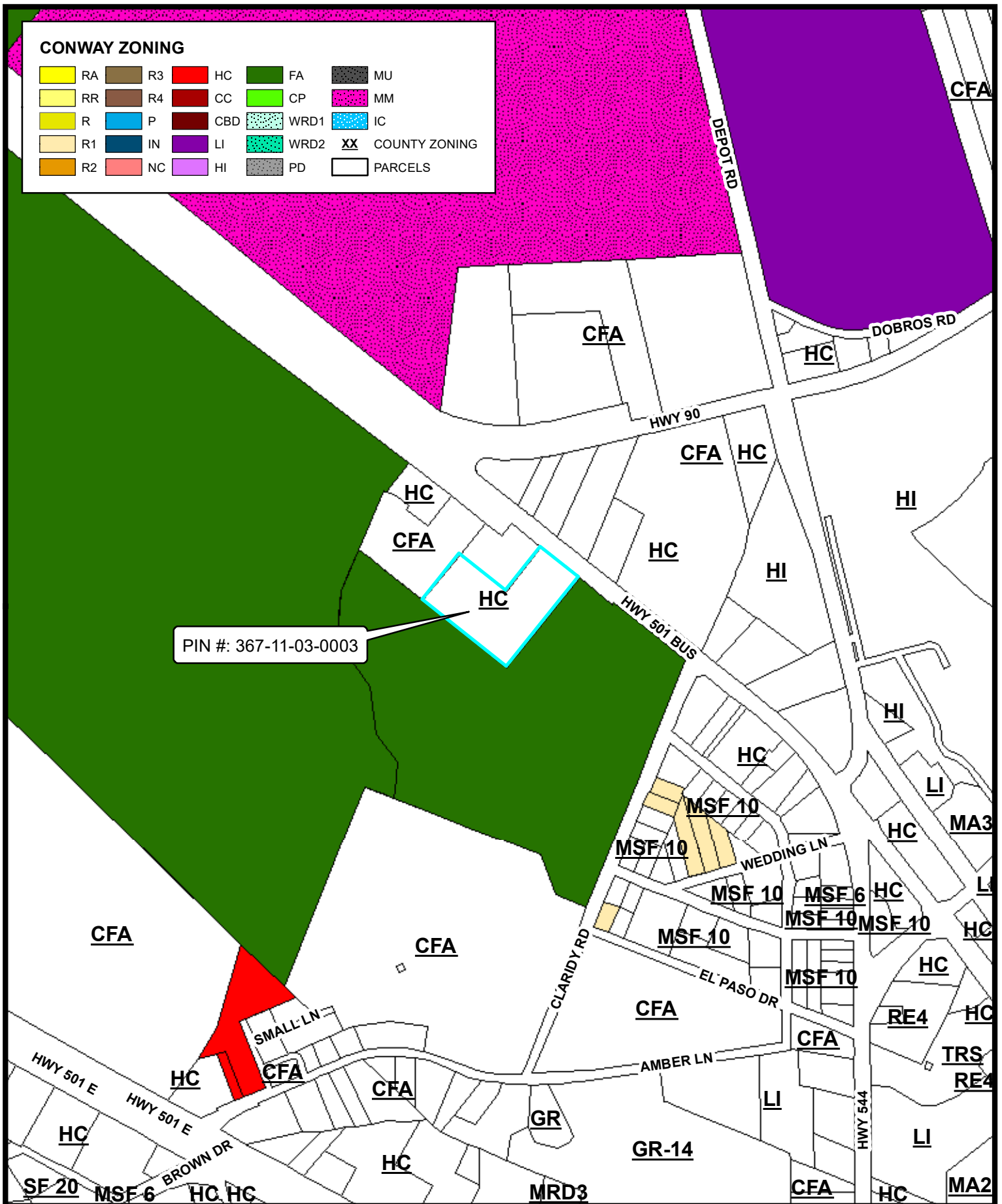


# Legend














PARCELS

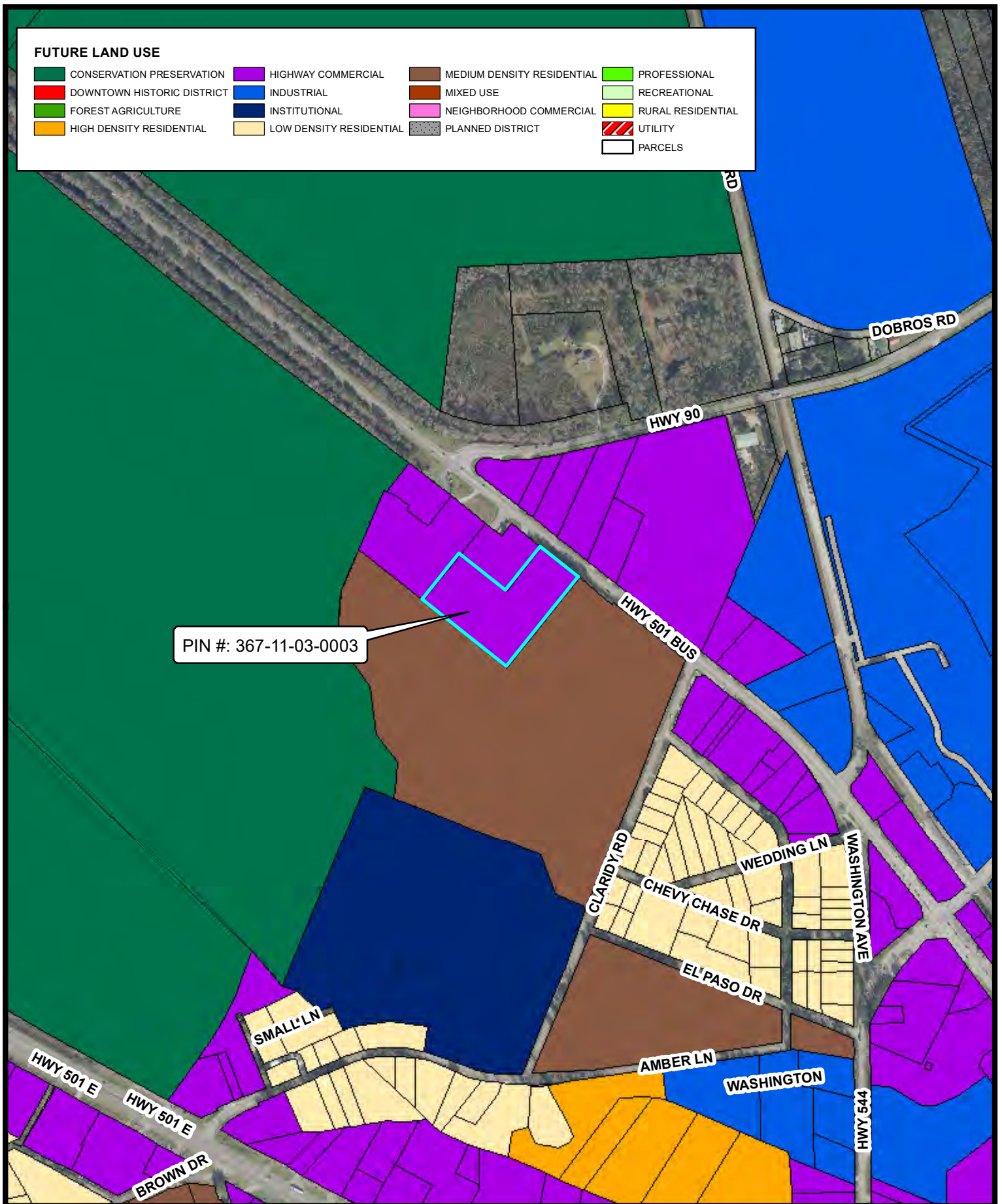











# FUTURE LAND USE

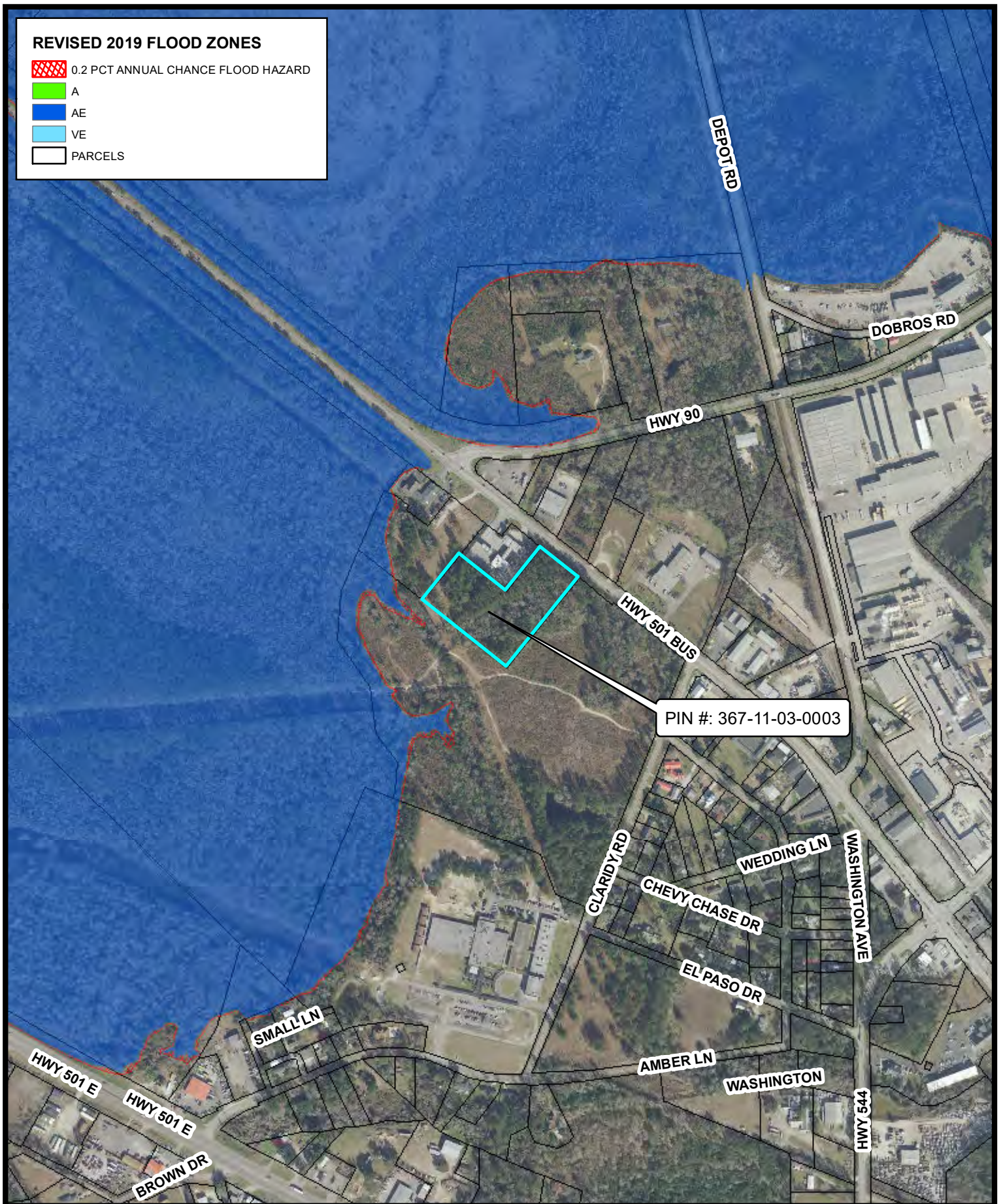
 CONSERVATION PRESERVATION	 HIGHWAY COMMERCIAL	 MEDIUM DENSITY RESIDENTIAL	 PROFESSIONAL
 DOWNTOWN HISTORIC DISTRICT	 INDUSTRIAL	 MIXED USE	 RECREATIONAL
 FOREST AGRICULTURE	 INSTITUTIONAL	 NEIGHBORHOOD COMMERCIAL	 RURAL RESIDENTIAL
 HIGH DENSITY RESIDENTIAL	 LOW DENSITY RESIDENTIAL	 PLANNED DISTRICT	 UTILITY
			 PARCELS





# REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS







# PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

**Instructions:**

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

## PETITION FOR ANNEXATION

### TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Approximately 0.13 miles SE of Hwy 90 & Hwy 501 (on Hwy 501)  
PIN: 36711030003 ACREAGE: 4.48  
PROPERTY ADDRESS: U.S. Hwy 501 Business  
PROPERTY OWNER MAILING ADDRESS: GHG Investments LLC, P.O. Box 1549, Conway, SC 29528  
PROPERTY OWNER TELEPHONE NUMBER: 843-241-2356  
PROPERTY OWNER EMAIL: ngasphalt@yahoo.com  
APPLICANT: GHG Investments, LLC (Nick Godwin)  
APPLICANT'S EMAIL: permit@g3engineering.org & ngasphalt@yahoo.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Nick Godwin

(Print)

(Signature)

DATE: 7/6/23

(Print)

(Signature)

DATE: \_\_\_\_\_



## PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: No Structure Type: \_\_\_\_\_

Current Use: Vacant land

Are there any wetlands on the property?

CIRCLE: YES ☒ NO ☐

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)



# Zoning Map Amendment Application

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Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

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PHYSICAL ADDRESS OF PROPERTY: Approximately 0.13 miles SE of Hwy 90 & Hwy 501 (on Hwy 501) FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): 4.48 PIN: 36711030003

CURRENT ZONING CLASSIFICATION: HC

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: \_\_\_\_\_

REQUESTED ZONING CLASSIFICATION: HC

NAME OF PROPERTY OWNER(S):

GHG Investments LLC, Nick Godwin PHONE # 843-241-2356

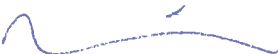
PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

P.O Box 1549, Conway, SC. 29528

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

 7/6/23  
PROPERTY OWNER'S SIGNATURE(S) DATE

\_\_\_\_\_  
PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



March 22, 2023

Rob Huff  
U.S. Army Corps of Engineers  
1949 Industrial Park Road, Room 140  
Conway, SC 29526

**RE: Schumann 501 Bus Tract (4.48 +/- ac)**  
**Request for Delineation Concurrence (DC)**  
**Horry County TMS# 137-00-02-088**  
**Horry County, South Carolina**

Mr. Huff:

We have completed a routine wetland determination of the above referenced project. Based on a field reconnaissance conducted on March 22, 2023, the study area was determined to contain areas subject to the jurisdiction of your office. The site contains one wetland with an unnamed tributary that is connected to the Waccamaw River Swamp.

The site is located along US Business 501 on the edge of Conway in the Red Hill community of Horry County, South Carolina. The project area is 4.48+/- acres and is completely wooded and is made up of mature timber inclusive of pine and hardwood species. The understory is well stocked and contains several different forest communities from one end to the other. The wetlands are defined with saturated soils, evidence of primary and secondary hydrology indicators, and a well developed wetland plant community, including mature hardwoods in the bottomlands. Soils in wetlands are mapped as mostly Johnston and the uplands are mapped as Kenansville. The upland areas are dominated by loblolly pine and lack hydric soil indicators and have a plant community that is normally considered an upland community within this area of Horry County. The uplands contain mostly loblolly pine, sweet gum, horse sugar and some other upland preferred species. Hydrology indicators are absent in the upland areas as they contain moderately well drained to well drained soils. This tract is found within a suburban area of Horry County very close to Conway.

Any further data on this site can be obtained from the mapping information, datasheets, and from a scheduled field visit.

Acting as agent for the applicant, we hereby request this wetland determination be reviewed by your office and a wetland verification letter be issued after having concurred with our findings. Enclosed please find a "Request for Verification" form along with the following:

- Location Map & USGS Maps
- Soil Survey & CIR
- NWI
- 2010 DEM
- Wetland Determination Sheets & Site Photographs
- Wetland Determination Map

Since all wetland areas are contiguous and have a connection to hydrologic features connected to the Waccamaw River and its swamp, we are requesting a **Delineation Concurrence** from included map. There will not be a wetland survey for this project. Please notify us when you schedule your on-site inspection so we can be available to accompany you. Should you have any questions or require additional information to facilitate your review, please email me at [southernpalmetto@yahoo.com](mailto:southernpalmetto@yahoo.com) or feel free to call me at (843) 685-2408.

Sincerely,

*Jeff Burleson*

Jeff Burleson, R.F., C.W.B  
Project Manager

N.C. Registered Forester #1433  
S.C. Registered Forester #1692  
Certified Wildlife Biologist

File#: 144-22011

U.S. Army Corps of Engineers – Charleston District - Regulatory Division  
**REQUEST FOR CORPS JURISDICTIONAL DETERMINATION (JD) / DELINEATION**  
(For Jurisdictional Status and Identifying Wetlands and Other Aquatic Resources)

**I. PROPERTY AND AGENT INFORMATION**

**A. Site Details/Location:**

Site Name: Schumann 501 Bus. Tract Date: 3/22/2023  
City/Township/Parish: Horry County: Horry  
Latitude/Longitude: N 33.8179 W 79.0231 Acreage: 4.48+/-  
Tax Map Sequence (TMS) #(s): TMS# 137-00-02-088  
Property Address(es): TBD HWY 501 Business, Conway, SC 29526

☒ Please attach a survey/plat map and vicinity map identifying location and review area for the JD/delineation.  
An accurate depiction of the review area must be provided (survey, tax map, or GPS coordinates). Tax maps may only be used if the site includes the entire tax map parcel.

**B. Requestor of Jurisdictional Determination/Delineation (if there are multiple property owners, please attach additional pages)**

Name: Nick Godwin  
Company Name (if applicable): NG Asphalt  
Address: P. O. Box 1594, Conway, SC 29528  
Phone: \_\_\_\_\_ Email: ngasphalt@yahoo.com  
Check one: ☒ I currently own this property  
☐ I plan to purchase this property  
☐ Other, please explain \_\_\_\_\_

**C. Agent/Environmental Consultant Acting on Behalf of the Requestor (if applicable):**

Consultant/Agent Name: Jeff Burleson  
Company Name: Southern Palmetto Environmental Consulting LLC  
Address: 8300 Parasol Court, Myrtle Beach, SC 29579 Phone: 843-685-2408  
Email: southernpalmetto@yahoo.com

**II. REASON FOR REQUEST (check all that apply)**

- ☐ I intend to construct/develop a project or perform activities on this site which would be designed to avoid all aquatic resources.
- ☐ I intend to construct/develop a project or perform activities on this site which would be designed to avoid all jurisdictional aquatic resources under Corps authority.
- ☒ I intend to construct/develop a project or perform activities on this site which may require authorization from the Corps, and the Jurisdictional Determination would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.
- ☐ I intend to construct/develop a project or perform activities on this site which may require authorization from the Corps; this request is accompanied by my permit application and the jurisdictional determination is to be used in the permitting process.
- ☐ I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is subject to the ebb and flow of the tide.
- ☒ A Corps jurisdictional determination is required in order to obtain my local/state authorization.
- ☐ I intend to contest jurisdiction over a particular aquatic resource and the request the Corps to confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.
- ☐ I believe that the site may be comprised entirely of dry land.
- ☐ Other: \_\_\_\_\_

<b>Charleston Office:</b> US Army Corps of Engineers Regulatory Division 69A Hagood Avenue Charleston, SC 29403 (ph) 843-329-8044 SAC.RD.Charleston@usace.army.mil	<b>Columbia Office:</b> US Army Corps of Engineers Regulatory Office 1835 Assembly Street, Room 865 B-1 Columbia, SC 29201 (ph) 803-253-3444 SAC.RD.Columbia@usace.army.mil	<b>Conway Office:</b> US Army Corps of Engineers Regulatory Office 1949 Industrial Park Road, Room 140 Conway, SC 29526 (ph) 843-365-4239 SAC.RD.Conway@usace.army.mil	<b>Greenville Office:</b> US Army Corps of Engineers Regulatory Office 150 Executive Center Drive, Suite 205 Greenville, SC 29615 (ph) 864-609-4326 SAC.RD.Greenville@usace.army.mil
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\*Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332.

Principal Purpose: The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the project area subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in the approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.

Disclosure: Submission of requested information is voluntary; however, if information is not provided, the request for an jurisdictional determination cannot be evaluated nor can a jurisdictional determination be issued.



### III. TYPE OF REQUEST:

- ☒ **Delineation Concurrence<sup>1</sup>**
- ☐ **Approved<sup>2</sup> Jurisdictional Determination (AJD) Only**
- ☐ **Preliminary<sup>3</sup> Jurisdictional Determination (PJD) Only**
- ☐ **Approved Jurisdictional Determination (AJD)** with submittal of a Pre-Construction Notification or Department of the Army permit application
- ☐ **Preliminary Jurisdictional Determination (PJD)** with submittal of a Pre-Construction Notification or Department of the Army permit application
- ☐ **Delineation of Wetlands and/or Other Aquatic Resources Only Conducted By Agent/Environmental Consultant** with submittal of a Pre-Construction Notification or Department of the Army permit application (No jurisdictional determination requested)
- ☐ I request that the **Corps delineate** the wetlands and/or other aquatic resources that may be present on my property with the attached **Pre-Construction Notification or Department of the Army permit application**
- ☐ I request that the **Corps delineate** the wetlands and/or other aquatic resources that may be present on my property **with a Delineation Only, an AJD or PJD**
- ☐ **"No Permit Required" (NPR) Letter** as I believe my proposed activity is not regulated<sup>4</sup>
- ☐ **Unclear** as to which jurisdictional determination I would like to request and require additional information to inform my decision

<sup>1</sup> Delineation Concurrence (DC) – A DC provides concurrence that the delineated boundaries of wetlands on a property are a reasonable representation of the aquatic resources on-site. A DC does not address the jurisdictional status of the aquatic resources.

<sup>2</sup> Approved – An AJD is defined in Corps regulations at 33 CFR 331.2. As explained in further detail in RGL 16-01, an AJD is used to indicate that this office has identified the presence or absence of wetlands and/or other aquatic resources on a site, including their accurate location(s) and boundaries, as well as their jurisdictional status. AJDs are valid for 5 years.

<sup>3</sup> Preliminary – A PJD is defined in Corps regulations at 33 CFR 331.2. As explained in further detail in RGL 16-01, a PJD is used to indicate that this office has identified the approximate location(s) and boundaries of wetlands and/or other aquatic resources on a site that are presumed to be subject to regulatory jurisdiction of the Corps of Engineers. Unlike an AJD, a PJD does not represent a definitive, official determination that there are, or that there are not, jurisdictional aquatic resources on a site, and does not have an expiration date.

<sup>4</sup> "No Permit Required" (NPR) Letter– A NPR letter may be provided by the Corps to notify the requestor that an activity will not require a permit (authorization) from the Corps; this letter can only be used if the proposed activity is not a regulated activity, regardless of where the activity may occur. A NPR letter cannot be used to indicate the presence or absence of wetlands and/or other aquatic resources, nor can it be used to determine their jurisdictional status.

### IV. LEGAL RIGHT OF ENTRY

By signing below, I am indicating that I have the authority, or am acting as the duly authorized agent of a person or entity with such authority, to and do hereby grant U.S. Army Corps of Engineers personnel right of entry to legally access the property(ies) subject to this request for the purposes of conducting on-site investigations (e.g., digging and refilling shallow holes) and issuing a jurisdictional determination. I acknowledge that my signature is an affirmation that I possess the requisite property rights to request a jurisdictional determination on the properties subject to this request.

8300 Parasol Court Myrtle Beach, SC 29579

Mailing Address

southernpalmetto@yahoo.com

Email Address

Jeff Burleson

Digitally signed by Jeff Burleson  
Date: 2020.08.24 16:19:57 -04'00'

\*Signature:

TMS# 137-00-02-088

Property Address / TMS #(s)

843-685-2408

Daytime Phone Number

Jeff Burleson 3/22/2023

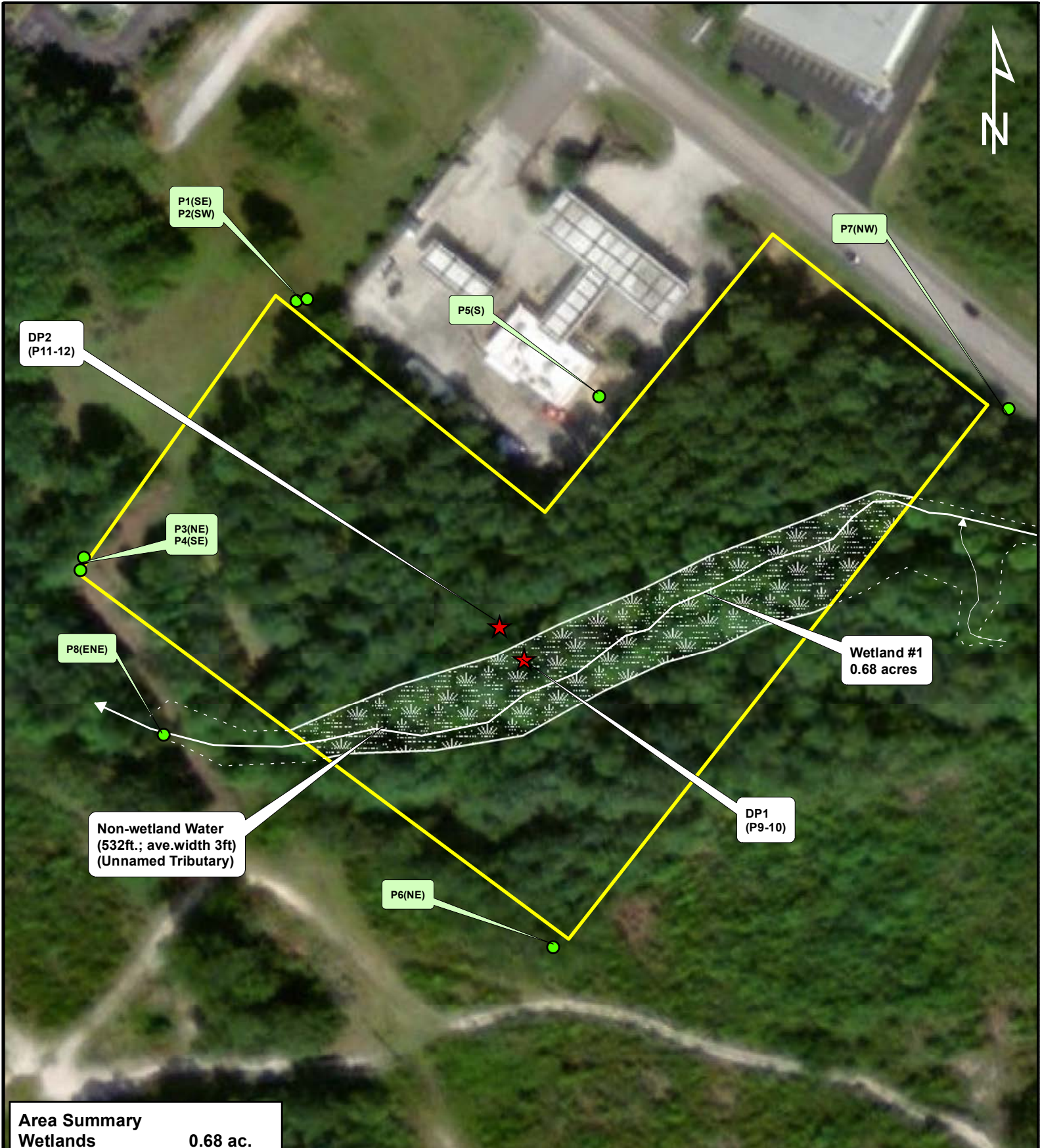
Printed Name and Date

\*Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332.

Principal Purpose: The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the project area subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in the approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.

Disclosure: Submission of requested information is voluntary; however, if information is not provided, the request for an jurisdictional determination cannot be evaluated nor can a jurisdictional determination be issued.

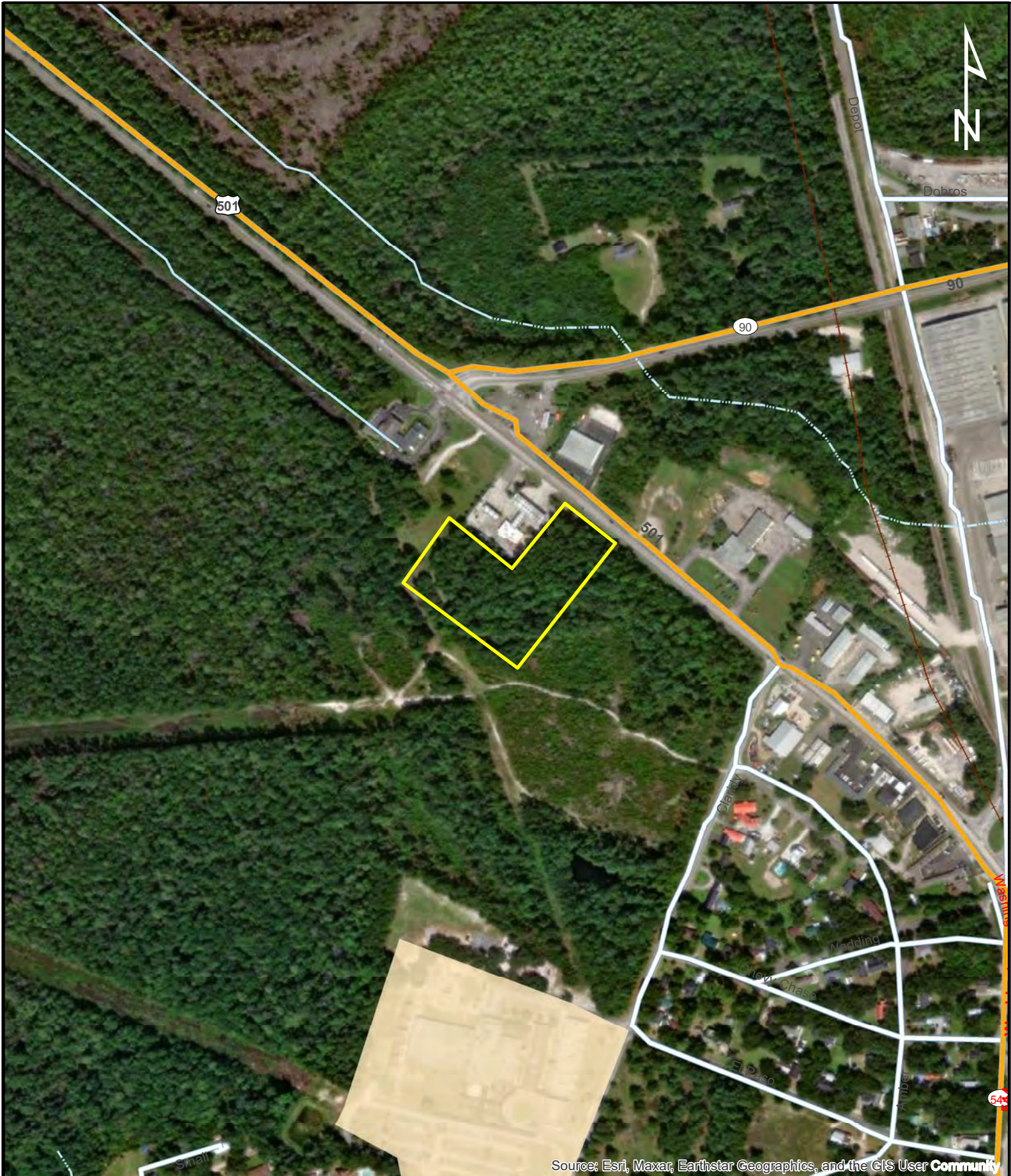


**Area Summary**

Wetlands	0.68 ac.
Uplands	3.80 ac.
Total Area	4.48 ac.

*Disclaimer: Potential wetland/non-wetland areas depicted here have not been verified by the U.S. Army Corps of Engineers. Areas depicted as potential wetlands were derived from interpretation of available remote sensing information and an onsite investigation. Prior to any land disturbing activities, a final letter of jurisdictional determination should be obtained from the U.S. Army Corps of Engineers.*





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**Location Map**

Schumann 501 Bus Tract (4.48+/- ac)  
TMS# 137-00-02-088  
Horry County, South Carolina  
March 22, 2023

Feet  
0 143 380





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**Southern Palmetto**  
  
**Environmental**  
*Forestry - Wetlands - Wildlife*

**USGS Topography Map**  
Schumann 501 Bus Tract (4.48+/- ac)  
TMS# 137-00-02-088  
Horry County, South Carolina  
March 22, 2023

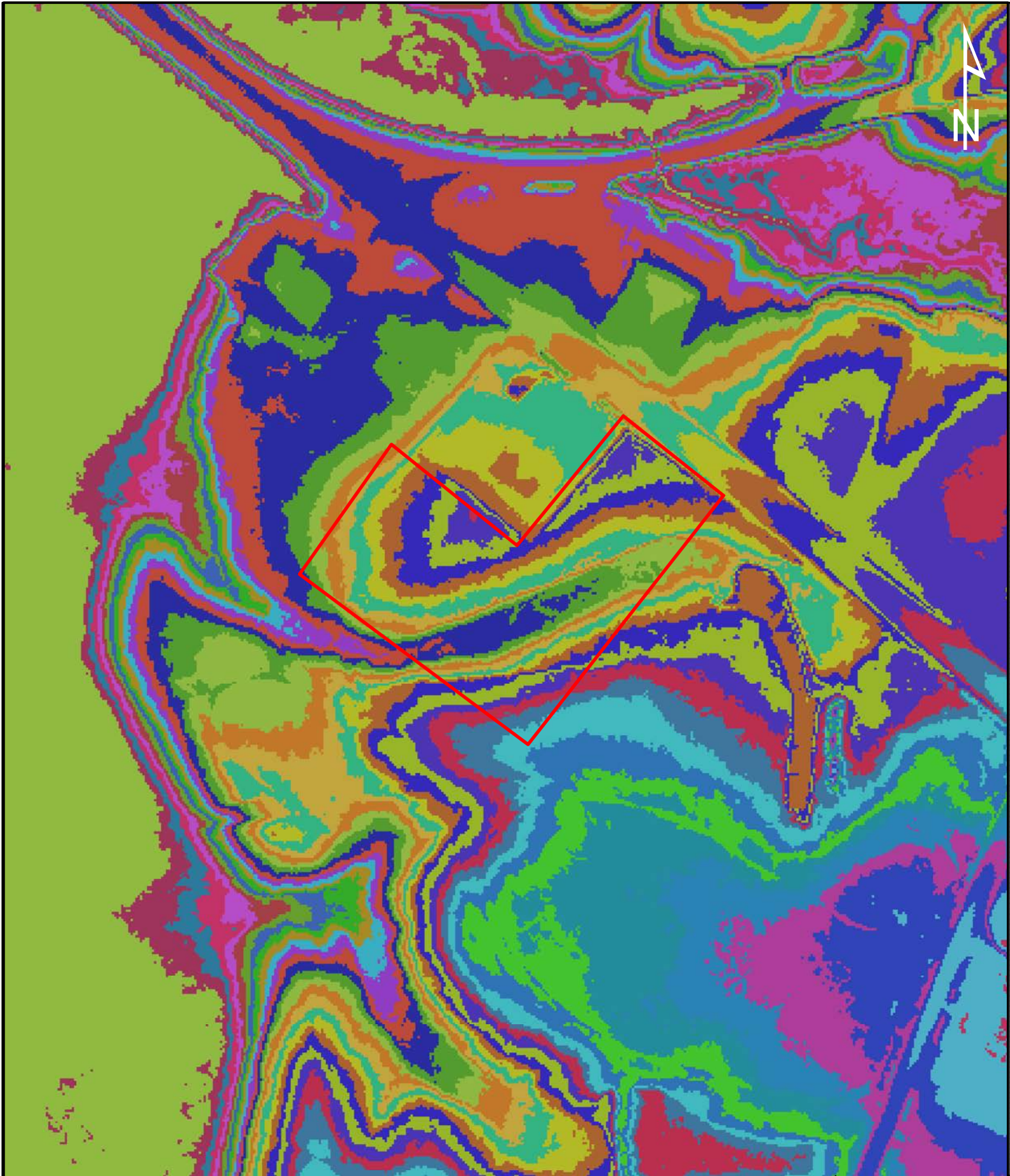
**Feet**

0 144 380

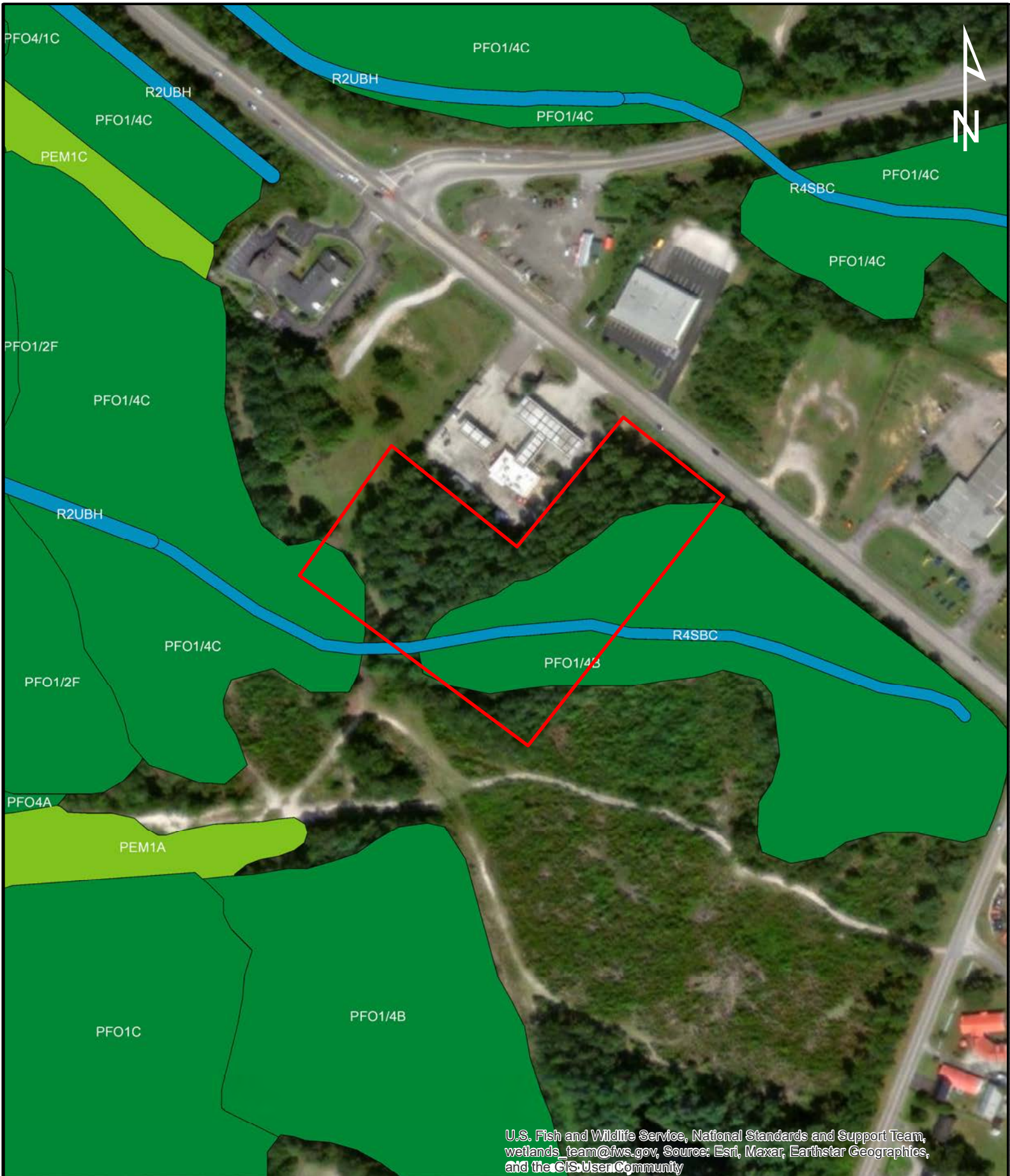












U.S. Fish and Wildlife Service, National Standards and Support Team,  
wetlands\_team@fws.gov, Source: Esri, Maxar, Earthstar Geographics,  
and the GIS User Community

Southern

Palmetto

Environmental

Forestry - Wetlands - Wildlife



NWI

Schumann 501 Bus Tract (4.48+/- ac)

TMS# 137-00-02-088

Horry County, South Carolina

March 22, 2023

Feet

0

147

190





**Representative Photos of the Site**

**Schumann 501 Bus. Tract**

**March 22, 2023**





**Photo #1: Facing SE**



**Photo #2: Facing SW**





**Photo #3: Facing NE**



**Photo #4: Facing SE**





**Photo #5: Facing S**



**Photo #6: Facing NE**





**Photo #7: Facing NW**



**Photo #8: Facing ENE (in wetland off property)**





**Photo's #9-10: Datapoint DP1 & Soil Representation**







**Photo's #11-12: Datapoint DP2 & Soil Representation**



# WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

**Project/Site:** Schumann 501 Business Tract **City/County:** Conway/Horry **Sampling Date:** 22-Mar-23  
**Applicant/Owner:** Nick Godwin **State:** SC **Sampling Point:** DP1  
**Investigator(s):** JB **Section, Township, Range:** S T R  
**Landform (hillslope, terrace, etc.):** Lowland **Local relief (concave, convex, none):** concave **Slope:** 0.0 % / 0.0 °  
**Subregion (LRR or MLRA):** LRR T **Lat.:** N 33.8174 **Long.:** W 79.0239 **Datum:** wgs84  
**Soil Map Unit Name:** Mapped as Johnston **NWI classification:** PFOR

**Are climatic/hydrologic conditions on the site typical for this time of year?** Yes ☒ No ☐ (If no, explain in Remarks.)  
**Are Vegetation** ☐ **, Soil** ☐ **, or Hydrology** ☐ **significantly disturbed?** **Are "Normal Circumstances" present?** Yes ☒ No ☐  
**Are Vegetation** ☐ **, Soil** ☐ **, or Hydrology** ☐ **naturally problematic?** (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="radio"/> No <input type="radio"/> Hydric Soil Present? Yes <input checked="" type="radio"/> No <input type="radio"/> Wetland Hydrology Present? Yes <input checked="" type="radio"/> No <input type="radio"/>	<b>Is the Sampled Area</b> <b>within a Wetland?</b> Yes <input checked="" type="radio"/> No <input type="radio"/>
Remarks: Datapoint located along a drainageway near a tributary and the datapoint contains all required indicators to be classified as a wetland.	

## HYDROLOGY

<b>Wetland Hydrology Indicators:</b> <b>Primary Indicators (minimum of one required; check all that apply)</b> <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Marl Deposits (B15) (LRR U) <input checked="" type="checkbox"/> Saturation (A3) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input checked="" type="checkbox"/> Water-Stained Leaves (B9)		<b>Secondary Indicators (minimum of 2 required)</b> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input checked="" type="checkbox"/> FAC-Neutral Test (D5) <input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
<b>Field Observations:</b> Surface Water Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Depth (inches): _____ Water Table Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes <input checked="" type="radio"/> No <input type="radio"/> Depth (inches): <u>6</u>	<b>Wetland Hydrology Present?</b> Yes <input checked="" type="radio"/> No <input type="radio"/>	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:  		
Remarks: Primary and secondary indicators of wetland hydrology present.		



**VEGETATION (Five/Four Strata) - Use scientific names of plants.**

Tree Stratum (Plot size: 0.10ac )					Dominant Species?	Indicator Status	Sampling Point: <b>DP1</b>	
	Absolute % Cover	Rel.Strat. Cover						
1. Liquidambar styraciflua	40	<input checked="" type="checkbox"/> 44.4%			FAC	<b>Dominance Test worksheet:</b> Number of Dominant Species That are OBL, FACW, or FAC: <u>12</u> (A)  Total Number of Dominant Species Across All Strata: <u>12</u> (B)  Percent of dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)		
2. Pinus taeda	20	<input checked="" type="checkbox"/> 22.2%			FAC			
3. Nyssa biflora	20	<input checked="" type="checkbox"/> 22.2%			OBL			
4. Fraxinus pennsylvanica	10	<input type="checkbox"/> 11.1%			FACW			
5.	0	<input type="checkbox"/> 0.0%						
6.	0	<input type="checkbox"/> 0.0%						
7.	0	<input type="checkbox"/> 0.0%						
8.	0	<input type="checkbox"/> 0.0%						
50% of Total Cover: <u>45</u> 20% of Total Cover: <u>18</u> <u>90</u> = Total Cover						<b>Prevalence Index worksheet:</b> Total % Cover of: <u>45</u> Multiply by: <u>2</u> OBL species <u>40</u> x 1 = <u>40</u> FACW species <u>25</u> x 2 = <u>50</u> FAC species <u>100</u> x 3 = <u>300</u> ACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column Total s: <u>165</u> (A) <u>390</u> (B)  Prevalence Index = B/A = <u>2.364</u>		
Sapling or Sapling/Shrub Stratum (Plot size: 0.10ac )								
1. Acer rubrum	20	<input checked="" type="checkbox"/> 50.0%			FAC			
2. Nyssa biflora	10	<input checked="" type="checkbox"/> 25.0%			OBL			
3. Liquidambar styraciflua	10	<input checked="" type="checkbox"/> 25.0%			FAC			
4.	0	<input type="checkbox"/> 0.0%						
5.	0	<input type="checkbox"/> 0.0%						
6.	0	<input type="checkbox"/> 0.0%						
50% of Total Cover: <u>20</u> 20% of Total Cover: <u>8</u> <u>40</u> = Total Cover						<b>Hydrophytic Vegetation Indicators:</b> <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is > 50% <input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup> <input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)  <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.		
Shrub Stratum (Plot size: )								
1.	0	<input type="checkbox"/> 0.0%						
2.	0	<input type="checkbox"/> 0.0%						
3.	0	<input type="checkbox"/> 0.0%						
4.	0	<input type="checkbox"/> 0.0%						
5.	0	<input type="checkbox"/> 0.0%						
6.	0	<input type="checkbox"/> 0.0%						
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u> <u>0</u> = Total Cover						<b>Definition of Vegetation Strata:</b> Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).  Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.  Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.  Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.  Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.  Woody vine - All woody vines, regardless of height.		
Herb Stratum (Plot size: 0.10ac )								
1. Leucothoe axillaris	10	<input checked="" type="checkbox"/> 33.3%			FACW			
2. Woodwardia areolata	5	<input checked="" type="checkbox"/> 16.7%			OBL			
3. Osmunda regalis	5	<input checked="" type="checkbox"/> 16.7%			OBL			
4. Acer rubrum	5	<input checked="" type="checkbox"/> 16.7%			FAC			
5. Panicum anceps	5	<input checked="" type="checkbox"/> 16.7%			FAC			
6.	0	<input type="checkbox"/> 0.0%						
7.	0	<input type="checkbox"/> 0.0%						
8.	0	<input type="checkbox"/> 0.0%						
9.	0	<input type="checkbox"/> 0.0%						
10.	0	<input type="checkbox"/> 0.0%						
11.	0	<input type="checkbox"/> 0.0%						
12.	0	<input type="checkbox"/> 0.0%						
50% of Total Cover: <u>15</u> 20% of Total Cover: <u>6</u> <u>30</u> = Total Cover						<b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="radio"/> No <input type="radio"/>		
Woody Vine Stratum (Plot size: 0.10ac )								
1. Smilax laurifolia	5	<input checked="" type="checkbox"/> 100.0%			FACW			
2.	0	<input type="checkbox"/> 0.0%						
3.	0	<input type="checkbox"/> 0.0%						
4.	0	<input type="checkbox"/> 0.0%						
5.	0	<input type="checkbox"/> 0.0%						
50% of Total Cover: <u>2.5</u> 20% of Total Cover: <u>1</u> <u>5</u> = Total Cover								

Remarks: (If observed, list morphological adaptations below).  
criteria met

\*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

## SOIL

Sampling Point: DP1

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

[illegible]

<sup>1</sup>Type: C=Concentration. D=Depletion. RM=Reduced Matrix, CS=Covered or Coated Sand Grains    <sup>2</sup>Location: PL=Pore Lining. M=Matrix

### Hydric Soil Indicators:

- |  |  |
|--|--|
| <input type="checkbox"/> Histosol (A1)                         | <input type="checkbox"/> Polyvalue Below Surface (S8) (LRR S, T, U)    |
| <input type="checkbox"/> Histic Epipedon (A2)                  | <input type="checkbox"/> Thin Dark Surface (S9) (LRR S, T, U)          |
| <input type="checkbox"/> Black Histic (A3)                     | <input type="checkbox"/> Loamy Mucky Mineral (F1) (LRR O)              |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                 | <input type="checkbox"/> Loamy Gleyed Matrix (F2)                      |
| <input type="checkbox"/> Stratified Layers (A5)                | <input type="checkbox"/> Depleted Matrix (F3)                          |
| <input type="checkbox"/> Organic Bodies (A6) (LRR P, T, U)     | <input type="checkbox"/> Redox Dark Surface (F6)                       |
| <input type="checkbox"/> 5 cm Mucky Mineral (A7) (LRR P, T, U) | <input type="checkbox"/> Depleted Dark Surface (F7)                    |
| <input type="checkbox"/> Muck Presence (A8) (LRR U)            | <input type="checkbox"/> Redox Depressions (F8)                        |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR P, T)             | <input type="checkbox"/> Marl (F10) (LRR U)                            |
| <input type="checkbox"/> Depleted Below Dark Surface (A11)     | <input type="checkbox"/> Depleted Ochric (F11) (MLRA 151)              |
| <input type="checkbox"/> Thick Dark Surface (A12)              | <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR O, P, T)     |
| <input type="checkbox"/> Coast Prairie Redox (A16) (MLRA 150A) | <input checked="" type="checkbox"/> Umbric Surface (F13) (LRR P, T, U) |
| <input type="checkbox"/> Sandy Muck Mineral (S1) (LRR O, S)    | <input type="checkbox"/> Delta Ochric (F17) (MLRA 151)                 |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)              | <input type="checkbox"/> Reduced Vertic (F18) (MLRA 150A, 150B)        |
| <input type="checkbox"/> Sandy Redox (S5)                      | <input type="checkbox"/> Piedmont Floodplain Soils (F19) (MLRA 149A)   |
| <input type="checkbox"/> Stripped Matrix (S6)                  | <input type="checkbox"/> Anomalous Bright Loamy Soils (F20) (MLRA 1    |
| <input type="checkbox"/> Dark Surface (S7) (LRR P, S, T, U)    |  |

### Indicators for Problematic Hydric Soils<sup>3</sup>:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**Restrictive Layer (if observed):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes ☒ No ☐

Remarks:

Hydric soil indicator met

# WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: Schumann 501 Business Tract City/County: Conway/Horry Sampling Date: 22-Mar-23  
 Applicant/Owner: Nick Godwin State: SC Sampling Point: DP2  
 Investigator(s): JB Section, Township, Range: S  T  R   
 Landform (hillslope, terrace, etc.): Hillside Local relief (concave, convex, none): rolling Slope: 0.0 % / 0.0 °  
 Subregion (LRR or MLRA): LRR T Lat.: N 33.8176 Long.: W 79.0240 Datum: wgs84  
 Soil Map Unit Name: Mapped as Kenansville NWI classification: none

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)  
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐  
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="radio"/> No <input type="radio"/>	Is the Sampled Area within a Wetland? Yes <input type="radio"/> No <input checked="" type="radio"/>
Hydric Soil Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	
Wetland Hydrology Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	
Remarks: Datapoint found along a well drained hillside lacking sufficient indicators for wetland classification	

## HYDROLOGY

<b>Wetland Hydrology Indicators:</b> <b>Primary Indicators (minimum of one required; check all that apply)</b> <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Marl Deposits (B15) (LRR U) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Water-Stained Leaves (B9)		<b>Secondary Indicators (minimum of 2 required)</b> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> FAC-Neutral Test (D5) <input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
<b>Field Observations:</b> Surface Water Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Depth (inches): _____ Water Table Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes <input type="radio"/> No <input checked="" type="radio"/> Depth (inches): _____		<b>Wetland Hydrology Present?</b> Yes <input type="radio"/> No <input checked="" type="radio"/>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:  		
Remarks: Insufficient hydrology indicators		



**VEGETATION (Five/Four Strata) - Use scientific names of plants.**

Dominant Species?

Sampling Point: **DP2**

Tree Stratum	(Plot size: 0.10ac )	Absolute % Cover	Rel.Strat. Cover	Indicator Status
1. <i>Pinus taeda</i>		50	<input checked="" type="checkbox"/> 83.3%	FAC
2. <i>Quercus alba</i>		10	<input type="checkbox"/> 16.7%	FACU
3.		0	<input type="checkbox"/> 0.0%	
4.		0	<input type="checkbox"/> 0.0%	
5.		0	<input type="checkbox"/> 0.0%	
6.		0	<input type="checkbox"/> 0.0%	
7.		0	<input type="checkbox"/> 0.0%	
8.		0	<input type="checkbox"/> 0.0%	
50% of Total Cover: 30    20% of Total Cover: 12		60	= Total Cover	
Sapling or Shrub Stratum	(Plot size: 0.10ac )	Absolute % Cover	Rel.Strat. Cover	Indicator Status
1. <i>Ilex opaca</i>		10	<input checked="" type="checkbox"/> 18.2%	FAC
2. <i>Symplocos tinctoria</i>		10	<input checked="" type="checkbox"/> 18.2%	FAC
3. <i>Morella cerifera</i>		10	<input checked="" type="checkbox"/> 18.2%	FAC
4. <i>Liquidambar styraciflua</i>		10	<input checked="" type="checkbox"/> 18.2%	FAC
5. <i>Ligustrum sinense</i>		10	<input checked="" type="checkbox"/> 18.2%	FAC
6. <i>Persea borbonia</i>		5	<input type="checkbox"/> 9.1%	FACW
7.		0	<input type="checkbox"/> 0.0%	
8.		0	<input type="checkbox"/> 0.0%	
50% of Total Cover: 27.5    20% of Total Cover: 11		55	= Total Cover	
Shrub Stratum	(Plot size: )	Absolute % Cover	Rel.Strat. Cover	Indicator Status
1.		0	<input type="checkbox"/> 0.0%	
2.		0	<input type="checkbox"/> 0.0%	
3.		0	<input type="checkbox"/> 0.0%	
4.		0	<input type="checkbox"/> 0.0%	
5.		0	<input type="checkbox"/> 0.0%	
6.		0	<input type="checkbox"/> 0.0%	
50% of Total Cover: 0    20% of Total Cover: 0		0	= Total Cover	
Herb Stratum	(Plot size: 0.10ac )	Absolute % Cover	Rel.Strat. Cover	Indicator Status
1. <i>Pteridium aquilinum</i>		10	<input checked="" type="checkbox"/> 28.6%	FACU
2. <i>Rubus argutus</i>		10	<input checked="" type="checkbox"/> 28.6%	FAC
3. <i>Liquidambar styraciflua</i>		5	<input type="checkbox"/> 14.3%	FAC
4. <i>Pinus taeda</i>		5	<input type="checkbox"/> 14.3%	FAC
5. <i>Ilex opaca</i>		5	<input type="checkbox"/> 14.3%	FAC
6.		0	<input type="checkbox"/> 0.0%	
7.		0	<input type="checkbox"/> 0.0%	
8.		0	<input type="checkbox"/> 0.0%	
9.		0	<input type="checkbox"/> 0.0%	
10.		0	<input type="checkbox"/> 0.0%	
11.		0	<input type="checkbox"/> 0.0%	
12.		0	<input type="checkbox"/> 0.0%	
50% of Total Cover: 17.5    20% of Total Cover: 7		35	= Total Cover	
Woody Vine Stratum	(Plot size: 0.10ac )	Absolute % Cover	Rel.Strat. Cover	Indicator Status
1. <i>Gelsemium sempervirens</i>		5	<input checked="" type="checkbox"/> 33.3%	FAC
2. <i>Vitis rotundifolia</i>		5	<input checked="" type="checkbox"/> 33.3%	FAC
3. <i>Smilax rotundifolia</i>		5	<input checked="" type="checkbox"/> 33.3%	FAC
4.		0	<input type="checkbox"/> 0.0%	
5.		0	<input type="checkbox"/> 0.0%	
50% of Total Cover: 7.5    20% of Total Cover: 3		15	= Total Cover	

**Dominance Test worksheet:**

Number of Dominant Species That are OBL, FACW, or FAC: 10 (A)

Total Number of Dominant Species Across All Strata: 11 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 90.9% (A/B)

**Prevalence Index worksheet:**

Total % Cover of: 0 Multiply by: 1

OBL species 0 x 1 = 0

FACW species 5 x 2 = 10

FAC species 140 x 3 = 420

FACU species 20 x 4 = 80

UPL species 0 x 5 = 0

Column Total s: 165 (A) 510 (B)

Prevalence Index = B/A = 3.091

**Hydrophytic Vegetation Indicators:**

☐ 1 - Rapid Test for Hydrophytic Vegetation

☒ 2 - Dominance Test is > 50%

☐ 3 - Prevalence Index is ≤ 3.0 <sup>1</sup>

☐ Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)

<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Definition of Vegetation Strata:**

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

**Hydrophytic Vegetation Present?** Yes ☒ No ☐

Remarks: (If observed, list morphological adaptations below).  
criteria met but available vegetation is more indicative of an upland in this area.

\*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

# SOIL

Sampling Point: **DP2**

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-4	10YR	4/1	100				Fine Sand	less than 30% coated grains
4-12	10YR	5/3	100				Fine Sand	high chroma color

<sup>1</sup> Type: C=Concentration. D=Depletion. RM=Reduced Matrix, CS=Covered or Coated Sand Grains <sup>2</sup>Location: PL=Pore Lining. M=Matrix

## Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☐ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

## Indicators for Problematic Hydric Soils<sup>3</sup>:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

## Restrictive Layer (if observed):

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes ☐ No ☒

## Remarks:

no hydric soil indicator

**DATE: AUGUST 21, 2023**

**ITEM: VII.B**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (B)**, to annex approximately 7.02 acres (total) of property located at 778, 830, & 878 Hwy 544, and 793, 795, & 799 Carter Lane (PIN's 382-05-04-0001, -0002, 382-05-04-0127, and 382-12-01-0014), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low-Density Residential (R) district.

**BACKGROUND:**

Last month, the applicants submitted annexation and rezoning applications for the subject property, located on HWY 544 and Carter Lane, as a requirement to connect to and/or extend city utility services. The applicants are the daughters of the late Milton Clardy: Ms. Frances Clardy and Mrs. Janice Simmons. Mr. Clardy recently passed away, leaving the property at 878 Hwy 544 to both daughters, to be divided between the two via a platting action, which was recorded last year (PB307 at Pg. 106). When the applicants went to have the utility account taken out of Mr. Clardy's name and put into theirs, they were informed of the requirement to complete restrictive covenants and request annexation of not only 878 Hwy 544, but all surrounding properties that are owned by them that are contiguous to 878 Hwy 544. In this instance, 830 Hwy 544, 778 Hwy 544, and 793, 795, & 799 Carter Lane are all contiguous to 878 Hwy 544 and owned by Ms. Clardy.

878 Hwy 544 is the location of Clardy's Mobile Home Park (MHP), which has been in existence for decades, and is a legal nonconforming MHP in the county, zoned SF6 (which does not permit mobile homes). All of the mobile homes are addressed 878 Hwy 544, even though the parcel has been subdivided, and are only accessible via a private road.

The requested zoning district, per the application is Low-Density Residential (R).

Per *Section 3.2.17* of the UDO, the intent of the Low-Density Residential (R) district is to *provide for the preservation and expansion of areas for low density, detached single-family residential development in the City of Conway. The district shall present a relatively spacious character, promote quiet, livable neighborhoods, and prohibit uses that are incompatible with the residential nature of the surrounding area.*

*Surrounding Uses / Zoning Districts:*

The properties abut Hillcrest Cemetery, which is in the City limits, zoned Professional (P). Across Hwy 544 is all property owned by the University / Coastal Educational Foundation, which is zoned City of Conway Institutional (IN).

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* identifies the properties as Medium-Density Residential (R-2) and High-Density Residential (R-3).



Per Section 3.2.4 of the UDO, the intent of the *Medium-Density Residential (R-2)* district is to provide areas for medium density attached, detached, semi-attached, and multifamily development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the district.

Per Section 3.2.5 of the UDO, the intent of the *High-Density Residential (R-3)* district is to provide areas for high-density attached, detached, semi-attached, and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the district.

**STAFF RECOMMENDATION:**

Due to issues with sanitation being able to have appropriate turnaround area and access within the mobile home park, and with the level of nonconformity that would exist if annexed, staff recommends against annexation at this time. Additionally, the applicants have expressed that they do not wish to be annexed into the City limits.

**ATTACHMENTS:**

Application;

GIS Maps;

Plat (PB 307 at Pg. 106)

**ORDINANCE #ZA2023-09-05 (B)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 7.02 (TOTAL) ACRES OF PROPERTY LOCATED AT 778, 830, AND 878 HIGHWAY 544, AND 793, 795, AND 799 CARTER LANE (PIN'S 382-05-04-0001, -0002, -0127, & 382-12-01-0014), AND REQUEST TO REZONE FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES ALLOWED (SF6) DISTRICT TO THE CITY OF CONWAY LOW-DENSITY RESIDENTIAL (R) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 7.02 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 7.02 acres of property located at 778, 830, and 878 Highway 544, and 793, 795, and 799 Carter Lane (PIN's 382-05-04-0001, -0002, -0127, and 382-12-01-0014), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low-Density Residential (R) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.

For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low-Density Residential (R) District area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton, Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

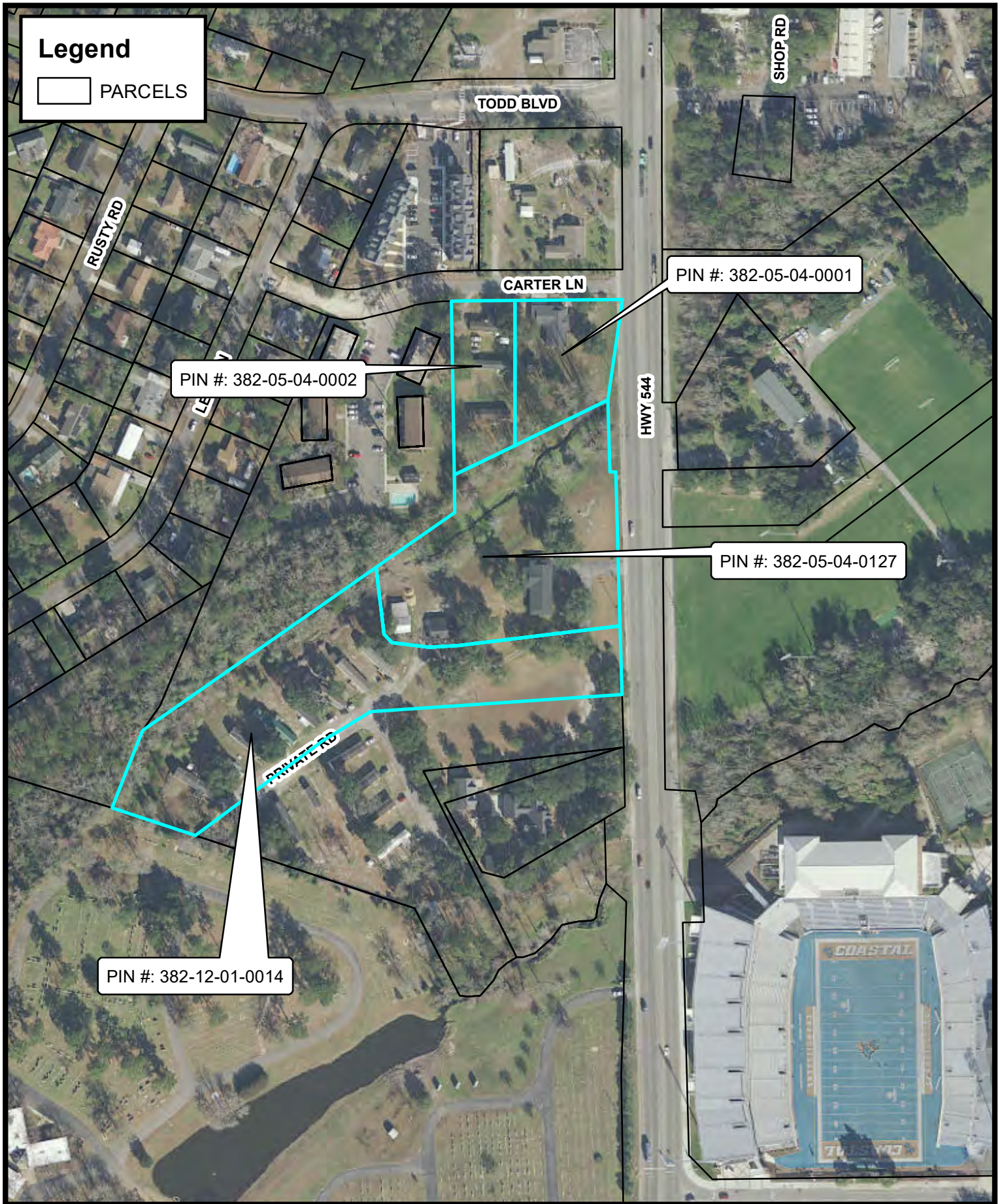
\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

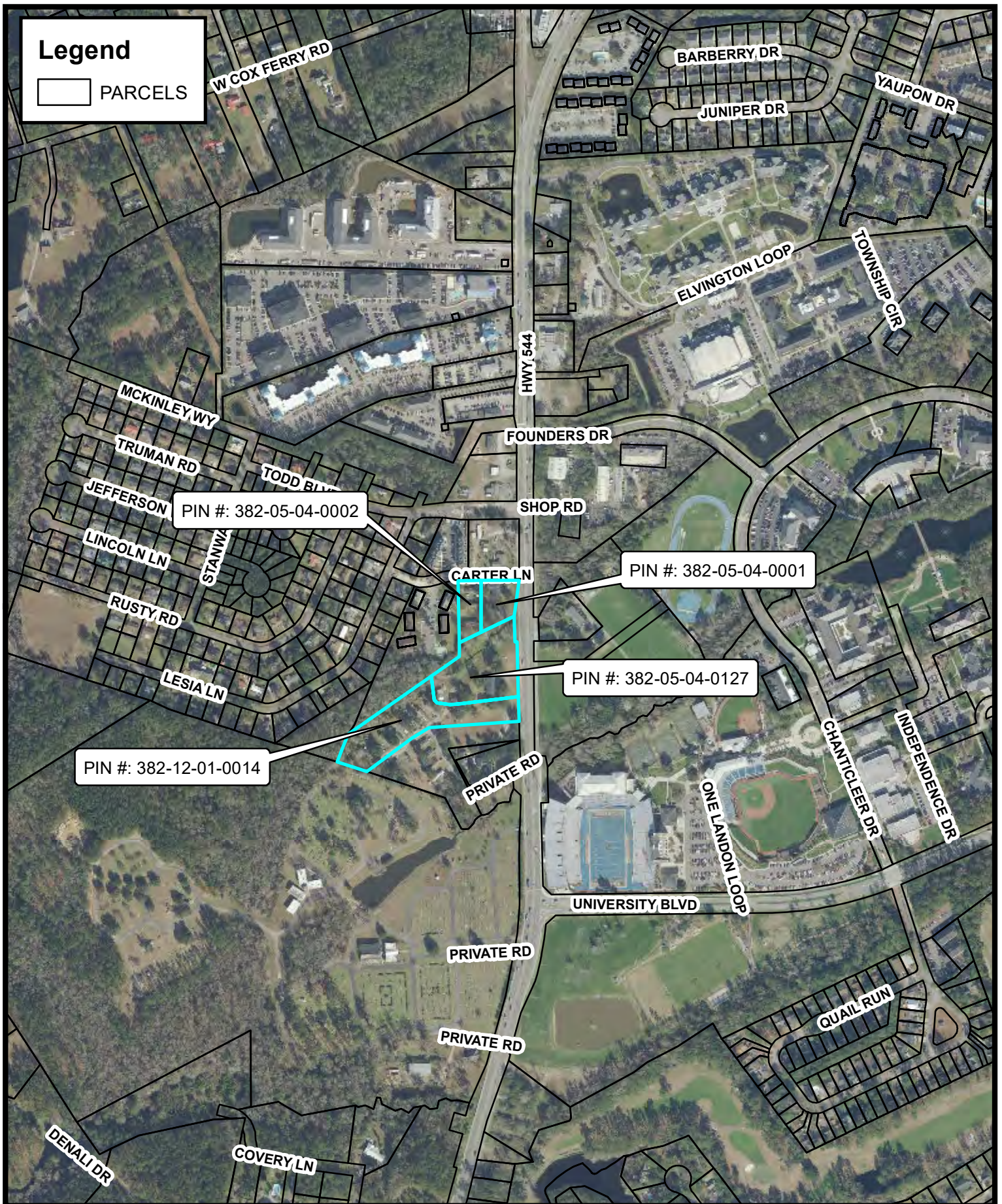
First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_

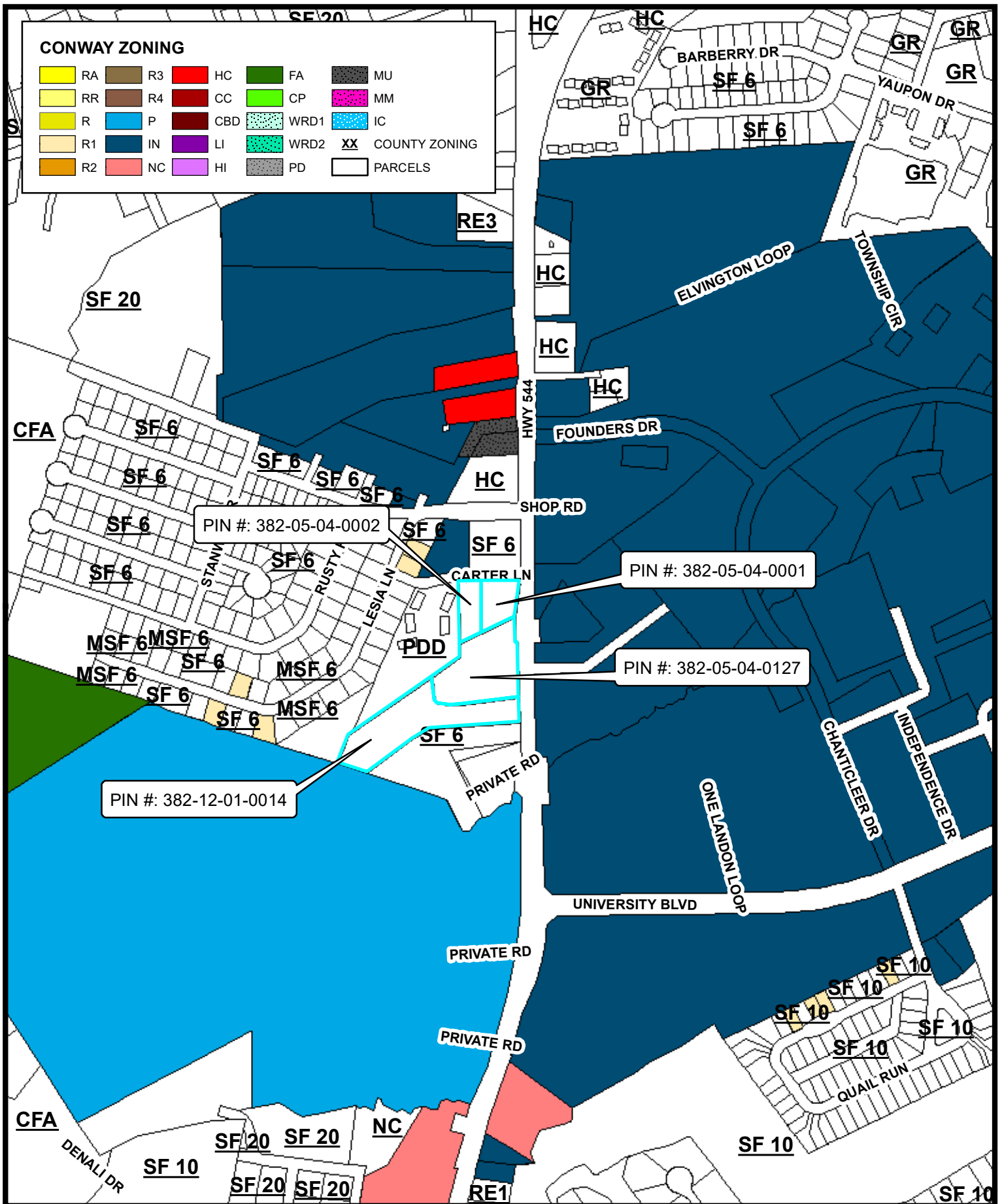




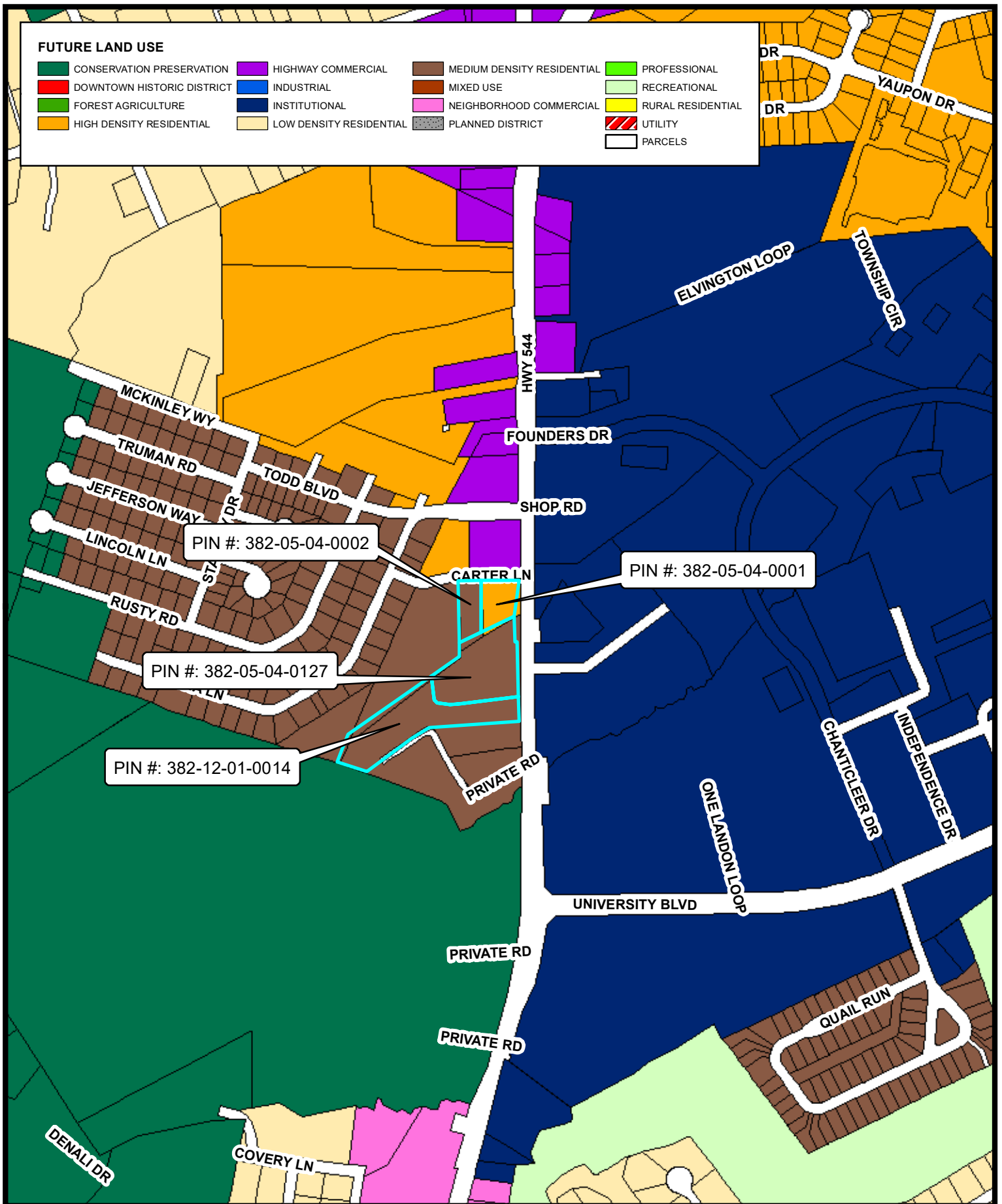













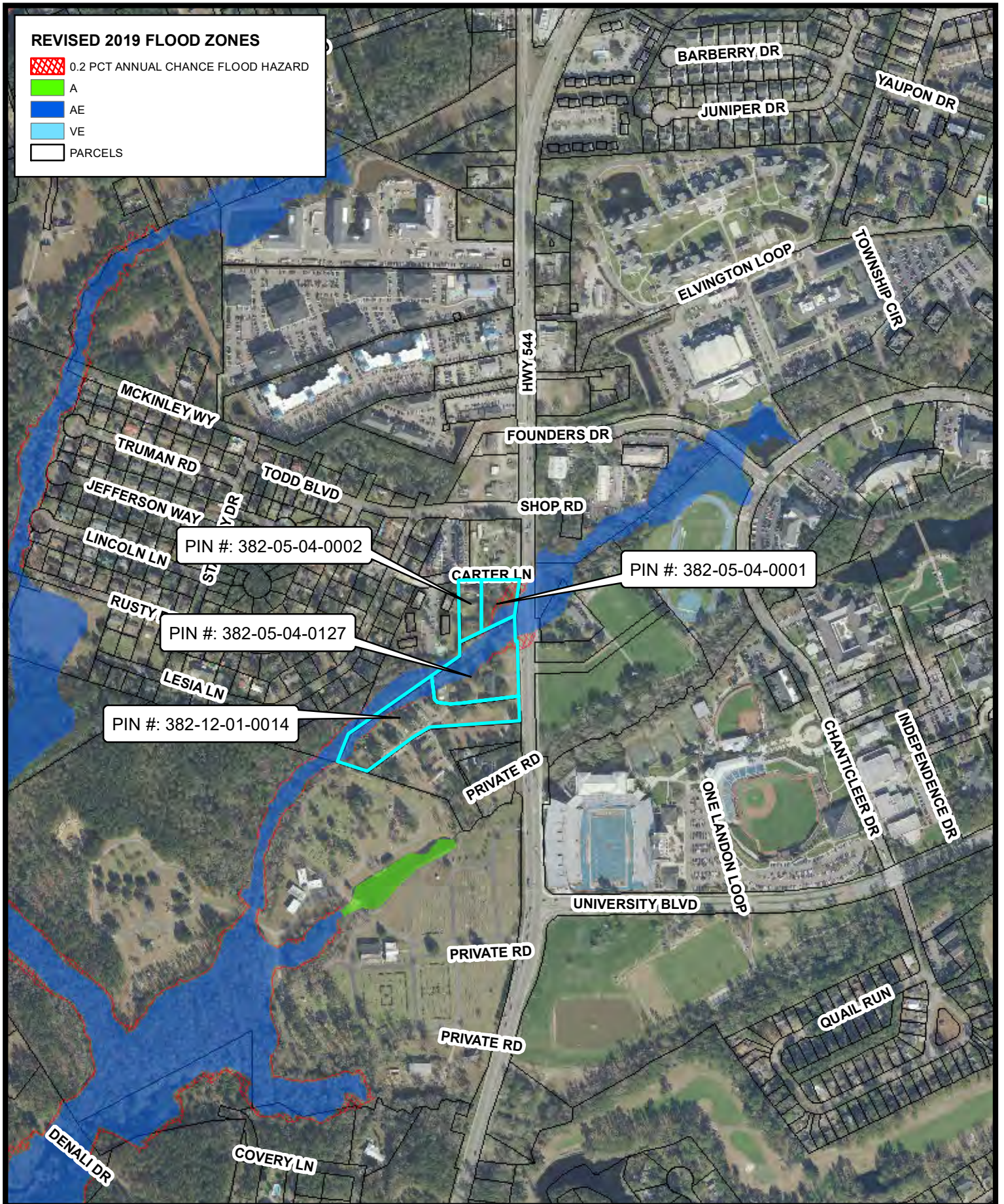






# REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS







Deed BK: 4706 PG: 631 Doctype: 082  
07/27/2023 at 10:35:37 AM, 1 OF 3

Marion D. Foxworth III  
HORRY COUNTY, SC REGISTRAR OF DEEDS

STATE OF SOUTH CAROLINA )

)

RESTRICTIVE COVENANT

COUNTY OF HORRY )

KNOW ALL ME BY THESE PRESENTS, that, (I, we) Frances Miltonette Clardy  
(Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway.  
The property/parcel is situated outside the corporate limits of the City Of Conway. The  
property/parcel is identified in the records of the Assessor of Horry County as Parcel Identification  
Number (PIN) 382-05-04-0001 382-05-04-0002 and is physically located at  
# 778 Hwy 544 and 793 795 & 799 Carter Ln, Conway SC  
The above referenced property was conveyed by deed to the Grantor and recorded in the Office of 29526  
the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 1999 at  
Page 798.

We understand and agree that as a condition of service and connection of the Water and/or  
Sewer System to the above referenced property, we will petition, when requested by the City Of  
Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-  
3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be  
necessary to execute a petition for annexation on more than one occasion; however, the final  
acceptance of the said petition rests upon an affirmation vote of a majority of the governing body  
of the City of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon  
(myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign,  
said petition shall result in either legal recourse for nonperformance by the City, and/or termination  
of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's  
water and/or sewer system prior to connection to insure compliance with the City and State  
regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance  
with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall  
convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors,  
administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of  
this agreement and this agreement itself is a restriction and covenant of the title of the above  
reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is  
mutually agreeable that upon any dividing, separation, or split of the above referenced property,  
this agreement shall remain binding upon the successors and heirs of such division, and that this  
covenant shall remain binding upon the successors and heirs of such division, and that this covenant  
shall remain a restriction and covenant on the title of the parcel resultant of such division.

*fmc*  
In accordance with City Law I am  
completing the Restrictive Covenant for these  
properties. However, I do not wish to be  
annexed into City of Conway, SC.





IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

25<sup>th</sup> day of July 2023.

SIGNED, SEALED AND DELIVERED by:  
Grantor in the presence of:

Lisa M Albin  
Witness

Frances Miltonette Clardy  
Grantor Name

Sheila A Johnson  
Witness or Notary

STATE OF SOUTH CAROLINA )

)

PROBATE

COUNTY OF HORRY )

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Lisa M Albin

Witness

SWORN TO BEFORE ME THIS 25<sup>th</sup>  
DAY OF July, 2023

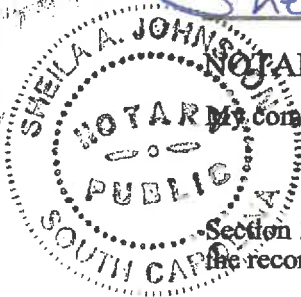
Sheila A Johnson

NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Sheila A Johnson

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: 5-1-2030



Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

## PETITION FOR ANNEXATION

### TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: 778 Hwy 544, 830 Hwy 544;  
878 Hwy 544, 6793/795/799 Carter Ln  
382-05-04-0001; -0002  
PIN: 382-05-04-0127; and ACREAGE: 0.77a, 0.63a, 2.54a, 3.08a (7.02  
382-12-01-0013 Same as above acres  
PROPERTY ADDRESS: 778 Hwy 544, Conway SC 29526 total)

PROPERTY OWNER MAILING ADDRESS: 778 Hwy 544, Conway SC 29526

PROPERTY OWNER TELEPHONE NUMBER: 843-222-4571

PROPERTY OWNER EMAIL: mclardy2@gmail.com

APPLICANT: Janice Simmons / Frances M. Clardy (owner)

APPLICANT'S EMAIL: jcs2001@sccoast.net / mclardy2@gmail.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☐ NO ☐

IF NOT: PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Janice C. Simmons  
(Print)

Janice C. Simmons  
(Signature)

DATE: 7-25-23

Frances M. Clardy  
(Print)

Frances M. Clardy  
(Signature)

DATE: 7-25-23

\* applicant does not wish to be annexed.

\* Flood way runs between property. Sec PB307, Pg 106



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: Yes Structure Type: 382-05-04-0127 > Single family home  
Current Use: Residential PINS: 382-05-04-0001  
& mhp 382-05-04-0002 & 382-12-01-0013 contain mobile homes  
Are there any wetlands on the property? Unknown

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT - NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)





# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

778,830,878 Hwy 544

PHYSICAL ADDRESS OF PROPERTY: 793,795,799 Carter Ln. ~~FEE PAID~~ ( ) YES ( ) NO NA  
382-06-04-0001, -0002,

AREA OF SUBJECT PROPERTY (ACREAGE): 7.02 a. total PIN: 382-06-04-0127 &  
total - all parcels 382-12-01-0013

CURRENT ZONING CLASSIFICATION: Horry County SFL

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Medium Density Residential

REQUESTED ZONING CLASSIFICATION: R (low-density residential)

NAME OF PROPERTY OWNER(S):

Frances Miltonette Clardy PHONE # 843-222-6571

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

778 Hwy 544, Conway, SC 29526

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Frances Miltonette Clardy

PROPERTY OWNER'S SIGNATURE(S)

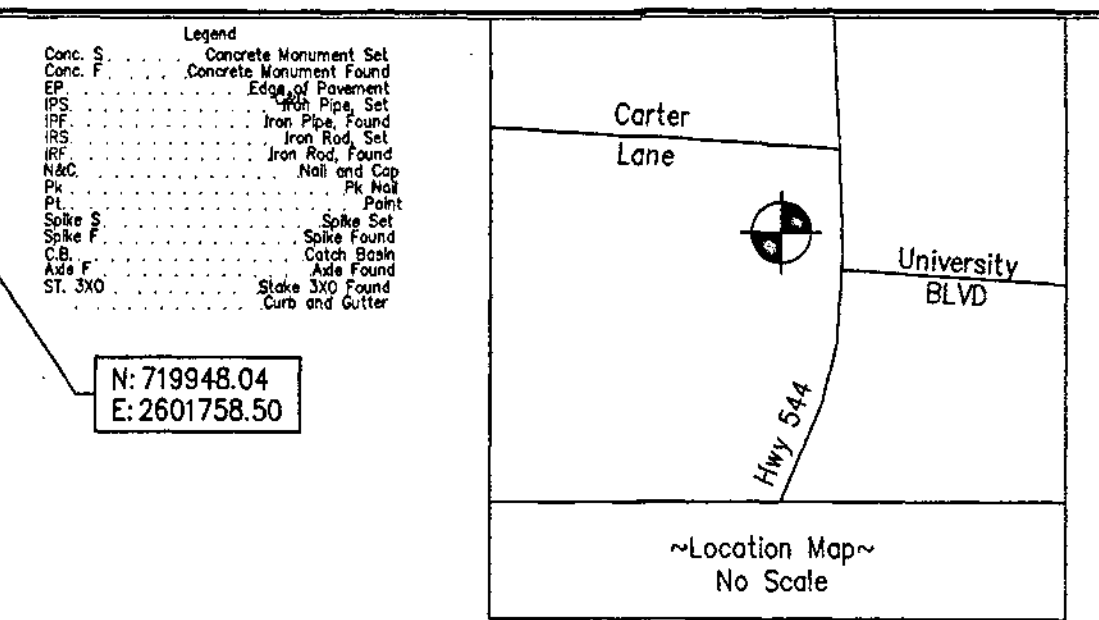
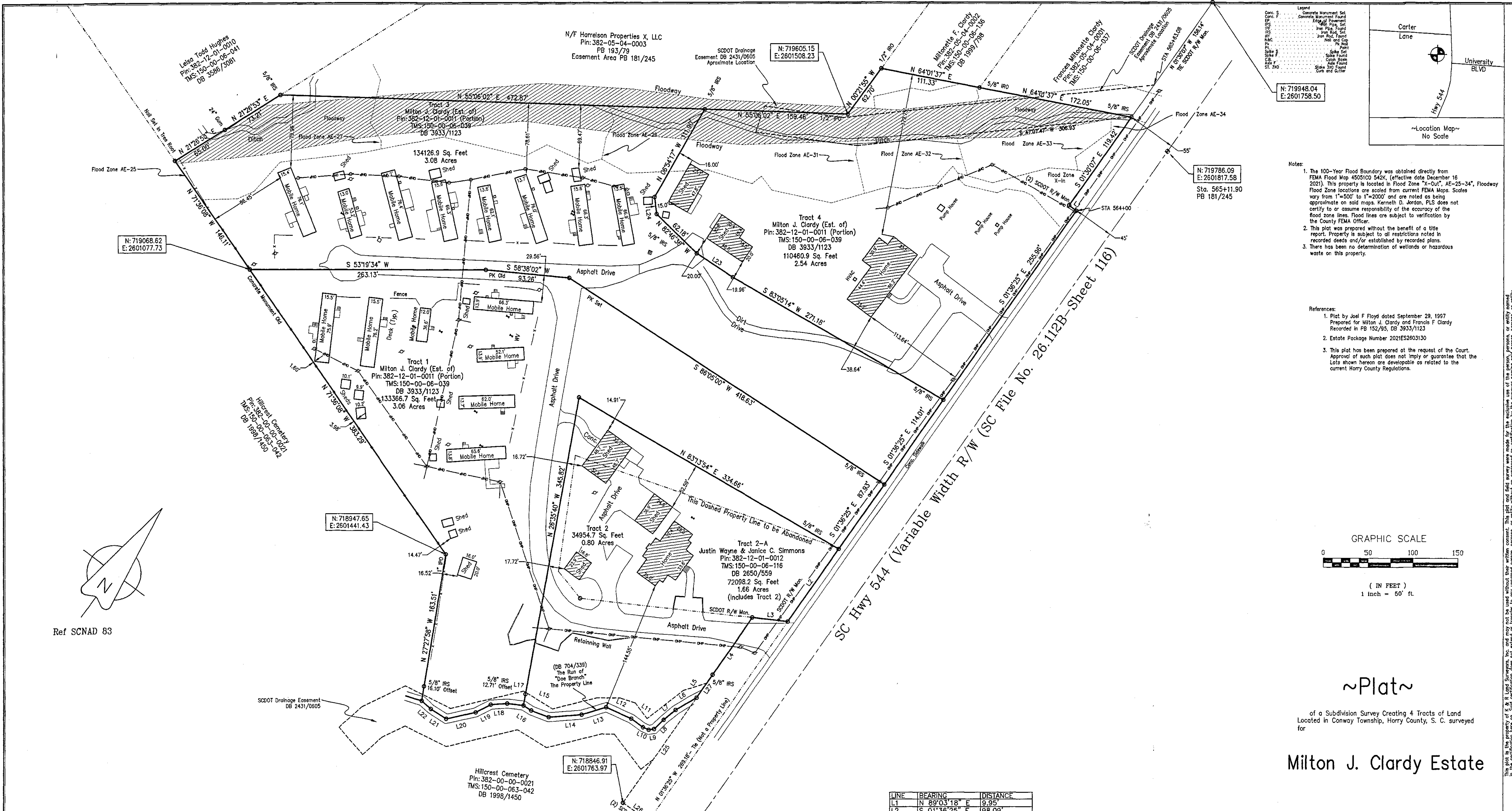
DATE

7-25-23

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

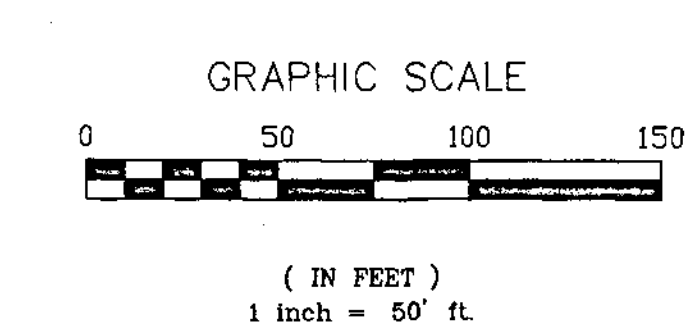


Notes:

- The 100-Year Flood Boundary was obtained directly from FEMA Flood Map 4505100 542K, (effective date December 16, 2021). This property is located in Flood Zone "X-Out", AE-25-34", Floodway Flood Zone locations are scaled from current FEMA Maps. Scales vary from 1"=500' to 1"=2000' and are noted as being approximate on solid maps. Kenneth D. Jordan, PLS does not certify to or assume responsibility of the accuracy of the flood zone lines. Flood lines are subject to verification by the County FEMA Officer.
- This plat was prepared without the benefit of a title report. Property is subject to all restrictions noted in recorded deeds and/or established by recorded plans.
- There has been no determination of wetlands or hazardous waste on this property.

References:

- Plat by Joel F. Floyd dated September 29, 1997. Prepared for Milton J. Clardy and Francis F. Clardy. Recorded in PB 152/95, DB 3933/1123.
- Estate Package Number 2021ES2603130
- This plat has been prepared at the request of the Court. Approval of such plat does not imply or guarantee that the Lots shown hereon are developable as related to the current Horry County Regulations.



~Plat~

of a Subdivision Survey Creating 4 Tracts of Land  
Located in Conway Township, Horry County, S. C. surveyed for

**Milton J. Clardy Estate**

**CERTIFICATION OF NON-EVALUATION FOR WATER & SEWER AVAILABILITY**

The property owner(s) of record hereby acknowledges that the surveyed parcel(s) and/or tract remainder has not been reviewed to determine the availability of on-site disposal systems or any provision of public water/sewer services. Recordation of this plat shall not imply nor express consent by Horry County that the lots or other land divisions shown hereon are capable of being serviced by an on-site waste disposal or public water/sewer systems. Unless otherwise stated hereon, all surveyed parcels and/or tract remainders shown have not been reviewed for on-site waste disposal systems or public water/sewer services.

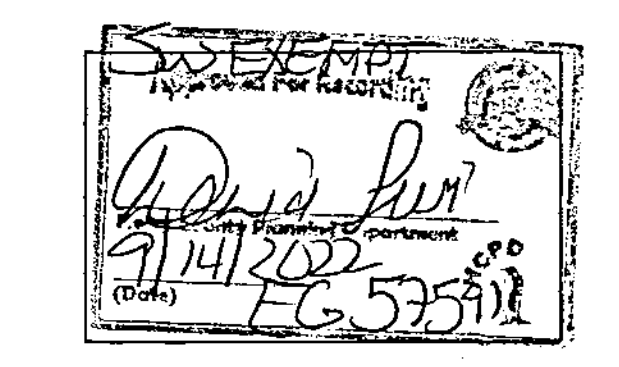
Signature [owner(s) of record] Date 8-11-22  
Frances Miltonette Clardy 8/11/22  
Signature [owner(s) of record] Date  
Signature [owner(s) of record] Date

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

The undersigned hereby acknowledge that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this [plat/plan of development] with my (our) free consent and that I (we) hereby dedicate all items as specifically shown or indicated on said plat.

Janice C. Simmons Janice C. Simmons 8/11/22  
Printed Name Signature Date  
Frances Miltonette Clardy Frances Miltonette Clardy 8/11/22  
Printed Name Signature Date  
Printed Name Signature Date  
Printed Name Signature Date

LINE	BEARING	DISTANCE
L1	N 89°03'18" E	9.95
L2	S 01°36'25" E	98.09
L3	S 59°33'05" W	39.81
L4	S 01°37'26" E	76.99
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L27	S 01°34'54" E	31.04



I, Kenneth D. Jordan, hereby state that to the best of my knowledge, information, and belief, the survey shown here in was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein; and that this is a Resurvey of an existing parcel (s) of record. Also, there are no encroachments, projections, or setbacks affecting the property other than those shown.

Pin: 382-12-01-0011 Pin: 382-12-01-0012  
TMS: 150-00-06-039 TMS: 150-00-06-116

Plat BK: 307 PG: 108  
Dachtype: 061, 09/12/2022 at 08:55:15 AM, 1 OF 1  
Marion D. Foxworth III, Horry County, SC Registrar of Deeds

**K & R LAND SURVEYORS, INC.**  
Surveyors • Land Planners  
312 Laurel Street • Conway, S.C. 29526  
(843) 488-1804  
Fax: (843) 248-9284

**Kenneth D. Jordan, PLS**  
No. 21936  
Date: 8-9-2022 (Revised County Comments)

If the surveyor's signature is not red colored, the plat is a copy, and should be assumed to contain unauthorized alterations. The certification contained on this document and not apply to any copies.

© 2022 K & R Land Surveyors, Inc. Kenneth D. Jordan, Agent.  
No warranty is made to others utilizing this plat for the purpose of further conveyance, deed descriptions, title certifications, etc.

Drawer: F-942  
CSW 0003 20220149 [kdi]

**DATE: AUGUST 21, 2023**

**ITEM: VII.C**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (C)**, to annex approximately 4.71 acres (total) of property located at 876 and 878 Hwy 544 (PIN's 382-12-01-0011, -0012, and -0013), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low-Density Residential (R) district.

**BACKGROUND:**

Last month, the applicant submitted an annexation and rezoning application for the subject property, located on Hwy 544, as a requirement to connect to and/or extend city utility services. The applicant is the daughter of the late Milton Clardy: Mrs. Janice Simmons. Mr. Clardy recently passed away, leaving the property at 878 Hwy 544 to both of his daughters, to be divided between the two via a platting action, which was recorded last year (PB307 at Pg. 106). When the applicants went to have the utility account taken out of Mr. Clardy's name and put into theirs, they were informed of the requirement to complete restrictive covenants and request annexation of not only 878 Hwy 544, but all surrounding properties that are owned by them that are contiguous to 878 Hwy 544. In this instance, the applicant, Mrs. Simmons, also owns 876 Hwy 544 (PIN's 382-12-01-0012 and -0011).

878 Hwy 544 is the location of Clardy's Mobile Home Park (MHP), which has been in existence for decades, and is a legal nonconforming MHP in the county, zoned SF6 (which does not permit mobile homes). All of the mobile homes are addressed 878 Hwy 544, even though the parcel has been subdivided, and are only accessible via a private road.

Additionally, the deed work is not completed to combine the remainder of PIN 382-12-01-0011 (also referred to as "tract 1" on the plat) with PIN 382-12-01-0012 (also referred to as "tract 2" on the plat), leaving tract 1 as a substandard and oddly shaped lot. Refer to PB307 at Pg. 106, included in the packet.

The requested zoning district, per the application is Low-Density Residential (R).

Per *Section 3.2.17* of the UDO, the intent of the Low-Density Residential (R) district is to *provide for the preservation and expansion of areas for low density, detached single-family residential development in the City of Conway. The district shall present a relatively spacious character, promote quiet, livable neighborhoods, and prohibit uses that are incompatible with the residential nature of the surrounding area.*

*Surrounding Uses / Zoning Districts:*

The properties abut Hillcrest Cemetery, which is in the City limits, zoned Professional (P). Across Hwy 544 is all property owned by the University / Coastal Educational Foundation, which is zoned City of Conway Institutional (IN).



**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* identifies the properties as Medium-Density Residential (R-2).

Per *Section 3.2.4* of the UDO, the intent of the *Medium-Density Residential (R-2) district* is to provide areas for medium density attached, detached, semi-attached, and multifamily development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the district.

**STAFF RECOMMENDATION:**

Due to issues with sanitation being able to have appropriate turnaround area and access within the mobile home park, and with the level of nonconformity that would exist if annexed, staff recommends against annexation at this time. Additionally, the applicants have expressed that they do not wish to be annexed into the City limits.

**ATTACHMENTS:**

Application;

GIS Maps;

Plat (PB 307 PG 106)

**ORDINANCE #ZA2023-09-05 (C)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 4.71 (TOTAL) ACRES OF  
PROPERTY LOCATED AT 876 AND 878 HWY 544 (PIN's 382-12-01-0011, -0012, AND -  
0013), AND REQUEST TO REZONE FROM THE HORRY COUNTY RESIDENTIAL,  
NO MOBILE HOMES ALLOWED (SF6) DISTRICT TO THE CITY OF CONWAY  
LOW-DENSITY RESIDENTIAL (R) DISTRICT**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 4.71 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 4.71 acres of property located at 876 and 878 Highway 544 (PIN's 382-12-01-0011, -0012, and -0013), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low-Density Residential (R) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low-Density Residential (R) District area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton, Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

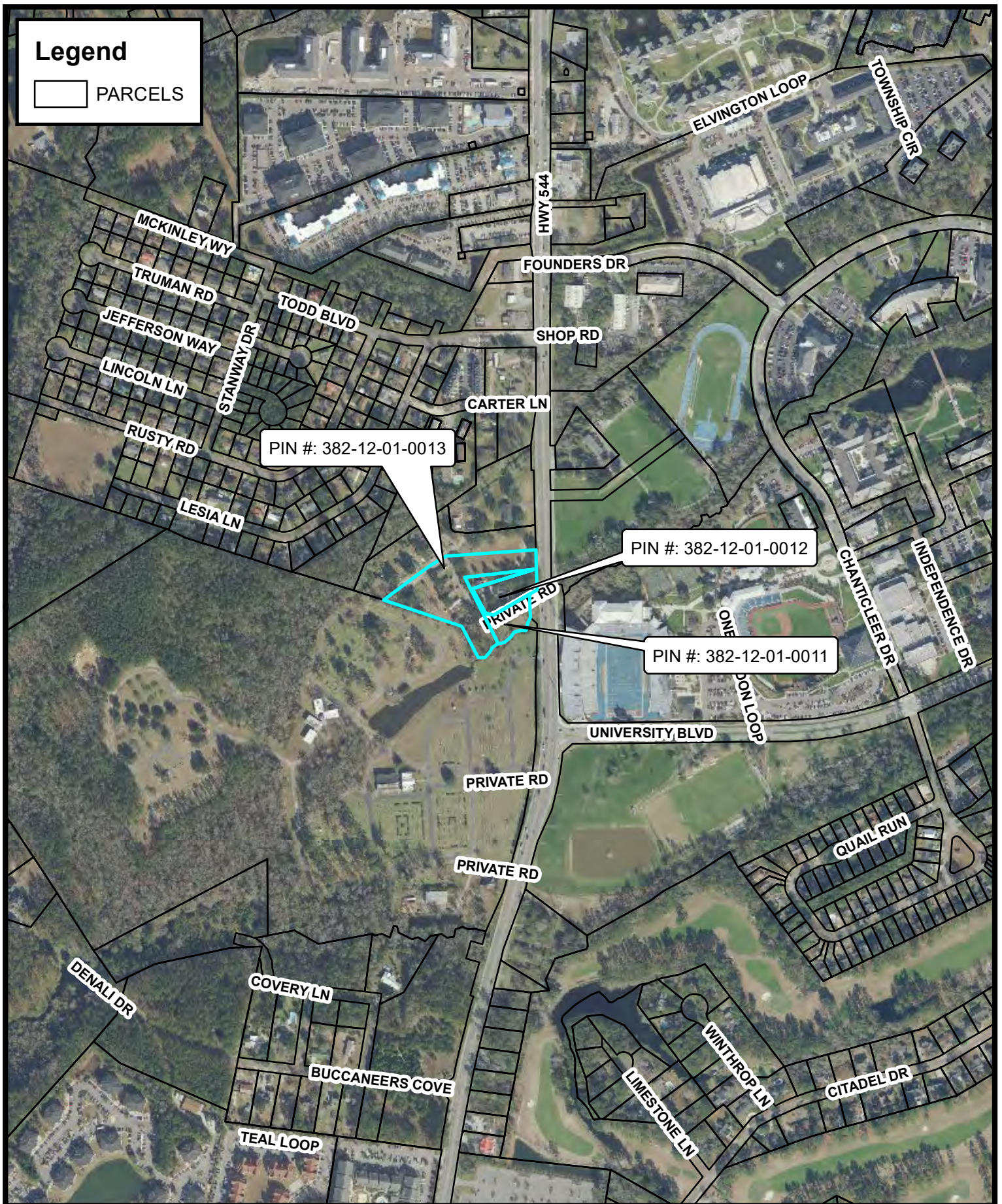
First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_

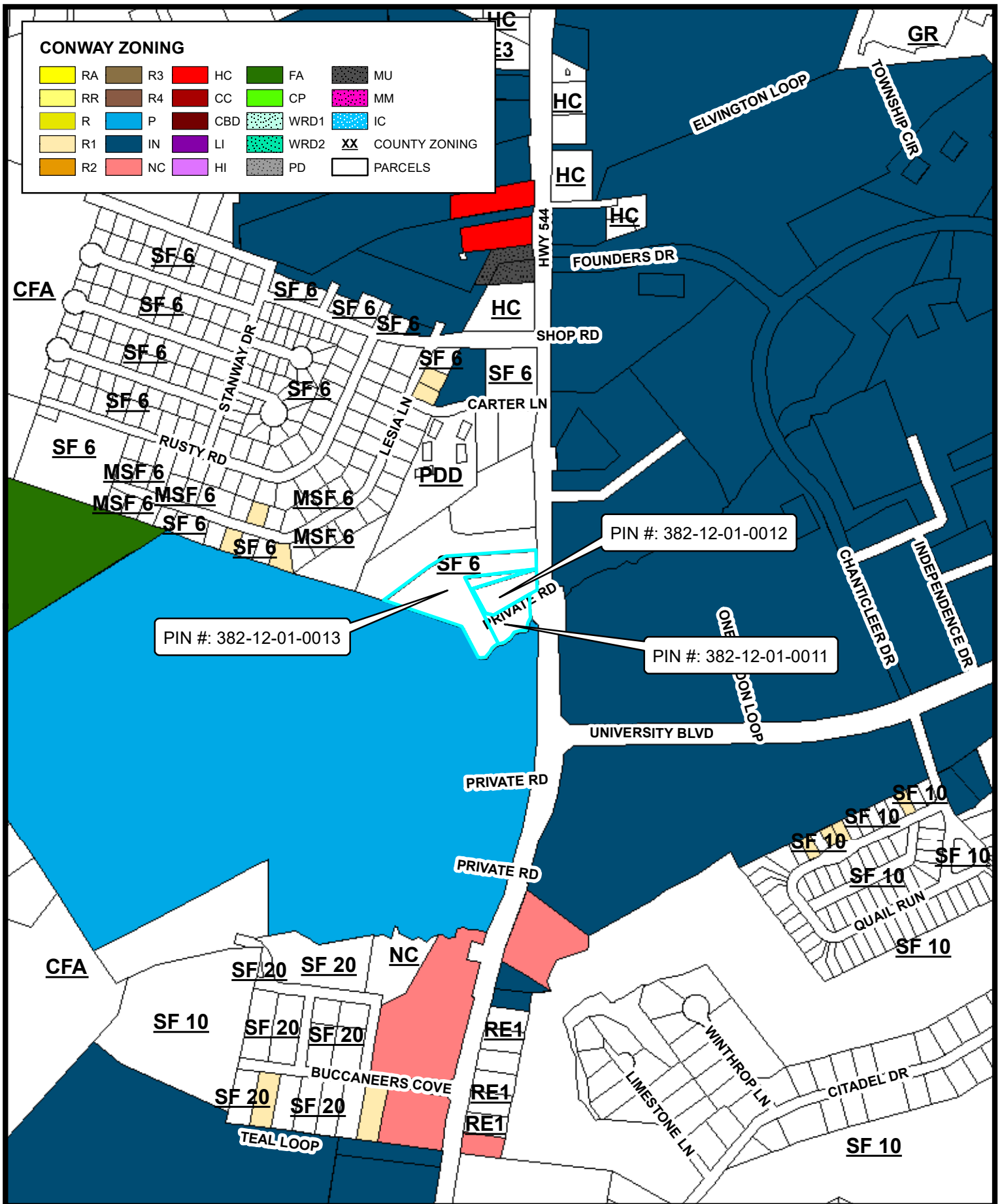




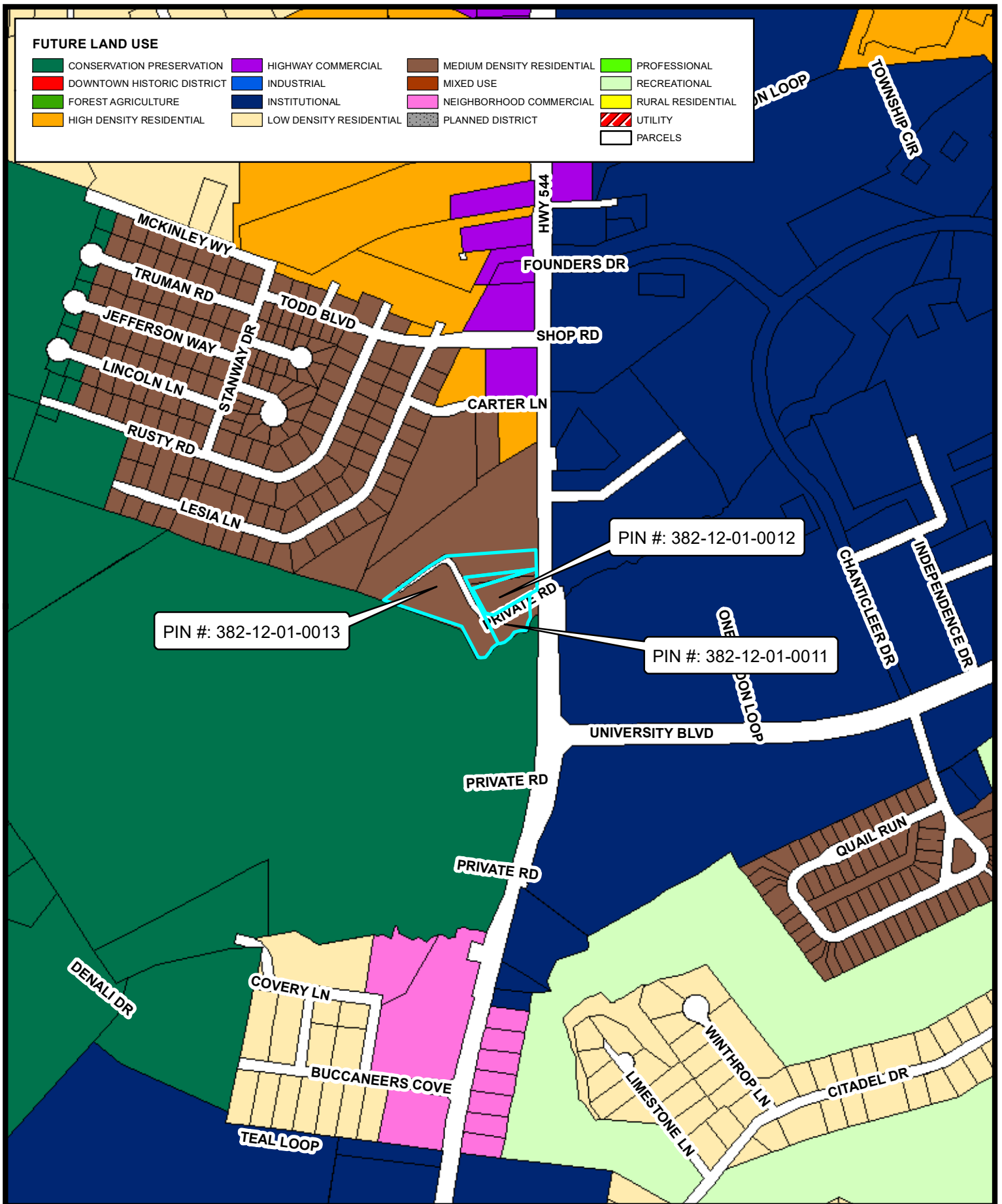




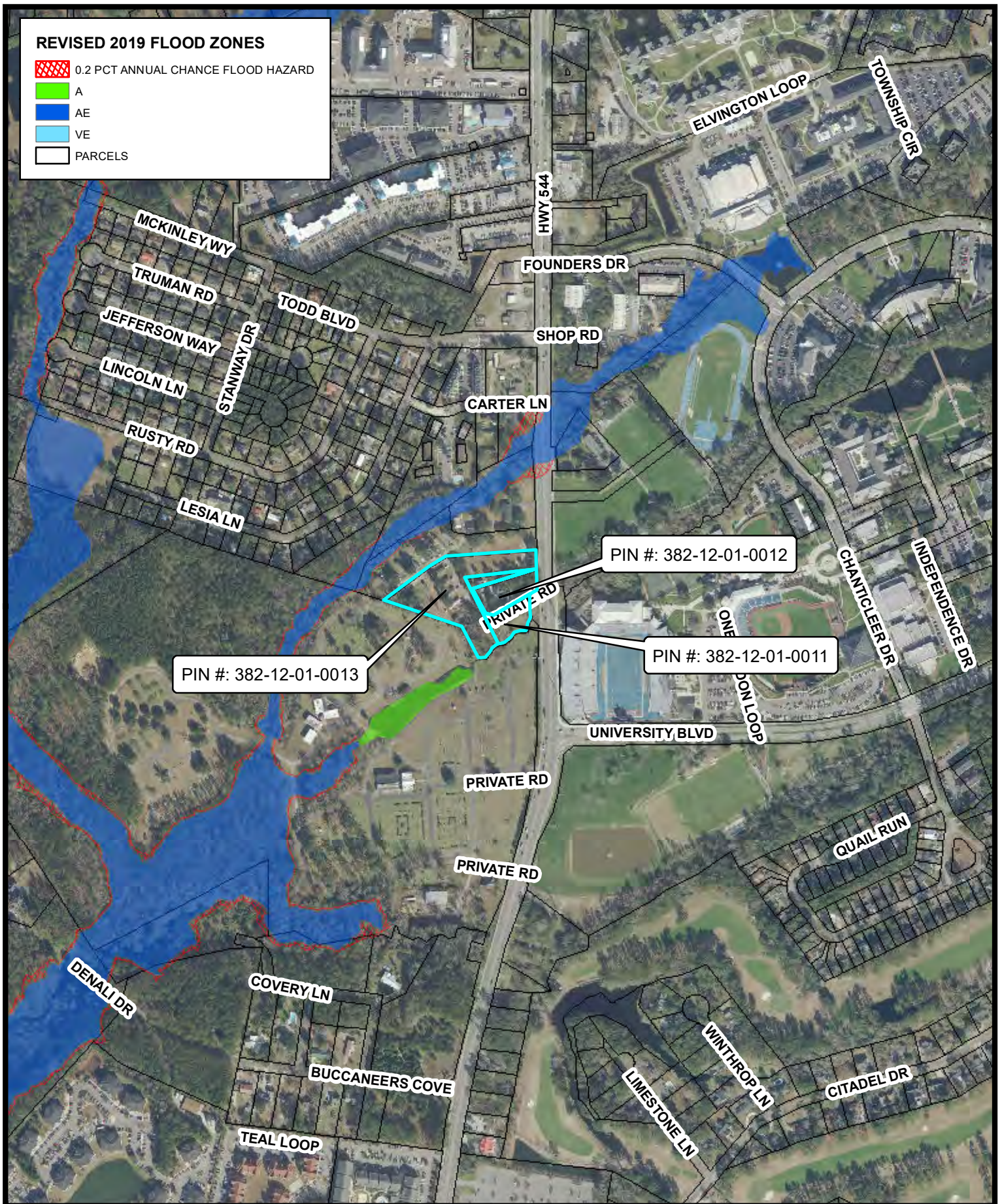
















Deed BK: 4706 PG: 634 Doctype: 082  
07/27/2023 at 10:35:38 AM, 1 OF 3

Marion D. Foxworth III  
HORRY COUNTY, SC REGISTRAR OF DEEDS

STATE OF SOUTH CAROLINA )

) RESTRICTIVE COVENANT

COUNTY OF HORRY )

Justin W. & Janice C Simmons;

KNOW ALL ME BY THESE PRESENTS, that, (I, we) Janice C. Simmons  
(Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway.  
The property/parcel is situated outside the corporate limits of the City Of Conway. The  
property/parcel is identified in the records of the Assessor of Horry County as Parcel Identification  
Number (PIN) 382-12-01-0012, -0013, & -0011 and is physically located at

#s 976 Hwy 544 and 878 Hwy 544, Conway SC 29526  
The above referenced property was conveyed by deed to the Grantor and recorded in the Office of  
the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 2650 at  
Page 559.

We understand and agree that as a condition of service and connection of the Water and/or  
Sewer System to the above referenced property, we will petition, when requested by the City Of  
Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-  
3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be  
necessary to execute a petition for annexation on more than one occasion; however, the final  
acceptance of the said petition rests upon an affirmation vote of a majority of the governing body  
of the City of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon  
(myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign,  
said petition shall result in either legal recourse for nonperformance by the City, and/or termination  
of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's  
water and/or sewer system prior to connection to insure compliance with the City and State  
regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance  
with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall  
convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors,  
administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of  
this agreement and this agreement itself is a restriction and covenant of the title of the above  
reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is  
mutually agreeable that upon any dividing, separation, or split of the above referenced property,  
this agreement shall remain binding upon the successors and heirs of such division, and that this  
covenant shall remain binding upon the successors and heirs of such division, and that this covenant  
shall remain a restriction and covenant on the title of the parcel resultant of such division.

*In accordance with City law I am completing  
the Restrictive Covenant for these properties.  
However, I do not wish to be annexed into  
City of Conway, S.C*





IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

25<sup>th</sup> day of July 2023

SIGNED, SEALED AND DELIVERED by:

Grantor in the presence of:

Lisa M Alston  
Witness

John J Summers  
Janice E Penmon  
Grantor Name

Sheila A Johnston  
Witness or Notary

STATE OF SOUTH CAROLINA )

)

PROBATE

COUNTY OF HORRY )

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Lisa M Alston

Witness

SWORN TO BEFORE ME THIS 25<sup>th</sup>  
DAY OF July, 2023

Sheila A Johnston

NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Sheila A Johnston

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: 5-1-2030

Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

## PETITION FOR ANNEXATION

### TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: 876 Hwy 544 E 878 Hwy 544  
PIN: 382-12-01-0011; -0012 and -0013 ACREAGE: 3.06 a; 0.8 a; 0.85 (4.71 a total)  
PROPERTY ADDRESS: 876 Hwy 544 E 878 Hwy 544  
PROPERTY OWNER MAILING ADDRESS: 876 Hwy 544, Conway, SC 29526  
PROPERTY OWNER TELEPHONE NUMBER: 843-421-4111  
PROPERTY OWNER EMAIL: jcs2001@sccoast.net  
APPLICANT: Janice Simmons  
APPLICANT'S EMAIL: jcs2001@sccoast.net  
IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

IF NOT, PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Janice C. Simmons  
(Print)

Janice C. Simmons  
(Signature)

DATE: 7-25-23

Justin W. Simmons  
(Print)

Justin W. Simmons  
(Signature)

DATE: 7-25-23

\*Justin Simmons must also sign for 876 Hwy 544

\*applicant(s) does not wish to annex.

\*PIN 382-12-01-0011 is a remainder tract from PB307-106  
~ deed work not complete



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_

BS&A #: \_\_\_\_\_

Is there a structure on the lot: Y Structure Type: PIN: 382-12-01-0013 - Mobile Homes  
PIN: 382-12-01-0012 - SF home

Current Use: Single family home on PIN 382-12-01-0012  
Mobile Home Park on PIN 382-12-01-0013

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☐

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☐

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☐

If yes, please describe.

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---

---

Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☐

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.** No fee for R

**RI ZONING DISTRICT - NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)





# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 876 & 878 Hwy 544 ~~FEE PAID ( ) YES ( ) NO~~ NA  
AREA OF SUBJECT PROPERTY (ACREAGE): 3.06 / 0.85 / 0.80 PIN: 382-12-01-0011,  
(4.71 acres total) -0012, and -0013  
CURRENT ZONING CLASSIFICATION: Horry County SFL  
COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Medium-density Residential  
REQUESTED ZONING CLASSIFICATION: R (low-density residential)  
NAME OF PROPERTY OWNER(S):  
Janice Simmons PHONE # 843-421-4111  
Justin W. Simmons PHONE # —  
MAILING ADDRESS OF PROPERTY OWNER(S):  
876 Hwy 544, Conway, SC 29526

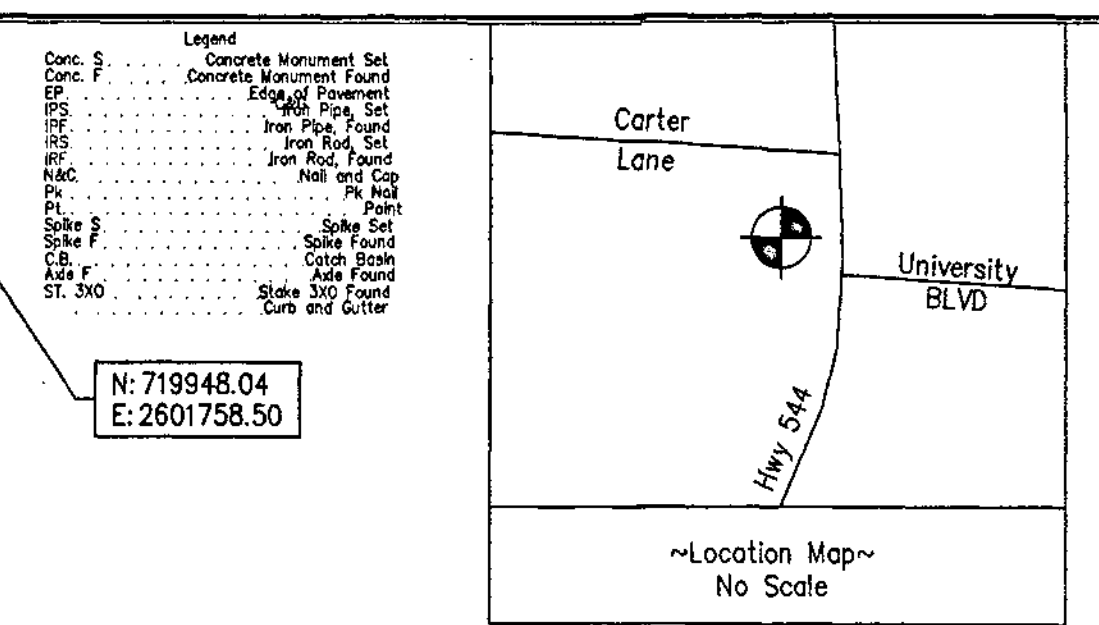
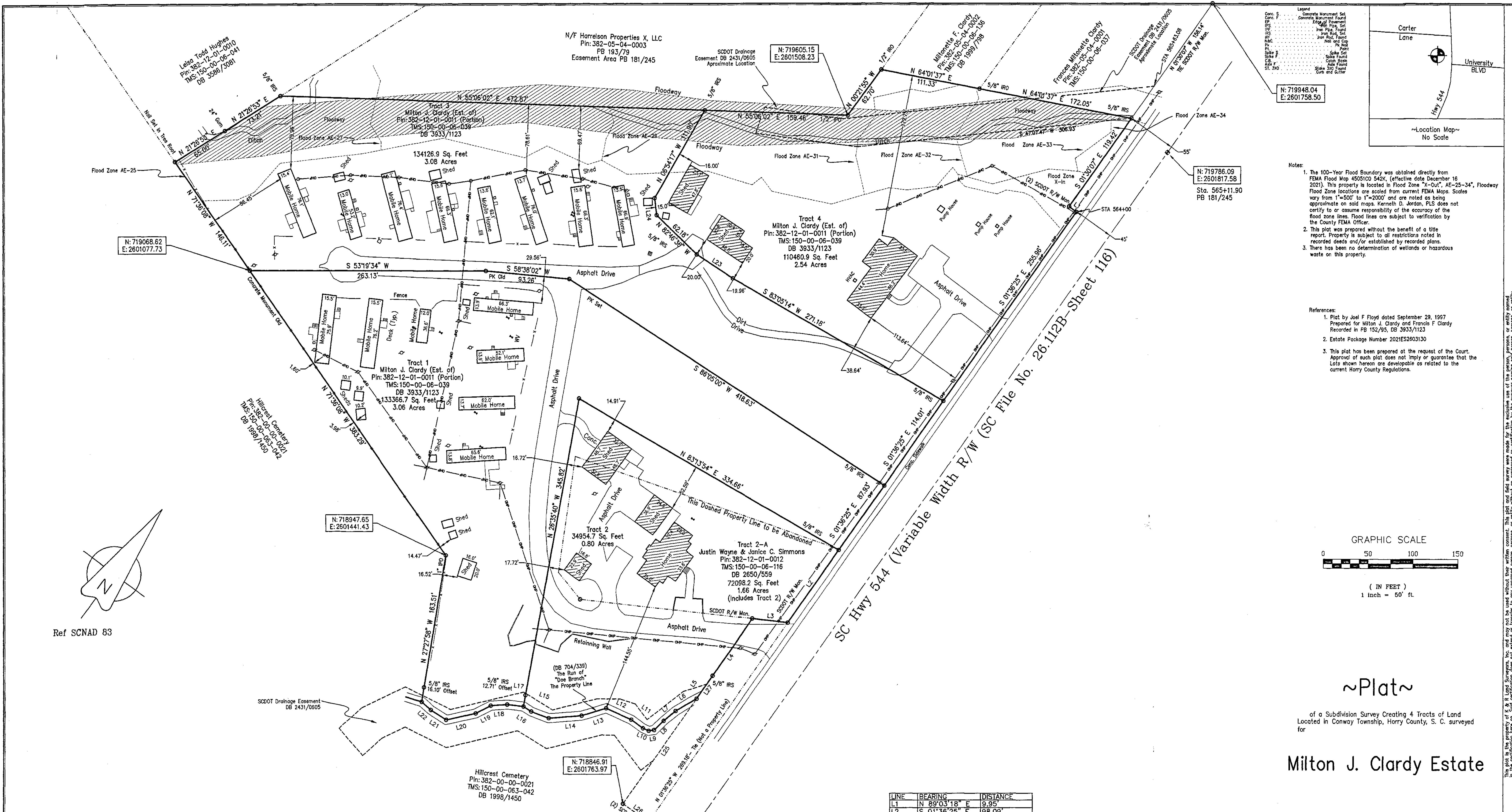
\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Janice P. Simmons 7-25-23  
PROPERTY OWNER'S SIGNATURE(S) DATE  
Justin W. Simmons 7-25-23  
PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

PB 307-106 (2022)

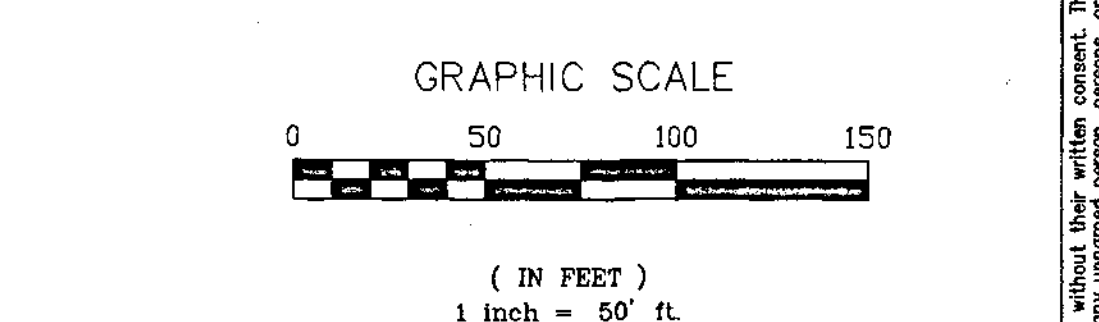


Notes:

- The 100-Year Flood Boundary was obtained directly from FEMA Flood Map 4505100 542K, (effective date December 16, 2021). This property is located in Flood Zone "X-Out", AE-25-34, Floodway Flood Zone locations are scaled from current FEMA Maps. Scales vary from 1"=500' to 1"=2000' and are noted as being approximate on solid maps. Kenneth D. Jordan, PLS does not certify to or assume responsibility of the accuracy of the flood zone lines. Flood lines are subject to verification by the County FEMA Officer.
- This plat was prepared without the benefit of a title report. Property is subject to all restrictions noted in recorded deeds and/or established by recorded plans.
- There has been no determination of wetlands or hazardous waste on this property.

References:

- Plat by Joel F. Floyd dated September 29, 1997. Prepared for Milton J. Clardy and Francis F. Clardy. Recorded in PB 152/95, DB 3933/1123.
- Estate Package Number 2021ES2603130
- This plat has been prepared at the request of the Court. Approval of such plat does not imply or guarantee that the Lots shown hereon are developable as related to the current Horry County Regulations.



~Plat~

of a Subdivision Survey Creating 4 Tracts of Land  
Located in Conway Township, Horry County, S. C. surveyed  
for

**Milton J. Clardy Estate**

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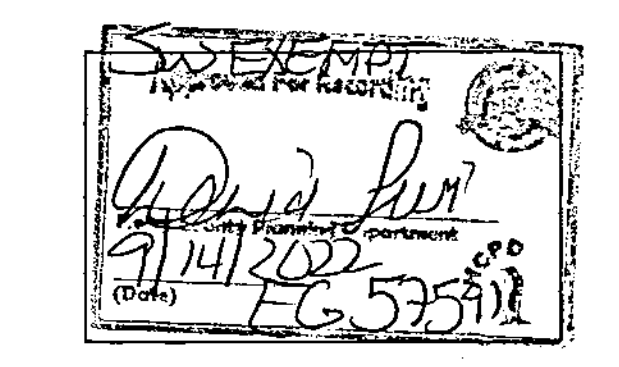
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Printed Name Signature Date  
Frances Miltonette Clardy Frances Miltonette Clardy 8/11/22  
Printed Name Signature Date  
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Pin: 382-12-01-0011 Pin: 382-12-01-0012  
TMS: 150-00-06-039 TMS: 150-00-06-116

**K & R LAND SURVEYORS, INC.**  
Surveyors • Land Planners  
312 Laurel Street • Conway, S.C. 29526  
(843) 488-1804  
Fax: (843) 248-9284

**STATE OF SOUTH CAROLINA**  
K & R LAND SURVEYORS, INC.  
C04278  
Kenneth D. Jordan, PLS, No. 21936  
Date: 8-9-2022 (Revised County Comments)

If the surveyor's signature is not red colored, the plat is a copy, and should be assumed to contain unauthorized alterations. The certification contained on this document and not apply to any copies.

© 2022 K & R Land Surveyors, Inc. Kenneth D. Jordan, Agent.  
No warranty is made to others utilizing this plat for the purpose of further conveyance, deed descriptions, title certifications, etc.

This plat is the property of K & R Land Surveyors, Inc. and may not be used without their written consent. This plat and field survey were made for the exclusive use of the person, persons, or entity named in the certification hereon. Said certification does not extend to any unnamed person, persons, or entity without an expressed re-certification by the surveyor naming said person, persons, or entity.

**DATE: AUGUST 21, 2023**

**ITEM: VII.D**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (D)**, to annex approximately 0.29 acres located at 21 Clemson Road (PIN 383-10-03-0003), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district.

**BACKGROUND:**

The annexation application was submitted by Mark Thomas, of SIG Construction, as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on May 10, 2023. The property is within the Coastal Heights subdivision near Hwy 544. There are no existing structures on the property. Restrictive covenants were recorded for this property August 7, 2023.

The adjacent property (across Clemson Rd) was annexed into the City in 2018. Several other properties within the Coastal Heights subdivision have been annexed over the years, with most of them located on Clemson Road, but also on University and Lander Drive.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Low/Medium Density Residential (R-1).

*The intent of the R-1 District is to provide for the preservation and expansion of areas for low to medium density, detached single-family residential development in the City of Conway. The district shall present a relatively spacious character, promote quiet, livable neighborhoods, and prohibit uses that are incompatible with the residential nature of the surrounding area.*

**STAFF RECOMMENDATION:**

Approve First reading of **Ordinance #ZA2023-09-05 (D)**.



**ORDINANCE #ZA2023-09-05 (D)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 0.29 ACRES OF PROPERTY  
LOCATED AT 21 CLEMSON ROAD (PIN 383-10-03-0003), AND REQUEST TO  
REZONE FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES  
ALLOWED (SF10) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY  
RESIDENTIAL DISTRICT (R-1) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.29 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.29 acres of property located at 21 Clemson Road (PIN 383-10-03-0003), and request to rezone from the Horry County Residential, no mobile homes allowed (SF10) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_



## Legend

 PARCELS

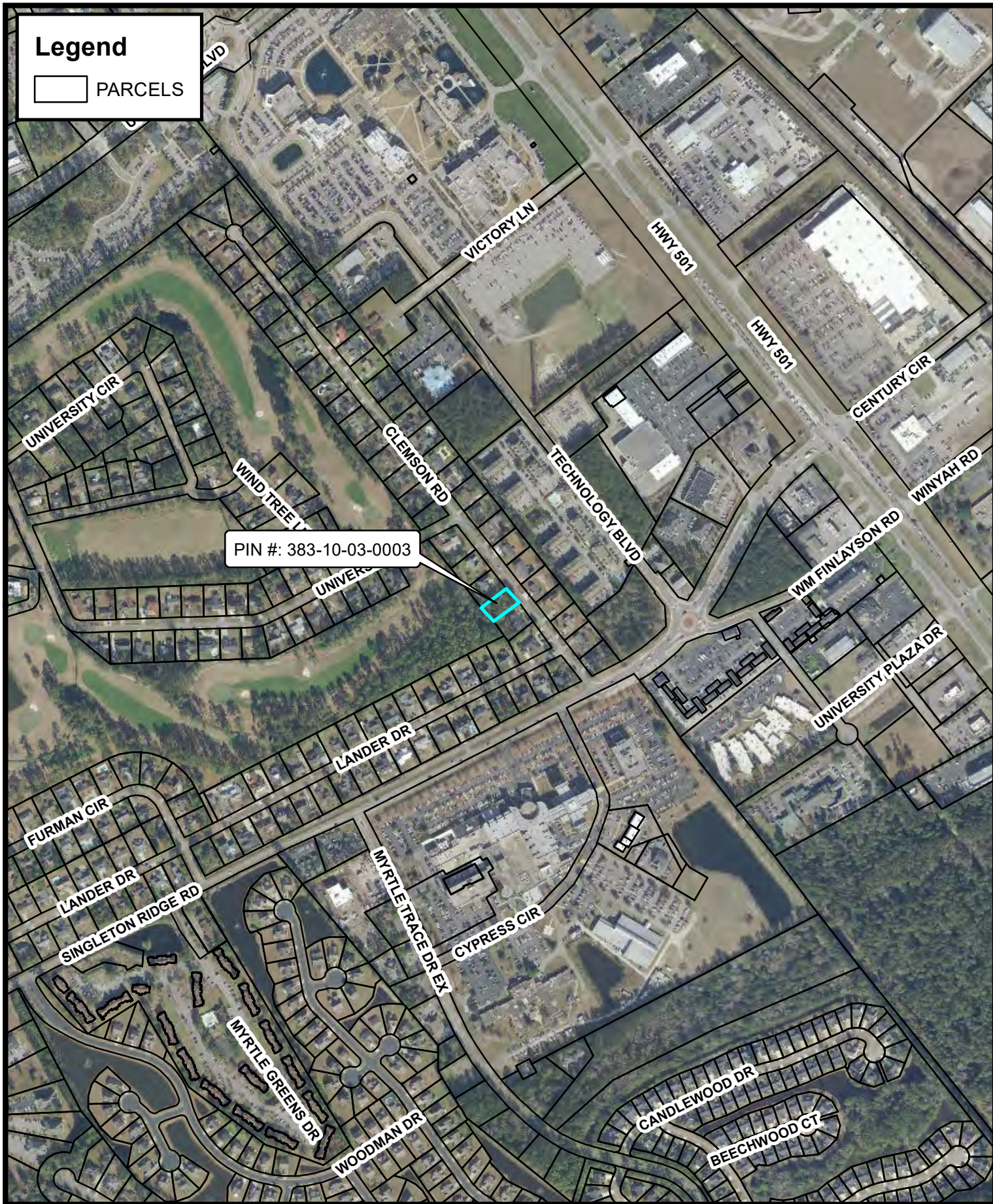
PIN #: 383-10-03-0003

CLEMSON RD

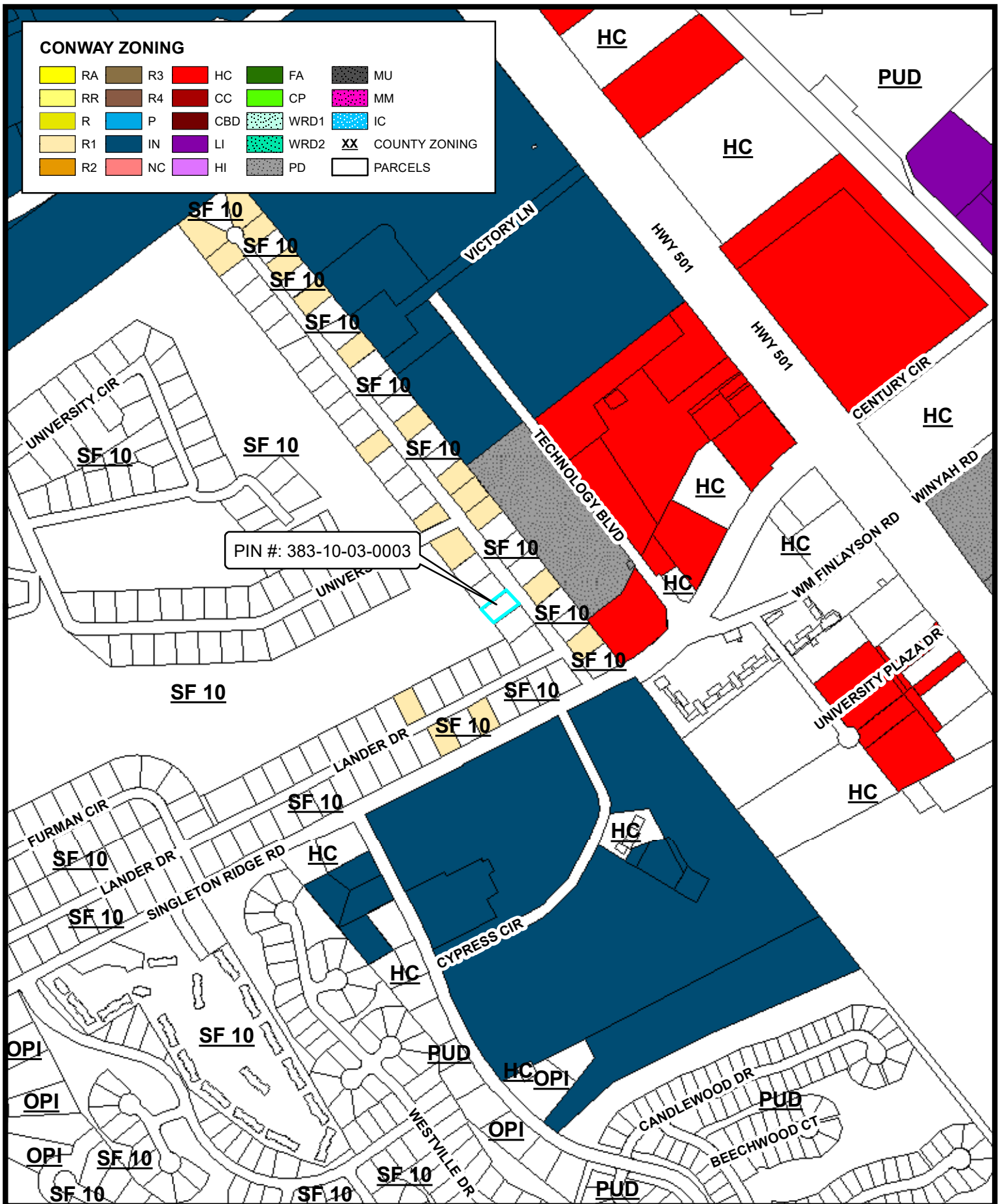
LANDER DR






















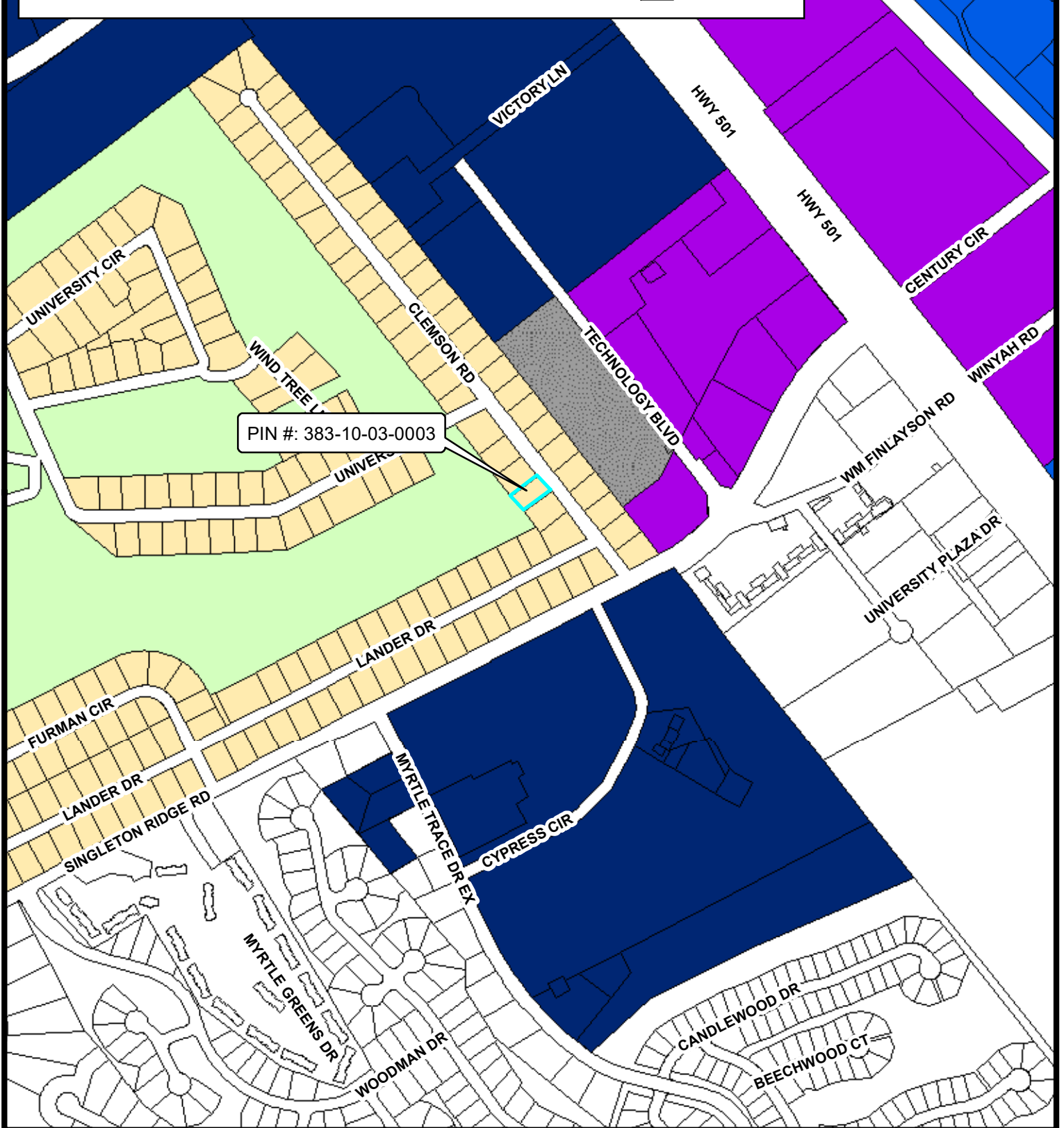






# FUTURE LAND USE

 CONSERVATION PRESERVATION	 HIGHWAY COMMERCIAL	 MEDIUM DENSITY RESIDENTIAL	 PROFESSIONAL
 DOWNTOWN HISTORIC DISTRICT	 INDUSTRIAL	 MIXED USE	 RECREATIONAL
 FOREST AGRICULTURE	 INSTITUTIONAL	 NEIGHBORHOOD COMMERCIAL	 RURAL RESIDENTIAL
 HIGH DENSITY RESIDENTIAL	 LOW DENSITY RESIDENTIAL	 PLANNED DISTRICT	 UTILITY
			 PARCELS







STATE OF SOUTH CAROLINA )

) RESTRICTIVE COVENANT

COUNTY OF HORRY )

SIG

KNOW ALL ME BY THESE PRESENTS, that, (I, we) SIG CONSTRUCTION / MARC THOMAS  
(Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway.  
The property/parcel is situated outside the corporate limits of the City Of Conway. The  
property/parcel is identified in the records of the Assessor of Horry County as Parcel Identification  
Number (PIN) 38310 03 0003 and is physically located at

21 Clemson Rd Conway SC 29526  
The above referenced property was conveyed by deed to the Grantor and recorded in the Office of  
the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 4678 at  
Page 290.

We understand and agree that as a condition of service and connection of the Water and/or  
Sewer System to the above referenced property, we will petition, when requested by the City Of  
Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-  
3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be  
necessary to execute a petition for annexation on more than one occasion; however, the final  
acceptance of the said petition rests upon an affirmation vote of a majority of the governing body  
of the City of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon  
(myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign,  
said petition shall result in either legal recourse for nonperformance by the City, and/or termination  
of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's  
water and/or sewer system prior to connection to insure compliance with the City and State  
regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance  
with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall  
convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors,  
administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of  
this agreement and this agreement itself is a restriction and covenant of the title of the above  
reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is  
mutually agreeable that upon any dividing, separation, or split of the above referenced property,  
this agreement shall remain binding upon the successors and heirs of such division, and that this  
covenant shall remain binding upon the successors and heirs of such division, and that this covenant  
shall remain a restriction and covenant on the title of the parcel resultant of such division.

Deed BK: 4709 PG: 2993 Doctype: 082  
08/07/2023 at 04:37:06 PM, 1 OF 2

Marion D. Foxworth III  
HORRY COUNTY, SC REGISTRAR OF DEEDS



IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

7<sup>th</sup> day of August, 2023

SIGNED, SEALED AND DELIVERED by:

Grantor in the presence of:

Elizabeth Harry

Witness

ABessant

Witness or Notary

[Signature]  
Grantor Name

STATE OF SOUTH CAROLINA )

)

PROBATE

COUNTY OF HORRY )

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Elizabeth Harry

Witness

SWORN TO BEFORE ME THIS August  
DAY OF 7<sup>th</sup>, 2023

ABessant

NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Anne Bessant

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: 4/8/2032

Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

## PETITION FOR ANNEXATION

### TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Coastal Heights

PIN: 38310030003 ACREAGE: \_\_\_\_\_

PROPERTY ADDRESS: 21 Clemson Rd

PROPERTY OWNER MAILING ADDRESS: PO Box 194 Conway SC 29528

PROPERTY OWNER TELEPHONE NUMBER: 843-385-3877

PROPERTY OWNER EMAIL: SigConstruction16@yahoo.com

APPLICANT: Sig Construction / Marc Thomas

APPLICANT'S EMAIL: SigConstruction16@yahoo.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

IF NOT: PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ASSIGNING RESPONSIBILITY TO THE APPLICANT.  
PROPERTY OWNERS (Attach additional sheets if necessary)

MARC THOMAS  
(Print)

[Signature]  
(Signature)

DATE: 8/7/23

\_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Signature)

DATE: \_\_\_\_\_





## PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: N Structure Type: \_\_\_\_\_

Current Use: SFR

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

---

---

---

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

---

---

---

Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

---

---

---

**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)



# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 21 Clemson Rd FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): \_\_\_\_\_ PIN: 383 10 03 0003

CURRENT ZONING CLASSIFICATION: SF 10

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Low Density Residential

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Sig Construction PHONE # 843-385-3877  
PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

PO Box 194  
Conway SC 29528

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

PROPERTY OWNER'S SIGNATURE(S)

DATE

8/7/23

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

**DATE: AUGUST 21, 2023**

**ITEM: VII.E**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (E)**, to annex approximately 0.39 acres located at 29 Clemson Road (PIN 383-10-03-0001), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district.

**BACKGROUND:**

The annexation application was submitted by Peter Forman, as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on February 13, 2020. The property is within the Coastal Heights subdivision near Hwy 544. There is an existing single-family structure on the property. Restrictive covenants were recorded for this property June 14, 2005.

The adjacent property was annexed into the City earlier this year. Several other properties within the Coastal Heights subdivision have been annexed over the years, with most of them being on Clemson Road, but including some lots on University and Lander Drive.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Low/Medium Density Residential (R-1).

*The intent of the R-1 District is to provide for the preservation and expansion of areas for low to medium density, detached single-family residential development in the City of Conway. The district shall present a relatively spacious character, promote quiet, livable neighborhoods, and prohibit uses that are incompatible with the residential nature of the surrounding area.*

**STAFF RECOMMENDATION:**

Approve First reading of **Ordinance #ZA2023-09-05 (E)**



**ORDINANCE #ZA2023-09-05 (E)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 0.39 ACRES OF PROPERTY LOCATED AT 29 CLEMSON ROAD (PIN 383-10-03-0001), AND REQUEST TO REZONE FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES ALLOWED (SF10) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY RESIDENTIAL DISTRICT (R-1) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.39 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.39 acres of property located at 29 Clemson Road (PIN 383-10-03-0001), and request to rezone from the Horry County Residential, no mobile homes allowed (SF10) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_



## Legend

 PARCELS

PIN #: 383-10-03-0001

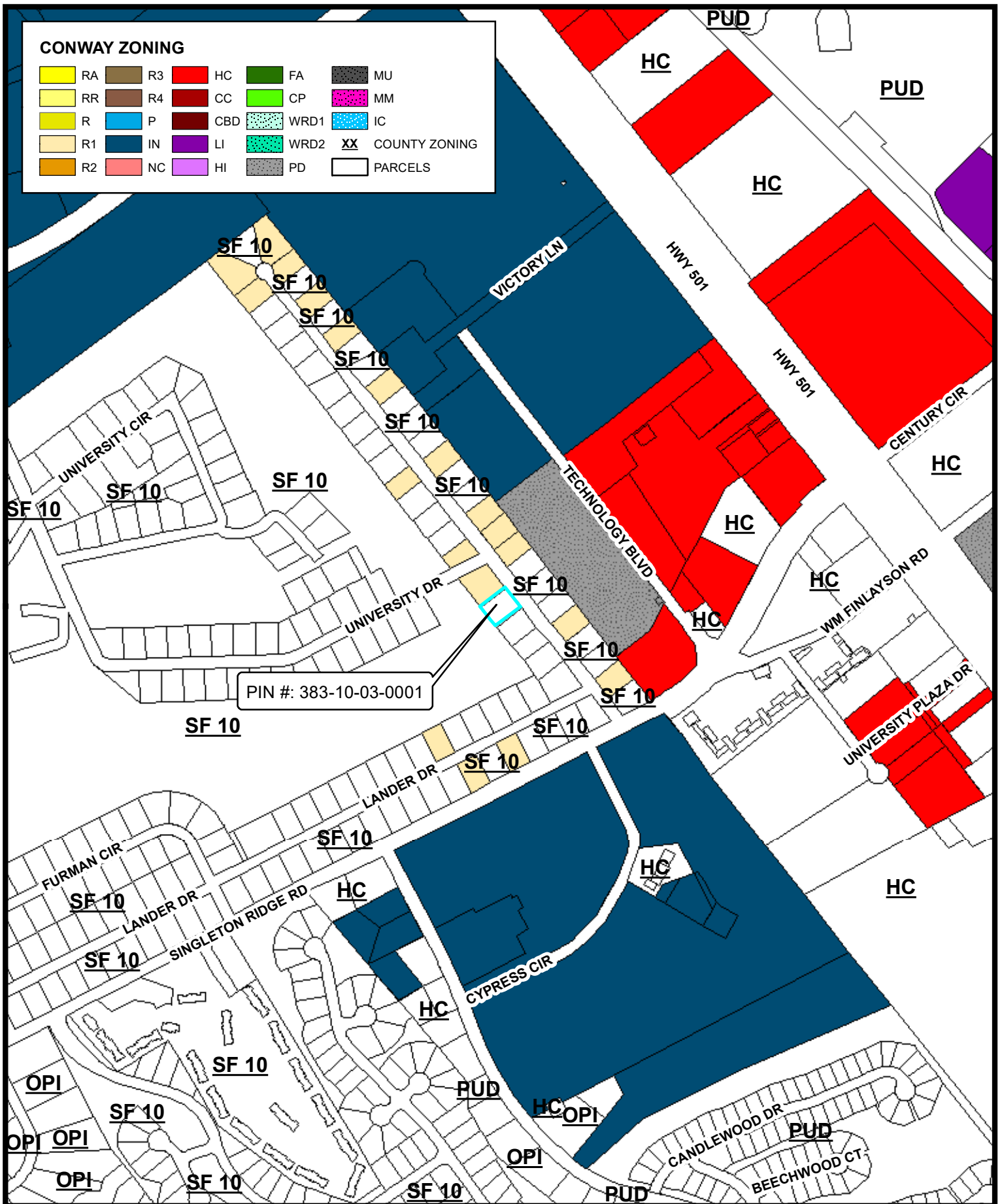
UNIVERSITY DR

CLEMSON RD




















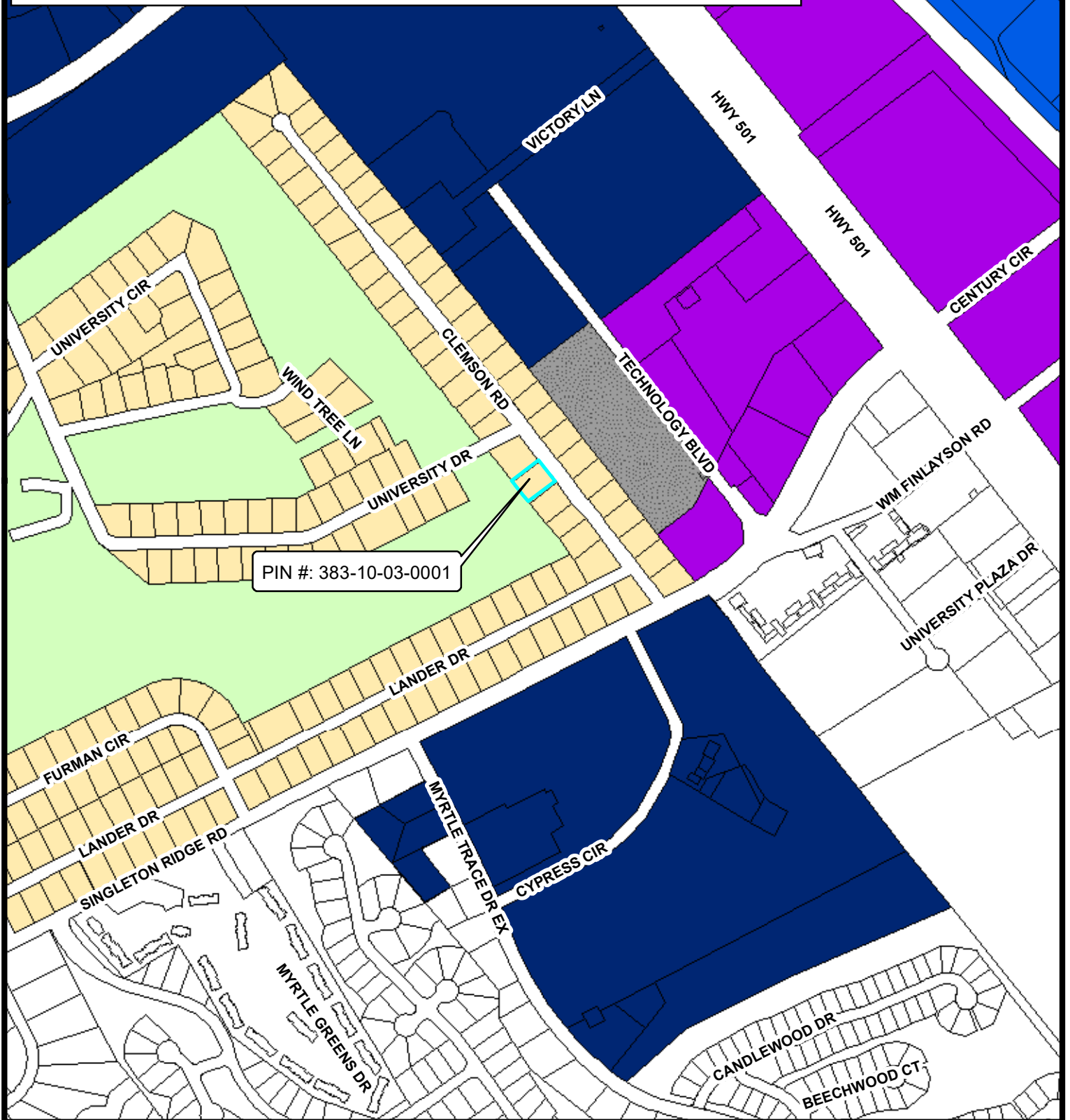






# FUTURE LAND USE

 CONSERVATION PRESERVATION	 HIGHWAY COMMERCIAL	 MEDIUM DENSITY RESIDENTIAL	 PROFESSIONAL
 DOWNTOWN HISTORIC DISTRICT	 INDUSTRIAL	 MIXED USE	 RECREATIONAL
 FOREST AGRICULTURE	 INSTITUTIONAL	 NEIGHBORHOOD COMMERCIAL	 RURAL RESIDENTIAL
 HIGH DENSITY RESIDENTIAL	 LOW DENSITY RESIDENTIAL	 PLANNED DISTRICT	 UTILITY
			 PARCELS





FILED  
HORRY COUNTY, S.C.

2005 JUN 14 PM 2:54

STATE OF SOUTH CAROLINA )

COUNTY OF HORRY

BALLERY V. SKIPPER  
REGISTRAR OF DEEDS

RESTRICTIVE COVENANT

*Grantee address*

*1001 3rd Ave. Conway SC 29526*

KNOW ALL MEN BY THESE PRESENTS that, (I, we) Jerry POKNATKA

(Grantor) seek permission to connect to the Water and/or Sewer System of the City of Conway (Grantee). The subject property parcel is situate outside the corporate limits of the City of Conway. The property/parcel is identified in the records of the Assessor for Horry County as Tax Map: 151-19-04-017 and is physically located at 29 CLIMSON RD, CONWAY SC. The above referenced property was conveyed by deed to the Grantor and recorded in the Office of the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 2906 at Page 984.

We understand and agree that as a condition of service and connection of the Water and/or Sewer System to the above referenced property, we will petition, when requested by the City of Conway (by Group or Individual method) for annexation to the City of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of the said petition rests upon an affirmation vote of a majority of the governing body of the City of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon (myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign, said petition shall result in either legal recourse for nonperformance by the City, and/or termination of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with the City and State regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant on the title of the above referenced property and binding upon the grantors, heirs, successors and assigns. Furthermore, it is mutually agreeable that upon any dividing, separation, or split of the above referenced property, this agreement shall also remain binding upon the successors and heirs of such division, and that this covenant shall remain binding upon the successors and heirs of such division, and that this covenant shall remain a restriction and covenant on the title of the parcel resultant of such division.

IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this  
6th day of June, 2005.

SIGNED, SEALED AND DELIVERED by  
Grantor in the presence of:

[Signature]  
Witness

[Signature]  
Witness

[Signature]  
Grantor Name

\_\_\_\_\_  
Grantor Name

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

PROBATE

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal, and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she/ with the other witness named above witnessed the execution thereof.

[Signature]  
Witness

SWORN TO BEFORE ME THIS 6<sup>th</sup>  
DAY OF June, 2005.

[Signature]  
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: My Commission Expires 9-26-2011





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

COUNTY OF HORRY )

## PETITION FOR ANNEXATION

### TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: 29 Clemson Road

PIN: 3831003001 ACREAGE: .39

PROPERTY ADDRESS: 29 Clemson Road, Conway, SC 29526

PROPERTY OWNER MAILING ADDRESS: 155 Citadel Drive, Conway, SC 29526

PROPERTY OWNER TELEPHONE NUMBER: 985-773-2807

PROPERTY OWNER EMAIL: aforman03@gmail.com

APPLICANT: Peter Forman

APPLICANT'S EMAIL: aforman03@gmail.com

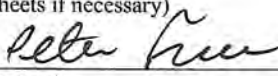
IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Peter Forman

(Print)

  
(Signature)

DATE: 7/27/2023

(Print)

(Signature)

DATE: \_\_\_\_\_





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: yes Structure Type: single family home

Current Use: tenant occupied property

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

---

---

---

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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---

---

Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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---

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)



# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 29 Clemson Road FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): .39 PIN: 3831003001

CURRENT ZONING CLASSIFICATION: SF 10

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Low density residential

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Peter Forman

PHONE # 985-773-2807

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

155 Citadel Drive, Conway, SC 29526

155 Citadel Drive, Conway, SC 29526

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Peter Forman

7/27/2023

PROPERTY OWNER'S SIGNATURE(S)

DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

**DATE: AUGUST 21, 2023**  
**ITEM: VII.F**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (F)**, to annex approximately 0.14 acres located at 113 Quail Run (PIN 383-09-04-0070), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district.

**BACKGROUND:**

The annexation application was submitted by Jozsef Forman (applicant), as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on March 3, 2023. The property is within the Quail Creek Village subdivision near University Blvd and Coastal Carolina University. There is an existing single-family structure on the property. Restrictive covenants were recorded for this property March 1, 2007.

Four (4) other properties within the Quail Creek Village subdivision have been annexed over the years, with the first one annexed in 2006 and the most recent one in 2021, according to Horry County Land Records. Those properties were zoned R-1 (Low/Medium-Density Residential) upon being annexed into the City.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Medium Density Residential (R-2).

*The intent of the R-2 District is to provide for the preservation and expansion of areas for medium density attached, detached, semi-attached, and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the District.*

**STAFF RECOMMENDATION:**

Approve First reading of **Ordinance #ZA2023-09-05 (F)**.



**ORDINANCE #ZA2023-09-05 (F)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 0.14 ACRES OF PROPERTY  
LOCATED AT 113 QUAIL ROAD (PIN 383-09-04-0070), AND REQUEST TO REZONE  
FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES ALLOWED  
(SF10) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM-DENSITY  
RESIDENTIAL DISTRICT (R-1) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.14 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.14 acres of property located at 113 Quail Run (PIN 383-09-04-0070), and request to rezone from the Horry County Residential, no mobile homes allowed (SF10) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_



## Legend

 PARCELS

PIN #: 383-09-04-0070

QUAIL RUN

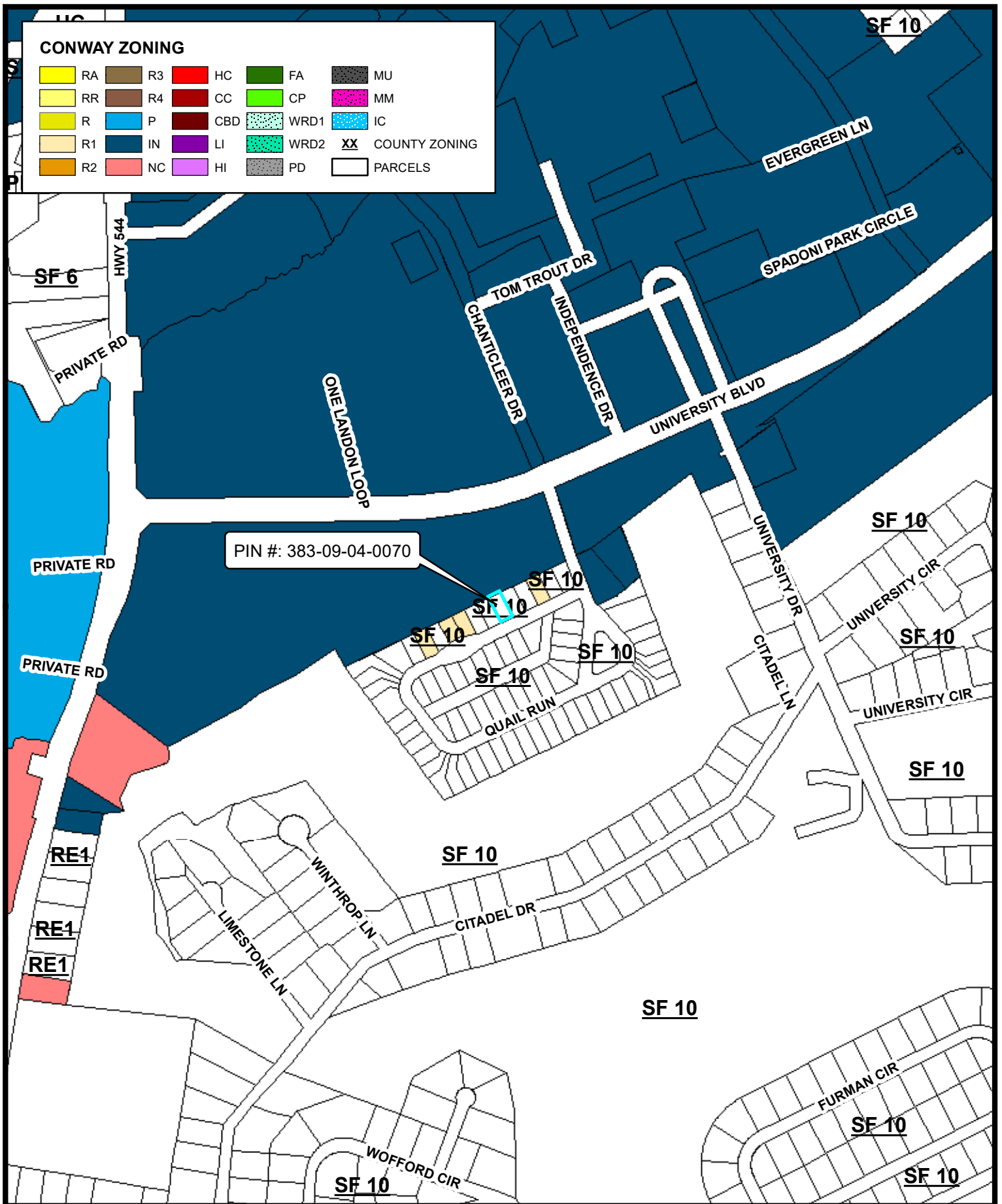
QUAIL CREEK VILLAGE AVE

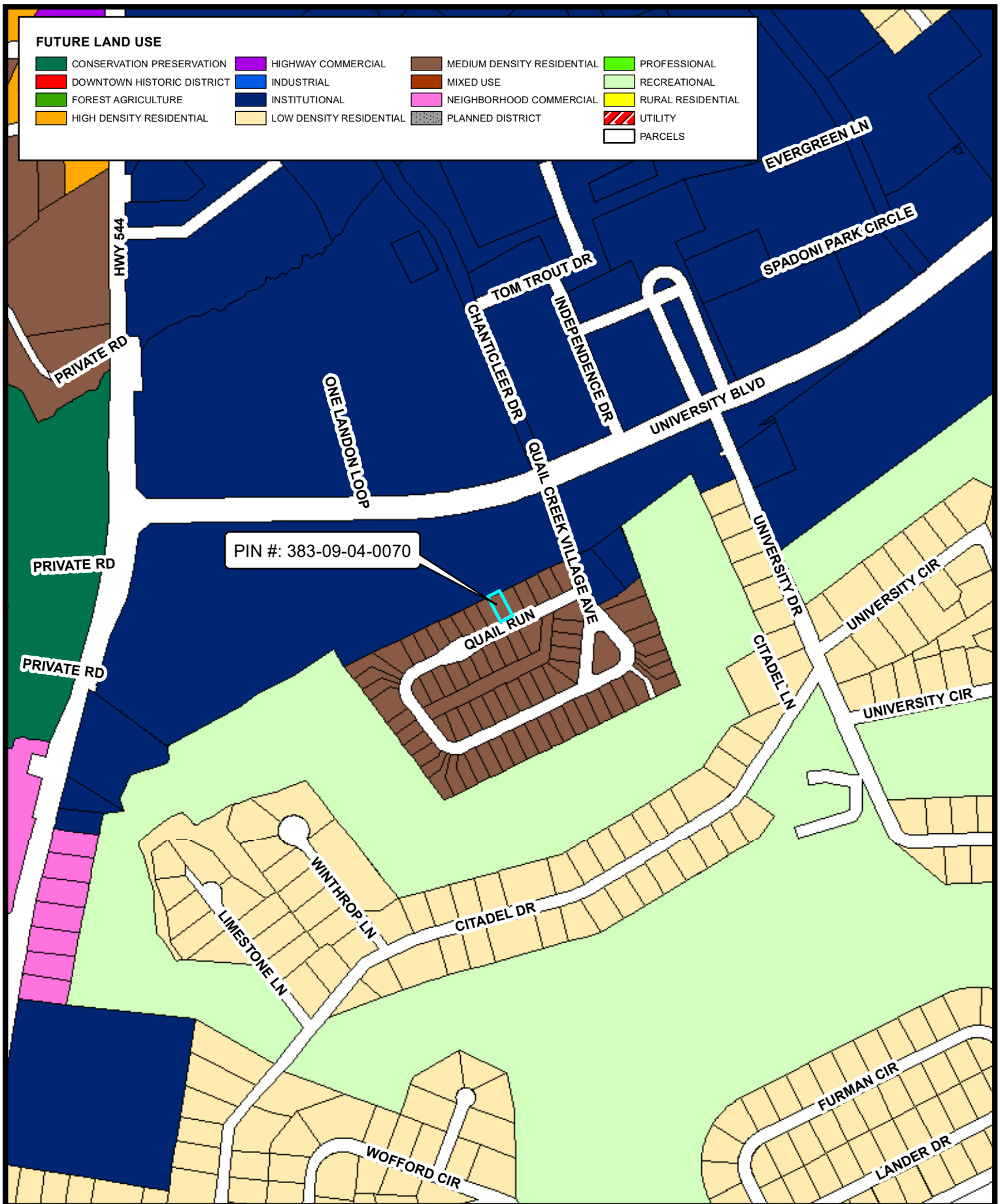




















STATE OF SOUTH CAROLINA

COUNTY OF HORRY

RESTRICTIVE COVENANT

KNOW ALL ME BY THESE PRESENTS, that, (I, we) Heben Kintz (Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway. The property/parcel is situated outside the corporate limits of the City Of Conway. The property/parcel is identified in the records of the Assessor of Horry County as Tax Map # 151-25-01-006 and is physically located at 113 Quail Run Conway, SC 29526. The above referenced property was conveyed by deed to the Grantor and recorded in the Office of the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 2173 at Page 496.

We understand and agree that as a condition of service and connection of the Water and/or Sewer System to the above referenced property, we will petition, when requested by the City Of Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of the said petition rests upon an affirmation vote of a majority of the governing body of the City Of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon (myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign, said petition shall result in either legal recourse for nonperformance by the City, and/or termination of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with the City and State regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant of the title of the above reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is mutually agreeable that upon any dividing, separation, or split of the above referenced property, this agreement shall remain binding upon the successors and heirs of such division, and that this covenant shall remain binding upon the successors and heirs of such division, and that this covenant shall remain a restriction and covenant on the title of the parcel resultant of such division.

Instrument#: 2007000031547, DEED BK:  
3225 PG: 1591 DOCTYPE: 082 03/01/2007  
at 10:51:54 AM, 1 OF 2 BALLERY V.  
SKIPPER, HORRY COUNTY, SC  
REGISTRAR OF DEEDS

IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

27<sup>th</sup> day of February

SIGNED, SEALED AND DELIVERED by:  
Grantor in the presents of:

[Signature]

Witness

[Signature]

Witness

[Signature]

Grantor Name

Grantor Name

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

PROBATE

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant, and that he/she with the other witness named above witnessed the execution thereof.

[Signature]

Witness

SWORN TO BEFORE ME THIS 27<sup>th</sup>  
DAY OF February, 2007

[Signature]

NOTARY PUBLIC FOR SOUTH CAROLINA

My commission expires: NOV. 3, 2015





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

PETITION FOR ANNEXATION

COUNTY OF HORRY )

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Quail Creek Village

PIN: 38309040070 ACREAGE: .14

PROPERTY ADDRESS: 113 Quail Run, Conway, SC 29526

PROPERTY OWNER MAILING ADDRESS: 205 Chatham Drive, Myrtle Beach, SC 29579

PROPERTY OWNER TELEPHONE NUMBER: 843-421-9655

PROPERTY OWNER EMAIL: forman610@gmail.com

APPLICANT: Jozsef Forman

APPLICANT'S EMAIL: forman610@gmail.com

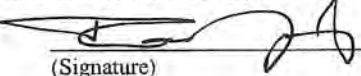
IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Jozsef Forman

(Print)



(Signature)

DATE: 7/28/2023

(Print)

(Signature)

DATE: \_\_\_\_\_



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: yes Structure Type: single family home

Current Use: tenant occupied property

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

---

---

---

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

---

---

---

Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

---

---

---

**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)





# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 113 Quail Run, Conway, SC 29526 FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): .14 PIN: 38309040070

CURRENT ZONING CLASSIFICATION: SF 10

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: medium density residential

REQUESTED ZONING CLASSIFICATION: SF 10

NAME OF PROPERTY OWNER(S):

Jozsef Forman PHONE # 843-421-9655

PHONE # \_\_\_\_\_

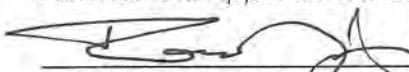
MAILING ADDRESS OF PROPERTY OWNER(S):

205 Chatham Drive, Myrtle Beach, SC 29579

205 Chatham Drive, Myrtle Beach, SC 29579

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

  
PROPERTY OWNER'S SIGNATURE(S)

7/27/2023

DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



**DATE: AUGUST 21, 2023**  
**ITEM: VII.G**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (G)**, to annex approximately 0.27 acres located at 131 Quail Run (PIN 382-12-03-0005), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district.

**BACKGROUND:**

The annexation application was submitted by Agnes Formanne Hargitai, of Quail Run Investments, LLC, as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on December 22, 2014. The property is within the Quail Creek Village subdivision near University Blvd and Coastal Carolina University. There is an existing single-family structure on the property. Restrictive covenants were recorded for this property July 31, 2023.

Four (4) other properties within the Quail Creek Village subdivision have been annexed over the years, with the first one in 2006 and the most recent one in 2021, according to Horry County Land Records. Those properties were zoned R-1 (Low/Medium-Density Residential) upon being annexed into the City.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Medium-Density Residential (R-2).

*The intent of the R-2 District is to provide for the preservation and expansion of areas for medium density attached, detached, semi-attached, and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the District.*

**STAFF RECOMMENDATION:**

Approve First reading of **Ordinance #ZA2023-09-05 (G)**.

**ORDINANCE #ZA2023-09-05 (G)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 0.27 ACRES OF PROPERTY  
LOCATED AT 131 QUAIL RUN (PIN 382-12-03-0005), AND REQUEST TO REZONE  
FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES ALLOWED  
(SF10) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY  
RESIDENTIAL DISTRICT (R-1) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.27 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.27 acres of property located at 131 Quail Run (PIN 382-12-03-0005), and request to rezone from the Horry County Residential, no mobile homes allowed (SF10) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_



## Legend

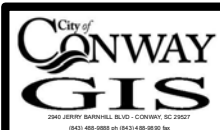
 PARCELS

PIN #: 382-12-03-0001

QUAIL RUN







City of  
**CONWAY**  
SOUTH CAROLINA

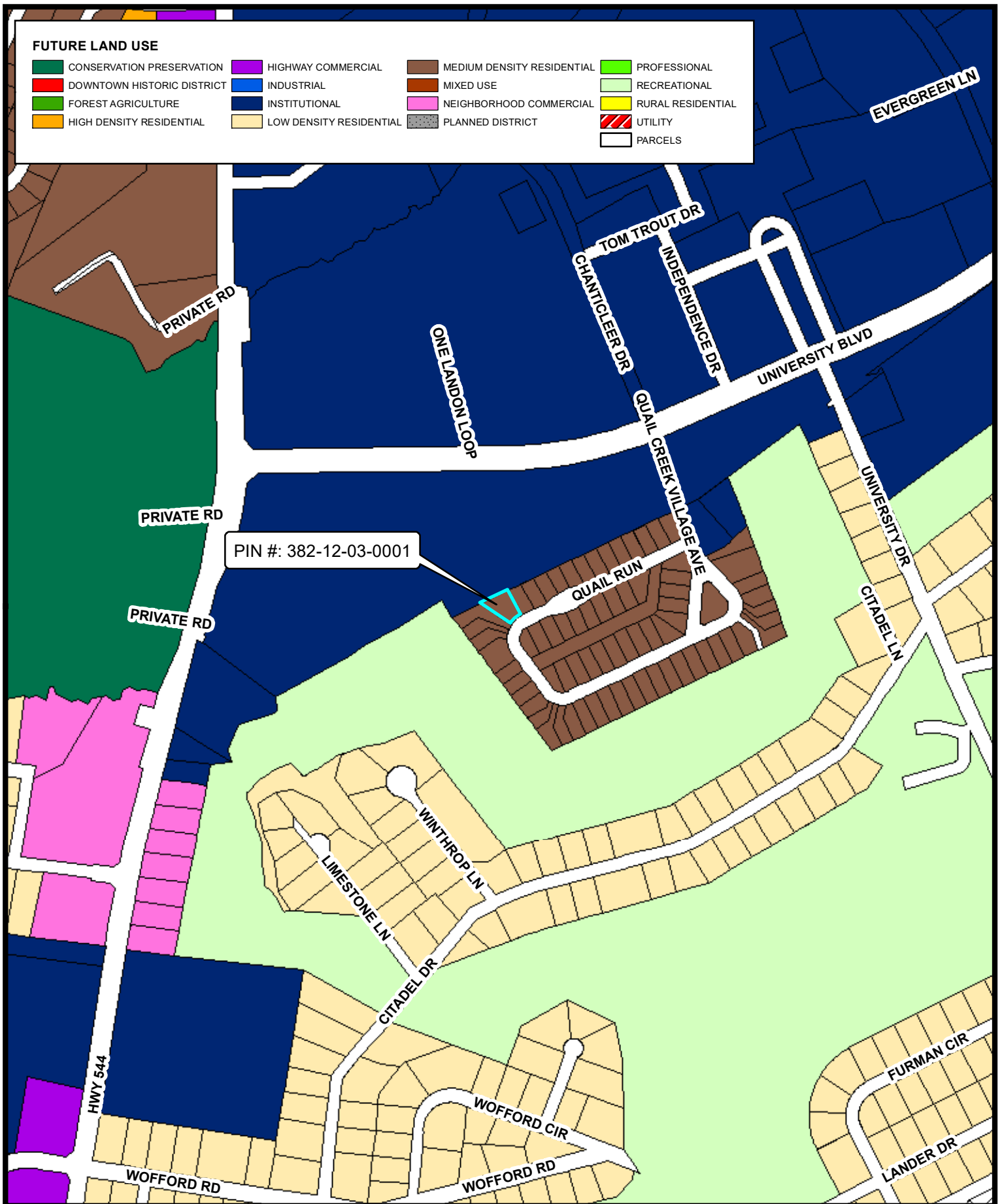




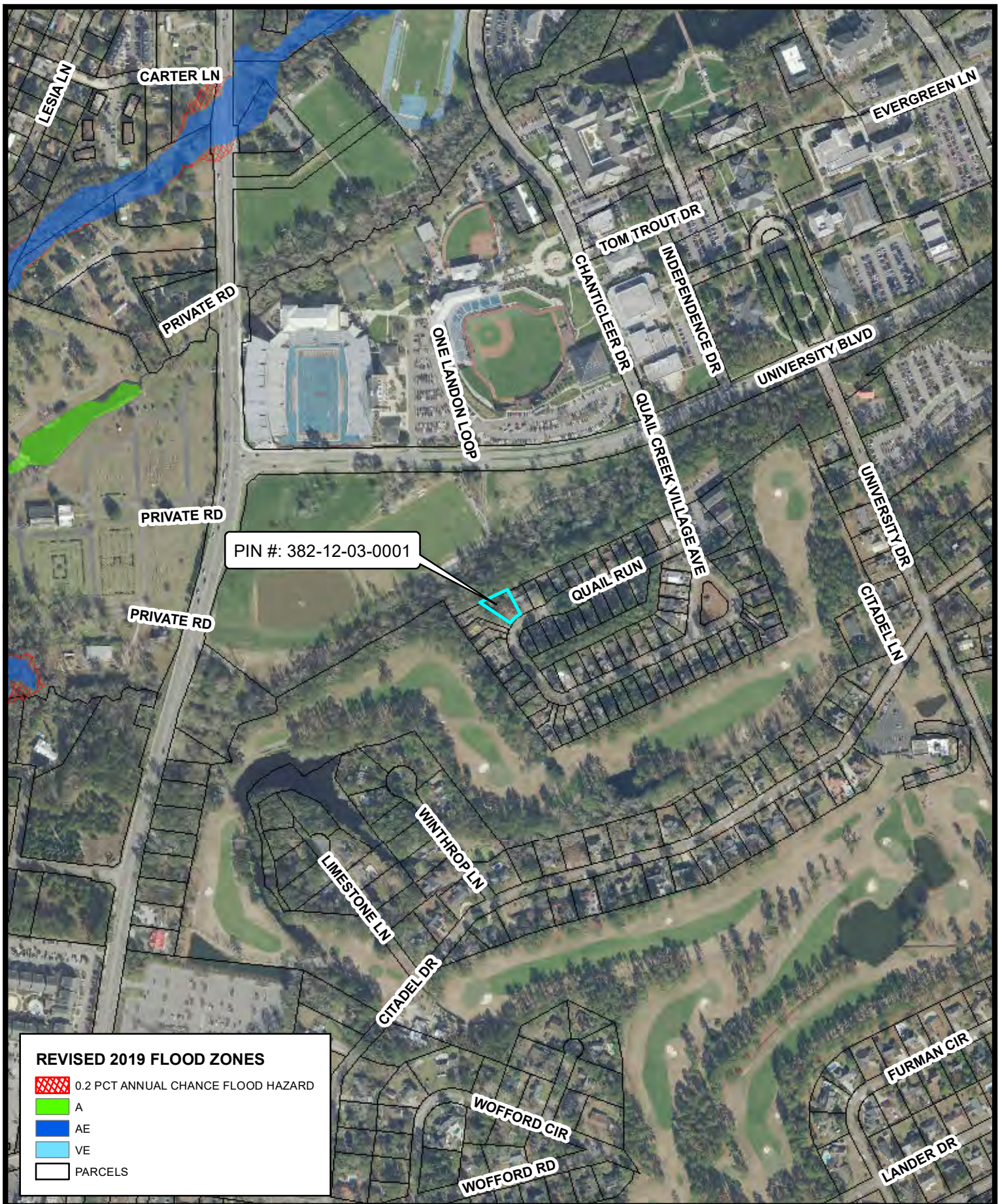


# FUTURE LAND USE

CONSERVATION PRESERVATION	HIGHWAY COMMERCIAL	MEDIUM DENSITY RESIDENTIAL	PROFESSIONAL
DOWNTOWN HISTORIC DISTRICT	INDUSTRIAL	MIXED USE	RECREATIONAL
FOREST AGRICULTURE	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	RURAL RESIDENTIAL
HIGH DENSITY RESIDENTIAL	LOW DENSITY RESIDENTIAL	PLANNED DISTRICT	UTILITY
			PARCELS











STATE OF SOUTH CAROLINA )

) RESTRICTIVE COVENANT

COUNTY OF HORRY )

KNOW ALL ME BY THESE PRESENTS, that, (I, we) Agnes Formanne Hargitai / Sunny Rentals LLC (Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway. The property/parcel is situated outside the corporate limits of the City Of Conway. The property/parcel is identified in the records of the Assessor of Horry County as Parcel Identification Number (PIN) 38212030001 and is physically located at

131 Quail Run, Conway, SC 29526  
The above referenced property was conveyed by deed to the Grantor and recorded in the Office of the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 4681 at Page 2774.

We understand and agree that as a condition of service and connection of the Water and/or Sewer System to the above referenced property, we will petition, when requested by the City Of Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of the said petition rests upon an affirmation vote of a majority of the governing body of the City of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon (myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign, said petition shall result in either legal recourse for nonperformance by the City, and/or termination of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with the City and State regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant of the title of the above reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is mutually agreeable that upon any dividing, separation, or split of the above referenced property, this agreement shall remain binding upon the successors and heirs of such division, and that this covenant shall remain binding upon the successors and heirs of such division, and that this covenant shall remain a restriction and covenant on the title of the parcel resultant of such division.

Deed BK: 4707 PG: 395 Doctype: 082  
07/31/2023 at 08:47:39 AM, 1 OF 2

Marion D. Foxworth III  
HORRY COUNTY, SC REGISTRAR OF DEEDS





IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

31 day of July 2023.

SIGNED, SEALED AND DELIVERED by:  
Grantor in the presence of:

Alex Hauke  
Witness

Agnes Formanne Hargitan  
Grantor Name

Kimberly B Staples  
Witness or Notary

Sunny Rentals LLC

STATE OF SOUTH CAROLINA )

PROBATE

COUNTY OF HORRY )

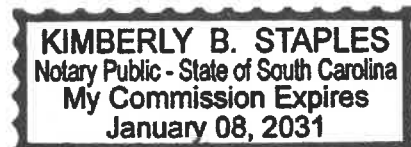
PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Kimberly B Staples

Witness

SWORN TO BEFORE ME THIS 31  
DAY OF July, 2023

Kimberly B Staples



NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Kimberly B Staples

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: 01/08/2031

Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

PETITION FOR ANNEXATION

COUNTY OF HORRY )

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Quail Creek Village

PIN: 38212030001 ACREAGE: .28

PROPERTY ADDRESS: 131 Quail Run, Conway, SC 29526

PROPERTY OWNER MAILING ADDRESS: 205 Chatham Drive, Myrtle Beach, SC 29579

PROPERTY OWNER TELEPHONE NUMBER: 985-773-2809

PROPERTY OWNER EMAIL: aforman03@gmail.com

APPLICANT: Agnes Formanne Hargitai

APPLICANT'S EMAIL: aforman03@gmail.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Agnes Formanne Hargitai  
(Print)

Agnes Formanne Hargitai  
(Signature)

DATE: 7/27/2023

(Print)

(Signature)

DATE: \_\_\_\_\_



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: yes Structure Type: single family home

Current Use: tenant occupied property

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)





# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 131 Quail Run, Conway, SC 29526 FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): .28 PIN: 38212030001

CURRENT ZONING CLASSIFICATION: SF 10

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: medium density residential

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Agnes Formanne Hargitai PHONE # 985-773-2809

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

205 Chatham Drive, Myrtle Beach, SC 29579

205 Chatham Drive, Myrtle Beach, SC 29579

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Agnes Formanne Hargitai 7/27/2023  
PROPERTY OWNER'S SIGNATURE(S) DATE

PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

**DATE: AUGUST 21, 2023**

**ITEM: VII.H**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (H)**, to annex approximately 0.16 acres located at 184 Quail Run (PIN 383-09-04-0039), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district.

**BACKGROUND:**

The annexation application was submitted by Peter Forman (applicant), as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on March 31, 2021. The property is within the Quail Creek Village subdivision near University Blvd and Coastal Carolina University. There is an existing single-family structure on the property. Restrictive covenants were recorded for this property July 31, 2023.

Four (4) other properties within the Quail Creek Village subdivision have been annexed over the years, with the first one in 2006 and the most recent one in 2021, according to Horry County Land Records. Those properties were zoned R-1 (Low/Medium-Density Residential) upon being annexed into the City.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Medium-Density Residential (R-2).

*The intent of the R-2 District is to provide for the preservation and expansion of areas for medium density attached, detached, semi-attached, and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the District.*

**STAFF RECOMMENDATION:**

Approve First reading of **Ordinance #ZA2023-09-05 (H)**

**ORDINANCE #ZA2023-09-05 (H)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 0.16 ACRES OF PROPERTY  
LOCATED AT 184 QUAIL RUN (PIN 383-09-04-0039), AND REQUEST TO REZONE  
FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES ALLOWED  
(SF10) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY  
RESIDENTIAL DISTRICT (R-1) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.16 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.16 acres of property located at 184 Quail Run (PIN 383-09-04-0039), and request to rezone from the Horry County Residential, no mobile homes allowed (SF10) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.



**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

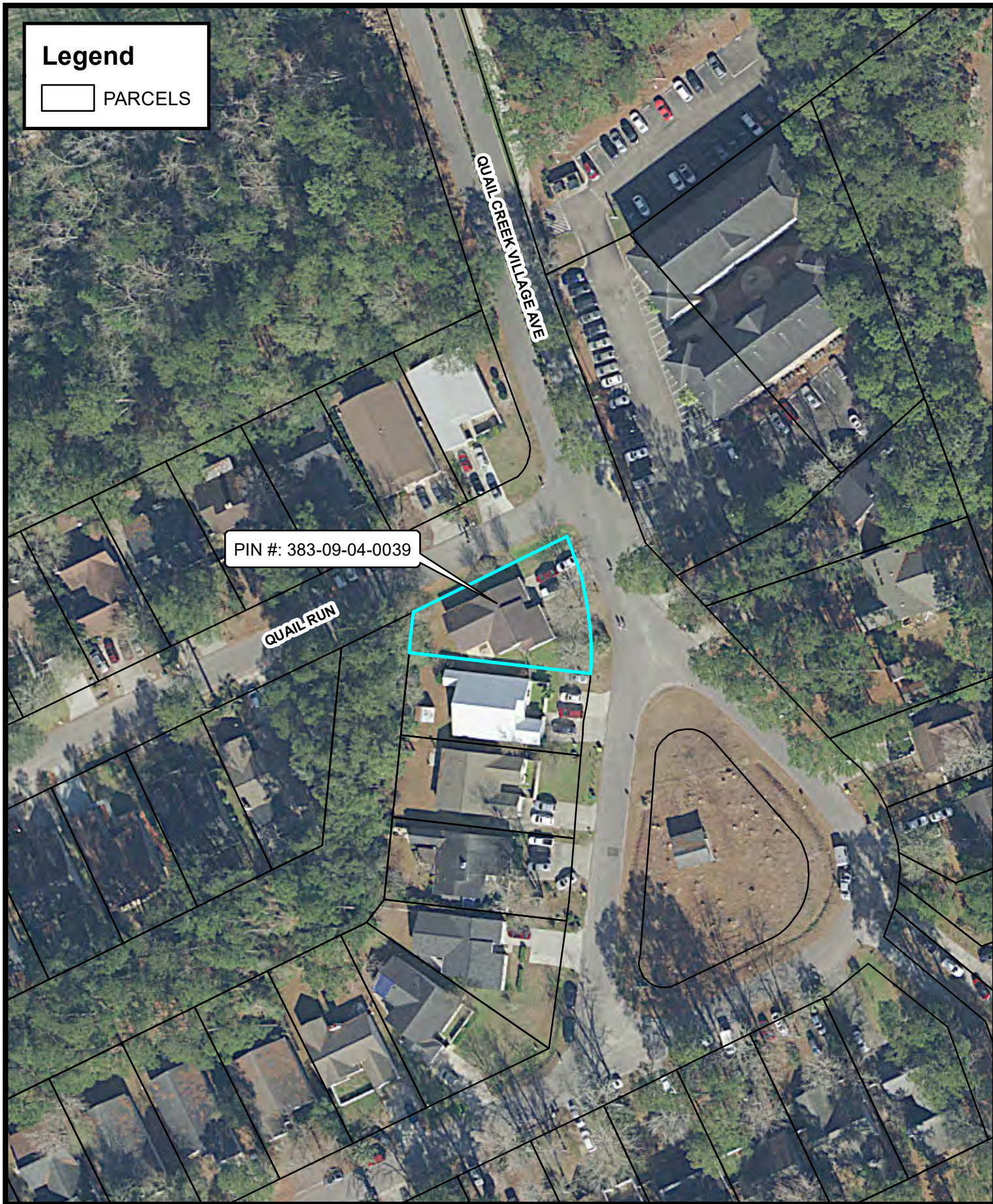
\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_

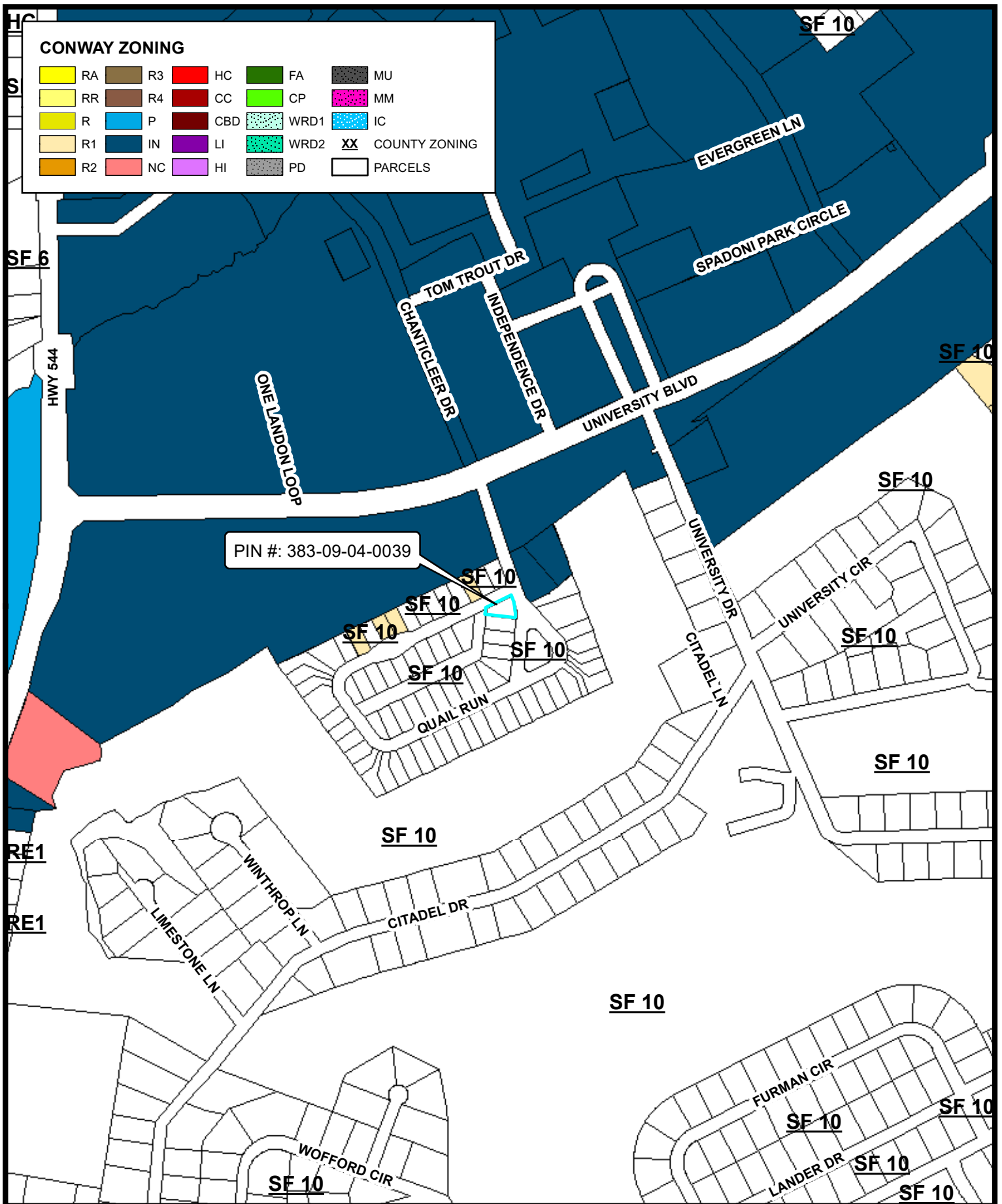






















STATE OF SOUTH CAROLINA )

)

RESTRICTIVE COVENANT

COUNTY OF HORRY )

KNOW ALL ME BY THESE PRESENTS, that, (I, we) Peter Forman  
(Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway. The property/parcel is situated outside the corporate limits of the City Of Conway. The property/parcel is identified in the records of the Assessor of Horry County as Parcel Identification Number (PIN) 38309040039 and is physically located at 184 Quail Run, Conway, SC 29526

The above referenced property was conveyed by deed to the Grantor and recorded in the Office of the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 4232 at Page 2252.

We understand and agree that as a condition of service and connection of the Water and/or Sewer System to the above referenced property, we will petition, when requested by the City Of Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of the said petition rests upon an affirmation vote of a majority of the governing body of the City of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon (myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign, said petition shall result in either legal recourse for nonperformance by the City, and/or termination of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with the City and State regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant of the title of the above reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is mutually agreeable that upon any dividing, separation, or split of the above referenced property, this agreement shall remain binding upon the successors and heirs of such division, and that this covenant shall remain binding upon the successors and heirs of such division, and that this covenant shall remain a restriction and covenant on the title of the parcel resultant of such division.

Deed BK: 4707 PG: 387 Doctype: 082  
07/31/2023 at 08:46:27 AM, 1 OF 2

Marion D. Foxworth III  
HORRY COUNTY, SC REGISTRAR OF DEEDS



IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

28<sup>th</sup> day of July 2023

SIGNED, SEALED AND DELIVERED by:  
Grantor in the presence of:

Agnes Fouanne Hargitai  
Witness

[Signature]  
Grantor Name

Destanie Haring  
Witness or Notary

STATE OF SOUTH CAROLINA )

)

PROBATE

COUNTY OF HORRY )

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Agnes Fouanne Hargitai  
Witness

SWORN TO BEFORE ME THIS 28<sup>th</sup>  
DAY OF July, 2023

Destanie Haring

Destanie Haring  
Notary Public, State of South Carolina  
My Commission Expires July 26, 2031

NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Destanie Haring

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: July 26, 2031

Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

)

## PETITION FOR ANNEXATION

COUNTY OF HORRY )

## TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: 184 Quail Run

PIN: 38309040039 ACREAGE: .15

PROPERTY ADDRESS: 184 Quail Run, Conway, SC 29526

PROPERTY OWNER MAILING ADDRESS: 155 Citadel Drive, Conway, SC 29526

PROPERTY OWNER TELEPHONE NUMBER: 985-773-2807

PROPERTY OWNER EMAIL: aforman03@gmail.com

APPLICANT: Peter Forman

APPLICANT'S EMAIL: aforman03@gmail.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒

NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Peter Forman

(Print)

Peter Forman

(Signature)

DATE: 7/27/2023

(Print)

(Signature)

DATE: \_\_\_\_\_





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: yes Structure Type: single family home

Current Use: tenant occupied property

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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---

Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)



# Zoning Map Amendment Application

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## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 184 Quail Run FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): .15 PIN: 38309040039

CURRENT ZONING CLASSIFICATION: SF 10

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Medium density residential

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Peter Forman PHONE # 985-773-2807

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

155 Citadel Drive, Conway, SC 29526

155 Citadel Drive, Conway, SC 29526

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Peter Forman  
PROPERTY OWNER'S SIGNATURE(S)

7/27/2023

DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

**DATE: AUGUST 21, 2023**

**ITEM: VII.I**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (I)**, to annex approximately 0.39 acres located at 1759 Juniper Drive (PIN 383-01-04-0037), and rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low/Medium-Density Residential (R-1) district.

**BACKGROUND:**

The annexation application was submitted by Jozsef Forman (applicant), as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on March 24, 2023. The property is within the College Place subdivision near Yaupon Drive. There is an existing single-family structure on the property. Restrictive covenants were recorded for this property June 9, 1986.

To date, there have been no other properties within the College Place subdivision that have been annexed into the City of Conway.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* identifies this property as High-Density Residential (R-3).

*The intent of the R-3 District is to provide for areas of high density attached, detached, semi-attached, and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the District.*

**STAFF RECOMMENDATION:**

No other properties in this particular subdivision have been previously annexed, and currently, Sanitation does not service this neighborhood. Staff would recommend against annexation at this time.



**ORDINANCE #ZA2023-09-05 (I)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 0.39 ACRES OF PROPERTY  
LOCATED AT 1759 JUNIPER DRIVE (PIN 383-01-04-0037), AND REQUEST TO  
REZONE FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES  
ALLOWED (SF6) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY  
RESIDENTIAL DISTRICT (R-1) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.39 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.39 acres of property located at 1759 Juniper Drive (PIN 383-01-04-0037), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

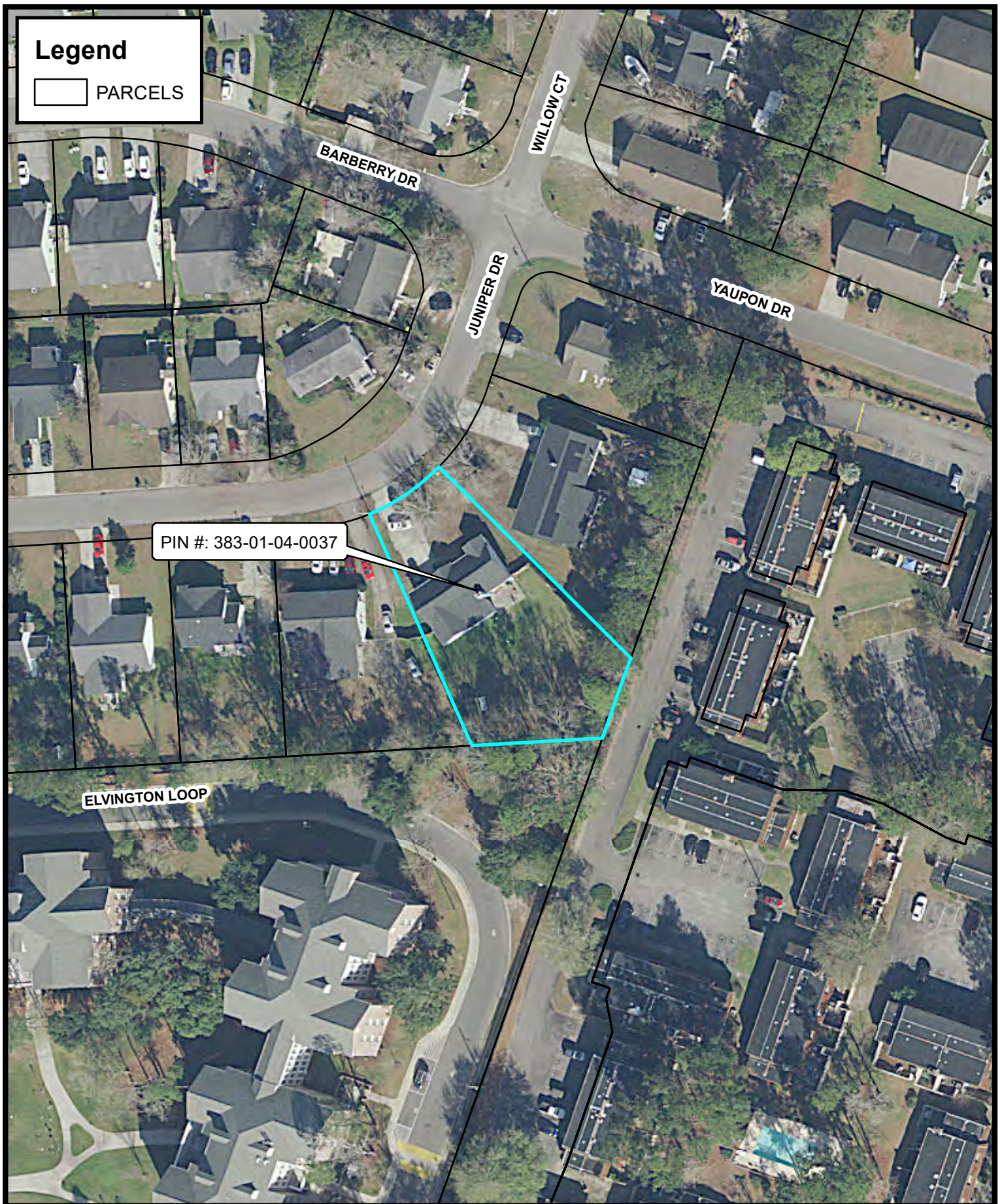
\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

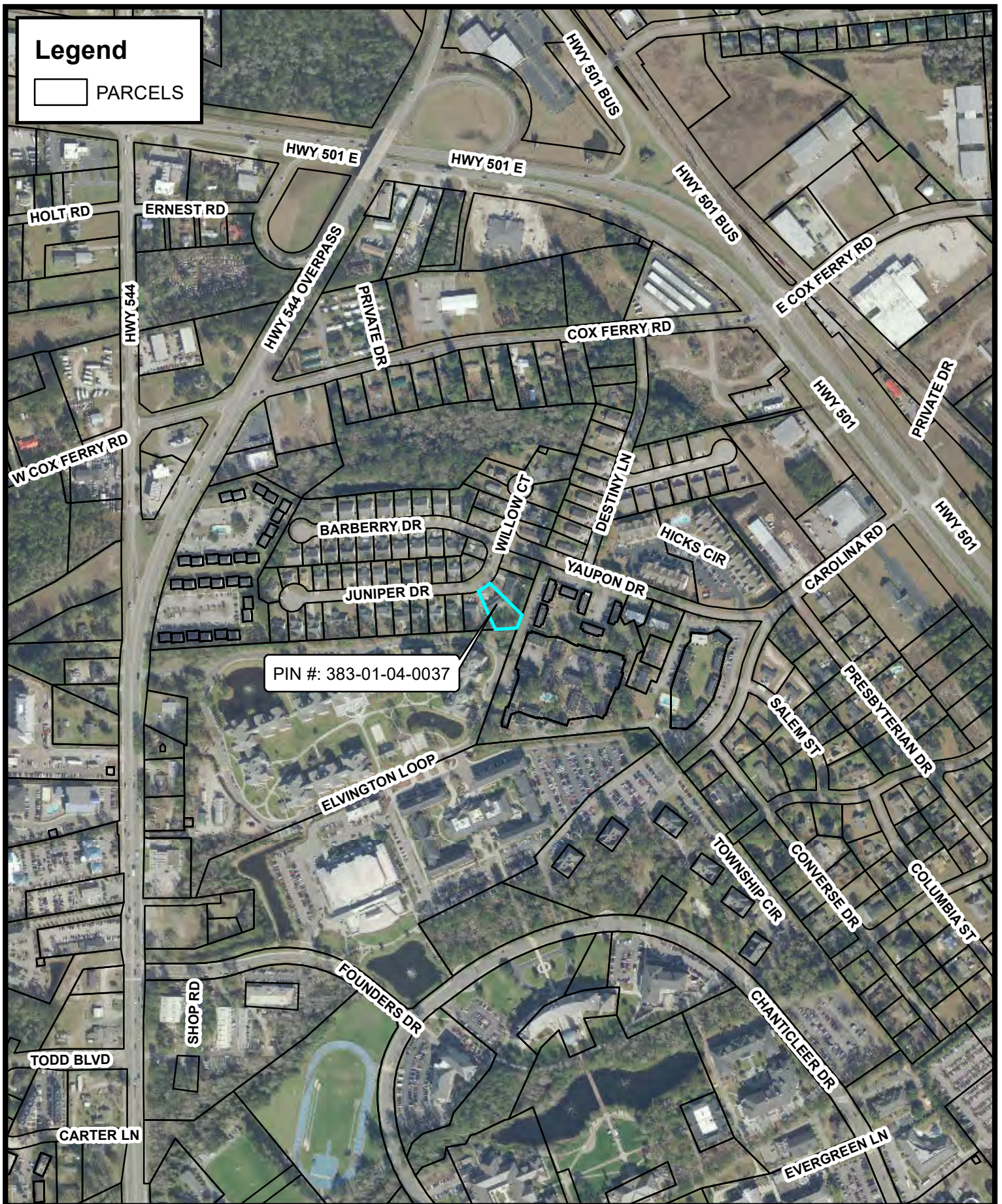
First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_

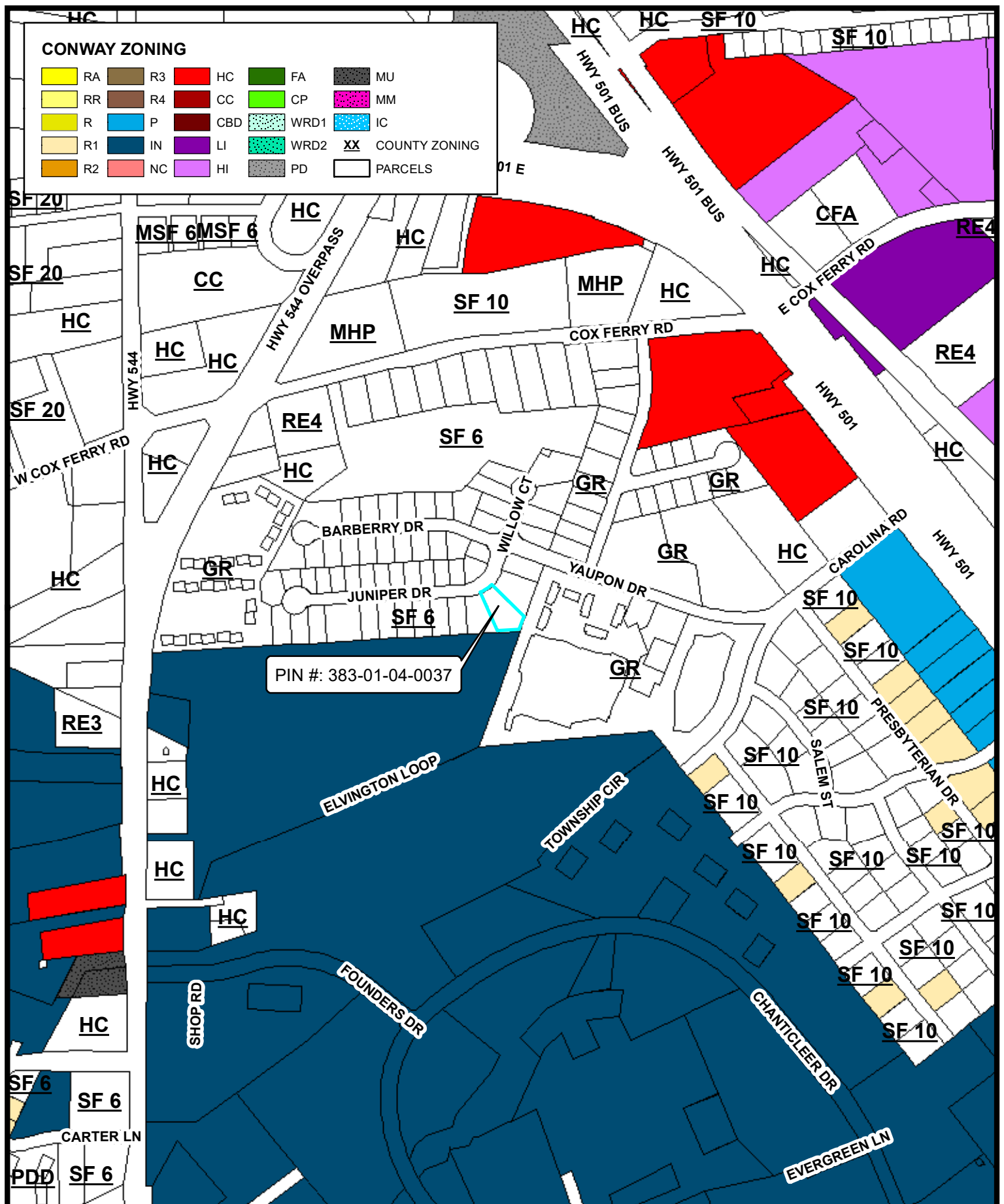






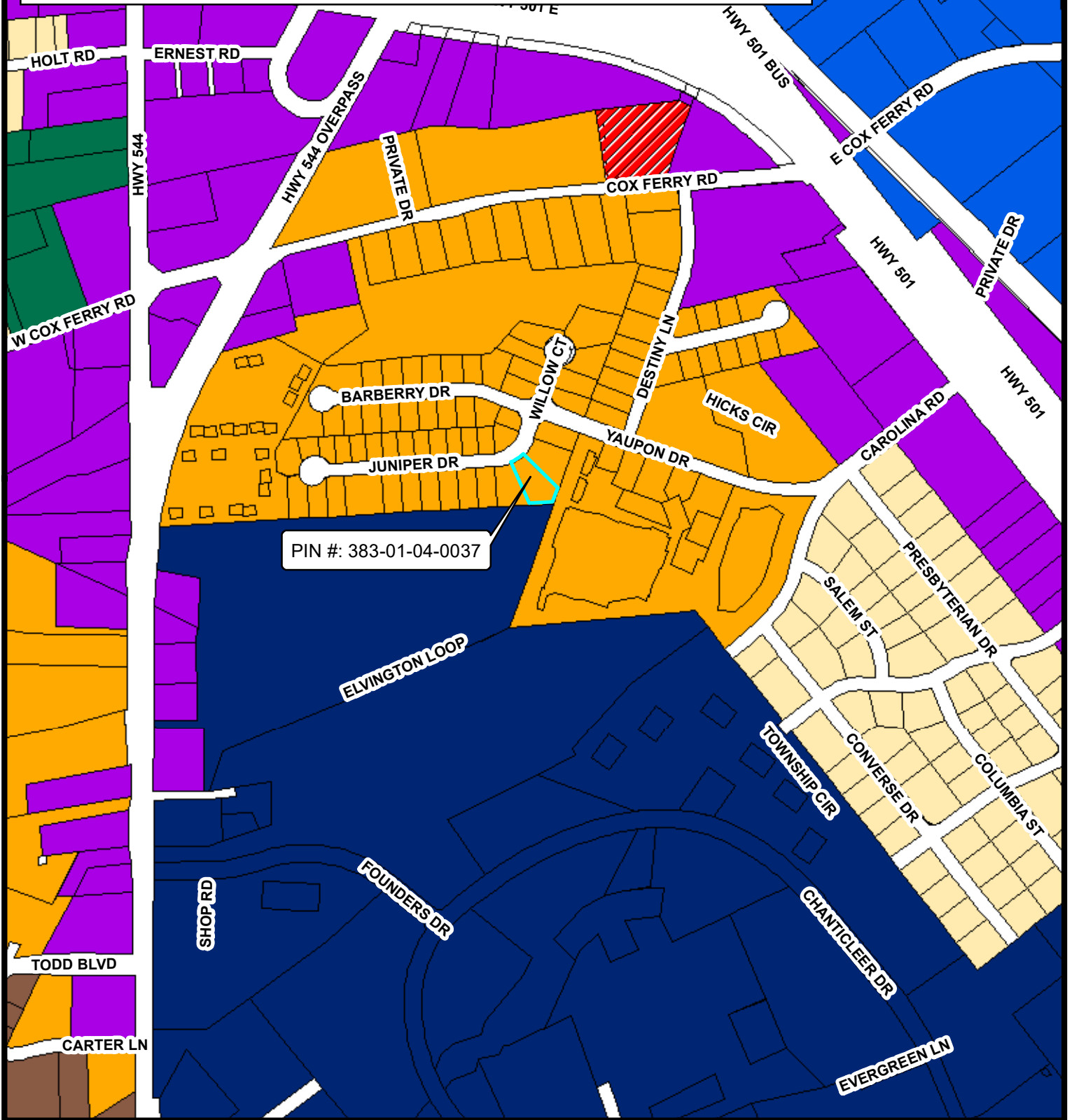




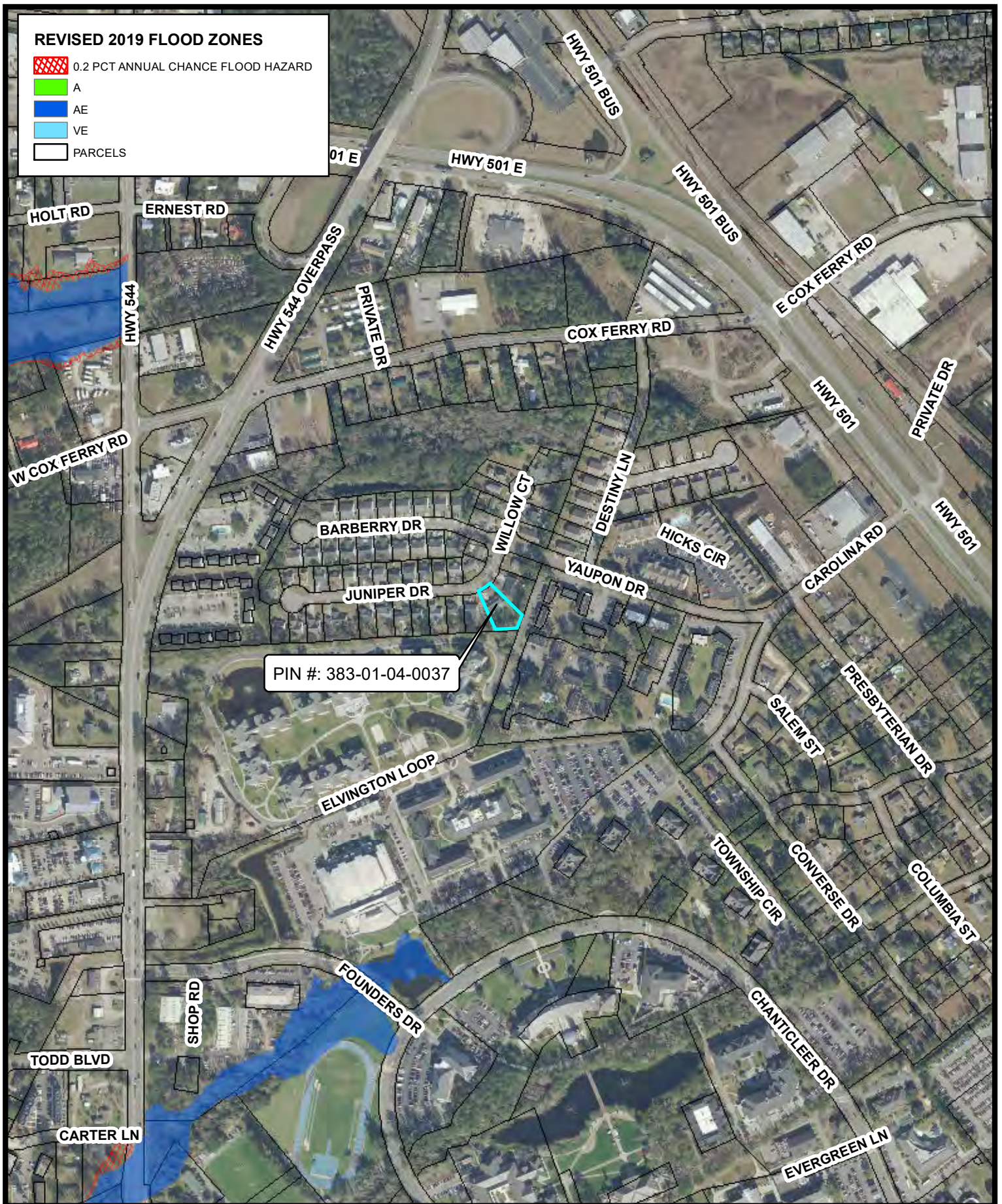


# FUTURE LAND USE

CONSERVATION PRESERVATION	HIGHWAY COMMERCIAL	MEDIUM DENSITY RESIDENTIAL	PROFESSIONAL
DOWNTOWN HISTORIC DISTRICT	INDUSTRIAL	MIXED USE	RECREATIONAL
FOREST AGRICULTURE	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	RURAL RESIDENTIAL
HIGH DENSITY RESIDENTIAL	LOW DENSITY RESIDENTIAL	PLANNED DISTRICT	UTILITY
			PARCELS









TAS#s - 150

Conway, South Carolina

Date: June 9, 1986

WATER AND/OR SEWER CONNECTION APPLICATION-OUT OF CITY  
CITY OF CONWAY

I hereby make application for Water and/or Sewer Connection to my premises at College Place Subdivision  
Red Hill Section, Horry County, S.C. (address). I agree to abide by all the rules, rates, regulations and ordinances that are now in force, or may hereafter become in force, governing the Water/or Sewer Department.

I certify that my property is not located within the City limits of the City of Conway. I agree that I will annex as a condition of service.

If the City does not desire to annex my property at this time, I agree to sign a petition for annexation at such time or times as requested to do so by the City.

Also, as required by City Ordinance - Extension of Water and Sewer System, attached is a clocked copy of the restrictive covenant which is filed with the Office of the Clerk of Court for Horry County.

College Place, Inc.,  
By *[Signature]*  
ITS PRESIDENT  
Property Owner(s)

Paid: \_\_\_\_\_

Date Installed: \_\_\_\_\_

GENERAL INSTRUCTIONS

Request ~~sewer~~ water service for lots 1-38 as shown  
on attached map of College Place. Services to lots will be  
requested on individual lot basis as improvements  
are constructed on individual lots.

Conway, South Carolina Date: June , 1986

WATER AND/OR SEWER CONNECTION APPLICATION-OUT OF CITY  
CITY OF CONWAY

I hereby make application for Water and/or Sewer Connection to my premises  
College Place, a subdivision  
at Red Hill Section, Horry County, South Carolina . I agree to abide by  
(address)  
all the rules, rates, regulations and ordinances that are now in force, or  
may hereafter become in force, governing the Water/or Sewer Department.

I certify that my property is not located within the City limits of the  
City of Conway. I agree that I will annex as a condition of service.

If the City does not desire to annex my property at this time, I agree to  
sign a petition for annexation at such time or times as requested to do  
so by the City.

Also, as required by City Ordinance - Extension of Water and Sewer System,  
attached is a clocked copy of the restrictive covenant which is filed  
with the Office of the Clerk of Court for Horry County.

COLLEGE PLACE, INC.  
BY: [Signature]  
Property Owner(s)  
ITS: Vin [Signature]

Paid: \_\_\_\_\_  
Date Installed: \_\_\_\_\_

**PAID**  
JUN 1 0 1986  
CITY OF CONWAY  
SOUTH CAROLINA

GENERAL INSTRUCTIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



State of South Carolina )  
County of Horry )

RESTRICTIVE COVENANT

College Place, Inc. (Grantor) seeks permission to connect to the water and/or sewer system of the City of Conway (Grantee). Our property is outside of the corporate limits as described on tax map no. \_\_\_\_\_, and located at Red Hill Section, Horry Co., S.C. Said property was conveyed by deed recorded in Deed Book 1036, at Page 121, in the Office of the Clerk of Court for Horry County, South Carolina.

We understand and agree that as a condition for connecting to the water and/or sewer system, we will petition, when requested by the City, for annexation to the City of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of said petition rests upon an affirmative vote of a majority of the governing body of the City of Conway.

We understand and agree that should we or our successors violate the petition requirement that the City of Conway has the power to immediately discontinue water and/or sewer services to the premises as well as bring a legal action for nonperformances regarding the petition.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with City and State standards. An inspection fee, if applicable, may be charged for such inspection in accordance with established City policies.

All rights, powers, and privileges hereby granted to the City of Conway as Grantee shall pass to its heirs, successors and assigns and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant on the title to this property and binding upon grantors, heirs, successors and assigns.

In Witness Whereof, the undersigned Grantor has hereto set his hand and Seal this \_\_\_\_\_ day of June, 19 86.

PAID  
JUN 1 01986

SIGNED, SEALED AND DELIVERED by Grantor, in the presence of us in Horry County, South Carolina:

COLLEGE PLACE, INC. CITY OF CONWAY  
SOUTH CAROLINA

BY: [Signature]  
Grantor Name  
ITS: Vice-President

[Signature: Linda McCray]  
Witnesses

Grantor Name

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within-named sign, seal, and as his/her act and deed, deliver the within-written Agreement; and that he/she with the other witness named above witnessed the execution thereof.

SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF May, 19 86.

[Signature: Linda McCray]  
Witness

[Signature: Carolyn C. Stevens]  
NOTARY PUBLIC FOR SOUTH CAROLINA  
MY COMMISSION EXPIRES: Notary Public, South Carolina State at Large  
My Commission Expires May 20, 1993





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

PETITION FOR ANNEXATION

COUNTY OF HORRY )

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: College Place

PIN: 38301040037 ACREAGE: .40

PROPERTY ADDRESS: 1759 Juniper Drive, Conway, SC 29526

PROPERTY OWNER MAILING ADDRESS: 205 Chatham Drive, Myrtle Beach, SC 29579

PROPERTY OWNER TELEPHONE NUMBER: 843-421-9655

PROPERTY OWNER EMAIL: forman610@gmail.com

APPLICANT: Jozsef Forman

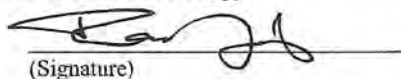
APPLICANT'S EMAIL: forman610@gmail.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Jozsef Forman  
(Print)

  
(Signature)

DATE: 7/27/2023

\_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Signature)

DATE: \_\_\_\_\_



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: yes Structure Type: single family home

Current Use: tenant occupied property

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)





# Zoning Map Amendment Application

*Incomplete applications will not be accepted.*

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 1759 Juniper Drive, Conway, SC 29526 FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): .40 PIN: 38301040037

CURRENT ZONING CLASSIFICATION: SF 6

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: high density residential

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Jozsef Forman

PHONE # 843-421-9655

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

205 Chatham Drive, Myrtle Beach, SC 29579

205 Chatham Drive, Myrtle Beach, SC 29579

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

  
PROPERTY OWNER'S SIGNATURE(S)

7/27/2028

DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

**DATE: AUGUST 21, 2023**  
**ITEM: VII.J**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (J)**, to annex approximately 0.24 acres located at 1775 Juniper Drive (PIN 383-01-04-0035), and rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low/Medium-Density Residential (R-1) district.

**BACKGROUND:**

The annexation application was submitted by Jozsef Forman (applicant) as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on March 24, 2023. The property is within the College Place subdivision near Yaupon Drive. There is an existing single-family structure on the property. Restrictive covenants were recorded for this property June 9, 1986.

To date, there have been no other properties within the College Place subdivision that have been annexed into the City of Conway.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* identifies this property as High-Density Residential (R-3).

*The intent of the R-3 District is to provide for areas of high density attached, detached, semi-attached, and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the District.*

**STAFF RECOMMENDATION:**

No other properties in this particular subdivision have been previously annexed, and currently, Sanitation does not service this neighborhood. Staff would recommend against annexation at this time.

**ORDINANCE #ZA2023-09-05 (J)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 0.24 ACRES OF PROPERTY  
LOCATED AT 1775 JUNIPER DRIVE (PIN 383-01-04-0035), AND REQUEST TO  
REZONE FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES  
ALLOWED (SF6) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY  
RESIDENTIAL DISTRICT (R-1) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.24 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.24 acres of property located at 1775 Juniper Drive (PIN 383-01-04-0035), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.



**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

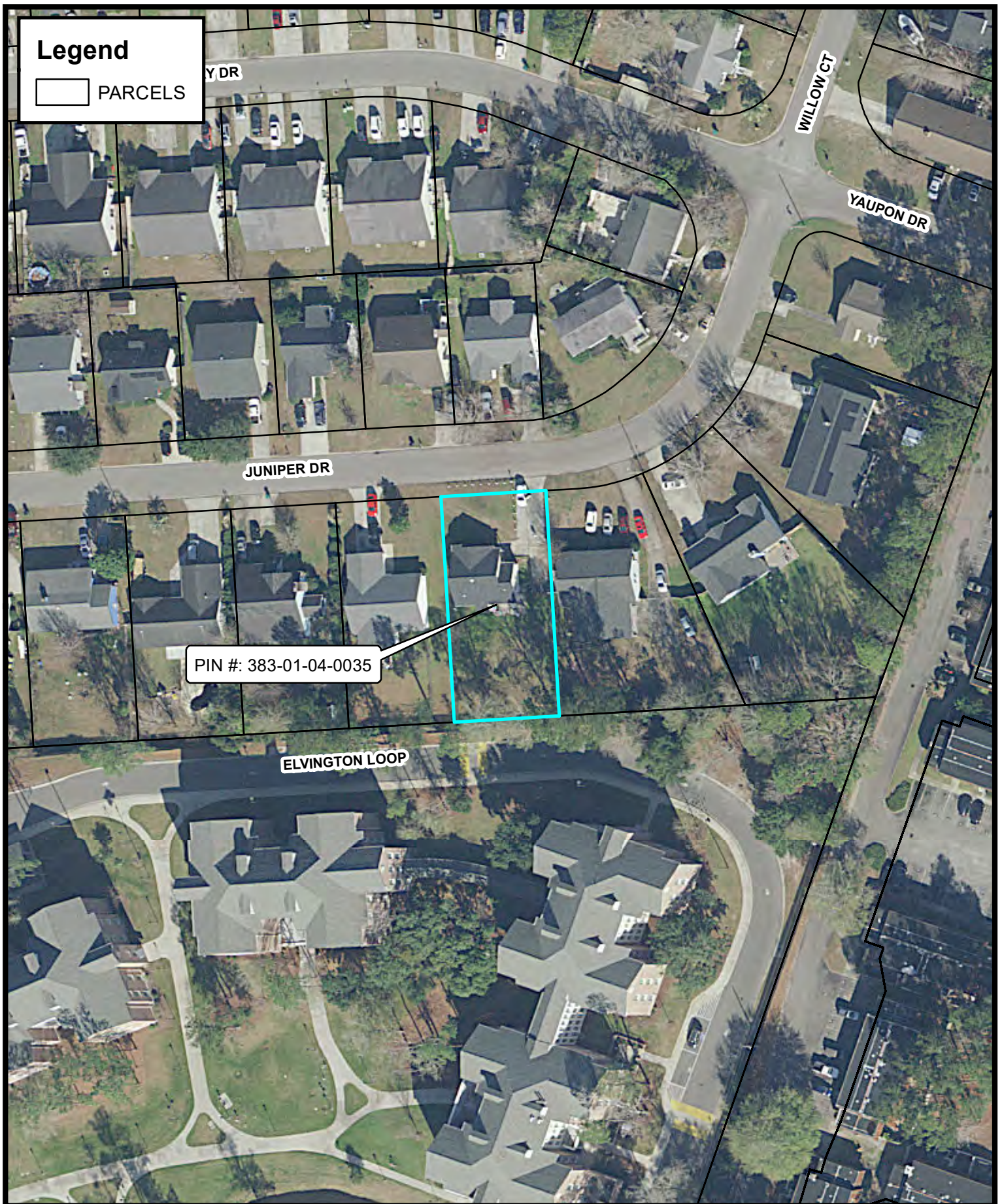
\_\_\_\_\_  
Beth Helms, Council Member

\_\_\_\_\_  
Larry A. White, Council Member

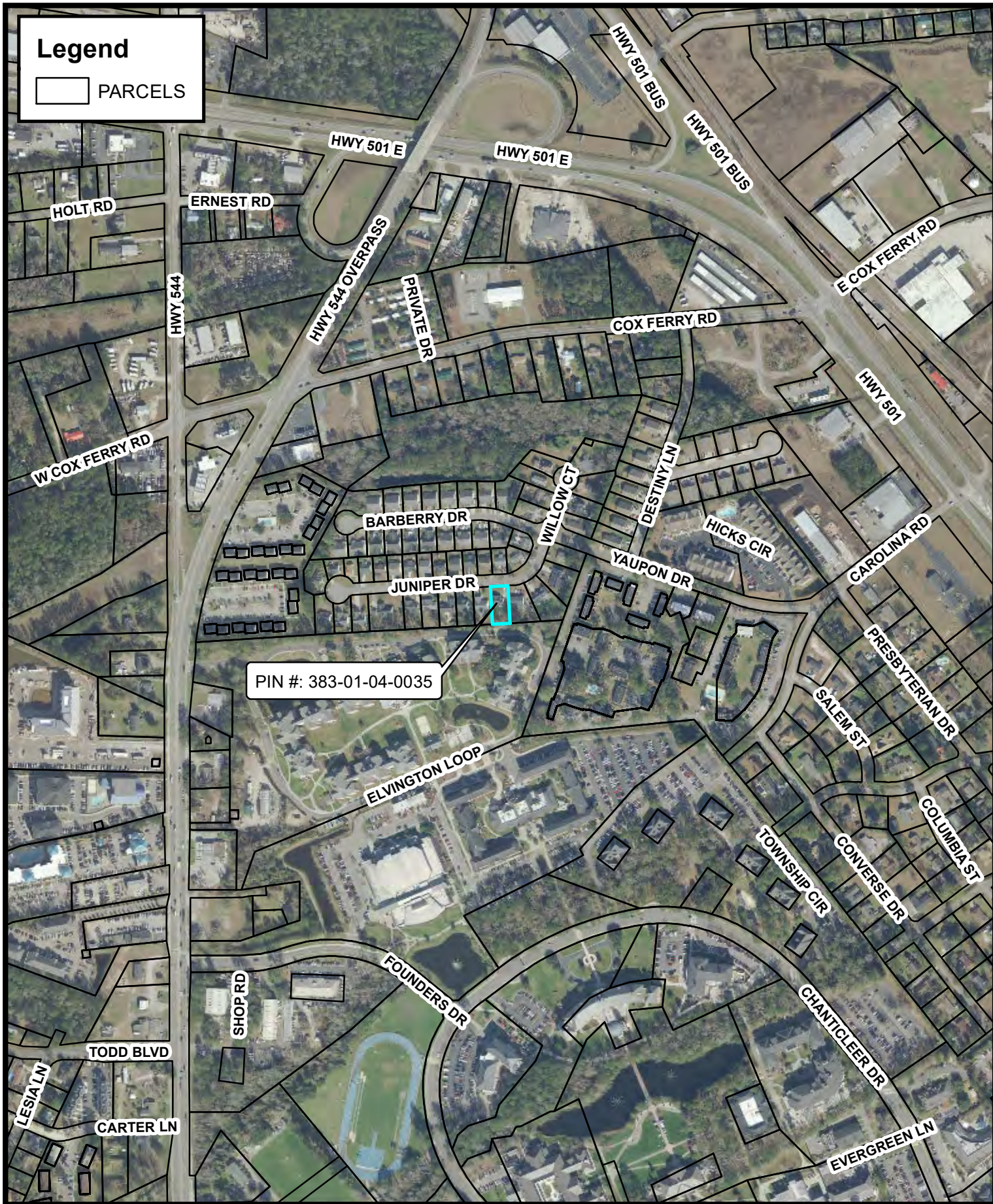
\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_



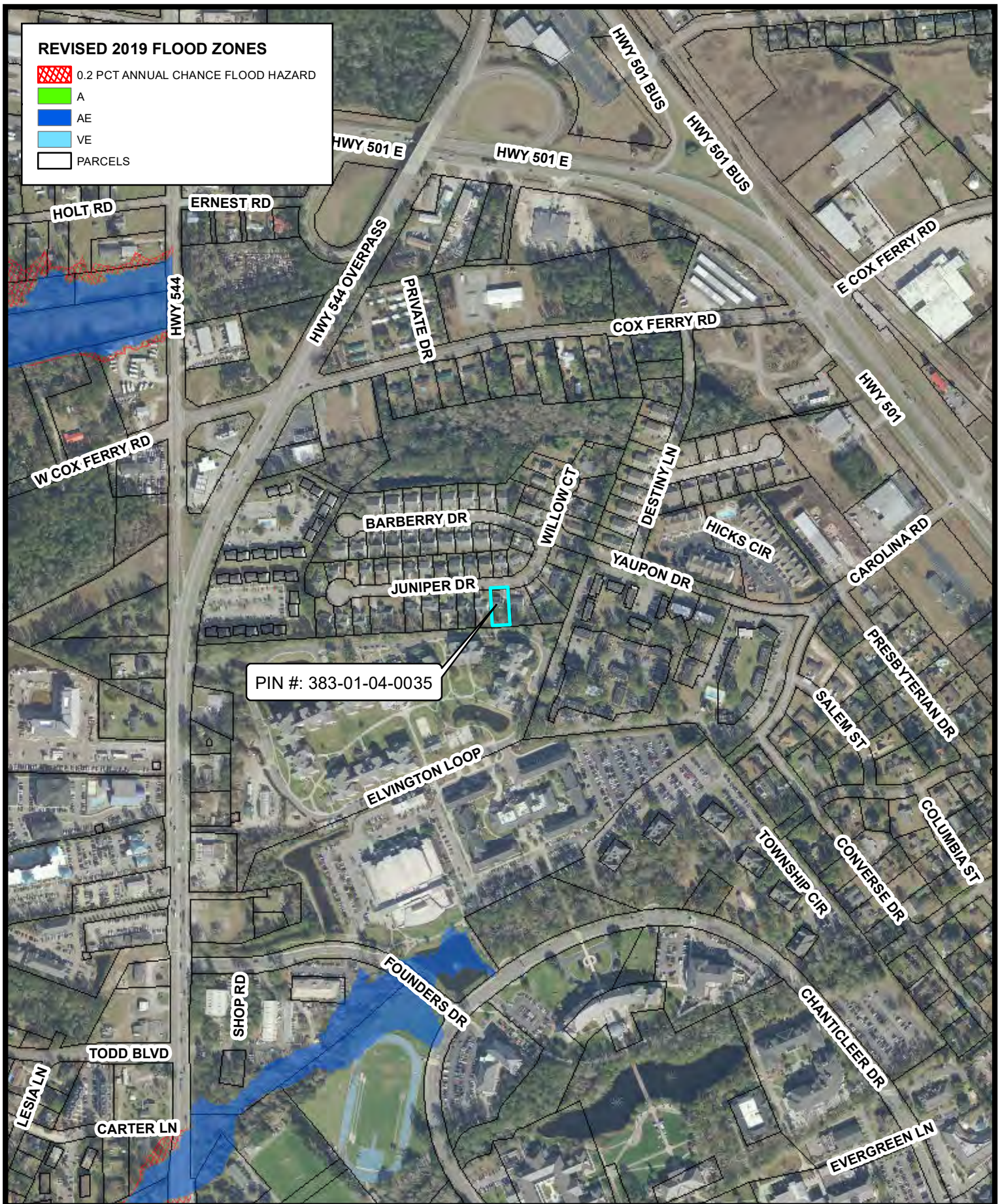








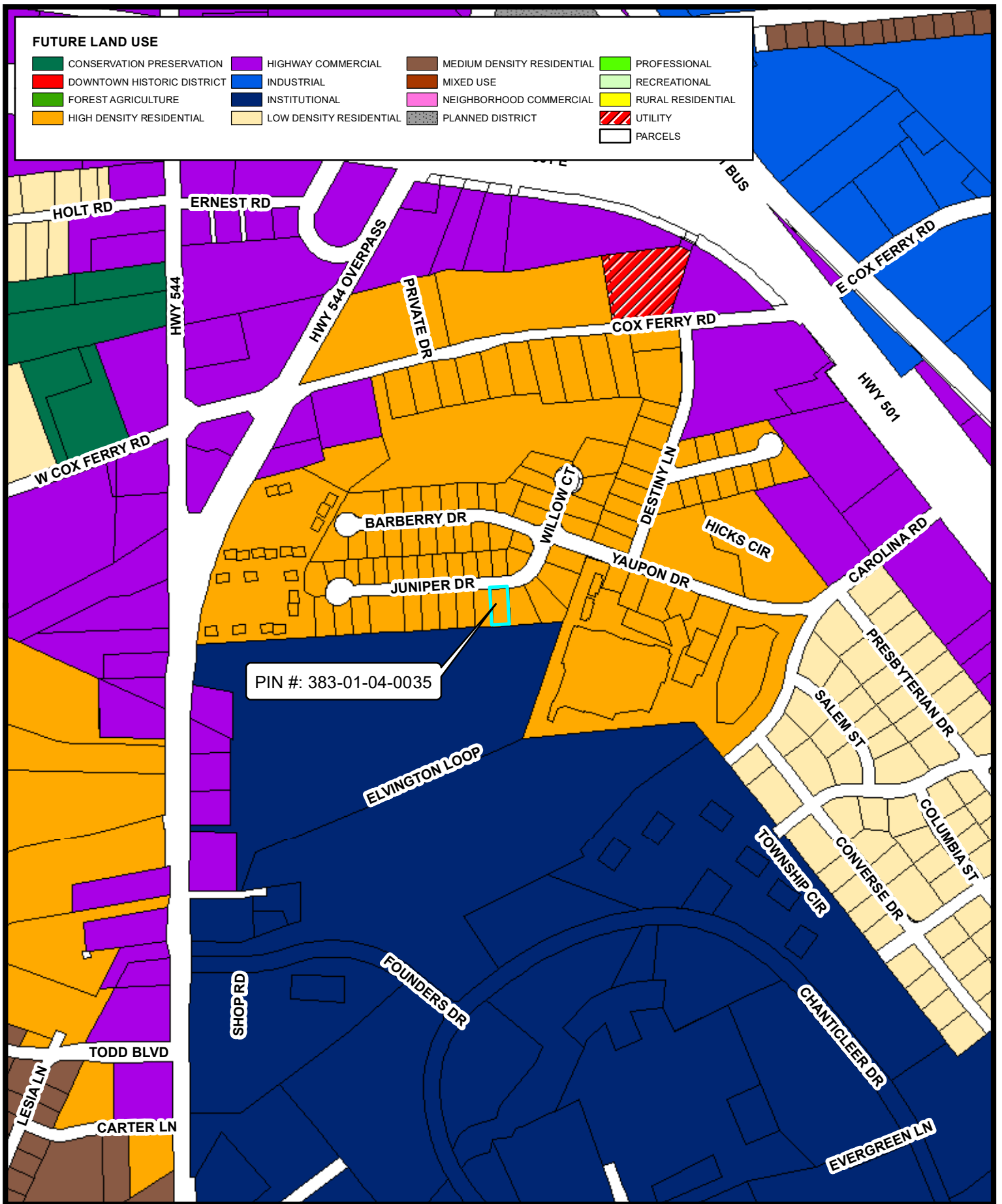






# FUTURE LAND USE

CONSERVATION PRESERVATION	HIGHWAY COMMERCIAL	MEDIUM DENSITY RESIDENTIAL	PROFESSIONAL
DOWNTOWN HISTORIC DISTRICT	INDUSTRIAL	MIXED USE	RECREATIONAL
FOREST AGRICULTURE	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	RURAL RESIDENTIAL
HIGH DENSITY RESIDENTIAL	LOW DENSITY RESIDENTIAL	PLANNED DISTRICT	UTILITY
			PARCELS





TAS#s - 150

Conway, South Carolina

Date: June 9, 1986

WATER AND/OR SEWER CONNECTION APPLICATION-OUT OF CITY  
CITY OF CONWAY

I hereby make application for Water and/or Sewer Connection to my premises at College Place Subdivision  
Red Hill Section, Horry County, S.C. (address). I agree to abide by all the rules, rates, regulations and ordinances that are now in force, or may hereafter become in force, governing the Water/or Sewer Department.

I certify that my property is not located within the City limits of the City of Conway. I agree that I will annex as a condition of service.

If the City does not desire to annex my property at this time, I agree to sign a petition for annexation at such time or times as requested to do so by the City.

Also, as required by City Ordinance - Extension of Water and Sewer System, attached is a clocked copy of the restrictive covenant which is filed with the Office of the Clerk of Court for Horry County.

College Place, Inc.,  
By *Sam Hillebrand*  
ITS PRESIDENT  
Property Owner(s)

Paid: \_\_\_\_\_

Date Installed: \_\_\_\_\_

**PAID**  
JUN - 9 1986  
CITY OF CONWAY  
SOUTH CAROLINA

GENERAL INSTRUCTIONS

Request ~~sewer~~ water service for lots 1-38 as shown  
on attached map of College Place. Services to lots will be  
requested on individual lot basis as improvements  
are constructed on individual lots.

Conway, South Carolina

Date: June, 1986

WATER AND/OR SEWER CONNECTION APPLICATION-OUT OF CITY  
CITY OF CONWAY

I hereby make application for Water and/or Sewer Connection to my premises  
College Place, a subdivision  
at Red Hill Section, Horry County, South Carolina. I agree to abide by  
(address)  
all the rules, rates, regulations and ordinances that are now in force, or  
may hereafter become in force, governing the Water/or Sewer Department.

I certify that my property is not located within the City limits of the  
City of Conway. I agree that I will annex as a condition of service.

If the City does not desire to annex my property at this time, I agree to  
sign a petition for annexation at such time or times as requested to do  
so by the City.

Also, as required by City Ordinance - Extension of Water and Sewer System,  
attached is a clocked copy of the restrictive covenant which is filed  
with the Office of the Clerk of Court for Horry County.

COLLEGE PLACE, INC.

BY:

James W. Hillig  
Property Owner(s)

ITS:

Vin Pruski

Paid: \_\_\_\_\_

Date Installed: \_\_\_\_\_

**PAID**  
JUN 1 0 1986

GENERAL INSTRUCTIONS

CITY OF CONWAY  
SOUTH CAROLINA



State of South Carolina )  
County of Horry )

RESTRICTIVE COVENANT

College Place, Inc. (Grantor) seeks permission to connect to the water and/or sewer system of the City of Conway (Grantee). Our property is outside of the corporate limits as described on tax map no. \_\_\_\_\_, and located at Red Hill Section, Horry Co., S.C. Said property was conveyed by deed recorded in Deed Book 1036, at Page 121, in the Office of the Clerk of Court for Horry County, South Carolina.

We understand and agree that as a condition for connecting to the water and/or sewer system, we will petition, when requested by the City, for annexation to the City of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of said petition rests upon an affirmative vote of a majority of the governing body of the City of Conway.

We understand and agree that should we or our successors violate the petition requirement that the City of Conway has the power to immediately discontinue water and/or sewer services to the premises as well as bring a legal action for nonperformances regarding the petition.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with City and State standards. An inspection fee, if applicable, may be charged for such inspection in accordance with established City policies.

All rights, powers, and privileges hereby granted to the City of Conway as Grantee shall pass to its heirs, successors and assigns and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant on the title to this property and binding upon grantors, heirs, successors and assigns.

In Witness Whereof, the undersigned Grantor has hereto set his hand and Seal this \_\_\_\_\_ day of June, 19 86.

**PAID**  
JUN 1 01986

SIGNED, SEALED AND DELIVERED by Grantor, in the presence of us in Horry County, South Carolina:

COLLEGE PLACE, INC. CITY OF CONWAY  
SOUTH CAROLINA

BY: [Signature]  
Grantor Name  
ITS: Vice-President

[Signature: Linda McCray]  
Witnesses

Grantor Name

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within-named sign, seal, and as his/her act and deed, deliver the within-written Agreement; and that he/she with the other witness named above witnessed the execution thereof.

SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF May, 19 86.

[Signature: Linda McCray]  
Witness

[Signature: Carolyn C. Stevens]  
NOTARY PUBLIC FOR SOUTH CAROLINA  
MY COMMISSION EXPIRES: Notary Public, South Carolina State at Large  
My Commission Expires May 20, 1993





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

## PETITION FOR ANNEXATION

### TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: College Place  
PIN: 38301040035 ACREAGE: .22  
PROPERTY ADDRESS: 1775 Juniper Drive, Conway, SC 29526  
PROPERTY OWNER MAILING ADDRESS: 205 Chatham Drive, Myrtle Beach, SC 29579  
PROPERTY OWNER TELEPHONE NUMBER: 843-421-9655  
PROPERTY OWNER EMAIL: forman610@gmail.com  
APPLICANT: Jozsef Forman  
APPLICANT'S EMAIL: forman610@gmail.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒

NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Jozsef Forman

(Print)



(Signature)

DATE: 7/27/2023

(Print)

(Signature)

DATE: \_\_\_\_\_



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: yes Structure Type: single family home

Current Use: tenant occupied property

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)





# Zoning Map Amendment Application

*Incomplete applications will not be accepted.*

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 1775 Juniper Drive, Conway, SC 29526 FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): .22 PIN: 38301040035

CURRENT ZONING CLASSIFICATION: SF 6

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: high density residential

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Jozsef Forman

PHONE # 843-421-9655

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

205 Chatham Drive, Myrtle Beach, SC 29579

205 Chatham Drive, Myrtle Beach, SC 29579

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

PROPERTY OWNER'S SIGNATURE(S)

7/27/2028

DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



**DATE: AUGUST 21, 2023**

**ITEM: VII.K**

**ISSUE:**

First Reading of **Ordinance #ZA2023-09-05 (K)**, to annex approximately 0.24 acres located at 1815 Juniper Drive (PIN 382-04-03-0156), and rezone from the Horry County Residential, no mobile homes allowed (SF6) district to the City of Conway Low/Medium-Density Residential (R-1) district.

**BACKGROUND:**

The annexation application was submitted by Peter Forman (applicant), as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on April 2, 2018. The property is within the College Place subdivision near Yaupon Drive. There is an existing single-family structure on the property. Restrictive covenants were recorded for this property June 9, 1986.

To date, there have been no other properties within the College Place subdivision that have been annexed into the City of Conway.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* identifies this property as High-Density Residential (R-3).

*The intent of the R-3 District is to provide for areas of high density attached, detached, semi-attached, and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the District.*

**STAFF RECOMMENDATION:**

No other properties in this particular subdivision have been previously annexed, and currently, Sanitation does not service this neighborhood. Staff would recommend against annexation at this time.

**ORDINANCE #ZA2023-09-05 (K)**

**AN ORDINANCE TO ANNEX APPROXIMATELY 0.24 ACRES OF PROPERTY  
LOCATED AT 1815 JUNIPER DRIVE (PIN 382-04-03-0156), AND REQUEST TO  
REZONE FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES  
ALLOWED (SF6) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY  
RESIDENTIAL DISTRICT (R-1) DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:**

**SECTION 1. FINDINGS:**

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.24 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

**ALL AND SINGULAR**, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.24 acres of property located at 1815 Juniper Drive (PIN 382-04-03-0156), and request to rezone from the Horry County Residential, no mobile homes allowed (SF6) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.  
For a more specific description of said property, see attached map.

**SECTION 2. APPLICATION OF ZONING ORDINANCE:**

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

**SECTION 3. EFFECTIVE DATE:**

The annexation is effective as of the date of the final reading of this Ordinance.

**AND BE IT FURTHER ORDAINED** that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**RATIFIED BY CITY COUNCIL**, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Barbara Jo Blain-Bellamy, Mayor

\_\_\_\_\_  
Justin D. Jordan, Mayor Pro Tem

\_\_\_\_\_  
K. Autry Benton Jr., Council Member

\_\_\_\_\_  
Amanda Butler, Council Member

\_\_\_\_\_  
William M. Goldfinch IV, Council Member

\_\_\_\_\_  
Beth Helms, Council Member

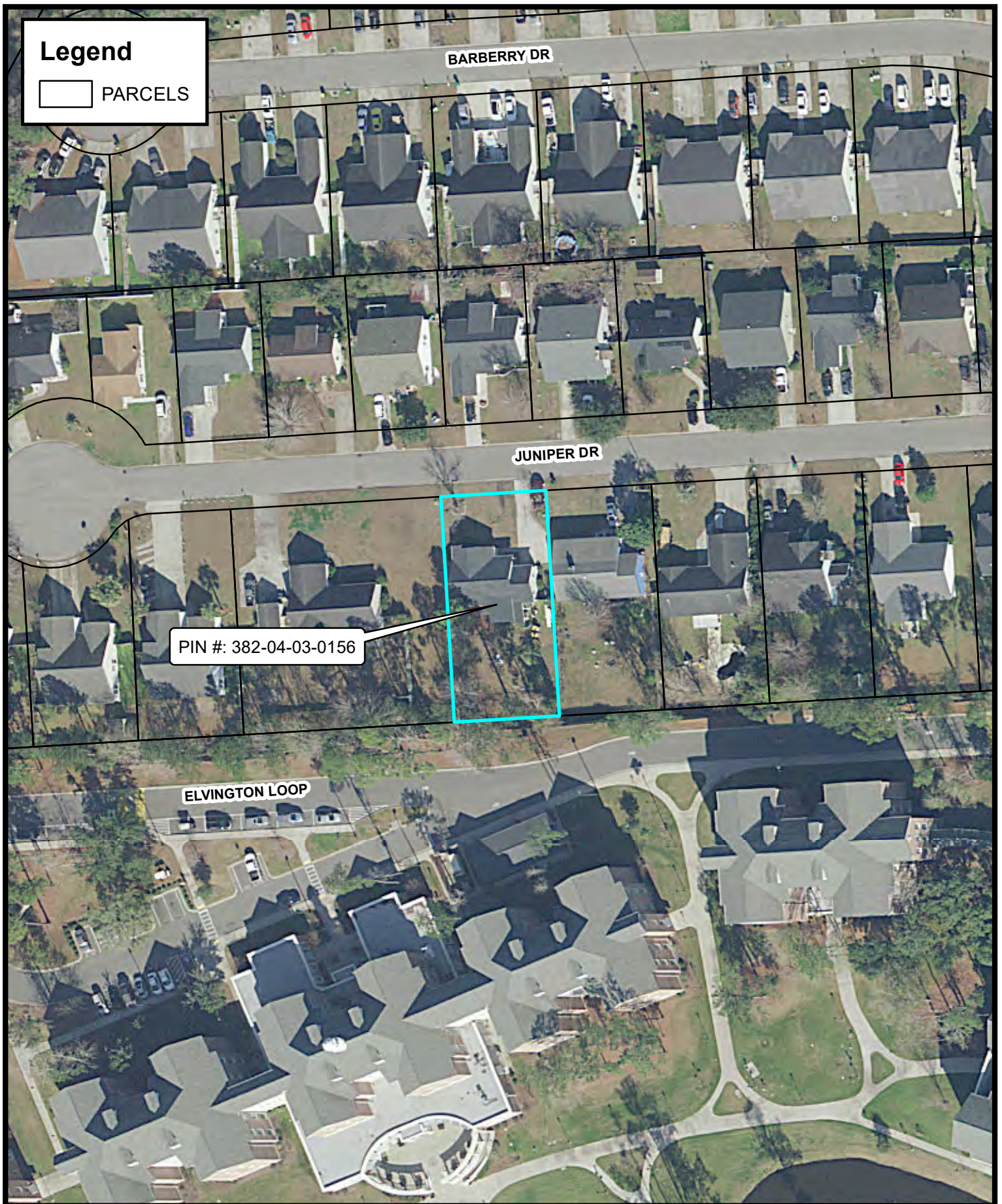
\_\_\_\_\_  
Larry A. White, Council Member

\_\_\_\_\_  
ATTEST: Alicia Shelley, City Clerk

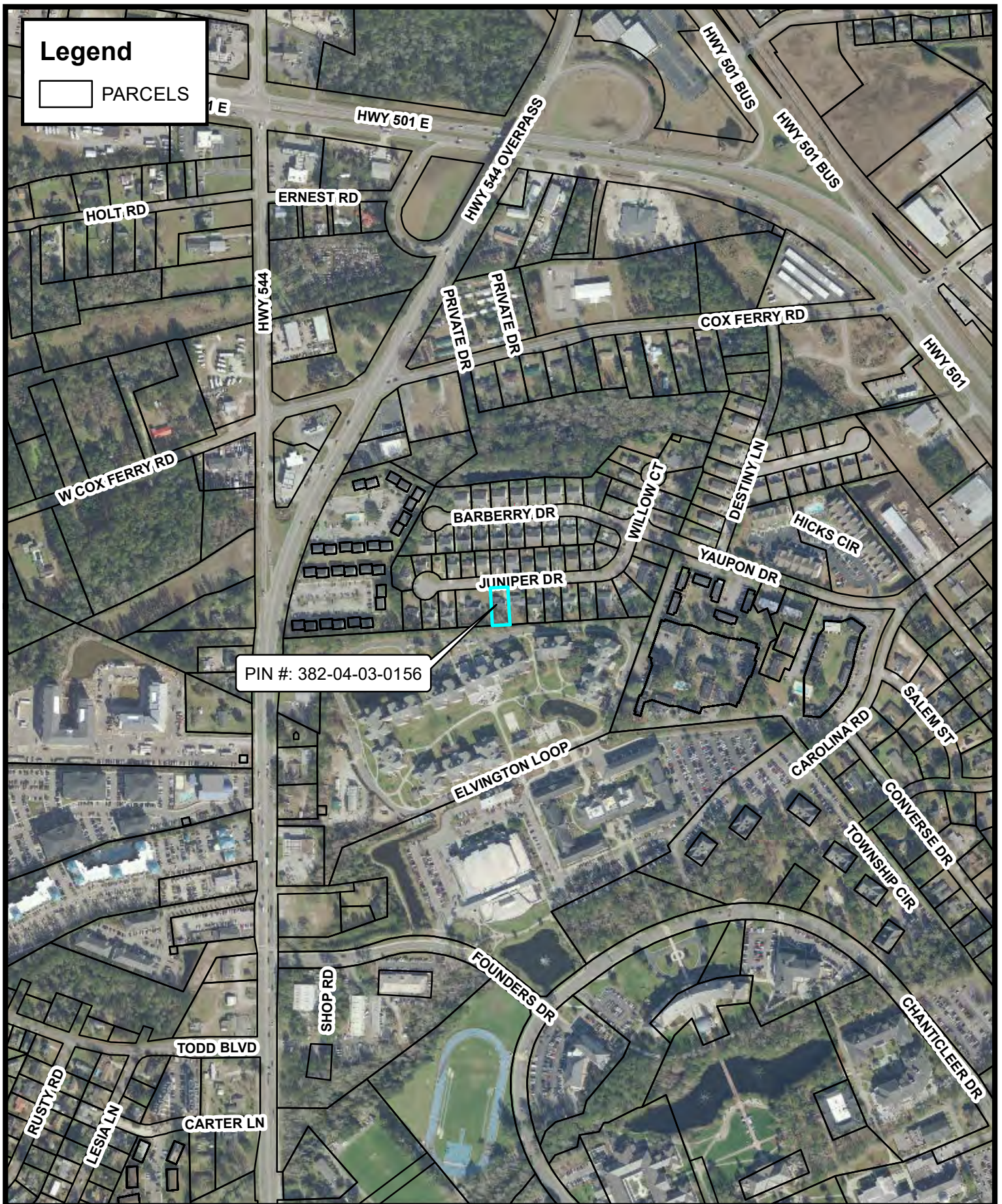
First Reading: \_\_\_\_\_

Final Reading: \_\_\_\_\_

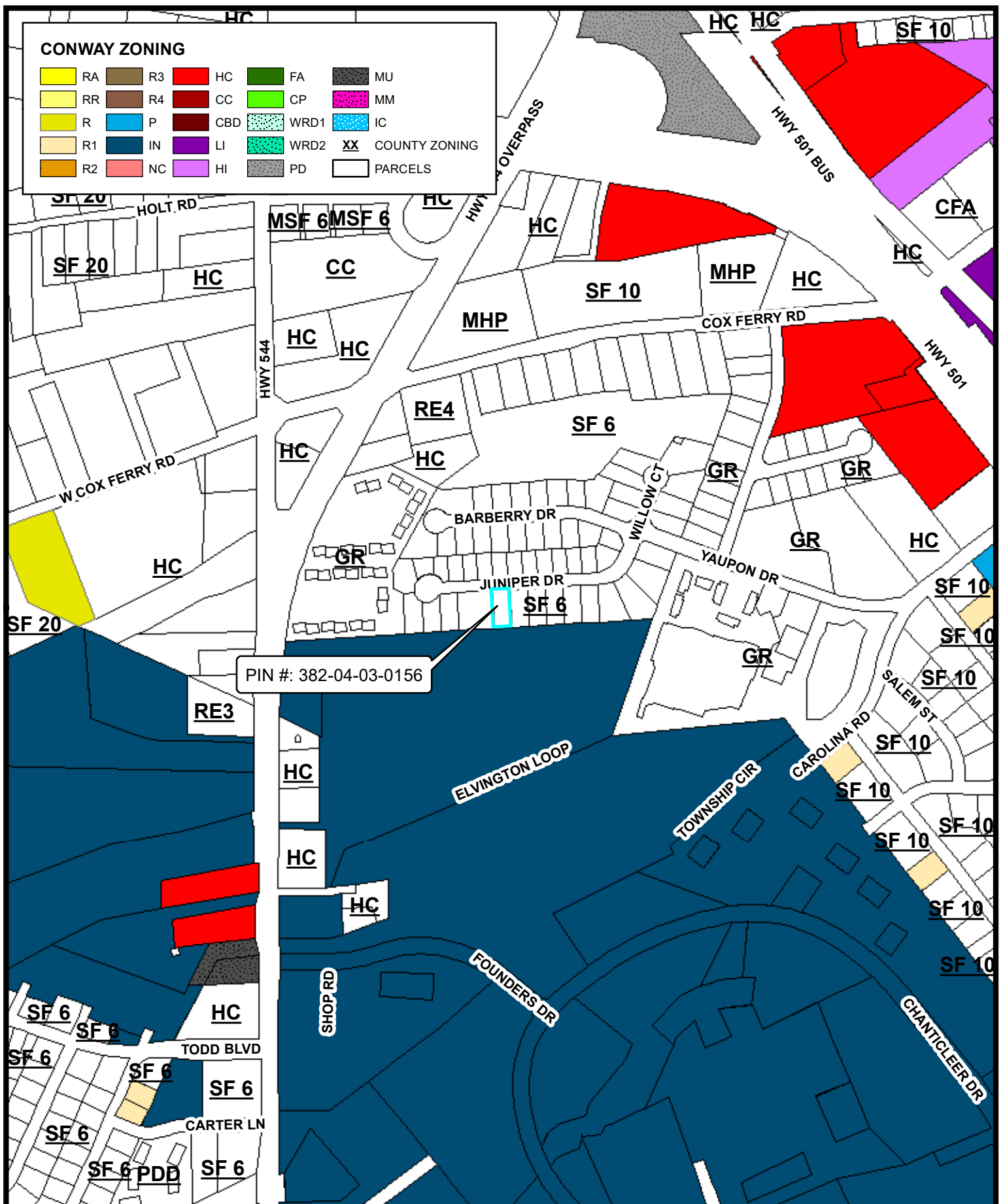








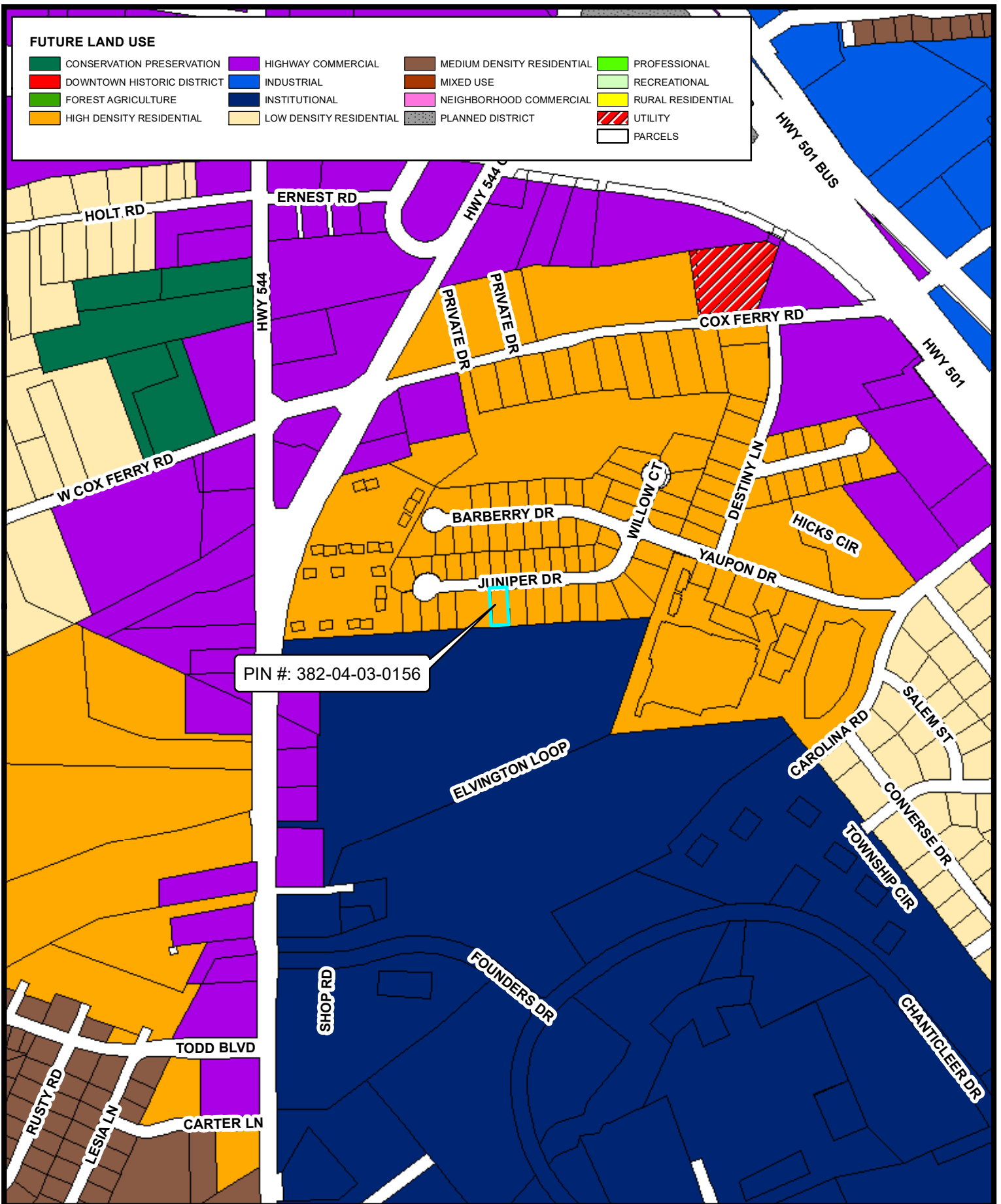











# FUTURE LAND USE

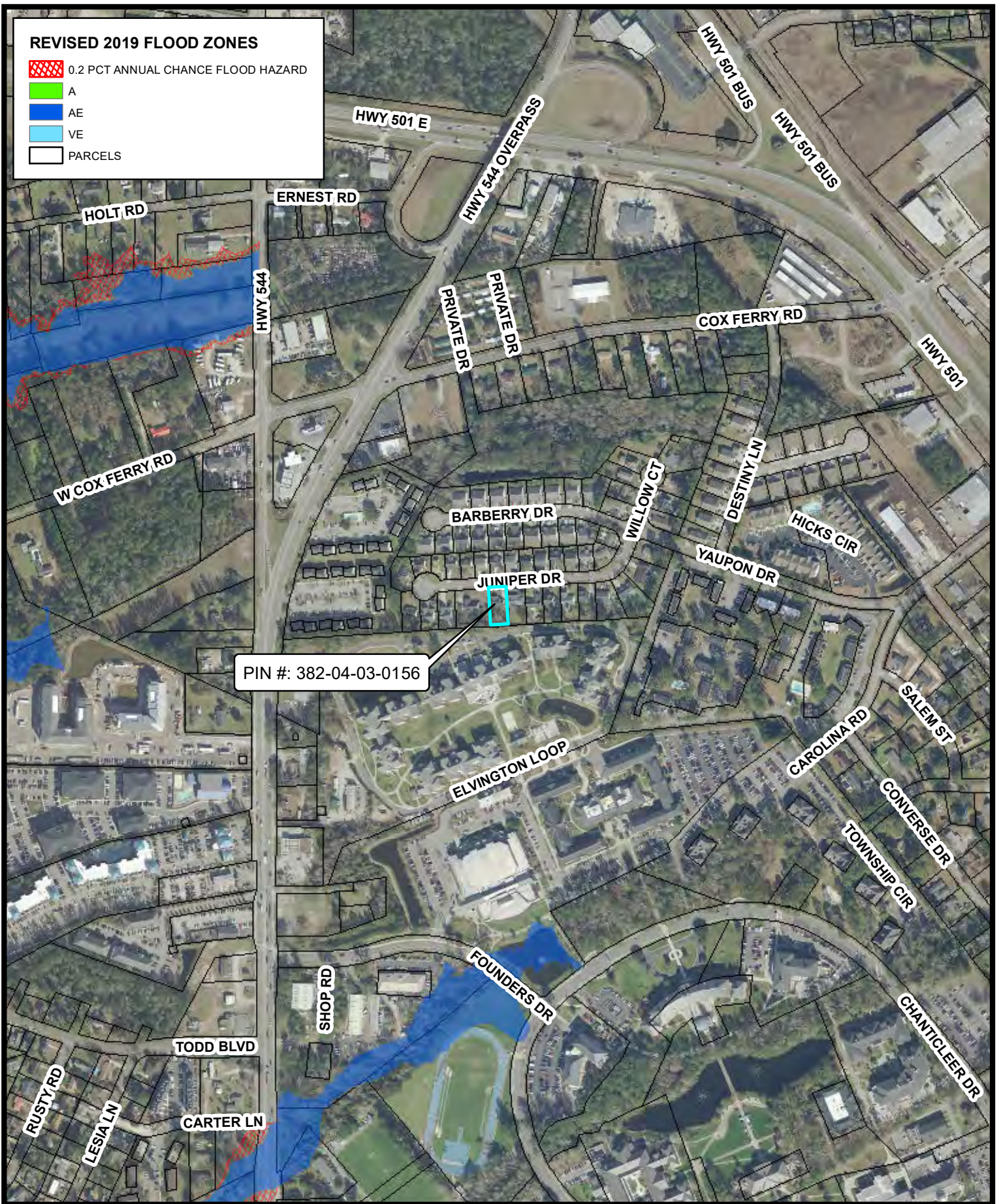
CONSERVATION PRESERVATION	HIGHWAY COMMERCIAL	MEDIUM DENSITY RESIDENTIAL	PROFESSIONAL
DOWNTOWN HISTORIC DISTRICT	INDUSTRIAL	MIXED USE	RECREATIONAL
FOREST AGRICULTURE	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	RURAL RESIDENTIAL
HIGH DENSITY RESIDENTIAL	LOW DENSITY RESIDENTIAL	PLANNED DISTRICT	UTILITY
			PARCELS





# REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS



Disclaimer: This map is a graphic representation only. It is NOT a survey. All efforts have been made to ensure its accuracy. However, the City of Conway disclaims all responsibility & liability for the use of this map.



PIN #: 382-04-03-0156  
TMS #: 150-24-01-014  
1815 JUNIPER DR  
(P23-0232)





TAS#s - 150

Conway, South Carolina

Date: June 9, 1986

WATER AND/OR SEWER CONNECTION APPLICATION-OUT OF CITY  
CITY OF CONWAY

I hereby make application for Water and/or Sewer Connection to my premises at College Place Subdivision  
Red Hill Section, Horry County, S.C. (address). I agree to abide by all the rules, rates, regulations and ordinances that are now in force, or may hereafter become in force, governing the Water/or Sewer Department.

I certify that my property is not located within the City limits of the City of Conway. I agree that I will annex as a condition of service.

If the City does not desire to annex my property at this time, I agree to sign a petition for annexation at such time or times as requested to do so by the City.

Also, as required by City Ordinance - Extension of Water and Sewer System, attached is a clocked copy of the restrictive covenant which is filed with the Office of the Clerk of Court for Horry County.

College Place, Inc.,  
By *[Signature]*  
ITS PRESIDENT  
Property Owner(s)

Paid: \_\_\_\_\_

Date Installed: \_\_\_\_\_

GENERAL INSTRUCTIONS

Request ~~sewer~~ water service for lots 1-38 as shown  
on attached map of College Place. Services to lots will be  
requested on individual lot basis as improvements  
are constructed on individual lots.



Conway, South Carolina Date: June , 1986

WATER AND/OR SEWER CONNECTION APPLICATION-OUT OF CITY  
CITY OF CONWAY

I hereby make application for Water and/or Sewer Connection to my premises  
College Place, a subdivision  
at Red Hill Section, Horry County, South Carolina . I agree to abide by  
(address)  
all the rules, rates, regulations and ordinances that are now in force, or  
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I certify that my property is not located within the City limits of the  
City of Conway. I agree that I will annex as a condition of service.

If the City does not desire to annex my property at this time, I agree to  
sign a petition for annexation at such time or times as requested to do  
so by the City.

Also, as required by City Ordinance - Extension of Water and Sewer System,  
attached is a clocked copy of the restrictive covenant which is filed  
with the Office of the Clerk of Court for Horry County.

COLLEGE PLACE, INC.  
BY: [Signature]  
Property Owner(s)  
ITS: Vin [Signature]

Paid: \_\_\_\_\_  
Date Installed: \_\_\_\_\_

**PAID**  
JUN 1 0 1986  
CITY OF CONWAY  
SOUTH CAROLINA

GENERAL INSTRUCTIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



State of South Carolina )  
County of Horry )

RESTRICTIVE COVENANT

College Place, Inc. (Grantor) seeks permission to connect to the water and/or sewer system of the City of Conway (Grantee). Our property is outside of the corporate limits as described on tax map no. \_\_\_\_\_, and located at Red Hill Section, Horry Co., S.C. Said property was conveyed by deed recorded in Deed Book 1036, at Page 121, in the Office of the Clerk of Court for Horry County, South Carolina.

We understand and agree that as a condition for connecting to the water and/or sewer system, we will petition, when requested by the City, for annexation to the City of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of said petition rests upon an affirmative vote of a majority of the governing body of the City of Conway.

We understand and agree that should we or our successors violate the petition requirement that the City of Conway has the power to immediately discontinue water and/or sewer services to the premises as well as bring a legal action for nonperformances regarding the petition.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with City and State standards. An inspection fee, if applicable, may be charged for such inspection in accordance with established City policies.

All rights, powers, and privileges hereby granted to the City of Conway as Grantee shall pass to its heirs, successors and assigns and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant on the title to this property and binding upon grantors, heirs, successors and assigns.

In Witness Whereof, the undersigned Grantor has hereto set his hand and Seal this \_\_\_\_\_ day of June, 19 86.

SIGNED, SEALED AND DELIVERED by Grantor, in the presence of us in Horry County, South Carolina:

COLLEGE PLACE, INC. CITY OF CONWAY  
SOUTH CAROLINA

BY: [Signature]  
Grantor Name  
ITS: Vice-President

[Signature: Linda McCray]  
Witnesses

Grantor Name

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within-named sign, seal, and as his/her act and deed, deliver the within-written Agreement; and that he/she with the other witness named above witnessed the execution thereof.

SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF May, 19 86.

Witness

[Signature: Carolyn C. Stevens]  
NOTARY PUBLIC FOR SOUTH CAROLINA

MY COMMISSION EXPIRES: Notary Public, South Carolina State at Large  
My Commission Expires May 20, 1993





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

PETITION FOR ANNEXATION

COUNTY OF HORRY )

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: 1815 Juniper Drive

PIN: 38204030156 ACREAGE: .22

PROPERTY ADDRESS: 1815 Juniper Drive, Conway, SC 29526

PROPERTY OWNER MAILING ADDRESS: 155 Citadel Drive, Conway, SC 29526

PROPERTY OWNER TELEPHONE NUMBER: 985-773-2807

PROPERTY OWNER EMAIL: aforman03@gmail.com

APPLICANT: Peter Forman

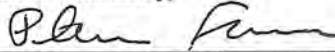
APPLICANT'S EMAIL: aforman03@gmail.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Peter Forman  
(Print)

  
(Signature)

DATE: 7/27/2023

\_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Signature)

DATE: \_\_\_\_\_





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: yes Structure Type: single family home

Current Use: tenant occupied property

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

---

---

---

Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

---

---

---

**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)



# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 1815 Juniper Drive FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): .22 PIN: 38204030156

CURRENT ZONING CLASSIFICATION: SF 6

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: High density residential

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Peter Forman

PHONE # 985-773-2807

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

155 Citadel Drive, Conway, SC 29526

155 Citadel Drive, Conway, SC 29526

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Peter Forman  
PROPERTY OWNER'S SIGNATURE(S)

7/27/2023

DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



**DATE: AUGUST 21, 2023**

**ITEM: VIII.A**

**ISSUE:**

Request for waiver of sidewalk requirements for the proposed Fresh Seafood Market to be located at 1620 Fourth Avenue (*previously Coastal Ice Company Inc*). (PIN 368-03-03-0032)

**BACKGROUND:**

John Mishoe, owner, has requested a waiver of sidewalk requirements for the proposed Fresh Seafood Market to be located at 1620 Fourth Avenue.

*Section 7.1.2 – Complete Streets* of the Unified Development Ordinance (UDO) requires sidewalks to be constructed along the frontage of all properties abutting arterial or local non-residential streets. These sidewalks are required to be a minimum of five (5) feet in width, and a minimum of four (4) inches in thickness. Under these regulations, a 365.57 linear foot sidewalk would be required along Church Street.

If a property owner or developer requests a waiver of the requirement to construct a sidewalk because there is no foreseeable connectivity, the waiver is presented to City Council for consideration. In accordance with this section of the UDO, the exemption of sidewalk requirements can be granted only by City Council. Should the waiver be granted, the property owner and/or developer will be required to contribute, in lieu of the sidewalk, an amount equal to the construction cost of the required sidewalk, including any required infrastructure improvements for the sidewalk. The payment is to be used by the City to build or complete pedestrian, bikeway, and/or pathway systems.

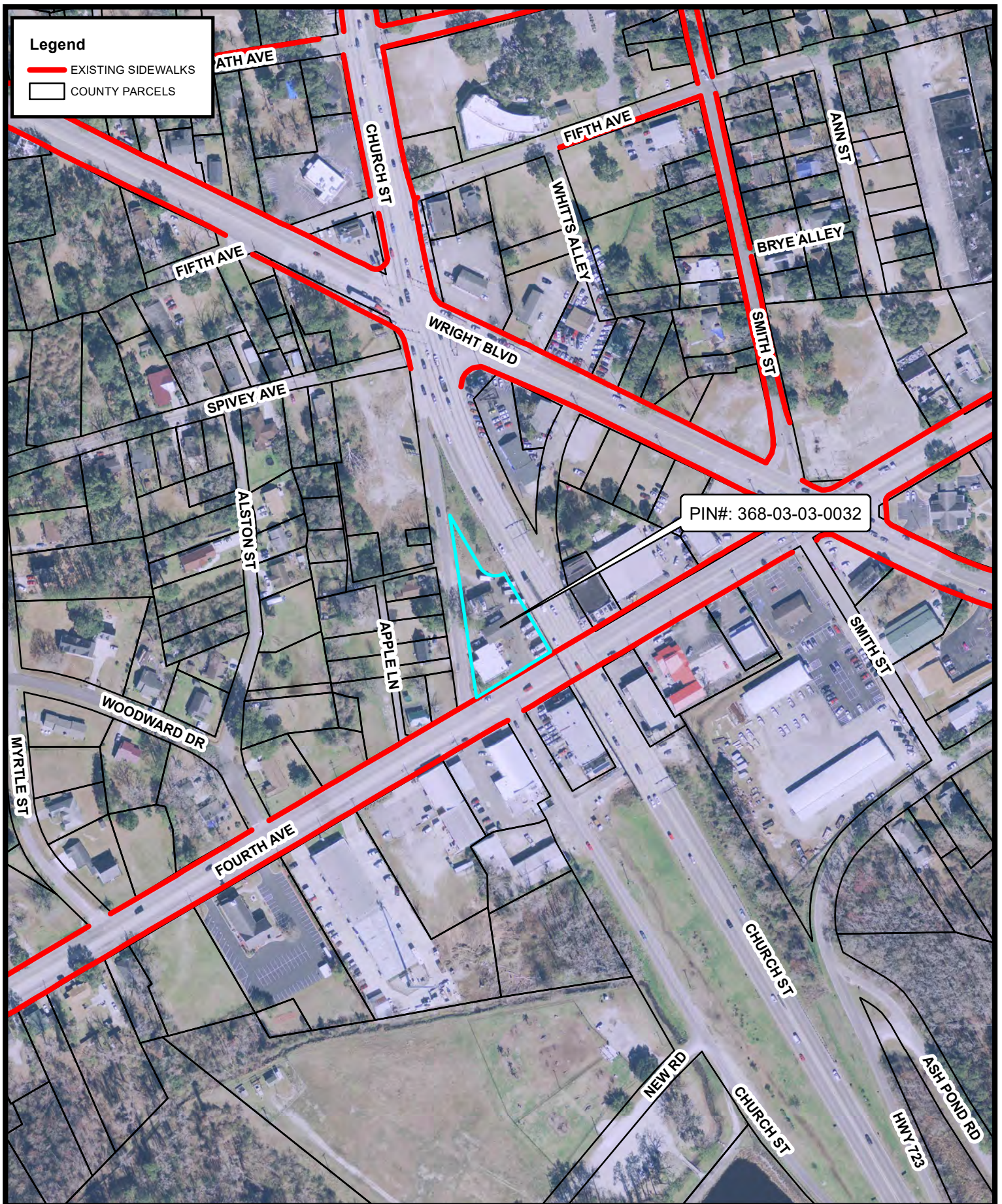
Using \$25.59 per linear foot for labor and construction, the estimate for a payment in lieu of sidewalk construction including the sidewalk, grading, and clearing, is **\$9,354.94**.

The Technical Review Committee reviewed the waiver request and recommends approval.

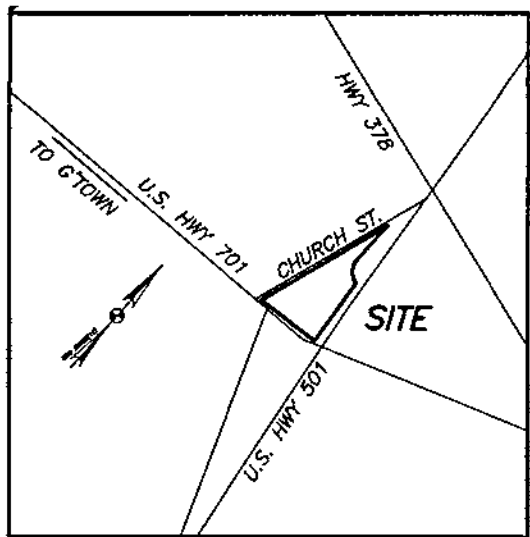
**RECOMMENDATION:**

Discuss the request from John Mishoe for a waiver of sidewalk requirements on Church Street and advise staff if the fee in lieu of sidewalk construction in the amount of **\$9,354.94** is acceptable.





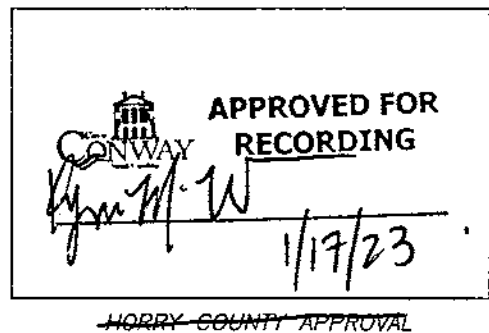




VICINITY MAP  
(NOT TO SCALE)

LEGEND

- IRON PIPE FOUND
- IRON REBAR (FOUND)
- CONC. MONUMENT (FOUND)
- ⊙ ELECTRIC MANHOLE
- ⊙ LIGHT POLE
- ⊙ SANITARY SEWER MANHOLE
- ⊙ CATCH BASIN
- ⊙ ELECTRIC METER
- ⊙ WATER METER
- ⊙ WATER VALVE
- ⊙ FIRE HYDRANT
- ⊙ WATER VALVE MARKER
- ⊙ POWER POLE
- GUY WIRE
- OHP - OVERHEAD ELECTRIC LINE
- OHT - OVERHEAD TELEPHONE LINE
- SS - SANITARY SEWER LINE



CERTIFICATE OF NON-EVALUATION FOR WATER  
AND/OR SEWER AVAILABILITY

THE PROPERTY OWNER(S) OF RECORD HEREBY ACKNOWLEDGES THAT THE SURVEYED PARCEL(S) AND/OR TRACT REMAINDER HAS NOT BEEN REVIEWED TO DETERMINE THAT AVAILABILITY OF ON-SITE WASTE DISPOSAL SYSTEMS OR PROVISION OF PUBLIC WATER/SEWER SERVICES. RECORDATION OF THIS PLAT SHALL NOT BE AN IMPLIED OR EXPRESSED CONSENT BY HORRY COUNTY THAT THE LOTS OR OTHER LAND DIVISIONS SHOWN HEREON ARE CAPABLE OF BEING SERVICED BY ON-SITE WASTE DISPOSAL OR PUBLIC WATER/SEWER SYSTEMS. UNLESS OTHERWISE STATED HEREON, ALL SURVEYED PARCELS AND/OR TRACT REMAINDERS HAVE NOT BEEN REVIEWED FOR ON-SITE WASTE DISPOSAL SYSTEMS OR PUBLIC WATER/SEWER SYSTEMS.

DATE \_\_\_\_\_, 20\_\_\_\_.

NAME (PRINT) \_\_\_\_\_

SIGNATURE \_\_\_\_\_

CERTIFICATE OF OWNERSHIP AND DEDICATION  
THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I (WE) HEREBY ADOPT THIS (PLAN OF DEVELOPMENT/PLAT) WITH MY (OUR) FREE CONSENT AND THAT I (WE) HEREBY DEDICATE ALL ITEMS AS SPECIFICALLY SHOWN OR INDICATED ON SAID PLAT.

SIGNATURE: \_\_\_\_\_

DATE: 1/17/2023

SIGNATURE: \_\_\_\_\_

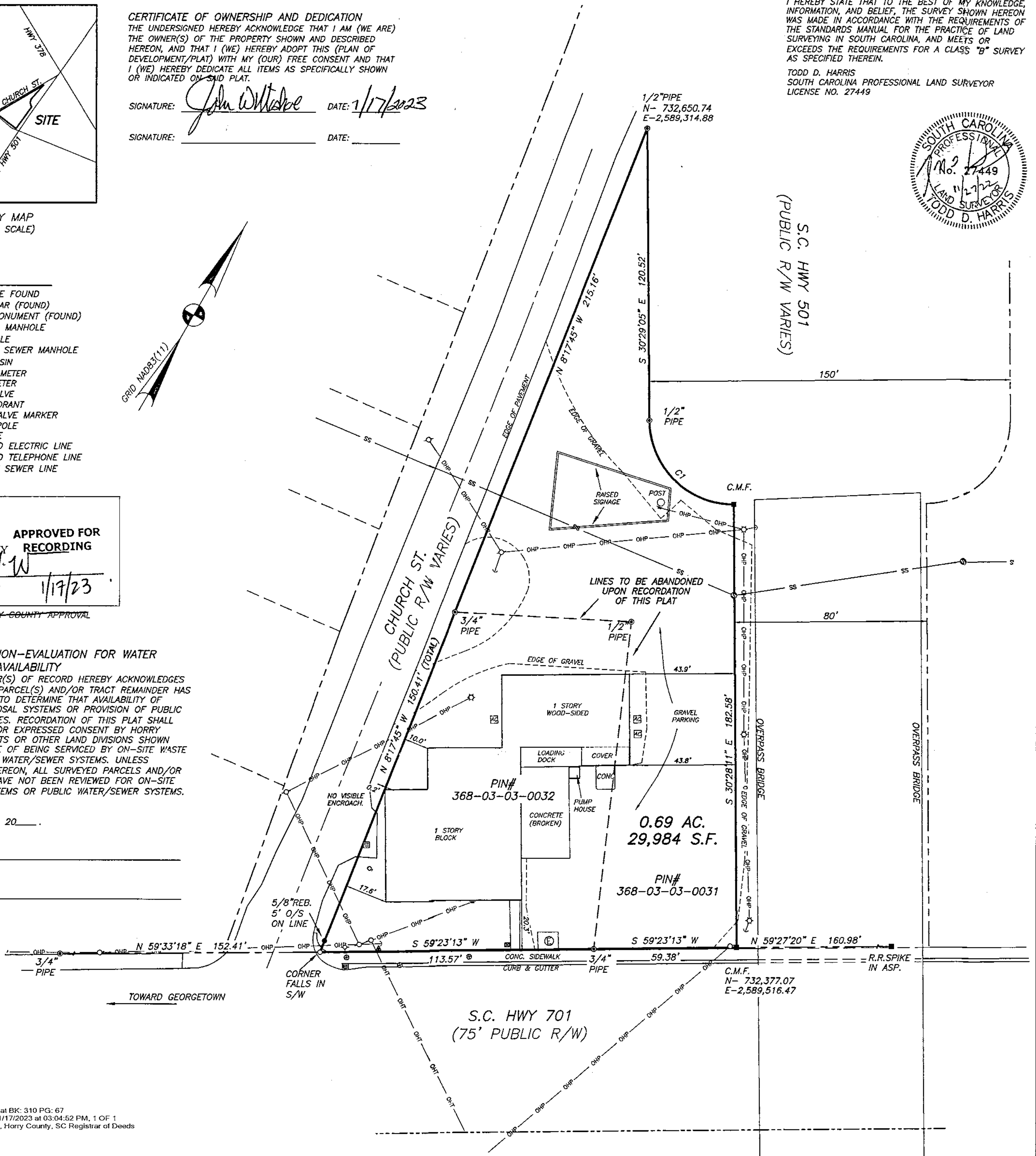
DATE: \_\_\_\_\_

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN.

TODD D. HARRIS  
SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR  
LICENSE NO. 27449



S.C. HWY 501  
(PUBLIC R/W VARIES)



CURVE TABLE					
CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA ANGLE
C1	34.94'	54.95'	49.46'	S 75°26'15" E	090° 07' 06"

REFERENCES:

- "MAP OF SEVERAL PARCELS OF LAND IN THE CITY OF CONWAY, HORRY COUNTY, S.C. TO BE DEEDED AS FOLLOWS: ..... DATED FEB. 01, 1990; SURVEYED BY COASTAL LAND SURVEYORS, INC., AND RECORDED IN HORRY COUNTY R.O.D. OFFICE IN P.B. 112, PG. 182.
- "MAP OF THE ESTATE LANDS OF SAMUEL BESSANT IN THE TOWN OF CONWAY, HORRY CO., S.C. SHOWING SUBDIVISION HERE OF." DATED APRIL 02, 1949; SURVEYED BY J.C. CAUSEY, AND RECORDED IN HORRY COUNTY R.O.D. OFFICE IN P.B. 9, PG. 6.

NOTES:

- PIN MAP NO. (PARENT TRACT): 368-03-03-0031 & 368-03-03-0032
- ACCORDING TO F.I.R.M. MAP NO. 45051C, PANEL 0533 K, REVISED 12/16/2021, IT IS MY OPINION THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN FLOOD HAZARD ZONE X.
- ALL BEARINGS AND COORDINATES SHOWN ON THIS SURVEY ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD83).
- THIS SURVEY IS VALID ONLY IF THE PRINT OF SAME HAS THE ORIGINAL SIGNATURE AND EMBOSSED SEAL OF THE LAND SURVEYOR.
- A TITLE SEARCH WAS NOT PERFORMED BY THARRIS LAND SURVEYING, LLC AT THE TIME OF THIS SURVEY.
- THE PROPERTY PLATTED HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- DEED REFERENCE: D.B. 4462, PG. 3369.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AN ELEMENT OF THIS SURVEY. NO STATEMENT IS MADE REGARDING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTINGENCIES THAT MAY AFFECT THE USE OF THIS PROPERTY.
- THERE ARE NO HORIZONTAL CONTROL MONUMENTS ON THE UNITED STATES FOR STATE AGENCY SURVEY SYSTEMS LOCATED WITHIN 2000 FEET OF THE SUBJECT PROPERTY.
- CURRENT OWNER: BIGWATER HOLDING CO., LLC  
ADDRESS: 1620 4TH AVE.  
CONWAY, SC 29527
- CONTACT HORRY COUNTY PLANNING AND ZONING DEPT. FOR CURRENT ZONING AND SETBACK INFORMATION.

THIS PLAT AND ALL REPRODUCIBLE COPIES OF THIS PLAT ARE THE PROPERTY OF THARRIS LAND SURVEYING, LLC. REPRODUCTION OF THIS PLAT IS NOT PERMITTED WITHOUT WRITTEN CONSENT OF THARRIS LAND SURVEYING, LLC UNLESS THIS PLAT IS A MATTER OF PUBLIC RECORD. ALTERATIONS TO THIS DOCUMENT ARE NOT PERMITTED.

RECOMBINATION  
PLAT OF  
PARCEL 'A'  
PIN#368-03-03-0031  
& PIN#368-03-03-0032,  
TOTALING 0.69 ACRES  
PREPARED FOR  
BIGWATER HOLDINGS CO., LLC  
CITY OF CONWAY  
HORRY COUNTY SOUTH CAROLINA  
SURVEYED AND MAPPED BY  
HARRIS  
SURVEYING  
email: tharrissurveying@gmail.com  
MURRELLS INLET, SC 29576  
PHONE: 843.457.0042  
SCALE 1" = 30'  
FILE \_\_\_\_\_  
FIELD DATE 11/03/22  
PLAT DATE 11/27/22  
DRAWN BY \_\_\_\_\_  
REVIEWED BY \_\_\_\_\_  
APPROVED BY \_\_\_\_\_  
PARTY CHIEF \_\_\_\_\_  
TDR  
XXX  
FH  
TH  
FILE PATH: \_\_\_\_\_

**DATE: AUGUST 21, 2023**  
**ITEM: VIII.B.**

**ISSUE:**

Consideration of a Hotel and Short-Term Rental Incentive Application for Trident Hospitality Group, LLC, (d.b.a. Holiday Inn at The University) Located at PIN 382-12-04-0006.

**BACKGROUND:**

Trident Hospitality Group, LLC (Rashmikan "Raj" Pankhania, applicant) has applied for a *Hotel and Short-Term Rental Incentive* for their hotel proposed at the corner of Hwy 544 and Buccaneer Cove. The applicant is proposing to build a Holiday Inn Express with approximately 94 rooms.

This request is to receive City Council approval to include the subject property in the incentive program as an eligible property.

This incentive applies to any person, firm or corporation establishing a hotel or commercial short-term rentals with a minimum of 8 units in the City of Conway. All eligibility is subject to review and approval by City Council.

The program allows the City to reimburse any person, firm, or corporation for the hospitality fees and property taxes collected by the City of Conway for a period of up to seven (7) years. As well as grant approval for an expedited review process of 15 days instead of 30 days.

The date of the application was received prior to the August 15<sup>th</sup> deadline so the applicant is eligible for the 7-year reimbursement.

**RECOMMENDATION:**

Approval Trident Hospitality Group, LLC, application to be qualified as an eligible property for the 7-year reimbursement Hotel and Short-Term Rental Incentive program.



# Incentive Application



CORNER OF HW 544  
PHYSICAL ADDRESS OF PROPERTY: BUCCANEERS COVE S PIN #: 382-12-04-00010

WAS BUILDING VACANT BEFORE OCCUPANCY: YES ( ) NO ( ) IF YES, HOW LONG? N/A

NAME OF PROPERTY OWNER(S) IF DIFFERENT FROM APPLICANT: TRIDENT HOSPITALITY GROUP, LLC

MAILING ADDRESS OF PROPERTY OWNER(S) IF DIFFERENT FROM APPLICANT:

1304 REGENT TERRACE N., MYRTLE BEACH, SC 29575

IS THIS A NEW BUSINESS: YES ☒ NO ☐ IF NO, LIST PREVIOUS LOCATION: \_\_\_\_\_

BUILDING SQ. FT.: 55,200 TYPE OF BUSINESS: HOTEL BUSINESS NAME: HOLIDAY INN EXPRESS

BOUTIQUE HOTEL: YES ( ) NO ☒ NUMBER OF PROPOSED UNITS: 94 NAME OF HOTEL: HOLIDAY INN AT THE UNIVERSITY

APPLICANT NAME (PRINT): RASHMIKANT N. PANKHANI PHONE #: 510-417-5995

APPLICANT EMAIL ADDRESS: (RAJ) TRIDENTHOSPITALITYSC@GMAIL.COM

MAILING ADDRESS OF APPLICANT: 1304 REGENT TERRACE N. MYRTLE BEACH SC 29575

Please select all Incentives you wish to apply for at the above referenced property:

- ☐ Article E- Preservation Tax Incentive (separate application required)
- ☐ Article F- Cinemas, Bowling Centers and Other Family Entertainment Facilities
- ☐ Article G- Redevelopment of Existing Vacant Commercial Buildings 25,000 sqft or greater
- ☐ Article H- Occupancy in Existing Vacant Buildings Located in the Central Business District
- ☐ Article I- Redevelopment Enhancement Incentive
- ☒ Article J- Hotel/Short-Term Rental Incentive

Applicant requests approval of the following offered Incentives:

- ☐ Building Permit Fees
- ☒ 15-Day Plan Review
- ☐ Business License Fees: 2 years ☐ 5 Years ☐
- ☐ Capital Recovery Fees (Water and/or Sewer): 1/2 of W&S ☐ 100% of W&S ☐
- ☒ Hospitality Fees: 5 Years ☐ 7 Years ☒
- ☒ Property Taxes: 2 years ☐ 5 Years ☐ 7 Years ☒

\*Reimbursements are Incentive specific please be sure you meet all requirements prior to application submittal.

I hereby certify that all information provided herein is correct, accurate, and complete to the best of my knowledge.

APPLICANT'S SIGNATURE

DATE

FOR OFFICE USE ONLY

PZE# (S): 223-0248

Date Received: 8-9-23 Planning Concierge: [Signature]

Planning & Development Director: [Signature]

Building Official: [Signature]

Finance Director: [Signature]

City Administrator: [Signature]

City Council Approval Date: \_\_\_\_\_

Reimbursement Approvals:

Expedited Review: Yes ( ) No ( )

Hospitality Fees, # of Years: \_\_\_\_\_

Property Taxes, # of Years: \_\_\_\_\_

**ISSUE:**

Discussion on the approval of the erection of a historical marker at Collins Park (PIN 338-11-02-0050).

**BACKGROUND:**

The Horry County Historical Society and the Horry County Archive have recently begun to erect historical markers throughout Horry County to preserve local history. Most recently, the Historical Society and the Horry County Archive have joined with the United Bank Center for Military & Veteran Studies at CCU with the goal to establish a historical marker at Conway's Collins Park.

This new marker will preserve two topics of local history – the contributions of the citizens of Horry County to the American victory in World War II, and the sacrifices of two young members of the U.S. Armed Forces from Conway – Edward and Arthur Norton.

The Norton Twins, as they're best known in Conway, were the twin sons of a Conway physician, Dr. James Norton, who was renowned for his devoted service to Horry County in the early 1900s. They were student-athletes at Conway High School and at Clemson – and were pilot and co-pilot of an American bomber operating in Europe in World War II. Both were tragically killed when their aircraft was shot down over the coast of the Netherlands in 1943, while they were determinedly trying to complete their deadly mission. The General Aviation Terminal at Myrtle Beach International Airport honors the Norton Twins in its name – but until now there has been nothing in their hometown of Conway that preserves their legacy -- which well represents all of the almost 70 citizens of Horry County who died in World War II and the thousands more who served.

The other side of the marker records the important contributions that Horry County made to assist victory in World War II, and preserves the history of service and sacrifice made by Horry County's "Greatest Generation."

The erection of the history marker at the rear of Collins Park will also encourage enhancement of the rear section of the park, and tie in nicely with the new pickleball courts and improvements. The Horry County Historical Society has also had an offer of a private donation to enhance and beautify the area where the historic marker will be erected.

**RECOMMENDATION:**

Approval of the erection of a historical marker at Collins Park.



## **Norton Twins**

**Twin brothers Lt. Edward R. “Wack” Jr. and Lt. James A. “Hoggy” Norton Jr. of Conway, the sons of Dr. and Mrs. J.A. Norton, were youthful aviation hobbyists who often flew their aircraft above Conway in the late 1930s and early 1940s. Both were student-athletes at Conway High School and Clemson College. After the U.S. entered World War II, they joined the U.S. Army Air Forces. At age 22, they were serving as pilot and co-pilot of a B-26B Marauder bomber in the U.S. 8<sup>th</sup> Air Force, which was based in Britain.**

**On 17 May 1943, during a low-level mission against an important German coastal installation in the Netherlands, the Norton’s bomber group encountered heavy German anti-aircraft fire, which shot down most of the group’s aircraft. Piloting one of only three surviving American aircraft, the Norton brothers persisted in trying to reach their target. However, their bomber was also shot down. It crashed into the North Sea offshore Holland, killing most aboard – including Conway’s Norton twins.**

**The loss of siblings in battle during World War II led the U.S. Armed forces to restrict family members from serving together in combat. The Nortons were memorialized at the Netherlands American Cemetery in Margraten, Netherlands and at Lakeside Cemetery in Conway. The Norton General Aviation Terminal at Myrtle Beach International Airport is named in honor of the Norton twins. Their home stood approximately 50 yards to the north.**

## **Horry County in World War II**

**Some 4,000 Horry County residents served in the U.S. military during World War II, and at least 70 died in service. In 1942, the U.S. War Department activated the 55,854-acre Conway Bombing and Gunnery Range east of Conway. To house the 400,000 enemy prisoners-of-war incarcerated in the U.S. during World War II, hundreds of temporary prison camps were built throughout the nation – including in Horry County. Local prison camps for German POWs were constructed in Myrtle Beach and in the Adrian community near Conway.**

**Most Horry County citizens participated in rationing of fuel, rubber, food, and other commodities needed by the American Armed Forces. Many also donated scrap metal, rubber, paper, and kitchen fats in patriotic drives to support the war effort. Some took wartime jobs at the Charleston Naval Yard or at the N.C. Shipbuilding Co. in Wilmington. In 1943, the USAAF established Myrtle Beach Army Air Field, which later became Myrtle Beach Air Force Base.**





**DATE: AUGUST 21, 2023**  
**ITEM: VIII.D.**

**ISSUE:**

Consideration of a Special Event Request – Chicora Car Club Car Show – September 30, 2023

**BACKGROUND:**

Chicora Car Club requests approval of a Special Event for a Car Show to be held at Palmetto Chevrolet on September 30, with a rain date of October 7 from 8:00 a.m. to 3:00 p.m.

The applicant requests road closure of Laurel Street between Fourth Avenue to Fifth Avenue.

There will be a car show, awards, music and hot dogs. Chicora Car Club will be setting up tents.

There will be approximately 1,000 participants.

**RECOMMENDATION:**

Approve the special event permit as presented.



RECEIVED  
Aug 7 2023



**For Office Use Only**

**Permit Application**

- ☐ Approved
- ☐ Disapproved
- ☐ Charges required  
in the amount of \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**SPECIAL EVENT PERMIT APPLICATION**

According to the Code of Ordinances of the City of Conway, it is unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on any parade or public meeting or assembly or picketing, in or upon any public street, park or other public grounds in the city unless and until a permit to conduct such meeting, assembly, parade or picketing has been obtained. A special event application is also required for events held on private property within the city that may expect a large crowd, impact on the neighborhood and/or city services, or require other permits such as zoning, signage, etc. Charges may apply to each application. The City of Conway, at its discretion, may choose to waive any fees and charges for special events held by bonafide, non-profit organizations.

**APPLICATION FOR PERMIT MUST BE FILED NOT LESS THAN  
30 DAYS IN ADVANCE OF THE PROPOSED ACTIVITY.**

Name of the event: Chicora Car Club presents Car Show at Palmetto Chevrolet

Name of permit holder: Chicora Car Club - Greg Harden

Address of permit holder: 157 High Meadow Lane

City: Aynor State: SC Zip: 29511

Telephone number of permit holder: 843-582-8802 Cell Same

Are you conducting the activity on behalf of an organization? ☒ Yes ☐ No

Is your organization a non-profit 501(c)(3) organization? ☒ Yes ☐ No

Name of organization: Chicora Car Club

Address of organization: PO Box 1105, Conway SC 29528

Telephone number of organization: 843-582-8802

What is the purpose of the activity? Car Show

What is the proposed date(s) of the activity? Sept 30, 2023 (Rain Date Oct 7, 2023)

What are the proposed times of the activity? 8 am to 3 pm (10 am -2 pm car show )

What are the plans for the event? Car show , awards, music , hot dogs

What is the location or route of the activity? (Please attach any necessary route maps.) \_\_\_\_\_

Palmetto Chevrolet and adjacent section of Laurel Street from 4th ave to 5 th ave.

**If you are conducting a parade, please attach a map showing the route with the portion of the street(s) and/or sidewalk(s) to be utilized clearly marked.**

List any streets which may need to be closed, including specific dates and times of closing and re-opening:

Laurel Street from 4th Ave to 5th Ave

What is the approximate number of participants? 1000

What is the approximate number of vendors? 0

**BUSINESS LICENSE REQUIREMENTS:** Any vendors at this event who do not have 501(c)(3) nonprofit status are required to purchase a business license.

Will there be any vehicles, water craft, equipment or animals used for the event? ☒ Yes ☐ No

If yes, please explain: Classic cars and trucks

Are you requesting any road blockades? (charges may apply) ☒ Yes ☐ No

If yes, please attach a map showing the locations of any road blockades.

Are you requesting any police assistance? (charges may apply) ☐ Yes ☒ No

Are you requesting to set up tents or temporary structures? (charges may apply) ☒ Yes ☐ No

If yes, please attach a drawing showing the locations and sizes of all auxiliary structures.

Are you requesting any fire/medical standby assistance? (charges may apply) ☐ Yes ☒ No

Will supplementary utility services such as power and water be used in addition to what is available in the area? If yes, describe in detail the specific utilities and location. Any additional utilities must be provided by the applicant. ☐ Yes ☒ No

Have you requested or obtained a permit from any other jurisdiction (city or county) within which the activity shall commence, terminate or occur in part? ☐ Yes ☒ No

How do you plan to remove garbage? Palmetto Chevrolet will provide garbage disposal facilities

Will existing restroom facilities be adequate? ☒ Yes ☐ No

If not, describe plans to augment available sanitary facilities:

Please include any additional information that may be useful: Chicora Car club has successfully put on this car show in past years

Does any of the following apply to the proposed activity: \_\_\_\_\_ Fireworks Display \_\_\_\_\_ Music \_\_\_\_\_ Other  
(live band, band, loudspeakers, sound amplifiers, etc.). Please specify: Broadcast non-offensive music from speakers 10am-2pm

**ALCOHOL SALES AT SPECIAL EVENT:** *Procedures and logistics for serving alcoholic beverages must be submitted with the special event permit application. These should include but are not limited to location, hours of operation, locations with site diagram and security procedures. Consideration will also be given as to whether alcohol sales would create potentially dangerous situations due to the nature of the event. Permission to serve or consume alcohol may be granted by the city as part of the special event permit; however, such service must comply with all South Carolina Alcohol Beverage Control Commission regulations and the City of Conway Special Events Alcohol Control Policy. The City reserves the right to revoke the permit or require the applicant to discontinue alcohol sales whenever the consumption of alcohol by participants becomes excessive or when, over a period of time, participants regularly demonstrate obnoxious, loud, or other inappropriate behavior following events.*

Will alcoholic beverages be served?

☐ Yes ☒ No

Will alcoholic beverages be sold? *If yes, SC ABC permit required.*

☐ Yes ☒ No

*Hard alcohol (liquor) may not be present, possessed, consumed and/or served at any permitted special event. Section 7-2-2 (b) (1) states "The sale of alcohol within the designated area of a special event is limited to beer and wine." Beer and/or wine must be served in opaque paper, plastic or Styrofoam cups.*

**VENDORS:** Please list any vendors, including applicant, for whom you are requesting permission to sell alcohol and the proposed locations for sales.

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**RESTAURANTS:** Please list any restaurants for which you are requesting permission to sell alcohol for public consumption during the special event.

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Times for alcohol to be served: From \_\_\_\_\_ To \_\_\_\_\_

*Event map must show requested designated special event area for alcohol sales/public consumption.*

*The following does not apply to restaurants:*

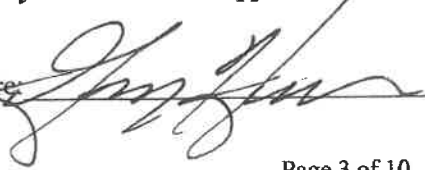
Have you applied for a South Carolina temporary ABC Permit? ☐ Yes ☐ No

Name of insurance company providing general liability with liquor liability insurance for the event naming the City of Conway as additional insured (a copy of the Certificate of Insurance must be provided): \_\_\_\_\_

**ACKNOWLEDGMENT:** *I acknowledge that I have read and do fully understand the Special Event Alcohol Control Policy attached to this application and agree to comply with the guidelines.*

Applicant's Signature: \_\_\_\_\_

Date: August 5, 2023







## SPECIAL EVENTS

### ALCOHOL CONTROL POLICY

All event organizers and restaurants are required to be familiar with and follow the guidelines when participating in special events where alcoholic beverages will be permitted. It is understood that responsibility for fully meeting these requirements during an event rests with the event organization and/or restaurant serving alcohol within a designated special event area.

1. Hard alcohol (liquor) may not be present, possessed, consumed and/or served at any permitted special event. *Section 7-2-2 (b) (1) states "The sale of alcohol within the designated area of a special event is limited to beer and wine."*
2. Public consumption of alcohol as authorized by the special event permit shall not begin before the designated event start time. There shall be no open containers of alcohol allowed in the event area before this designated time. The event organizers and all participating restaurants must discontinue alcohol distribution for public consumption within the event area at a minimum of 30 minutes prior to the end of the event. All alcohol must be cleared from the event site at the end of the event.
3. At no other time may alcohol be present, possessed, served, and consumed in the public area. The event organizer is responsible for informing participating restaurants of the event hours for compliance and to make certain that no one leaves restaurant premises with alcohol except during the time of the special event.
4. It is a violation to permit or knowingly allow a person under 21 years of age to purchase or possess or consume liquor, beer or wine. The seller of beer or wine must clearly display signs stating that the purchase or possession of beer or wine by a person under the age of 21 is unlawful.
5. Signs informing participants that alcohol beverages are prohibited on City streets and sidewalks beyond the boundaries of the designated special event area will be posted by the City.
6. No alcohol may be served in glass containers, cans or bottles; only opaque plastic, paper, or Styrofoam containers will be allowed.
7. It is a violation to sell liquor, beer or wine to an intoxicated person. Any person in an intoxicated condition, even if of legal age, must be denied alcohol.
8. The event organizer shall supply identification wristbands to the vendors and/or participating restaurants at any special event that includes the sale/public consumption of alcoholic beverages. Anyone 21 years of age or older wishing to consume alcohol on public property must be wearing the colored wristband assigned to the special event in order to be served alcohol.

If your event is to be held on property not owned by the sponsoring organization, the property owner must complete the following:

### PROPERTY OWNER PERMISSION LETTER

I (we), being the property owner of Palmetto Chevrolet, 1122 4th Ave, Conway SC (address),  
give permission for Chicora Car Club to hold a special event on  
my/our property.

Aug 5, 2023  
Date [Signature]  
Witness DAN FLEMING  
Printed Witness Name

Mark Scott  
Signature  
1122 4th Ave, Conway SC 29526  
Address  
843-248-4283  
Telephone Number

### INSURANCE REQUIREMENTS FOR SPECIAL EVENTS HELD ON CITY PROPERTY

The event must maintain general liability insurance and, if beer and wine is to be served, liquor liability insurance for the event for which the permit has been obtained. The City of Conway shall be named as an additional insured on the policy with respect to claims arising from the use of property owned or operated by the city and the issuing of the permit by the city. The applicant shall submit a Certificate of Insurance verifying the following minimum coverage and specifically identifying the City of Conway as an additional insured. **Your permit will not be issued if the Certificate of Insurance has not been received prior to event.** The City of Conway must be listed as the "Certificate Holder" on the Certificate of Insurance.

Each Occurrence	1,000,000
Personal Injury	1,000,000
General Aggregate	2,000,000

Application completed by:

Contact No.:

Date:

Special events permits are granted in accordance with the City of Conway Code of Ordinances and in no way imply assumption of liability by the City of Conway. Your organization is fully responsible for complying with all applicable laws and safety procedures. A permit does not authorize you to enter upon private property or to, in any way, hinder or obstruct pedestrian or vehicular traffic. The City of Conway reserves the right to modify the conditions of this permit or to cancel it entirely if it is deemed appropriate.

Please return completed permit application to:

City of Conway Planning Department  
Attn: Special Event Permits  
P.O. Drawer 1075  
Conway, SC 29528-1075

[FOR OFFICE USE ONLY]

Special Event: Car Show @ Palmetto Chevrolet

Date(s)

9/30/23 / rain date 10/7/23

Sponsoring Organization: Chicora Car Club

Application completed by:

Greg Harden

Contact No.:

843 582-8802

Date:

Aug 6 2023

☒ Recommend approval

☐ Recommend disapproval

Police Department

Fees or charges associated with this event:

Special Conditions/Comments:

see attached

8/7/2023

Date

Police Officers

\$40.00/hour per officer

☒ Recommend approval

☐ Recommend disapproval

Fire Department

Fees or charges associated with this event:

Special Conditions/Comments:

see attached

8/7/2023

Date

Fire Inspector/Fire-Rescue Officers

\$40.00/hour per officer

☐ Recommend approval

☐ Recommend disapproval

Public Works Department

Fees or charges associated with this event:

Special Conditions/Comments:

Date

Residential & Non Residential Street Closure

Barricades

\$20.00 each

Public Works Employee

\$25.00/hour per employee



<input type="checkbox"/> Recommend approval	<input type="checkbox"/> Recommend disapproval
Parks & Rec. Department	Date
Fees or charges associated with this event: _____	
Special Conditions/Comments: _____	
_____	
Parks & Rec. Employee	\$25.00/hour per employee

<input checked="" type="checkbox"/> Recommend approval	<input type="checkbox"/> Recommend disapproval
Planning Department	8/7/2023 Date
Special Conditions/Comments: see attached	
_____	
_____	

<input type="checkbox"/> License(s) obtained for _____ vendor(s)	<input checked="" type="checkbox"/> License(s) not required
Has general liability and liquor liability insurance (if applicable) listing the City of Conway as additional insured been secured? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Business License Department	8/7/2023 Date
Special Conditions/Comments: see attached	
_____	
_____	

**RELEASE AND INDEMNIFICATION AGREEMENT**  
**City of Conway**

**THIS IS A RELEASE OF LIABILITY AND INDEMNIFICATION AGREEMENT. THE SPECIAL EVENTS HOLDER MUST READ CAREFULLY BEFORE SIGNING.**

In consideration for being permitted to engage in the following special event on City of Conway property:

CAR SHOW AT PALMBESTO CHEVROLET

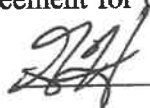
Special Event Holder hereby acknowledges, represents, and agrees as follows:

- A. We understand that activities associated with the above-described special event are or may be dangerous and do or may involve risks of injury, loss, or damage to us and/or to third parties. We further acknowledge that such risks may include but are not limited to bodily injury, personal injury, sickness, disease, death, and property loss or damage, arising from the following circumstances, among others:



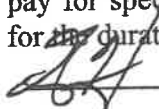
(Special Event Holder initial here)

- B. If required by this paragraph, we agree to require each participant in our special event to execute a release and indemnification agreement for ourselves and for City of Conway on a form approved by the City of Conway.



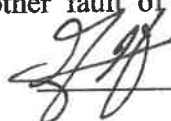
(Special Event Holder initial here)

- C. We agree to procure, keep in force, and pay for special event insurance coverage, from an insurer acceptable to the City of Conway, for the duration of the above referenced event.



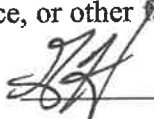
(Special Event Holder initial here)

- D. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby expressly assume all such risks of injury, loss, or damage to us or to any related third party, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.



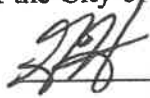
(Special Event Holder initial here)

- E. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we further hereby exempt, release, and discharge the City of Conway, its officers, and its employees, from any and all claims, demands, and actions for such injury, loss, or damage to us or to any third party, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.



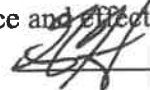
(Special Event Holder initial here)

F. We further agree to defend, indemnify and hold harmless the City of Conway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, court costs, and attorneys' fees, including those arising from any third party claim asserted against the City of Conway, its officers, employees, insurers, or self-insurance pool, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any way related to the above-described activities, whether or not caused by our act, omission, negligence, or other fault, or by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.



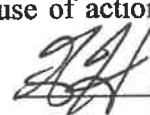
(Special Event Holder initial here)

G. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby acknowledge and agree that said agreement extends to all acts, omissions, negligence, or other fault of the City of Conway, its officers, and/or its employees, and that said agreement is intended to be as broad and inclusive as is permitted by the laws of the State of South Carolina. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding, continue in full legal force and effect.



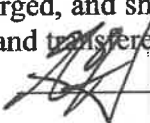
(Special Event Holder initial here)

H. We understand and agree that this **RELEASE AND INDEMNIFICATION AGREEMENT** shall be governed by the laws of the State of South Carolina, and that jurisdiction and venue for any suit or cause of action under this agreement shall lie in the courts.



(Special Event Holder initial here)

I. This **RELEASE AND INDEMNIFICATION AGREEMENT** shall be effective as of the date or dates of the applicable Special Event, shall continue in full force until our responsibilities hereunder are fully discharged, and shall be binding upon us, our successors, representatives, heirs, executors, assigns, and transferees.



(Special Event Holder initial here)

**IN WITNESS THEREOF**, this **RELEASE AND INDEMNIFICATION AGREEMENT** is executed by the Special Event Holder, acting by and through the undersigned, who represents that he or she is properly authorized to bind the Special Event Holder hereto.

**PRINTED NAME OF SPECIAL EVENT PERMIT HOLDER:**

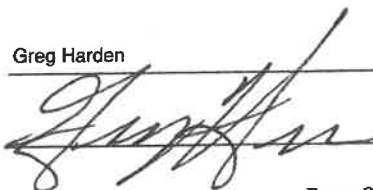
Chicora Car Club - Greg Harden

**PRINTED NAME AND TITLE OF PERSON SIGNING ON BEHALF OF SPECIAL EVENTS HOLDER:**

**NAME:** Greg Harden

**TITLE:** President

**SIGNATURE:**



**DATE:**

8/5/23



**FACILITY USE AGREEMENT AND RELEASE/INDEMNIFICATION**  
**City of Conway**

- A. In consideration for being permitted to use the facilities of the City of Conway, Chicora Car Club  
(hereinafter "Applicant") agrees to indemnify and hold harmless, City of Conway its officers, employees, insurers, and SCMIT/SCMIRF Insurance Programs, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity, on account of damage, loss, or injury, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City of Conway, its officers, or its employees, or from any other cause whatsoever.
- B. By signing below, Applicant agrees that, in the event of any damage, loss, or injury to the facilities or to any property or equipment therein, the City of Conway may require reimbursement for the full amount of such damage, loss, or injury and all costs associated therewith upon billing by City of Conway.
- C. In addition, in consideration for being permitting to use the facilities, Applicant, on behalf of itself, and its officers, employees, members, and invitees, hereby expressly exempts and releases the City of Conway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City of Conway, its officers, or its employees, or from any other cause whatsoever.

**Greg Harden**

**NAME OF PERSON/ORGANIZATION**

  
**SIGNATURE OF PERSON/ORGANIZATION REPRESENTATIVE**

**DATE**

8/5/23

# Palmetto Chevrolet Car Show



*Palmetto Chevrolet*

Presented by:



Saturday, September 30<sup>th</sup>, 2023

10:00 AM to 2:00 PM

1122 4<sup>th</sup> Ave., Conway, SC

Rain Date October 7<sup>th</sup>



7 Judged Classes, 3 awards each Class

Entry Fee: \$20 Per Vehicle

**ALL MAKES AND MODELS ARE WELCOME**

Classic, Antique, Custom, Trucks, Rat Rods & Late Models

Registration starts at 8:00 AM

Palmetto Chevrolet, Conway SC

No admission charge for spectators

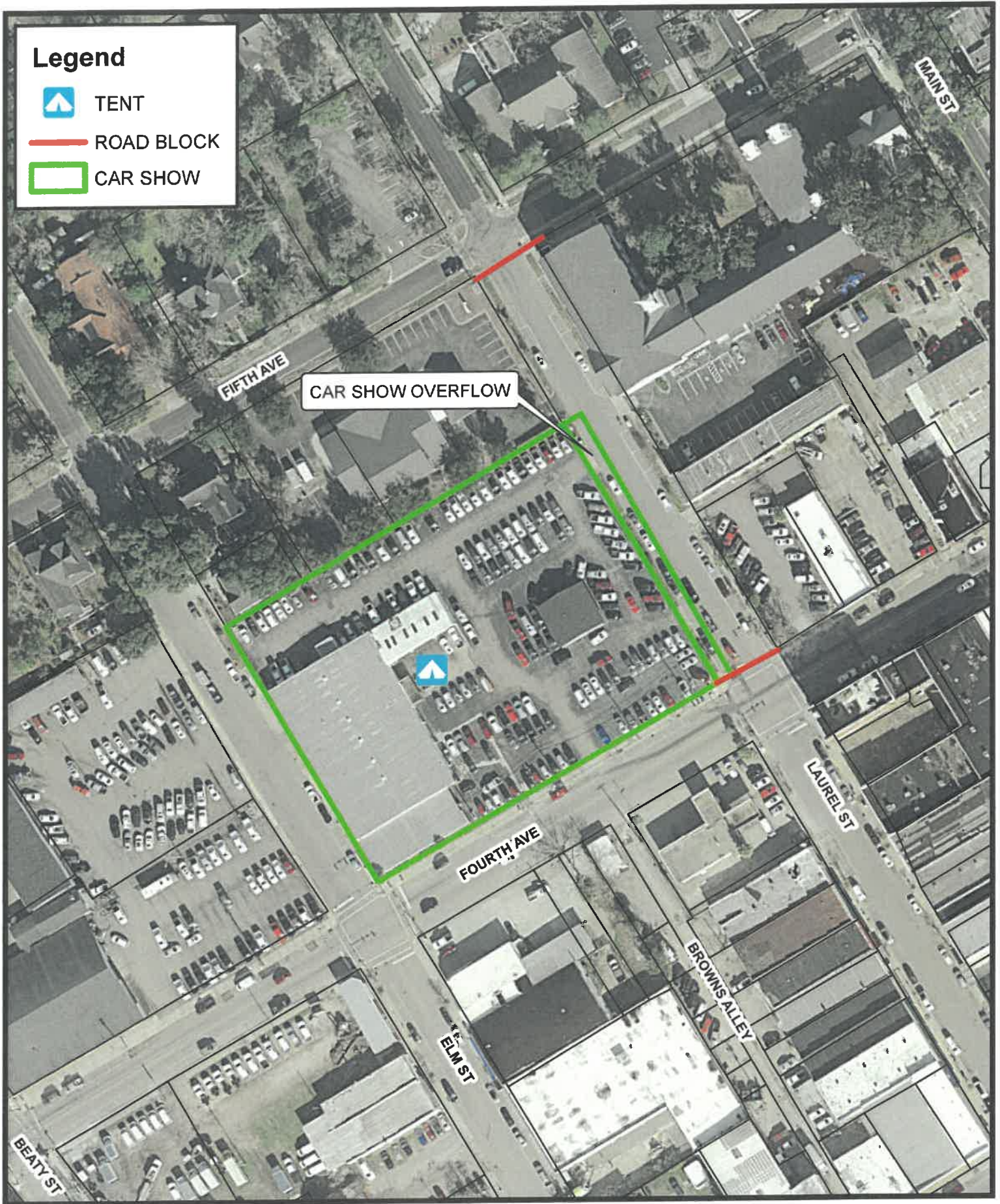
Hot dogs and cold drinks to be provided to entrants, available for purchase by spectators

Follow us on Facebook



ALL PROCEEDS GO TO LOCAL CHARITIES







## Natasha Sherman

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**From:** Katie Dennis  
**Sent:** Monday, August 7, 2023 10:20 AM  
**To:** Natasha Sherman  
**Subject:** RE: Chicora Car Club Car Show

OK with Planning

Katie Dennis, MSCM, CFM  
Planning Concierge  
City of Conway Planning & Development  
196 Laurel Street Conway, SC 29526  
Office: (843) 488-7852 Cell: (843) 421-2337



---

**From:** Natasha Sherman <nsherman@cityofconway.com>  
**Sent:** Monday, August 7, 2023 10:12 AM  
**To:** Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>  
**Subject:** Chicora Car Club Car Show

Please review for approval and email me back.

*Natasha Sherman*  
*Executive Assistant*  
*City of Conway*

**From:** cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>  
**Sent:** Saturday, July 8, 2023 8:12 PM  
**To:** Natasha Sherman <nsherman@cityofconway.com>  
**Subject:** Message from KM\_C450i

## Natasha Sherman

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**From:** Phillip L. Hendrick, Jr.  
**Sent:** Monday, August 7, 2023 10:13 AM  
**To:** Natasha Sherman  
**Subject:** RE: Chicora Car Club Car Show

Fire is good.

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**From:** Natasha Sherman <nsherman@cityofconway.com>  
**Sent:** Monday, August 7, 2023 10:12 AM  
**To:** Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>  
**Subject:** Chicora Car Club Car Show

Please review for approval and email me back.

*Natasha Sherman*  
*Executive Assistant*  
*City of Conway*

**From:** [cityhallprinter@cityofconway.com](mailto:cityhallprinter@cityofconway.com) <[cityhallprinter@cityofconway.com](mailto:cityhallprinter@cityofconway.com)>  
**Sent:** Saturday, July 8, 2023 8:12 PM  
**To:** Natasha Sherman <nsherman@cityofconway.com>  
**Subject:** Message from KM\_C450i

## Natasha Sherman

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**From:** Dale Long  
**Sent:** Monday, August 7, 2023 10:24 AM  
**To:** Natasha Sherman  
**Subject:** RE: Chicora Car Club Car Show

They need to make sure the church does not have any event. If they do, I would not approve the road closure. If they are clear that day, I will have no issue. They need to get a letter from the church stating they are OK with the closure that day.

**From:** Natasha Sherman <nsherman@cityofconway.com>  
**Sent:** Monday, August 7, 2023 10:12 AM  
**To:** Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>  
**Subject:** Chicora Car Club Car Show

Please review for approval and email me back.

*Natasha Sherman*  
*Executive Assistant*  
*City of Conway*

**From:** cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>  
**Sent:** Saturday, July 8, 2023 8:12 PM  
**To:** Natasha Sherman <nsherman@cityofconway.com>  
**Subject:** Message from KM\_C450i



## Natasha Sherman

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**From:** Business License  
**Sent:** Monday, August 7, 2023 2:54 PM  
**To:** Natasha Sherman  
**Subject:** RE: Chicora Car Club Car Show

Good with business license.

---

**From:** Natasha Sherman  
**Sent:** Monday, August 7, 2023 10:12 AM  
**To:** Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>  
**Subject:** Chicora Car Club Car Show

Please review for approval and email me back.

*Natasha Sherman*  
*Executive Assistant*  
*City of Conway*

**From:** [cityhallprinter@cityofconway.com](mailto:cityhallprinter@cityofconway.com) <[cityhallprinter@cityofconway.com](mailto:cityhallprinter@cityofconway.com)>  
**Sent:** Saturday, July 8, 2023 8:12 PM  
**To:** Natasha Sherman <[nsherman@cityofconway.com](mailto:nsherman@cityofconway.com)>  
**Subject:** Message from KM\_C450i

**DATE: AUGUST 21, 2023**  
**ITEM: VIII.E.**

**ISSUE:**

Approval of Special Event Permit – 1<sup>st</sup> Annual Youth Performing Arts Festival - September 23, 2023

**BACKGROUND:**

The Theatre of the Republic requests approval of a Special Event Permit for the 1<sup>st</sup> Annual Youth Performing Arts Festival to be held September 23, 2023 from 10:00 a.m. to 6:00 p.m.

The request includes road closures of Laurel Street between Scarborough Alley and the water tower.

There will be approximately 1000 participants and 35 vendors. Theatre of the Republic requests police assistance and will be setting up tents or other temporary structures.

Theatre of the Republic requests the use of 25 pelican cans and 10 blue recycling cans from the City. Portable water stations for bathroom facilities will be provided.

**RECOMMENDATION:**

Approve the special event permit as presented.

RECEIVED  
Aug 15 2023



**For Office Use Only**  
**Permit Application**

- ☐ Approved  
☐ Disapproved  
☐ Charges required  
in the amount of \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**SPECIAL EVENT PERMIT APPLICATION**

According to the Code of Ordinances of the City of Conway, it is unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on any parade or public meeting or assembly or picketing, in or upon any public street, park or other public grounds in the city unless and until a permit to conduct such meeting, assembly, parade or picketing has been obtained. A special event application is also required for events held on private property within the city that may expect a large crowd, impact on the neighborhood and/or city services, or require other permits such as zoning, signage, etc. Charges may apply to each application. The City of Conway, at its discretion, may choose to waive any fees and charges for special events held by bonafide, non-profit organizations.

**APPLICATION FOR PERMIT MUST BE FILED NOT LESS THAN  
30 DAYS IN ADVANCE OF THE PROPOSED ACTIVITY.**

Name of the event: 1st Annual Youth Performing Arts Festival

Name of permit holder: Tim McGhee

Address of permit holder: 405 76th Ave N. Unit 6

City: Myrtle Beach State: SC Zip: 29572

Telephone number of permit holder: (843) 997-0244 Cell \_\_\_\_\_

Are you conducting the activity on behalf of an organization? ☒ Yes ☐ No

Is your organization a non-profit 501(c)(3) organization? ☒ Yes ☐ No

Name of organization: Theatre of the Republic, Inc.

Address of organization: 331 Main St. Conway, SC 29526

Telephone number of organization: (843) 488-0821

What is the purpose of the activity? See addendum Statement 1

What is the proposed date(s) of the activity? September 23rd, 2023

What are the proposed times of the activity? 10AM - 6PM

What are the plans for the event? See attached PDF for descriptions and schedule

What is the location or route of the activity? (Please attach any necessary route maps.)  
Laurel street and surrounding areas between Scarborough Alley & the water tower (see PDF)

**If you are conducting a parade, please attach a map showing the route with the portion of the street(s) and/or sidewalk(s) to be utilized clearly marked.**



List any streets which may need to be closed, including specific dates and times of closing and re-opening:

See addendum Statement 2

What is the approximate number of participants? 1000

What is the approximate number of vendors? 35 including performing arts tents

**BUSINESS LICENSE REQUIREMENTS:** *Any vendors at this event who do not have 501(c)(3) nonprofit status are required to purchase a business license.*

Will there be any vehicles, water craft, equipment or animals used for the event? ☒ Yes ☐ No  
If yes, please explain: Dessert trucks/stands will be on site in designated zone

Are you requesting any road blockades? (charges may apply) ☒ Yes ☐ No  
If yes, please attach a map showing the locations of any road blockades.

Are you requesting any police assistance? (charges may apply) ☒ Yes ☐ No

Are you requesting to set up tents or temporary structures? (charges may apply) ☒ Yes ☐ No  
If yes, please attach a drawing showing the locations and sizes of all auxiliary structures.

Are you requesting any fire/medical standby assistance? (charges may apply) ☐ Yes ☒ No

Will supplementary utility services such as power and water be used in addition to what is available in the area? If yes, describe in detail the specific utilities and location. Any additional utilities must be provided by the applicant. ☐ Yes ☒ No  
No, we will be getting whisper generators for the stages

Have you requested or obtained a permit from any other jurisdiction (city or county) within which the activity shall commence, terminate or occur in part? ☐ Yes ☒ No

How do you plan to remove garbage? See addendum Statement 3

Will existing restroom facilities be adequate? ☐ Yes ☒ No

If not, describe plans to augment available sanitary facilities: See addendum Statement 4

Please include any additional information that may be useful: See addendum Statement 5

Does any of the following apply to the proposed activity: Fireworks Display Other  
(live band, band, loudspeakers, sound amplifiers, etc.). Please specify:

We will have live music on the two stages as presented on map and described in PDF.

**ALCOHOL SALES AT SPECIAL EVENT:** *Procedures and logistics for serving alcoholic beverages must be submitted with the special event permit application. These should include but are not limited to location, hours of operation, locations with site diagram and security procedures. Consideration will also be given as to whether alcohol sales would create potentially dangerous situations due to the nature of the event. Permission to serve or consume alcohol may be granted by the city as part of the special event permit; however, such service must comply with all South Carolina Alcohol Beverage Control Commission regulations and the City of Conway Special Events Alcohol Control Policy. The City reserves the right to revoke the permit or require the applicant to discontinue alcohol sales whenever the consumption of alcohol by participants becomes excessive or when, over a period of time, participants regularly demonstrate obnoxious, loud, or other inappropriate behavior following events.*

Will alcoholic beverages be served?

☐ Yes ☒ No

Will alcoholic beverages be sold? *If yes, SC ABC permit required.*

☐ Yes ☒ No

*Hard alcohol (liquor) may not be present, possessed, consumed and/or served at any permitted special event. Section 7-2-2 (b) (1) states "The sale of alcohol within the designated area of a special event is limited to beer and wine." Beer and/or wine must be served in opaque paper, plastic or Styrofoam cups.*

**VENDORS:** Please list any vendors, including applicant, for whom you are requesting permission to sell alcohol and the proposed locations for sales.

N/A

**RESTAURANTS:** Please list any restaurants for which you are requesting permission to sell alcohol for public consumption during the special event.

N/A

Times for alcohol to be served: From N/A To N/A

*Event map must show requested designated special event area for alcohol sales/public consumption.*

*The following does not apply to restaurants:*

Have you applied for a South Carolina temporary ABC Permit? ☐ Yes ☒ No

Name of insurance company providing general liability with liquor liability insurance for the event naming the City of Conway as additional insured (a copy of the Certificate of Insurance must be provided): N/A

**ACKNOWLEDGMENT:** *I acknowledge that I have read and do fully understand the Special Event Alcohol Control Policy attached to this application and agree to comply with the guidelines.*

Applicant's Signature: \_\_\_\_\_

Date: 08/09/23



## SPECIAL EVENTS

### ALCOHOL CONTROL POLICY

All event organizers and restaurants are required to be familiar with and follow the guidelines when participating in special events where alcoholic beverages will be permitted. It is understood that responsibility for fully meeting these requirements during an event rests with the event organization and/or restaurant serving alcohol within a designated special event area.

1. Hard alcohol (liquor) may not be present, possessed, consumed and/or served at any permitted special event. *Section 7-2-2 (b) (1) states "The sale of alcohol within the designated area of a special event is limited to beer and wine."*
2. Public consumption of alcohol as authorized by the special event permit shall not begin before the designated event start time. There shall be no open containers of alcohol allowed in the event area before this designated time. The event organizers and all participating restaurants must discontinue alcohol distribution for public consumption within the event area at a minimum of 30 minutes prior to the end of the event. All alcohol must be cleared from the event site at the end of the event.
3. At no other time may alcohol be present, possessed, served, and consumed in the public area. The event organizer is responsible for informing participating restaurants of the event hours for compliance and to make certain that no one leaves restaurant premises with alcohol except during the time of the special event.
4. It is a violation to permit or knowingly allow a person under 21 years of age to purchase or possess or consume liquor, beer or wine. The seller of beer or wine must clearly display signs stating that the purchase or possession of beer or wine by a person under the age of 21 is unlawful.
5. Signs informing participants that alcohol beverages are prohibited on City streets and sidewalks beyond the boundaries of the designated special event area will be posted by the City.
6. No alcohol may be served in glass containers, cans or bottles; only opaque plastic, paper, or Styrofoam containers will be allowed.
7. It is a violation to sell liquor, beer or wine to an intoxicated person. Any person in an intoxicated condition, even if of legal age, must be denied alcohol.
8. The event organizer shall supply identification wristbands to the vendors and/or participating restaurants at any special event that includes the sale/public consumption of alcoholic beverages. Anyone 21 years of age or older wishing to consume alcohol on public property must be wearing the colored wristband assigned to the special event in order to be served alcohol.



If your event is to be held on property not owned by the sponsoring organization, the property owner must complete the following:

### PROPERTY OWNER PERMISSION LETTER

I (we), being the property owner of \_\_\_\_\_ (address),  
give permission for \_\_\_\_\_ to hold a special event on  
my/our property.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### INSURANCE REQUIREMENTS FOR SPECIAL EVENTS HELD ON CITY PROPERTY

The event must maintain general liability insurance and, if beer and wine is to be served, liquor liability insurance for the event for which the permit has been obtained. The City of Conway shall be named as an additional insured on the policy with respect to claims arising from the use of property owned or operated by the city and the issuing of the permit by the city. The applicant shall submit a Certificate of Insurance verifying the following minimum coverage and specifically identifying the City of Conway as an additional insured. **Your permit will not be issued if the Certificate of Insurance has not been received prior to event.** The City of Conway must be listed as the "Certificate Holder" on the Certificate of Insurance.

Each Occurrence	1,000,000
Personal Injury	1,000,000
General Aggregate	2,000,000

Application completed by:

Contact No.:

Date:

Tim McGhee

(843) 997-0244

08/09/23

Special events permits are granted in accordance with the City of Conway Code of Ordinances and in no way imply assumption of liability by the City of Conway. Your organization is fully responsible for complying with all applicable laws and safety procedures. A permit does not authorize you to enter upon private property or to, in any way, hinder or obstruct pedestrian or vehicular traffic. The City of Conway reserves the right to modify the conditions of this permit or to cancel it entirely if it is deemed appropriate.

Please return completed permit application to:

City of Conway Planning Department  
Attn: Special Event Permits  
P.O. Drawer 1075  
Conway, SC 29528-1075

**[FOR OFFICE USE ONLY]**

Special Event: \_\_\_\_\_ Date(s) \_\_\_\_\_

Sponsoring Organization: \_\_\_\_\_

Application completed by: \_\_\_\_\_

Contact No.: \_\_\_\_\_

Date: \_\_\_\_\_

☐ Recommend approval      ☐ Recommend disapproval

Police Department

\_\_\_\_\_ Date

Fees or charges associated with this event: \_\_\_\_\_

Special Conditions/Comments: \_\_\_\_\_

\_\_\_\_\_

Police Officers

\$40.00/hour per officer

☐ Recommend approval      ☐ Recommend disapproval

Fire Department

\_\_\_\_\_ Date

Fees or charges associated with this event: \_\_\_\_\_

Special Conditions/Comments: \_\_\_\_\_

\_\_\_\_\_

Fire Inspector/Fire-Rescue Officers

\$40.00/hour per officer

☐ Recommend approval      ☐ Recommend disapproval

Public Works Department

\_\_\_\_\_ Date

Fees or charges associated with this event: \_\_\_\_\_

Special Conditions/Comments: \_\_\_\_\_

\_\_\_\_\_

Residential & Non Residential Street Closure

Barricades

\$20.00 each

Public Works Employee

\$25.00/hour per employee

<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend disapproval	
_____ Parks & Rec. Department	_____ Date
Fees or charges associated with this event: _____ _____ Special Conditions/Comments: _____ _____ _____	
Parks & Rec. Employee	\$25.00/hour per employee

<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend disapproval	
_____ Planning Department	_____ Date
Special Conditions/Comments: _____ _____ _____	

<input type="checkbox"/> License(s) obtained for _____ vendor(s) <input type="checkbox"/> License(s) not required	
Has general liability and liquor liability insurance (if applicable) listing the City of Conway as additional insured been secured? <input type="checkbox"/> Yes <input type="checkbox"/> No	
_____ Business License Department	_____ Date
Special Conditions/Comments: _____ _____ _____	



**RELEASE AND INDEMNIFICATION AGREEMENT**  
**City of Conway**

***THIS IS A RELEASE OF LIABILITY AND INDEMNIFICATION AGREEMENT. THE SPECIAL EVENTS HOLDER MUST READ CAREFULLY BEFORE SIGNING.***

In consideration for being permitted to engage in the following special event on City of Conway property:

1st Annual Youth Performing Arts Festival

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Special Event Holder hereby acknowledges, represents, and agrees as follows:

- A. We understand that activities associated with the above-described special event are or may be dangerous and do or may involve risks of injury, loss, or damage to us and/or to third parties. We further acknowledge that such risks may include but are not limited to bodily injury, personal injury, sickness, disease, death, and property loss or damage, arising from the following circumstances, among others:
- 
- 

 (Special Event Holder initial here)

- B. If required by this paragraph, we agree to require each participant in our special event to execute a release and indemnification agreement for ourselves and for City of Conway on a form approved by the City of Conway.

 (Special Event Holder initial here)

- C. We agree to procure, keep in force, and pay for special event insurance coverage, from an insurer acceptable to the City of Conway, for the duration of the above referenced event.

 (Special Event Holder initial here)

- D. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby expressly assume all such risks of injury, loss, or damage to us or to any related third party, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

 (Special Event Holder initial here)

- E. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we further hereby exempt, release, and discharge the City of Conway, its officers, and its employees, from any and all claims, demands, and actions for such injury, loss, or damage to us or to any third party, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

 (Special Event Holder initial here)

- F. We further agree to defend, indemnify and hold harmless the City of Conway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, court costs, and attorneys' fees, including those arising from any third party claim asserted against the City of Conway, its officers, employees, insurers, or self-insurance pool, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any way related to the above-described activities, whether or not caused by our act, omission, negligence, or other fault, or by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

 (Special Event Holder initial here)

- G. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby acknowledge and agree that said agreement extends to all acts, omissions, negligence, or other fault of the City of Conway, its officers, and/or its employees, and that said agreement is intended to be as broad and inclusive as is permitted by the laws of the State of South Carolina. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding, continue in full legal force and effect.

 (Special Event Holder initial here)

- H. We understand and agree that this **RELEASE AND INDEMNIFICATION AGREEMENT** shall be governed by the laws of the State of South Carolina, and that jurisdiction and venue for any suit or cause of action under this agreement shall lie in the courts.

 (Special Event Holder initial here)

- I. This **RELEASE AND INDEMNIFICATION AGREEMENT** shall be effective as of the date or dates of the applicable Special Event, shall continue in full force until our responsibilities hereunder are fully discharged, and shall be binding upon us, our successors, representatives, heirs, executors, assigns, and transferees.

 (Special Event Holder initial here)

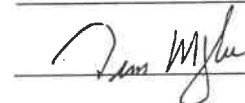
**IN WITNESS THEREOF**, this **RELEASE AND INDEMNIFICATION AGREEMENT** is executed by the Special Event Holder, acting by and through the undersigned, who represents that he or she is properly authorized to bind the Special Event Holder hereto.

**PRINTED NAME OF SPECIAL EVENT PERMIT HOLDER:**

Tim McGhee, Theatre of the Republic, Inc.

**PRINTED NAME AND TITLE OF PERSON SIGNING ON BEHALF OF SPECIAL EVENTS HOLDER:**

**NAME:** Tim McGhee **TITLE:** Executive Director, Theatre

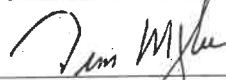
**SIGNATURE:**  **DATE:** 08/09/23

**FACILITY USE AGREEMENT AND RELEASE/INDEMNIFICATION**  
**City of Conway**

- A. In consideration for being permitted to use the facilities of the City of Conway, \_\_\_\_\_  
Tim McGhee & Theatre of the Republic, Inc.  
(hereinafter "Applicant") agrees to indemnify and hold harmless, City of Conway its officers, employees, insurers, and SCMIT/SCMIRF Insurance Programs, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity, on account of damage, loss, or injury, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City of Conway, its officers, or its employees, or from any other cause whatsoever.
- B. By signing below, Applicant agrees that, in the event of any damage, loss, or injury to the facilities or to any property or equipment therein, the City of Conway may require reimbursement for the full amount of such damage, loss, or injury and all costs associated therewith upon billing by City of Conway.
- C. In addition, in consideration for being permitting to use the facilities, Applicant, on behalf of itself, and its officers, employees, members, and invitees, hereby expressly exempts and releases the City of Conway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City of Conway, its officers, or its employees, or from any other cause whatsoever.

Tim McGhee, Theatre of the Republic, Inc.

\_\_\_\_\_  
**NAME OF PERSON/ORGANIZATION**



\_\_\_\_\_  
**SIGNATURE OF PERSON/ORGANIZATION REPRESENTATIVE**

08/09/23

\_\_\_\_\_  
**DATE**





THEAT-1

OP ID: DSK

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/09/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Waccamaw Insurance Services 1813 N. Oak Street P.O. Box 2410 Myrtle Beach, SC 29578-2410 Denise Skipper	<b>843-626-3030</b>	<b>CONTACT Denise Skipper</b> NAME: PHONE (A/C, No, Ext): <b>843-626-3030</b> FAX (A/C, No): <b>843-448-5633</b> E-MAIL: <b>dskipper@waccamawinsurance.com</b> ADDRESS:
<b>INSURED</b> Theatre of the Republic Inc, The 331 Main Street Conway, SC 29526		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A : Auto-Owners Insurance Co.</b> <b>INSURER B :</b> <b>INSURER C :</b> <b>INSURER D :</b> <b>INSURER E :</b> <b>INSURER F :</b>
		<b>NAIC #</b> <b>18988</b>

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>Liquor Liability</b> <input checked="" type="checkbox"/> <b>H&amp;NO Auto</b> GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X		36397303	06/28/2023	06/28/2024	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>300,000</b> MED EXP (Any one person) \$ <b>10,000</b> PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>2,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>1,000,000</b>
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRE AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <b>EXCESS LIAB</b> DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Conway is named as an Additional Insured in regard to General Liability coverage.

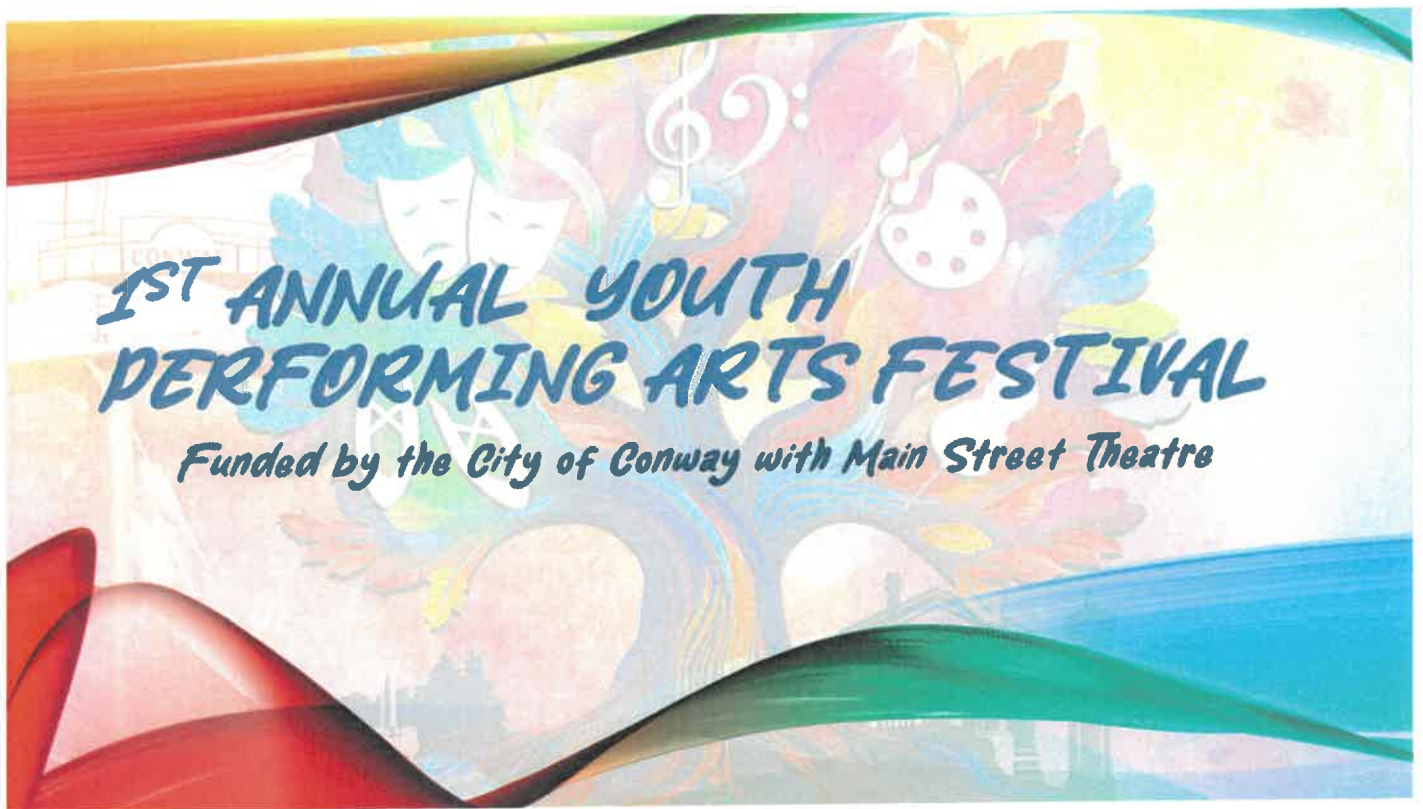
## CERTIFICATE HOLDER

## CANCELLATION

City of Conway  
PO Box 1075  
Conway, SC 29528

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE





## *GENERAL EVENT DETAILS*

*Date: September 23rd, 2023*

*Time: 10AM – 6PM*

*Location: Conway Arts Terrace & the surrounding area of Laurel St.*

*Who: Grand Strand Area Acting, Artistic, Choral, Dance, and Instrumental groups*





## ***A LOOK AT THE EVENT***

*Stages: 2 stages (including terrace) by participating youth performance organizations. Sound will be provided by event planners*

*Tents: Each organization will be provided with a 10'x10' tent with table and two chairs to promote organization. Participants would be able to sell tickets or promotional materials for their organization during the event.*



## A LOOK AT THE EVENT

*Entertainment: The event shall include entertainers, such as balloon animal specialists, face painters, etc. to add to the overall comradery of the event and encourage traffic into the event*

*Food: Guests will be encouraged to visit local Conway restaurants for Burger Week, but dessert and refreshment stands would be present at the event.*



## A LOOK AT THE EVENT

*Safety: A basic first aid tent would be provided with bandages, water, etc. Event Planners will seek security patrol by the the city of Conway police department*

*Parking: Parking spaces are available around the courthouse area as well a street parking*

*Facilities: Portable restroom facilities will be provided by the Event Planners*



## EVENT MAP OVERVIEW



### Description:

*\*Laurel will be closed between Scarborough & the water tower*

*\*Scarborough will remain open to traffic*

*\*2<sup>nd</sup> Ave will remain open to traffic*

*\*Festival includes all city parking area between Scarborough and 2<sup>nd</sup> Ave*

*\*Festival includes Arts Terrace, parking next to the terrace, and the area between the 1<sup>st</sup> two warehouses at corner of Laurel & 2<sup>nd</sup> Ave*

# EVENT MAP ZONING



## *Description:*

- 1) Entrance Tent
- 2) Partner Tents
- 3) Partner Tents
- 4) Stage 1 & Viewing
- 5) Entertainment Tents
- 6) Facilities
- 7) Stage 2 Viewing
- 8) Stage 2
- 9) Entertainment & Partner Tents
- 10) Concessions

## ZONE 1

### *Description:*

*Event Crew/Welcome tent with maps of event and check-in of partners and entertainers.*

### *Considerations:*

- \*Check-in process*
- \*Partnering with Burger Week map*
- \*Closing down road at Laurel & Scarborough*





## ZONE 2



### *Description:*

*Vendor tents to be set along the Copper's (west) side of the street only in order to not obstruct views of the Stage 2 area.*

### *Considerations:*

- \*Spacing of Tents and assigning spots*
- \*Closing of Laurel St. north of 2<sup>nd</sup> Ave.*
- \*2nd Ave will remain open during festival*
- \*Sound Bleed from Stage 2*

## ZONE 3



### Description:

*Vendor tents to be set along the parking (west) side of the street and adjacent to warehouse (if needed) only in order to not obstruct view into Stage 1*

### Considerations:

- \*Spacing of Tents and assigning spots*
- \*Closing of Laurel St. south of 2<sup>nd</sup> Ave.*
- \*2nd Ave will remain open during festival*
- \*Sound Bleed from Stage 1*

## ZONE 4



### *Description:*

*Staging on ground level with access for setup/tear-down from Laurel Street Arch. Guests would sit on green terraces to watch show.*

### *Considerations:*

- \*Sound*
- \*Donations to performing group*
- \*Provide Seating*
- \*Sound Bleed from Stage 2*



## ZONE 5



### Description:

Entertainment/concessions will draw traffic through this area and it will serve as onboarding for staging in Zone 4, entering from Laurel Street Arch

### Considerations:

- \*Smell from dumpster
- \*Provide enough draw to encourage guests to create flow of traffic between the two areas
- \*Provide some concessions since Zone 10 is far

## ZONE 6



### *Description:*

*Portable Facilities with hand washing stations that are tucked away but accessible from any point of the festival. Line the streets with hand washing in center of street.*

### *Considerations:*

- \*Trash Cans*
- \*Handicap access*

## ZONE 7



### *Description:*

*The grass area shall remain open in order to serve as viewing of Stage 2. The space directly in front of the stage may also be used by performances.*

### *Considerations:*

- \*Keep the views unobstructed*
- \*Provide Seating or guests may break blankets/chairs*
- \*Trash*



## ZONE 8



### *Description:*

*The covered 20'x20' stage will be set on the asphalt up against the greenery of Zone 7. Large groups may use the area directly in front of the stage as needed. Groups may prep behind the stage.*

### *Considerations:*

- \*Sound*
- \*Flow of Performing groups*
- \*Donations to performing group*

## ZONE 9



### Description:

Extra space for Partner Tents and Entertainment. Tents will be set along building but not along greenery. The diagonal parking can be reserved for entertainment tents and parking to the east of building for additional partners. Parking directly in front of building, along Scarborough, will be left open.

### Considerations:

- \*Leave green space unobstructed
- \*Spacing of Tents and assigning of spots
- \*Trash

## ZONE 10



### Description:

Dessert Trucks, stands, and tents will be set along the perimeter of the parking and some seating can be setup in the center. The viewing of trucks may encourage guests to come into the festival.

### Considerations:

- \*Closing of lot to Scarborough Alley
- \*Possible Volunteer Near Scarborough & Main with maps
- \*Trash



# STAGE SCHEDULE

*\*20 Minute Performance Schedule*

*\*Staggered Stage Start times with only 5 minute overlap*

*\*Allows a maximum of 29 performances & 1 Speech*

*\*Can be slimmed down, extended, or supplemented with school groups (jazz ensembles, etc.) as needed*

STAGE	SETUP	PERFORMANCE	TEARDOWN
Stage 1	10:00 - 10:05	10:05 - 10:20 (Speech)	10:20 - 10:25
Stage 1	10:25 - 10:30	10:30 - 10:50	10:50 - 10:55
Stage 2	10:40 - 10:45	10:45 - 11:05	11:05 - 11:10
Stage 1	11:00 - 11:05	11:05 - 11:20	11:20 - 11:25
Stage 2	11:10 - 11:15	11:15 - 11:35	11:35 - 11:40
Stage 1	11:25 - 11:30	11:30 - 11:50	11:50 - 11:55
Stage 2	11:40 - 11:45	11:45 - 12:05	12:05 - 12:10
Stage 1	11:55 - 12:00	12:00 - 12:20	12:20 - 12:25
Stage 2	12:10 - 12:15	12:15 - 12:35	12:45 - 12:50
Stage 1	12:25 - 12:30	12:30 - 12:50	12:50 - 12:55
Stage 2	12:40 - 12:45	12:45 - 1:05	1:05 - 1:10
Stage 1	12:55 - 1:00	1:00 - 1:20	1:20 - 1:25
Stage 2	1:10 - 1:15	1:15 - 1:35	1:35 - 1:40
Stage 1	1:25 - 1:30	1:30 - 1:50	1:50 - 1:55
Stage 2	1:40 - 1:45	1:45 - 2:05	2:05 - 2:10
Stage 1	1:55 - 2:00	2:00 - 2:20	2:20 - 2:25
Stage 2	2:10 - 2:15	2:15 - 2:35	2:35 - 2:40
Stage 1	2:25 - 2:30	2:30 - 2:50	2:50 - 2:55
Stage 2	2:40 - 2:45	2:45 - 3:05	3:05 - 3:10
Stage 1	2:55 - 3:00	3:00 - 3:20	3:20 - 3:25
Stage 2	3:10 - 3:15	3:15 - 3:35	3:35 - 3:40
Stage 1	3:25 - 3:30	3:30 - 3:50	3:50 - 3:55
Stage 2	3:40 - 3:45	3:45 - 4:05	4:05 - 4:10
Stage 1	3:55 - 4:00	4:00 - 4:20	4:20 - 4:25
Stage 2	4:10 - 4:15	4:15 - 4:35	4:35 - 4:40
Stage 1	4:25 - 4:30	4:30 - 4:50	4:50 - 4:55
Stage 2	4:40 - 4:45	4:45 - 5:05	5:05 - 5:10
Stage 1	4:55 - 5:00	5:00 - 5:20	5:20 - 5:25
Stage 2	5:10 - 5:15	5:15 - 5:35	5:35 - 5:40
Stage 1	5:25 - 5:30	5:30 - 5:50	5:50 - 5:55

# STAGE SCHEDULE COMPARISON

## Stage 1

Setup	Performance	Teardown
10:00 - 10:05	10:05 - 10:20 (Speech)	10:20 - 10:25
10:25 - 10:30	10:30 - 10:50	10:50 - 10:55
11:00 - 11:05	11:05 - 11:20	11:20 - 11:25
11:25 - 11:30	11:30 - 11:50	11:50 - 11:55
11:55 - 12:00	12:00 - 12:20	12:20 - 12:25
12:25 - 12:30	12:30 - 12:50	12:50 - 12:55
12:55 - 1:00	1:00 - 1:20	1:20 - 1:25
1:25 - 1:30	1:30 - 1:50	1:50 - 1:55
1:55 - 2:00	2:00 - 2:20	2:20 - 2:25
2:25 - 2:30	2:30 - 2:50	2:50 - 2:55
2:55 - 3:00	3:00 - 3:20	3:20 - 3:25
3:25 - 3:50	3:30 - 3:50	3:50 - 3:55
3:55 - 4:00	4:00 - 4:20	4:20 - 4:25
4:25 - 4:30	4:30 - 4:50	4:50 - 4:55
4:55 - 5:00	5:00 - 5:20	5:20 - 5:25
5:25 - 5:30	5:30 - 5:50	5:50 - 5:55

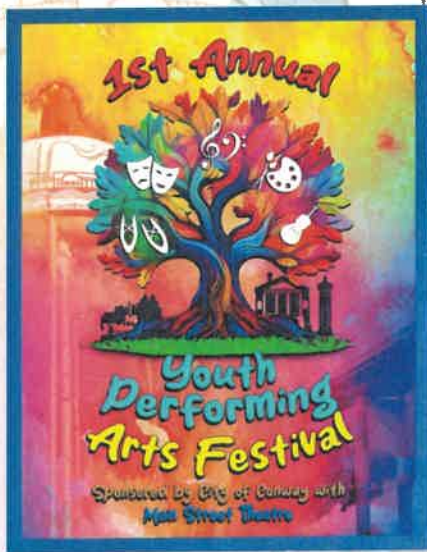
## Stage 2

Setup	Performance	Teardown
10:40 - 10:45	10:45 - 11:05	11:05 - 11:10
11:10 - 11:15	11:15 - 11:35	11:35 - 11:40
11:40 - 11:45	11:45 - 12:05	12:05 - 12:10
12:10 - 12:15	12:15 - 12:35	12:45 - 12:50
12:40 - 12:45	12:45 - 1:05	1:05 - 1:10
1:10 - 1:15	1:15 - 1:35	1:35 - 1:40
1:40 - 1:45	1:45 - 2:05	2:05 - 2:10
2:10 - 2:15	2:15 - 2:35	2:35 - 2:40
2:40 - 2:45	2:45 - 3:05	3:05 - 3:10
3:10 - 3:15	3:15 - 3:35	3:35 - 3:40
3:40 - 3:45	3:45 - 4:05	4:05 - 4:10
4:10 - 4:15	4:15 - 4:35	4:35 - 4:40
4:40 - 4:45	4:45 - 5:05	5:05 - 5:10
5:10 - 5:15	5:15 - 5:35	5:35 - 5:40





# PARTNER OUTREACH



**Who** MAIN STREET THEATRE  
SPONSORED BY THE CITY OF CONWAY  
As the first event of its kind in Conway, the city is sponsoring the event for the public as a diversion of area interests throughout Berry County and along the Grand Strand, demonstrating that the city is alive to the Arts and offering new experiences.

**What** YOUTH PERFORMING ARTS FESTIVAL  
A COMMUNITY EVENT PARADISE  
Striving towards the City of Conway, we are inviting every organization that deals with providing programs for children involved in the performing arts. This will include acting, dance, instrumental, voice studio, and more. The idea is to create Berry County and the Grand Strand. Each organization will be provided with a tent, a table, and chairs to use. They will be able to explore their programs and the festival.

**When** SEPTEMBER 23rd, 2023  
10:00 - 6:00  
Featuring over 100 unique performing groups will be given a special moment of time to showcase their art experience through a children's showcase. The event will also have for every child and adult in the audience and they feature a program of entertainment for the whole performance.

**Where** THE TERRACE  
LAUREL STREET BY PEANUT BARNHOUSE  
Main Street Theatre and building downtown in Berry County, this event offers a built-in outdoor theatre setting and more space for other stage needs for the showcasing artist's diversity. There will be space for artist's equipment and handout for admission to the showcase performance.

**How** REGISTRATION IS FREE!  
SPECIFIC PERFORMANCE TIMES TO COME  
After just meeting the group from the community, all performing groups need to do at this time is sign up to help prepare for performing. Registration details will follow on the next page and as an introduction for performances.

**Performing Arts Festival**

Conway Main Street Theatre

**Youth Performing Arts Festival  
2023 Registration Details**

**Festival Site in Downtown Conway**

**Free Registration Includes**

- 10-hour performance times (estimated 25 minutes) on outdoor stage
- 100% of admission goes to organization to sponsor (including table and two chairs)
- Ability to add their own equipment to their own organization for your tent
- A marketing of your own organization is provided

**TO REGISTER**  
I will be at the Conway Festival  
The 100% of admission goes to the artist's organization. I will be at the Conway Festival. I will be at the Conway Festival.

**SCAN TO REGISTER**

Conway Main Street Theatre and building downtown in Berry County, this event offers a built-in outdoor theatre setting and more space for other stage needs for the showcasing artist's diversity. There will be space for artist's equipment and handout for admission to the showcase performance.

# PARTNER OUTREACH

• <https://forms.gle/AR7gWD36928D71936>

## 1st Annual Youth Performing Arts Festival

Sponsored by City of Conway  
with Main Street Theatre

Sept 23rd







# EVENT PLANNING

## Marketing

## Partners

## Permits

*\*Walking entertainment throughout the festival (Brock); can include characters*

*\*Consider group size when assigning stages*

*\*try to use the Terrace as instruments and the Stage as dancing/singing/acting*

*\*Vendors Must have a business license if they are selling items and are not a 501c3*

*\*Trash Removal*

*\*TOR must provide a Certificate of Insurance with the following minimums:*

*1,000,000 Each Occurrence*

*1,000,000 Personal Injury*

*2,000,000 General Aggregate*

*\*TOR must sign the Release Agreement found on pages 8-10 of the special event permit*



# ***SPECIAL EVENT PERMIT***

*Name of the Event: 1<sup>st</sup> Annual Youth Performing Arts Festival*

*Name of Permit Holder: Tim McGhee*

*Address of Permit Holder: 405 76<sup>th</sup> Ave N. Unit 6 Myrtle Beach 29572*

*Telephone of Permit Holder: (843) 997-0244*

*Are you conducting the activity on behalf of an organization? Yes*

*Is your organization a non-profit 501(c)(3) organization? Yes*

*Name of organization: Theatre of the Republic, Inc.*

*Address of Organization: 331 Main St. Conway, SC 29526*

*Telephone of Organization: (843) 488-0821*



# SPECIAL EVENT PERMIT

*What is the purpose of the activity?* Bringing families to the City of Conway, we are inviting every organization that deals with providing programs for children interested in the performing arts. This will include theatre, dance, instrumental, and voice studios across Horry County and the Grand Strand. Each organization would be provided with a tent, a table, and chairs from which they could explain their program and its benefits.

*What is the proposed date of the activity?* September 23<sup>rd</sup>, 2023

*What are the proposed times of the activity?* 10AM – 6PM

*(setup/road closure Sept 22<sup>nd</sup> at 10PM & teardown Sept 23<sup>rd</sup> by 11:30 PM)*

*What are the plans for the event?* See attached schedule for performances and zoning descriptions

*What is the location or route of the activity?* See map





# SPECIAL EVENT PERMIT

*List any streets which may need to be closed, including specific dates and times of closing and reopening:* After discussion with city officials, Laurel Street would need to be closed between Scarborough Alley and the water tower, but keeping 2nd Ave open. The street would need to be blocked at the water tower, aside Peanut Warehouse, at 2nd Ave, and at Scarborough Alley. Additionally, we will be using the green area across from Coppers at Laurel & 2nd as well as the entire parking area between Scarborough Alley & 2nd Ave. so the accesses into the parking area will need to be blocked.

*What is the approximate number of participants?* 1000 guests

*What is the approximate number of vendors?* 35 including performance organizations

*Will there be any vehicles, water craft, equipment or animals used for the event?* Yes, food trucks may be present on site.

*Are you requesting any road blockages (charges may apply)?* Yes, see attached map

*Are you seeking any police assistance (charges may apply)?* Yes



# SPECIAL EVENT PERMIT

*Are you requesting to setup tents or temporary structures (charges my apply)? Yes, please see attached map for zone placement descriptions*

*Are you requesting any fire/medical standby assistance (charges my apply)? No*

*Will supplementary utilities be used? No, the event team will provide stage generators and portable water station for bathroom facilities*

*Have you requested a permit from another jurisdiction? No*

*How do you plan to remove garbage? After meeting with city officials, we are requesting donated use of 25 green trash cans and 10 blue recycle cans. The cans can be dropped of in a designated festival area the night before and, following the festival, can be picked up in the same designated festival area.*



# SPECIAL EVENT PERMIT

*Will existing restroom facilities be adequate? No, the event team will rent portable facilities that will accommodate all guests, including handicapped, and include a hand washing station.*

*Please include any additional information that may be useful: Vendors will include non-profit charities, like Backpack Buddies, that will sell concessions to help their organization further reach out to the community.*

*Does any of the following apply? Fireworks: No. Other: Live bands/instruments/loudspeakers/singing as described in the event description as performing arts groups perform*

*Will alcoholic beverages be served/sold? No*





# NEEDS FROM THE CITY

## Marketing

*\*Assistance with flags for lamp posts & Feather flags*

## Event Day

*\*Assistance with police security donation for the event*

*\*What is the size of the stage and is the city willing to donate?*

*\*Can guests bring their own chairs or do we need to provide all seating?*

*\*Do we need to look at a tent to cover the arts terrace performing stage?*

*\*Can we hang things in the trees like Chinese Lanterns*

## Permits

*\*Assistance with all permits required for event*

*\*Assistance with procuring parking area owned by Horry County adjacent to Laurel*

*\*Using the parking lot behind the Peanut Warehouse—does it require the “property owner permission letter” signature?*





# EVENT BUDGET

## Royalties

ASCAP

Total: \$500

## Music

Filler Music: \$2000

Total: \$2000

## Equipment

Sound: \$750

Lights: \$650

Stage Rental: Free (Conway  
Sponsor)

Generators:  $\$300 \times 2/3 + \text{Fuel}$

Total: \$2000





# EVENT BUDGET

## Production Staff

Event Managers \$3000

Set Construction \$1000

Administrative Staff \$2000

Event Day Staff \$3000

Total: \$9000

## Other Staff

Security \$45/hr x2

Cleanup Crew: Donated by  
City?

Video/Photographer: \$3000

Total: \$3720

## Advertising

Flagpole Signs

Banners for stages/entrance

Printed Marketing

Printed Event Day

Total: \$5000

The graphic features a large, stylized tree with a thick trunk and colorful, flowing branches in shades of blue, green, and orange. A large treble clef is positioned above the tree's canopy. To the left, a small building with a sign that says 'CONWAY' is visible. To the right, a classical building with columns and a dome is depicted. The background is a soft, pastel gradient. The title 'EVENT BUDGET' is written in a large, bold, blue font across the top right. Below the title, the budget is organized into three columns: 'Other Equipment', 'Site Prep & Rental', and 'Other'. Each column lists items and their associated costs or fees.

# EVENT BUDGET

Other Equipment	Site Prep & Rental	Other
Portable Restroom: \$2050	Blockades and Road Closures	Insurance Rider
Vendor Tents: \$6000	Overnight Security	Supplies
Vendor Tables/Chairs: ???		Vendor Registration Fee \$5 per group
Total: \$8050+	Total: ???	Total: ???

# Youth Performing Arts Festival

## 2023 Special Event Permit Addendum



### Statement 1:

What is the purpose of the activity? Bringing families to the City of Conway, we are inviting every organization that deals with providing programs for children interested in the performing arts. This will include theatre, dance, instrumental, and voice studios across Horry County and the Grand Strand. Each organization would be provided with a tent, a table, and chairs from which they could explain their program and its benefits.

### Statement 2:

List any streets closures, times, and re-openings: MAP PROVIDED IN PDF  
After discussion with city officials, Laurel Street would need to be closed between Scarborough Alley and the water tower, but keeping 2<sup>nd</sup> Ave open. The street would need to be blocked at the water tower, aside Peanut Warehouse, at 2<sup>nd</sup> Ave, and at Scarborough Alley. Additionally, we will be using the green area across from Coppers at Laurel & 2<sup>nd</sup> as well as the entire parking area between Scarborough Alley & 2<sup>nd</sup> Ave. so the accesses into the parking area will need to be blocked.

If possible, we'd like the area to be blocked off around 10PM on the 22<sup>nd</sup> so we can begin setup following our production. In our discussion, the police chief mentioned midnight, so midnight is what we will request if 10PM is unavailable. We would pay for city security overnight to watch the tents at a split-shared cost of \$50/hour. We will start to tear-down the festival right at 6PM on the 23<sup>rd</sup> and will start with the tents on Laurel Street to get it open as soon as possible following the event but for the sake of the request, we would like until 11:30PM to finalize teardown.

### Statement 3:

How do you plan to handle trash? After meeting with city officials, we are requesting donated use of 25 green trash cans and 10 blue recycle cans. The cans can be dropped of in a designated festival area the night before and, following the festival, can be picked up in the same designated festival area.

### Statement 4:

Will existing restroom facilities be adequate? No, the event team will rent portable facilities that will accommodate all guests, including handicapped, and include a hand washing station. We have designated a location that is accessible and does not impede the flow of traffic yet is accessible from both sides of the festival while not taking away from the aesthetic.

### Statement 5:

Additional info? We request drop-off, setup, and use of the city's new 20'x20' stage in the area designated on the map. As requested, we checked with Peanut Warehouse and they are cleaning up on Friday night but have no events that will interfere with setup the night before or during the festival. We will market as a smoke free and pet free event. We will have a festival handout that ties into Burger Week and will highlight parking areas in marketing for the event. Tear-down will hired out to a local non-profit that gives back to the community in order to support local organizations that support Conway.



**DATE: AUGUST 21, 2023**  
**ITEM: VIII.F.**

**ISSUE:**

Approval of Special Event Permit – CCU vs UCLA Broadcast and Tailgate - September 2, 2023

**BACKGROUND:**

City of Conway requests approval of a Special Event Permit for CCU vs UCLA Broadcast and Tailgate to be held September 2, 2023 from 5:00 p.m. to 2:00 a.m. on the Town Green. The game starts at 10:30 p.m.

The request includes road closure of Laurel Street between Second Avenue and Third Avenue starting at 5:00 p.m. to 2:00 a.m. No on the street parking will be allowed beginning prior to the closing.

There will be approximately 200 participants and 5 vendors. City of Conway will be setting up tents or other temporary structures.

City of Conway requests use of 6 pelican cans and 4 blue recycling cans. Port-a-potties will be provided.

**RECOMMENDATION:**

Approve the special event permit as presented.



**For Office Use Only**  
**Permit Application**

- ☐ Approved  
☐ Disapproved  
☐ Charges required  
in the amount of \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**SPECIAL EVENT PERMIT APPLICATION**

According to the Code of Ordinances of the City of Conway, it is unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on any parade or public meeting or assembly or picketing, in or upon any public street, park or other public grounds in the city unless and until a permit to conduct such meeting, assembly, parade or picketing has been obtained. A special event application is also required for events held on private property within the city that may expect a large crowd, impact on the neighborhood and/or city services, or require other permits such as zoning, signage, etc. Charges may apply to each application. The City of Conway, at its discretion, may choose to waive any fees and charges for special events held by bonafide, non-profit organizations.

**APPLICATION FOR PERMIT MUST BE FILED WITH THE CITY ADMINISTRATOR  
NOT MORE THAN 90 DAYS AND  
NOT LESS THAN 30 DAYS IN ADVANCE OF THE PROPOSED ACTIVITY.**

Name of the event: CCU vs. UCLA Broadcast and Tailgate

Name of permit holder: City of Conway

Address of permit holder: 229 Main Street

City: C o n w a y State: SC Zip: 29526

Telephone number of permit holder: 8432481760 Cell \_\_\_\_\_

Are you conducting the activity on behalf of an organization? ☒ Yes ☐ No

Is your organization a non-profit 501(c)(3) organization? ☐ Yes ☒ No

Name of organization: \_\_\_\_\_

Address of organization: \_\_\_\_\_

Telephone number of organization: \_\_\_\_\_

What is the purpose of the activity? The City will broadcast the CCU vs. UCLA football game on the Town Green. Prior to the game, we will invite fans to tailgate in the parking areas adjacent to the Town Green. Laurel will be closed between 2nd and 3rd beginning at 5pm.

What is the proposed date(s) of the activity? September 2nd, 2023

What are the proposed times of the activity? 5pm - 2am - the game does not start until 10:30pm

What are the plans for the event? Inflatable screen will be erected on the Town Green and the game will be shown on the screen. We will invite fans from around the City including the University to attend. We will work with adjoining businesses and groups with an interest to attend. Food trucks may be included.

What is the location or route of the activity? (Please attach any necessary route maps.) \_\_\_\_\_

See attached.

**If you are conducting a parade, please attach a map showing the route with the portion of the street(s) and/or sidewalk(s) to be utilized clearly marked.**

List any streets which may need to be closed, including specific dates and times of closing and re-opening:

Laurel Street between 2nd and 3rd beginning at 5pm and concluding at 2am. No on street parking will be allowed beginning prior to the closing.

What is the approximate number of participants? 200

What is the approximate number of vendors? 5

**BUSINESS LICENSE REQUIREMENTS:** *Any vendors at this event who do not have 501(c)(3) nonprofit status are required to purchase a business license.*

Will there be any vehicles, water craft, equipment or animals used for the event? ☒ Yes ☐ No  
If yes, please explain: As described above

Are you requesting any road blockades? (charges may apply) ☒ Yes ☐ No  
If yes, please attach a map showing the locations of any road blockades.

Are you requesting any police assistance? (charges may apply) ☐ Yes ☒ No

Are you requesting to set up tents or temporary structures? (charges may apply) ☒ Yes ☐ No  
If yes, please attach a drawing showing the locations and sizes of all auxiliary structures.

Are you requesting any fire/medical standby assistance? (charges may apply) ☐ Yes ☒ No

Will supplementary utility services such as power and water be used in addition to what is available in the area? If yes, describe in detail the specific utilities and location. Any additional utilities must be provided by the applicant. ☒ Yes ☐ No  
Power will be pulled for the screen, projector and amplified sound.

Have you requested or obtained a permit from any other jurisdiction (city or county) within which the activity shall commence, terminate or occur in part? ☐ Yes ☒ No

How do you plan to remove garbage? We request 6 green pelicans and 4 blue recycling

Will existing restroom facilities be adequate? ☐ Yes ☒ No

If not, describe plans to augment available sanitary facilities: We will bring in portables.

Please include any additional information that may be useful:

Does any of the following apply to the proposed activity: \_\_\_ Alcohol Sales \_\_\_ Fireworks Display  
☒ Other (live band, loudspeakers, sound amplifiers, etc.). Please specify. The game will be broadcast both visually and audibly.



*If your event is to be held on property not owned by the sponsoring organization, the property owner must complete the following:*

**PROPERTY OWNER PERMISSION LETTER**

I (we), being the property owner of SELF (address),  
give permission for \_\_\_\_\_ to hold a special event on  
my/our property.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Address

\_\_\_\_\_  
Printed Witness Name

\_\_\_\_\_  
Telephone Number

.....  
**INSURANCE REQUIREMENTS FOR SPECIAL EVENTS HELD ON CITY PROPERTY**

The applicant shall submit a Certificate of Insurance verifying the following minimum coverage and specifically identifying the City of Conway as an additional insured. **Your permit will not be issued if the Certificate of Insurance has not been received prior to event.** The City of Conway must be listed as the “Certificate Holder” on the Certificate of Insurance.

Each Occurrence	1,000,000
Personal Injury	1,000,000
General Aggregate	2,000,000

.....  
Application completed by:

Contact No.:

Date:

\_\_\_\_\_  
Special events permits are granted in accordance with the City of Conway Code of Ordinances and in no way imply assumption of liability by the City of Conway. Your organization is fully responsible for complying with all applicable laws and safety procedures. A permit does not authorize you to enter upon private property or to, in any way, hinder or obstruct pedestrian or vehicular traffic. The City of Conway reserves the right to modify the conditions of this permit or to cancel it entirely if it is deemed appropriate.

Please return completed permit application to:

Conway City Administrator  
Attn: Special Event Permits  
P.O. Drawer 1075  
Conway, SC 29528-1075



