

COUNTY OF HORRY)
)
STATE OF SOUTH CAROLINA)

ORDINANCE NO. 51.12

AN ORDINANCE TO AMEND APPENDIX B ZONING, ARTICLE IV, SECTION 907, OF THE HORRY COUNTY CODE OF ORDINANCES REGARDING STRUCTURES PROJECTING INTO REQUIRED SETBACKS.

WHEREAS, the Horry County Zoning Ordinance has established required setbacks for structures in every district; and,

WHEREAS, Section 907 of the Horry County Zoning Ordinance establishes certain allowances for encroachments into the required setbacks; and

WHEREAS, foundations have routinely been found to meet the required setbacks but resulting completed structures have encroached; and,

WHEREAS, the encroachments are the result of the materials used to face the structures.

NOW THEREFORE, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

1. **Amendment of Appendix B Zoning Ordinance, Article IX, Section 907, of the Horry County Code of Ordinances is amended as follows:**

a) All **underlined and bolded** text shall be added:

907. Structures projecting into required yards.

(C) Unenclosed steps and landings may extend no more than three (3) feet into the required setback area.

(E) Building exterior façades and facing materials, including but not limited to: brick, block, stone, or brick veneer; and wood, cement, or vinyl siding, may encroach up to six inches (6’’) into the required setbacks.

2. **Severability**: If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

3. **Conflict with Preceding Ordinances**: If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.

4. **Effective Date**: This Ordinance shall become effective on Third Reading.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

Dated this _____ day of _____, 2012.

HORRY COUNTY COUNCIL

H. Tom Rice, Chairman

Harold G. Worley, District 1

Brent J. Schulz, District 2

Marion D. Foxworth, III, District 3

Gary Loftus, District 4

Paul D. Price, Jr., District 5

Robert P. Grabowski, District 6

James R. Frazier, District 7

Carl H. Schwartzkopf, District 8

W. Paul Prince, District 9

Jody Prince, District 10

Al Allen, District 11

Attest:

Patricia S. Hartley, Clerk to Council

First Reading:

Second Reading:

Third Reading: