



**CITY OF NORTH MYRTLE BEACH
BOARD OF ZONING APPEALS
1018 Second Avenue South
February 12, 2026
5:00 p.m.**

A G E N D A

- 1. CALL TO ORDER AND ROLL CALL**
- 2. MINUTES**
- 3. COMMUNICATIONS**

A. SWEAR IN THOSE PERSONS TO SPEAK.

NEW BUSINESS:

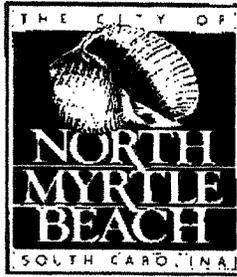
1. BZA-25-47: Application by David Rumney for a variance to remove trees at 948 Morrall Drive.
2. BZA-26-01: Application by Robert Guyton for a variance to reduce the required perimeter landscape buffer for a proposed surface parking lot at 1716 S. Ocean Blvd. zoned Resort Residential, R-4 District.
3. BZA-26-02: Application by Robert Guyton for a variance to reduce the required perimeter landscape buffer for a proposed surface parking lot at 1802 S. Ocean Blvd. zoned Resort Residential, R-4 District.
4. BZA-26-03: Application by Robert Guyton for a variance of side yard setback for a proposed slide tower at 1717 S. Ocean Blvd. zoned Resort Residential, R-4 District.

Respectfully submitted,

A handwritten signature in blue ink that reads "Ben Caldwell".

Ben Caldwell
Zoning Administrator
City of North Myrtle Beach

<https://www.youtube.com/live/gDnvTqTFk40>



TO: NORTH MYRTLE BEACH BOARD OF ZONING APPEALS
FROM: BEN CALDWELL, ZONING ADMINISTRATOR
SUBJECT: VARIANCE BZA-25-47
DATE: 1/2/2026

INTRODUCTION:

Petitioner David Rumney has applied to remove four trees in excess of twenty-four (24) caliper inches at 948 Morrall Dr.

DESCRIPTION OF REQUEST:

Included in the report is the description and measurement of the four trees by Zoning Enforcement Officer, Sam Moore. Trees exceeding twenty-four caliper inches shall only be removed upon approval by the Board. The Board is charged with setting a suitable tree replacement schedule. The City Council also has approved a tree bank where individuals can pay \$300 per caliper inch of required planting.

RECOMMENDATION:

Staff recommends that the Board review the variance application, hear the evidence presented at the meeting and review Section 23-68.

Sec. 23-68. Tree preservation requirements.

(e) Trees greater than twenty-four (24) inches (caliper measurement) may only be removed with permission from the board of zoning appeals. The board will establish a replacement schedule.

This application is for a*

variance

Are You the Property Owner?*

Yes

Describe the variance or special exception requested; please include a reference to the specific zoning code section involved in your variance or special exception request.

Description of Variance/Special Exception Request*

This request for variance is in reference to a Tree Inspection for a new construction building permit number BLD-25-5291.

In reference to the Tree Inspection comments (items 1-7) for removal of trees at 948 Morrall here are reasons for the variance requested:

1) The multi trunk tree in the driveway near the point it breaks to the house is directly in the middle of the proposed driveway path. The tree is very irregular in appearance with trunks leaning at angles outward. It may actually be two trees reducing the diameter from the 29" measured. Attached are photos "item 1 lean" and "item 1 base" which show the tree. The tree is identified as a wild cherry, combined characteristics make preservation value questionable. Relocating the planned driveway would present a hardship, variance to allow removal of the tree is requested.

2) The multi trunk tree in the corner extending at rear right side of house has one trunk within the planned foundation border. The base of the tree is over 5ft lower than the plans for finished grade. Attached photo "item 2 house footprint" shows the yellow line marking the

planned house foundation between the two trunks. The house cannot be built as planned with the tree in this location, Variance to allow removal of the tree is requested.

3) The multi trunk tree in the region of the center of the lot appears to be unhealthy. Photos attached "item 3 health" and "item 3 base" show this tree. Variance is requested to remove the tree based on the unhealthy appearance, and expected improvement to the surrounding trees. An arborist assessment will be sought if variance is not granted.

4) The 29" tree beyond that described in item 3 also appears diseased or dying. One additional tree immediately adjacent to this will also be assessed by arborist as it also has a diseased appearance. These trees are shown in photo "item 4 base" the 29" tree base on the right and adjacent on the left. The prime motive for these removals is safety to avoid tree topplings in heavy wind. Variance is requested here to remove the trees based on the unhealthy appearance, and expected improvement to surrounding tree health. An arborist assessment will be sought if variance is not granted.

5) The 16" tree located just passed the tree mentioned in item 3 also appears unhealthy and has fungus rot. An arborist assessment will be obtained. This tree is shown

in "item 5 health" and "item 5 fungus" Variance is requested here to remove the tree, or arborist assessment will be sought to about the diseased state.

6) We have decided the 22" leaning tree on the right side of property (tree #8 on survey) will now be preserved and is not planned for removal. No Variance is requested.

7) We have decided the 16" multi trunk tree to the right of the driveway prior to walkway (tree #118 on survey) is now to be preserved and is not planned for removal. The smaller of the trunks will be trimmed and the tree branches shaped for better appearance. No Variance is requested.

Variance Information

The Board of Zoning Appeals may grant a **variance** from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship, provided the hardship is not self-created or based on greater profit.

The findings required by the board for **variance** are identified in § 23-161(2) of the zoning ordinance. Response to each of the following will assist the board in making a determination.

1. Describe the extraordinary and exceptional conditions pertaining to the particular piece of property.*

Some background about the plan for new construction of a home on this particular lot:

The lot is over 2.2 acres and 0.72 acres is designated wetlands. The lot is heavily wooded and over half the trees on the lot will be preserved. The house and driveway are planned to be located in the highest elevations of the lot setback more than 50 ft from the wetlands area. The impervious area of the new construction is only 13.2% of the total lot area.

2. Are the previously described conditions unique to the property for which the variance is sought, or do these same conditions apply to other properties in the vicinity?*

The lot is unique as one of the largest in the tract. It is unique both by size, and density of trees,

3. Describe why the zoning regulation proposed for variance would prohibit or unreasonably restrict utilization of the property because of the previously described conditions*

The trees directly in the path of the planned driveway and house would require alternate plans if they must be preserved as is. Alternate house plans or footprint locations would be a hardship and could lead to the following negative outcomes:

- 1) Lower house elevation making it more flood prone.
- 2) Smaller construction footprint leading to even lower utilization of lot size (currently under 14%)

4. Describe how authorization of the variance will be in harmony with the intent of zoning ordinance and will not be injurious to adjacent properties, the neighborhood, or the general public.*

Since the lot is so heavily wooded it is inevitable that a few larger trees be affected by the construction planned. We believe that the plans have a favorable preservation outcome, much better than most other new homes being built in the area.

5. Describe how the variance sought is the minimum variance necessary for reasonable development of the site.*

Approval for removal of trees in the inspection report items 1 and 2 are essential in the ability to reasonably develop the site as planned. Removal of trees in items 3-5 is believed reasonable based on their poor health and potential danger.

6. Describe why the granting of the requested variance will not confer on the applicant any special privilege that is denied by the zoning regulations to other landowners in the same zoning district.*

Many surrounding homes have all or most trees removed from the lots. After the planned tree removals on this lot the total trees remaining will be more than 50% of original, and still far exceed the number of trees on surrounding finished lots.



Sam Moore Public

November 24, 2025 at 2:00 pm

Trees evaluated by ones marked with purple ribbon in the field and not based on tree survey. Also nothing marked beyond the property line in rear was observed.

1. **One multi trunk tree** in the driveway around the point it breaks to the house was observed at **29"**. Owner has 2 options. The first is to upload a certified arborist letter depicting a dying, diseased, or dead state of the tree requiring a 1 tree replacement of any size, species, and location upon the property. The second option is to apply for a variance with the Board of Zoning Appeals (BZA). For more information on how to apply for a variance please contact Zoning Administrator Ben Caldwell at 843-280-5554.

2. **One multi trunk tree** in the corner extending at rear right side of house was observed **at 40"**. Owner has 2 options. The first is to upload a certified arborist letter depicting a dying, diseased, or dead state of the tree requiring a 1 tree replacement of any size, species, and location upon the property. The second option is to apply for a variance with the Board of Zoning Appeals (BZA). For more information on how to apply for a variance please contact Zoning Administrator Ben Caldwell at 843-280-5554.

3. One multi trunk tree somewhere in the region of the center of the lot was observed at 26". Owner has 2 options. The first is to upload a certified arborist letter depicting a dying, diseased, or dead state of the tree requiring a 1 tree replacement of any size, species, and location upon the property. The second option is to apply for a variance with the Board of Zoning Appeals (BZA). For more information on how to apply for a variance please contact Zoning Administrator Ben Caldwell at 843-280-5554.

4. One tree beyond the 26" multi trunk previously mentioned was observed at 29". Owner has 2 options. The first is to upload a certified arborist letter depicting a dying, diseased, or dead state of the tree requiring a 1 tree replacement of any size, species, and location upon the property. The second option is to apply for a variance with the Board of Zoning Appeals (BZA). For more information on how to apply for a variance please contact Zoning Administrator Ben Caldwell at 843-280-5554.

5. One tree passed the prior mentioned multi trunk tree measured 16 caliper inches. Owner has 4 options the first of which is to replant half the tree caliper in replacement trees (8"). Replacement trees must be at least 75% of the same species and palm trees only count as 1/4 caliper inch value. The second option is to pay the replacement value at a rate of \$300 per replacement inch into the cities tree bank (\$2400). The 3rd option is to do any combination of the first two options. The 4th

option is to upload a certified arborist letter depicting a dying, diseased, or dead state of the tree requiring a 1 tree replacement of any size, species, and location upon the property.

6. One tree on the right side property line prior to the property slanting right measured 22 caliper inches. Owner has 4 options the first of which is to replant half the tree caliper in replacement trees (11"). Replacement trees must be at least 75% of the same species and palm trees only count as 1/4 caliper inch value. The second option is to pay the replacement value at a rate of \$300 per replacement inch into the cities tree bank (\$3300). The 3rd option is to do any combination of the first two options. The 4th option is to upload a certified arborist letter depicting a dying, diseased, or dead state of the tree requiring a 1 tree replacement of any size, species, and location upon the property.

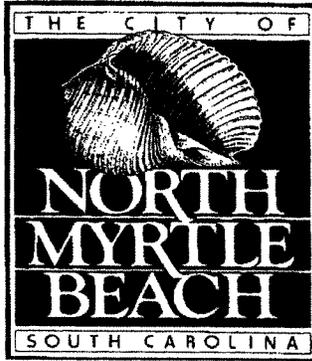
7. One multi trunk tree to the right of driveway prior to walkway measured 16 caliper inches. Owner has 4 options the first of which is to replant half the tree caliper in replacement trees (8"). Replacement trees must be at least 75% of the same species and palm trees only count as 1/4 caliper inch value. The second option is to pay the replacement value at a rate of \$300 per replacement inch into the cities tree bank (\$2400). The 3rd option is to do any combination of the first two options. The 4th option is to upload a certified arborist letter depicting a dying, diseased, or dead state of the tree requiring a 1 tree replacement of any size, species, and location upon the property.

THIS SECTION FOR USE BY THE ZONING ADMINISTRATOR ONLY.

MEETING DATE: 1/8/26 continued
RECORD OF BOARD, MOTION MADE TO: GRANT VARIANCE: DENY VARIANCE:

MOTION BY: Lover SECOND: Bell OTHER MEMBERS:

FINDINGS OF FACT TO SUPPORT THE VOTE:
1 (#46 on applicant's report) NO replacement
2 (#99 on applicant's report) No rep.
3 & # 4 continued - Board would like the arborist's report.



TO: NORTH MYRTLE BEACH BOARD OF ZONING APPEALS
FROM: BEN CALDWELL, ZONING ADMINISTRATOR
SUBJECT: VARIANCE BZA-26-01
DATE: 2/9/2026

INTRODUCTION:

Petitioner Robert Guyton has submitted an application for a variance to reduce the required perimeter landscaping buffer at 1716 South Ocean Boulevard, zoned R-4, Resort Residential, for a proposed surface parking lot.

DESCRIPTION OF REQUEST:

Sec. 23-58 requires 5' perimeter landscaped areas along all property lines. The applicant would like to reduce the perimeter landscaped area to 3' along the northwestern property line (Perrin Drive side), reduce to 4' along the northeastern side and reduce to 4' along Ocean Boulevard.

RECOMMENDATION:

Staff recommends that the Board review the variance application and attached drawings and hear the evidence presented at the meeting.

Sec. 23-58. - Perimeter landscaped areas.

(1) Perimeter landscaped area with a minimum depth of five (5) feet shall be provided along all property lines.

Compass Resort North Myrtle Beach

1. **Describe the extraordinary and exceptional conditions pertaining to the particular piece of property.**

The particular project includes property on each of the oceanfront, second row and third row of the North Myrtle Beach oceanfront. This property was previously improved with a resort which had exceeded its useful life. As to the oceanfront parcel, the boundaries of the property are constrained by Two (2) separate factors. The depth of the property is constrained by the existing road right-of-way on the street side, and by the OCRM critical line on the oceanfront side. The prior resort included a slide for the exterior, oceanside pool which encroached into the oceanside setback. The request as to the oceanfront parcel is to allow the new resort to retain a slide for the exterior, oceanside pool to remain as an encroachment on the oceanside setback line.

The non-oceanfront parcels are also constrained by the boundaries of at least two, and in some instances three, roadways along the boundary of the parcels. The request is to allow an increase in the percentage of compact parking spaces on the second and third row parking lots which are serviced, during peak use seasons by valet service; and to also reduce the side landscape buffer in the open parking lots only, not within any lot improved with buildings.

2. **Are the previously described conditions unique to the property for which the variance is sought, or do these same conditions apply to other properties in the vicinity?**

As to the oceanfront parcel, no other parcel incorporated a slide with its exterior oceanside pool, and rather than retain a dated and potentially unsafe existing slide, the applicant is requesting to place a modern, new and safer slide to continue to serve the exterior oceanside pool.

As to the second and third row lots, the applicant's request is applicable only to lots which are restricted for use as parking only, and would not be applicable to any parcel improved with a building. No other second and third row parcels in the vicinity are limited to parking only, with valet service, to avoid challenges for guest attempting to park, and the reduced landscape buffer would not compromise any adjacent building because no building is proposed to be adjacent.

3. **Describe why the zoning regulation proposed for variance would prohibit or unreasonably restrict utilization of the property because of the previously described conditions.**

As to the oceanfront parcel, the hardship imposed would be to require the incorporation of an aged and outdated slide for the exterior oceanfront pool rather than to install a newer, safer slide to be incorporated in the new exterior oceanside pool.

As to the second and third row parking areas, the allowance of more compact parking spaces serves to shorten the distance between guest vehicles parked by valet services rather than extend that distance, as well as the corresponding response times, which then encourages guests to attempt to retrieve their own vehicles, cause more congestion along Ocean Boulevard, and increasing the exposure of pedestrian guests to vehicular traffic.

As to the second and third row parking areas, the reduction of the side landscape buffer increases the turn radiuses available within the parking areas, while ensuring that no buildings are constructed any closer to any neighboring building, such that interior traffic and parking facilities are safer and easier to use for guest.

4. **Describe how authorization of the variance will be in harmony with the intent of zoning ordinance and will not be injurious to adjacent properties, the neighborhood or the general public.**

As to the oceanfront parcel, the inclusion of a new slide would extend the existing use of an exterior pool slide which has existed for many years, and the installation of a new slide would remaining harmonious with adjacent properties while reducing the potential for guest injury.

As to the second and third row parcels, the increase in the number of compact spaces would not reduce the number of required parking spaces for the project, the spaces would not appear materially different than any other spaces and the reduction of the side landscape buffer would not expose any additional risk of shading, noise or view corridors since those parcels would be improved with parking only, and not with additional buildings.

The neighborhood and the general public actually benefit from the safer and more efficient vehicular patterns that would be allowed by the variance, and the pedestrian safety, vehicular safety and emergency vehicle response times would all be enhanced by granting the proposed variance.

5. **Describe how the variance sought is the minimum variance necessary for reasonable development of the site.**

As to the oceanfront parcel, the allowance of the slide for the exterior pool would continue the improvements located on the parcel for many years, only in a newer, safer and more aesthetic form, rather than the existing aged slide.

As to the second and third row parcels, the increase in compact spaces and the reduction of the side landscape buffer each contribute significantly to the efficiency of the parking areas and present no erosion of the existing views, do not increase any shading on the neighboring properties and do not increase the density of the project.

6. **Describe why the granting of the requested variance will not confer on the applicant any special privilege that is denied by the zoning regulations to other landowners in the same district.**

As to the oceanfront parcel, the proposed variance is a dimensional variance applicable only to an exterior elevated slide adjacent to the oceanfront pool, which is what has existed on the property for many years. Continuing that use with a newer, more attractive and safer slide preserves the current use of the property and does not expand the use, since no other adjacent properties incorporate an elevated slide with an exterior oceanfront pool.

As to the second and third row parcels, the granting of the variances do not result in any additional guest rooms would be available as a result of the variance, no additional public services would be required, the variance would simple allow for a safer, more attractive and more welcoming property and a more efficient traffic pattern reducing the pedestrian traffic crossing each of the three roadways adjacent to the project, than would be allowed without the approved variance.

LETTER OF AGENCY

To: City of North Myrtle Beach

Re: Horry County PIN No.: 357-15-03-0119; 357-15-02-0002; 357-15-02-0003;
357-15-02-0004; 357-15-02-0005; 357-15-02-0065; 357-15-02-0068; 357-15-
02-0069; 357-15-03-0091; 357-15-03-0092 and 357-15-03-0093

Property Location: Corner of South Ocean Boulevard and 18th Avenue South, City of North Myrtle Beach.

Property Owners: MIG Investments of MB SPE LLC

In connection with the above referenced property, I hereby appoint the person shown below as my agent for purposes of filing such applications for zoning and zoning amendments, zoning variances, special permits, including site plans, rights-of-way, and for purposes of signing for recordation any combination plats and subdivision plats for the above referenced properties as may be required.

Authorized Agent: Robert S. Guyton of Robert S. Guyton, P.C. and Design Resource Group, LLC

Agent's Address: Guyton: 4605 B Oleander Drive, Suite 202
Myrtle Beach, SC 29577

DRG: 4705 Oleander Drive
Myrtle Beach, SC 29577

Agent's Telephone: Guyton: (843) 839-2100

DRG: (843) 839-3360

OWNER:

MIG INVESTMENTS OF MB SPE LLC

By: _____
Name: _____
Title: _____

1525 South Ocean Blvd.
North Myrtle Beach, SC 29582
Phone: (843) 455-3901

Compass Resort North Myrtle Beach
Applicable PIN Nos.

357-15-03-0119; 357-15-02-0002; 357-15-02-0003; 357-15-02-0004; 357-15-02-0005;
357-15-02-0065; 357-15-02-0068; 357-15-02-0069; 357-15-03-0091; 357-15-03-0092;
357-15-03-0093

APPLICATION FOR VARIANCE



BOARD OF ZONING APPEALS
CASE NO. NORTH MYRTLE BEACH, SOUTH CAROLINA

Owner or Authorized Applicant: Robert S. Guyton
Mailing Address: 4605 B Oleander Drive, Suite 202
City: Myrtle Beach State: SC Zip: 29577 Telephone: (843) 839-2100
Address of Property for which Variance is Requested: South Ocean Blvd and 18th Ave. South
TMS#: See attached list Zoning District: Application Date: 1/16/26
Owner of Property: MIG Investments MB SPE LLC
VARIANCE REQUEST. Describe the variance requested (include the specific zoning code section):
Request 3 separate variances: Art. 4, Sec. 23-41 increase compact spaces; Art. 5, Sec. 23-58 reduction in landscape buffer;
Art. 2, Sec. 23-22 reduce setback for a structure less than 35' in height

The Board may grant a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship, provided the hardship is not self-created or based on greater profit.

The findings required by the Board for variance are identified in Sec. 23-161(2) of the Zoning Ordinance. Response to each of the following will assist the Board in making a determination.

- 1. Describe the extraordinary and exceptional conditions pertaining to the particular piece of property. (use additional paper if necessary) See attached
2. Are the previously described conditions unique to the property for which the variance is sought, or do these same conditions apply to other properties in the vicinity? See attached
3. Describe why the zoning regulation proposed for variance would prohibit or unreasonably restrict utilization of the property because of the previously described conditions. See attached
4. Describe how authorization of the variance will be in harmony with the intent of zoning ordinance and will not be injurious to adjacent properties, the neighborhood, or the general public. See attached
5. Describe how the variance sought is the minimum variance necessary for reasonable development of the site. See attached
6. Describe why the granting of the requested variance will not confer on the applicant any special privilege that is denied by the zoning regulations to other landowners in the same zoning district. See attached.

1/16/26
Date

Robert S. Guyton
Applicant Printed Name

[Signature]
Signature of Applicant

Agent
Title



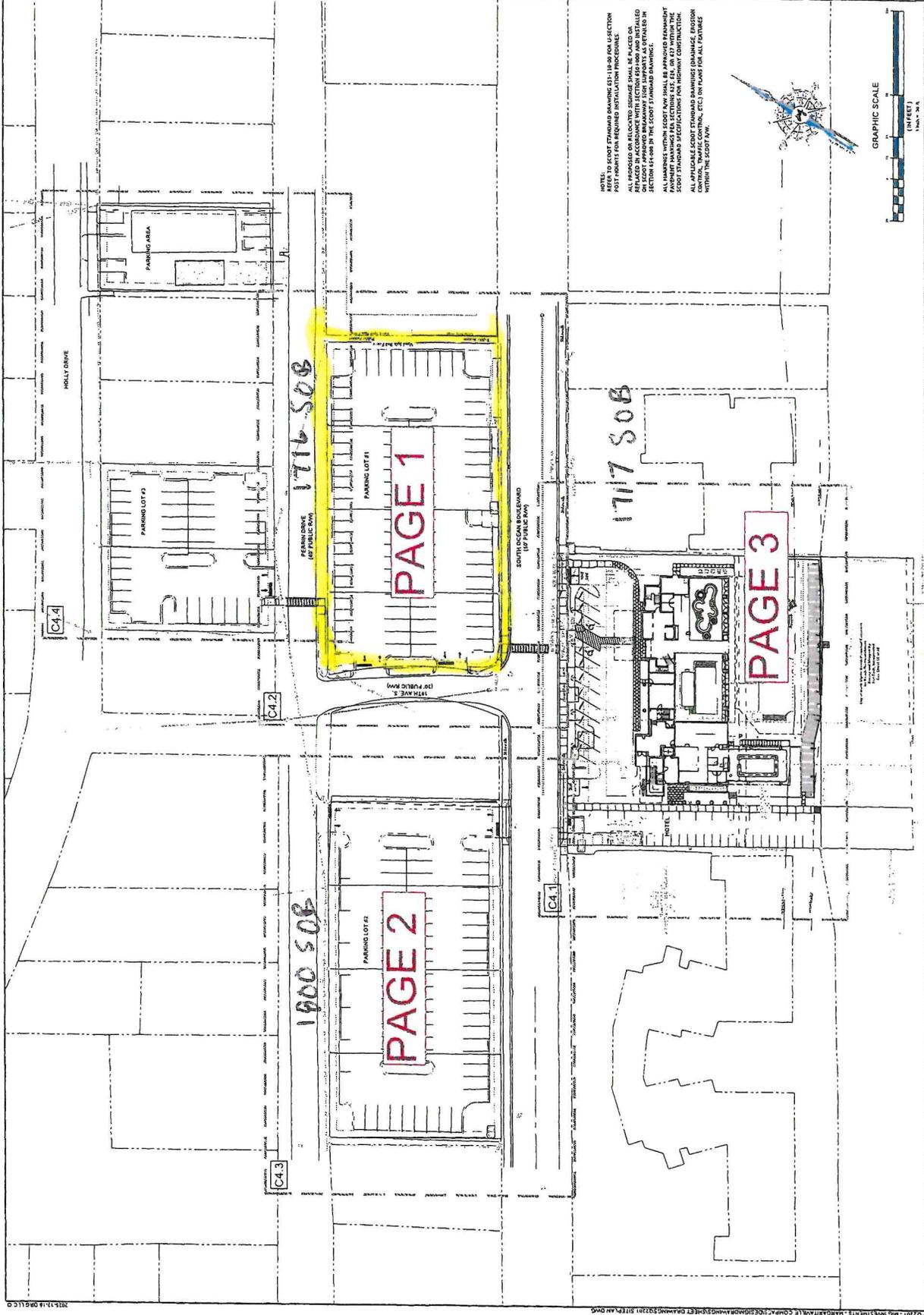
DESIGN RESOURCES GROUP, LLC
1014 17TH AVE N STE 200
NASHVILLE, TN 37203
615.259.1100



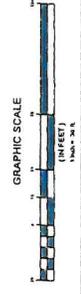
OVERALL SITE PLAN
COMPASS RESORT/MARG
PREPARED FOR:
M&J INVESTMENTS OF TGA, LLC
1014 17TH AVE N STE 200
NASHVILLE, TN 37203
JOE HOLLOWAY
ARCHITECT
CONSTRUCTION

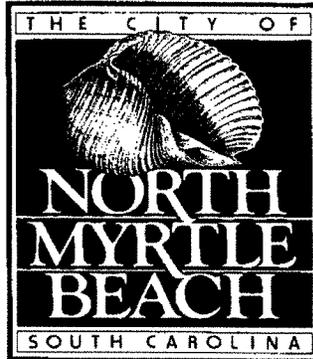
JOB NO: 22201
SCALE: 1" = 30'
DESIGNED BY: CRD
CHECKED BY: JCP
APPROVED BY: JCP
DATE: 12-19-23
SHEET NUMBER:

C4.0



NOTE:
REFER TO SCOTT STANDARD DRAWING 63-1-18-00 FOR U-SECTION
POST HEIGHTS FOR REQUIRED INSTALLATION PROCEDURES.
ALL DIMENSIONS ON RELOCATED SIGNAGE SHALL BE PLACED ON
OR SCOTT APPROVED BRAGMANNY SIGN SUPPORTS AS DETAILED IN
SECTION 65-008 IN THE SCOTT STANDARD DRAWING.
ALL DIMENSIONS ON SIGNAGE SHALL BE AS SHOWN ON THE
SCOTT STANDARD DRAWING 63-1-18-00 FOR U-SECTION.
ALL APPLICABLE SCOTT STANDARD DRAWINGS (BALANCE, EROSION
CONTROL, ETC.) ON PLANS FOR ALL FEATURES
WITHIN THE SCOTT PLAN.





TO: NORTH MYRTLE BEACH BOARD OF ZONING APPEALS
FROM: BEN CALDWELL, ZONING ADMINISTRATOR
SUBJECT: VARIANCE BZA-26-02
DATE: 2/9/2026

INTRODUCTION:

Petitioner Robert Guyton has submitted an application for a variance to reduce the required perimeter landscaping buffer at 1802 South Ocean Boulevard, zoned R-4, Resort Residential, for a proposed surface parking lot.

DESCRIPTION OF REQUEST:

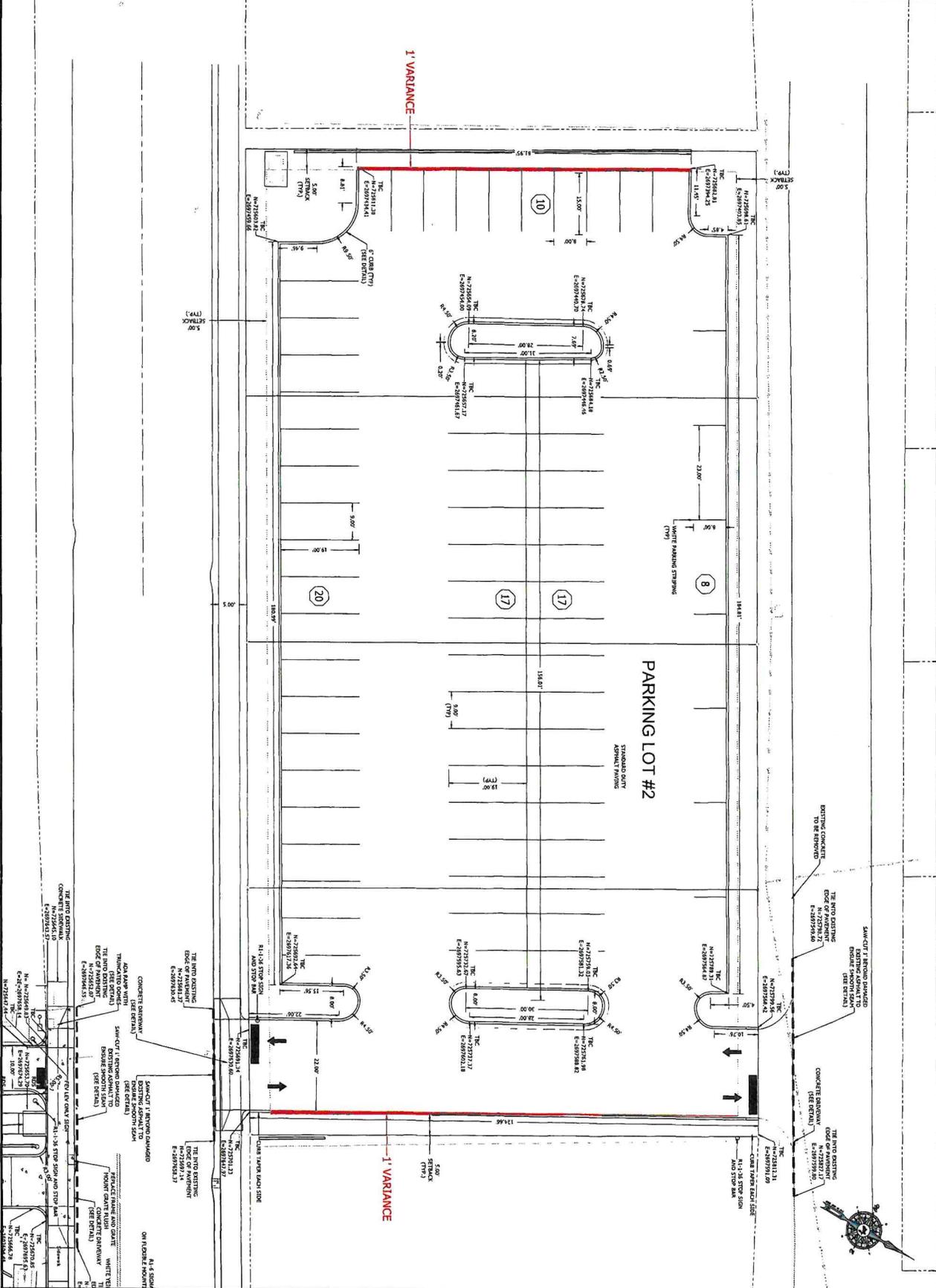
Sec. 23-58 requires 5' perimeter landscaped areas along all property lines. The applicant would like to reduce the perimeter landscaped area to 3' along the northeastern property line and reduce to 4' along the Southwestern side.

RECOMMENDATION:

Staff recommends that the Board review the variance application and attached drawings and hear the evidence presented at the meeting.

Sec. 23-58. - Perimeter landscaped areas.

(1) Perimeter landscaped area with a minimum depth of five (5) feet shall be provided along all property lines.



1800 SOB

1800 SOB

1800 SOB

PARKING LOT 1 EXHIBIT

COMPASS RESORT/MARG.

2 of 2

DRAG CONSULTING & ENGINEERING, LLC
10000 W. BROADWAY, SUITE 200
DENVER, CO 80202
PH: 303.733.8888
WWW.DAGLLC.COM

APPLICATION FOR VARIANCE



BOARD OF ZONING APPEALS
CASE NO. NORTH MYRTLE BEACH, SOUTH CAROLINA

Owner or Authorized Applicant: Robert S. Guyton
Mailing Address: 4605 B Oleander Drive, Suite 202
City: Myrtle Beach State: SC Zip: 29577 Telephone: (843) 839-2100
Address of Property for which Variance is Requested: South Ocean Blvd and 18th Ave. South
TMS#: See attached list Zoning District Application Date: 1/16/26
Owner of Property: MIG Investments MB SPE LLC
VARIANCE REQUEST. Describe the variance requested (include the specific zoning code section):
Request 3 separate variances: Art. 4, Sec. 23-41 increase compact spaces; Art. 5, Sec. 23-58 reduction in landscape buffer;
Art. 2, Sec. 23-22 reduce setback for a structure less than 35' in height

The Board may grant a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship, provided the hardship is not self-created or based on greater profit.

The findings required by the Board for variance are identified in Sec. 23-161(2) of the Zoning Ordinance. Response to each of the following will assist the Board in making a determination.

- 1. Describe the extraordinary and exceptional conditions pertaining to the particular piece of property. (use additional paper if necessary) See attached
2. Are the previously described conditions unique to the property for which the variance is sought, or do these same conditions apply to other properties in the vicinity? See attached
3. Describe why the zoning regulation proposed for variance would prohibit or unreasonably restrict utilization of the property because of the previously described conditions. See attached
4. Describe how authorization of the variance will be in harmony with the intent of zoning ordinance and will not be injurious to adjacent properties, the neighborhood, or the general public. See attached
5. Describe how the variance sought is the minimum variance necessary for reasonable development of the site. See attached
6. Describe why the granting of the requested variance will not confer on the applicant any special privilege that is denied by the zoning regulations to other landowners in the same zoning district. See attached

1/16/26
Date

Robert S. Guyton
Applicant Printed Name

[Signature]
Signature of Applicant

Agent
Title

Compass Resort North Myrtle Beach

1. **Describe the extraordinary and exceptional conditions pertaining to the particular piece of property.**

The particular project includes property on each of the oceanfront, second row and third row of the North Myrtle Beach oceanfront. This property was previously improved with a resort which had exceeded its useful life. As to the oceanfront parcel, the boundaries of the property are constrained by Two (2) separate factors. The depth of the property is constrained by the existing road right-of-way on the street side, and by the OCRM critical line on the oceanfront side. The prior resort included a slide for the exterior, oceanside pool which encroached into the oceanside setback. The request as to the oceanfront parcel is to allow the new resort to retain a slide for the exterior, oceanside pool to remain as an encroachment on the oceanside setback line.

The non-oceanfront parcels are also constrained by the boundaries of at least two, and in some instances three, roadways along the boundary of the parcels. The request is to allow an increase in the percentage of compact parking spaces on the second and third row parking lots which are serviced, during peak use seasons by valet service; and to also reduce the side landscape buffer in the open parking lots only, not within any lot improved with buildings.

2. **Are the previously described conditions unique to the property for which the variance is sought, or do these same conditions apply to other properties in the vicinity?**

As to the oceanfront parcel, no other parcel incorporated a slide with its exterior oceanside pool, and rather than retain a dated and potentially unsafe existing slide, the applicant is requesting to place a modern, new and safer slide to continue to serve the exterior oceanside pool.

As to the second and third row lots, the applicant's request is applicable only to lots which are restricted for use as parking only, and would not be applicable to any parcel improved with a building. No other second and third row parcels in the vicinity are limited to parking only, with valet service, to avoid challenges for guest attempting to park, and the reduced landscape buffer would not compromise any adjacent building because no building is proposed to be adjacent.

3. **Describe why the zoning regulation proposed for variance would prohibit or unreasonably restrict utilization of the property because of the previously described conditions.**

As to the oceanfront parcel, the hardship imposed would be to require the incorporation of an aged and outdated slide for the exterior oceanfront pool rather than to install a newer, safer slide to be incorporated in the new exterior oceanside pool.

As to the second and third row parking areas, the allowance of more compact parking spaces serves to shorten the distance between guest vehicles parked by valet services rather than extend that distance, as well as the corresponding response times, which then encourages guests to attempt to retrieve their own vehicles, cause more congestion along Ocean Boulevard, and increasing the exposure of pedestrian guests to vehicular traffic.

As to the second and third row parking areas, the reduction of the side landscape buffer increases the turn radiuses available within the parking areas, while ensuring that no buildings are constructed any closer to any neighboring building, such that interior traffic and parking facilities are safer and easier to use for guest.

4. **Describe how authorization of the variance will be in harmony with the intent of zoning ordinance and will not be injurious to adjacent properties, the neighborhood or the general public.**

As to the oceanfront parcel, the inclusion of a new slide would extend the existing use of an exterior pool slide which has existed for many years, and the installation of a new slide would remaining harmonious with adjacent properties while reducing the potential for guest injury.

As to the second and third row parcels, the increase in the number of compact spaces would not reduce the number of required parking spaces for the project, the spaces would not appear materially different than any other spaces and the reduction of the side landscape buffer would not expose any additional risk of shading, noise or view corridors since those parcels would be improved with parking only, and not with additional buildings.

The neighborhood and the general public actually benefit from the safer and more efficient vehicular patterns that would be allowed by the variance, and the pedestrian safety, vehicular safety and emergency vehicle response times would all be enhanced by granting the proposed variance.

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As to the oceanfront parcel, the allowance of the slide for the exterior pool would continue the improvements located on the parcel for many years, only in a newer, safer and more aesthetic form, rather than the existing aged slide.

As to the second and third row parcels, the increase in compact spaces and the reduction of the side landscape buffer each contribute significantly to the efficiency of the parking areas and present no erosion of the existing views, do not increase any shading on the neighboring properties and do not increase the density of the project.

6. **Describe why the granting of the requested variance will not confer on the applicant any special privilege that is denied by the zoning regulations to other landowners in the same district.**

As to the oceanfront parcel, the proposed variance is a dimensional variance applicable only to an exterior elevated slide adjacent to the oceanfront pool, which is what has existed on the property for many years. Continuing that use with a newer, more attractive and safer slide preserves the current use of the property and does not expand the use, since no other adjacent properties incorporate an elevated slide with an exterior oceanfront pool.

As to the second and third row parcels, the granting of the variances do not result in any additional guest rooms would be available as a result of the variance, no additional public services would be required, the variance would simple allow for a safer, more attractive and more welcoming property and a more efficient traffic pattern reducing the pedestrian traffic crossing each of the three roadways adjacent to the project, than would be allowed without the approved variance.

LETTER OF AGENCY

To: City of North Myrtle Beach

Re: Horry County PIN No.: 357-15-03-0119; 357-15-02-0002; 357-15-02-0003;
357-15-02-0004; 357-15-02-0005; 357-15-02-0065; 357-15-02-0068; 357-15-
02-0069; 357-15-03-0091; 357-15-03-0092 and 357-15-03-0093

Property Location: Corner of South Ocean Boulevard and 18th Avenue South, City of North Myrtle Beach.

Property Owners: MIG Investments of MB SPE LLC

In connection with the above referenced property, I hereby appoint the person shown below as my agent for purposes of filing such applications for zoning and zoning amendments, zoning variances, special permits, including site plans, rights-of-way, and for purposes of signing for recordation any combination plats and subdivision plats for the above referenced properties as may be required.

Authorized Agent: Robert S. Guyton of Robert S. Guyton, P.C. and Design Resource Group, LLC

Agent's Address: Guyton: 4605 B Oleander Drive, Suite 202
Myrtle Beach, SC 29577

DRG: 4705 Oleander Drive
Myrtle Beach, SC 29577

Agent's Telephone: Guyton: (843) 839-2100

DRG: (843) 839-3360

OWNER:

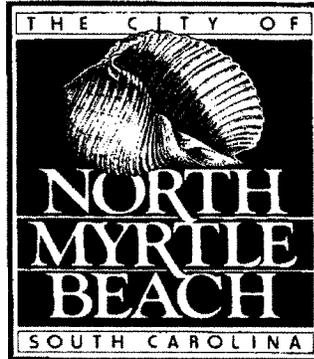
MIG INVESTMENTS OF MB SPE LLC

By: _____
Name: _____
Title: _____

1525 South Ocean Blvd.
North Myrtle Beach, SC 29582
Phone: (843) 455-3901

Compass Resort North Myrtle Beach
Applicable PIN Nos.

357-15-03-0119; 357-15-02-0002; 357-15-02-0003; 357-15-02-0004; 357-15-02-0005;
357-15-02-0065; 357-15-02-0068; 357-15-02-0069; 357-15-03-0091; 357-15-03-0092;
357-15-03-0093



TO: NORTH MYRTLE BEACH BOARD OF ZONING APPEALS
FROM: BEN CALDWELL, ZONING ADMINISTRATOR
SUBJECT: VARIANCE BZA 26-03
DATE: 2/9/2026

INTRODUCTION:

Petitioner Robert Guyton has submitted an application for a variance to reduce the required side yard setback in the resort residential, R-4 district (CBNO – Ocean Overlay) at 1717 South Ocean Blvd.

DESCRIPTION OF REQUEST:

Sec. 23-22 requires a building setback of ten (10) feet for the first thirty-five (35) feet in height and fifteen (15) feet for buildings in excess of thirty-five (35) feet in height. Mr. Guyton would like to reduce the side yard setback for a proposed water slide tower less than 35 feet tall. The setback for the part of the building less than 35' tall is 10' and the applicant is asking for a reduction is setback to 6' from the side property line.

RECOMMENDATION:

Staff recommends that the Board review the variance application and attached drawings and review Sec. 23-22.

Sec. 23-22. - R-4 Resort Residential District.

Side yard building setback:

Ten (10) feet for first thirty-five (35) feet in height and fifteen (15) feet for buildings in excess of thirty-five (35) feet in height.

APPLICATION FOR VARIANCE



BOARD OF ZONING APPEALS

CASE NO. _____ NORTH MYRTLE BEACH, SOUTH CAROLINA

Owner or Authorized Applicant: Robert S. Guyton

Mailing Address: 4605 B Oleander Drive, Suite 202

City Myrtle Beach State SC Zip 29577 Telephone: (843) 839-2100

Address of Property for which Variance is Requested: South Ocean Blvd and 18th Ave. South

TMS# See attached list Zoning District _____ Application Date: 1/16/26

Owner of Property: MIG Investments MB SPE LLC

VARIANCE REQUEST. Describe the variance requested (include the specific zoning code section):

Request 3 separate variances: Art 4, Sec. 23-41 increase compact spaces, Art 5, Sec. 23-58 reduction in landscape buffer, Art. 2, Sec. 23-22 reduce setback for a structure less than 35' in height

The Board may grant a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship, provided the hardship is not self-created or based on greater profit.

The findings required by the Board for variance are identified in Sec. 23-161(2) of the Zoning Ordinance. Response to each of the following will assist the Board in making a determination.

1. Describe the extraordinary and exceptional conditions pertaining to the particular piece of property. (use additional paper if necessary) See attached

2. Are the previously described conditions unique to the property for which the variance is sought, or do these same conditions apply to other properties in the vicinity? See attached

3. Describe why the zoning regulation proposed for variance would prohibit or unreasonably restrict utilization of the property because of the previously described conditions. See attached

4. Describe how authorization of the variance will be in harmony with the intent of zoning ordinance and will not be injurious to adjacent properties, the neighborhood, or the general public. See attached

5. Describe how the variance sought is the minimum variance necessary for reasonable development of the site. See attached

6. Describe why the granting of the requested variance will not confer on the applicant any special privilege that is denied by the zoning regulations to other landowners in the same zoning district. See attached.

1/16/26
Date

Robert S. Guyton
Applicant Printed Name

Signature of Applicant

Agent
Title

Compass Resort North Myrtle Beach

1. **Describe the extraordinary and exceptional conditions pertaining to the particular piece of property.**

The particular project includes property on each of the oceanfront, second row and third row of the North Myrtle Beach oceanfront. This property was previously improved with a resort which had exceeded its useful life. As to the oceanfront parcel, the boundaries of the property are constrained by Two (2) separate factors. The depth of the property is constrained by the existing road right-of-way on the street side, and by the OCRM critical line on the oceanfront side. The prior resort included a slide for the exterior, oceanside pool which encroached into the oceanside setback. The request as to the oceanfront parcel is to allow the new resort to retain a slide for the exterior, oceanside pool to remain as an encroachment on the oceanside setback line.

The non-oceanfront parcels are also constrained by the boundaries of at least two, and in some instances three, roadways along the boundary of the parcels. The request is to allow an increase in the percentage of compact parking spaces on the second and third row parking lots which are serviced, during peak use seasons by valet service; and to also reduce the side landscape buffer in the open parking lots only, not within any lot improved with buildings.

2. **Are the previously described conditions unique to the property for which the variance is sought, or do these same conditions apply to other properties in the vicinity?**

As to the oceanfront parcel, no other parcel incorporated a slide with its exterior oceanside pool, and rather than retain a dated and potentially unsafe existing slide, the applicant is requesting to place a modern, new and safer slide to continue to serve the exterior oceanside pool.

As to the second and third row lots, the applicant's request is applicable only to lots which are restricted for use as parking only, and would not be applicable to any parcel improved with a building. No other second and third row parcels in the vicinity are limited to parking only, with valet service, to avoid challenges for guest attempting to park, and the reduced landscape buffer would not compromise any adjacent building because no building is proposed to be adjacent.

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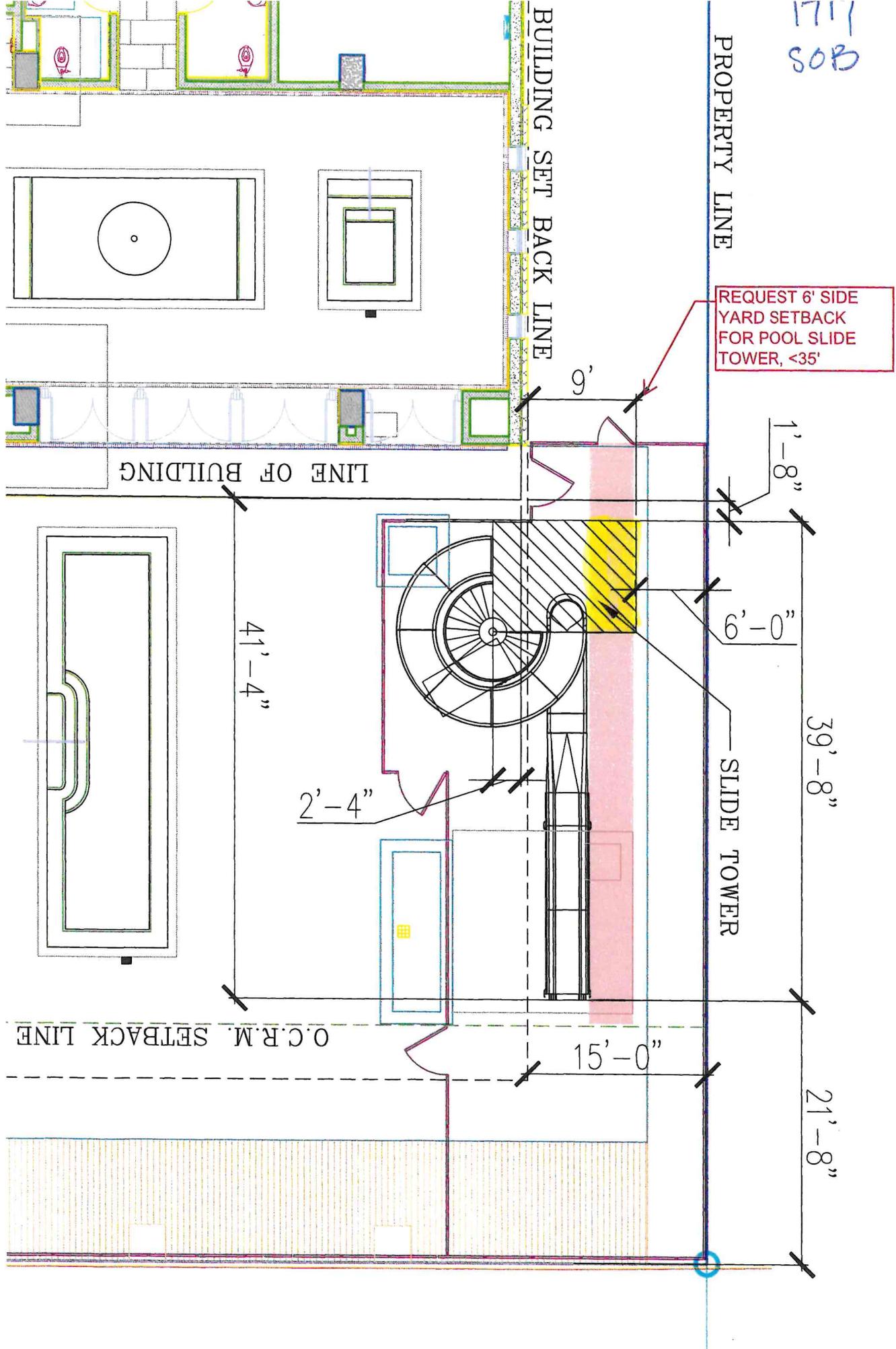
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1711
SOB





DEVELOPMENT RESOURCES GROUP, LLC
 1341 45TH AVE N, STE 207
 WINTER BEACH, FL 32977
 WWW.DRGROUP.COM

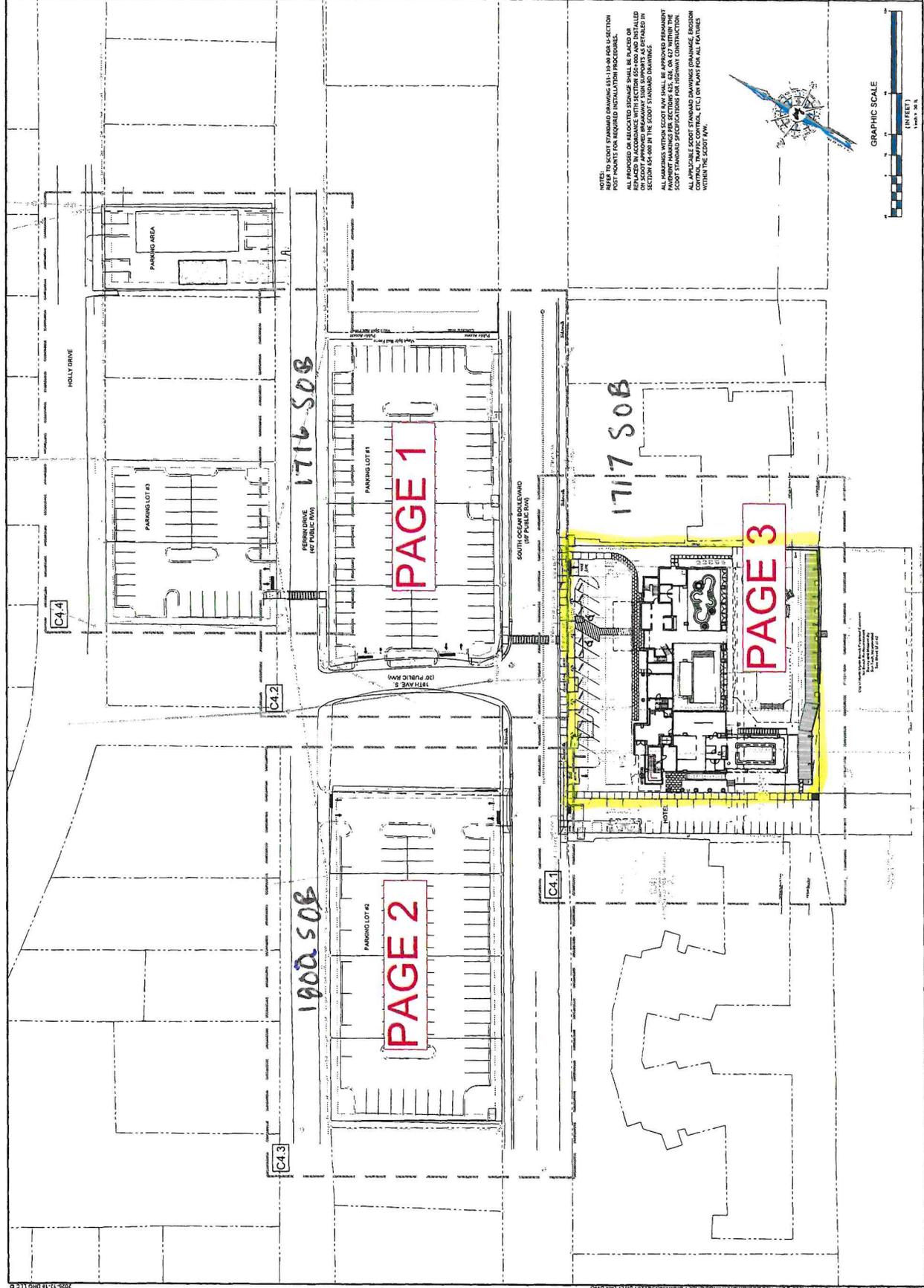


OVERALL SITE PLAN
 COMPASS RESORT/MAR
 PREPARED FOR:
 M&M INVESTMENTS OF FL, LLC
 1341 45TH AVE N, STE 207
 WINTER BEACH, FL 32977
 JOE HOLLOWAY

PLANS FOR
 CONSTRUCTION

JOB NO.	22201
SCALE:	1" = 30'
DESIGNED BY:	CRB
CHECKED BY:	JCP
APPROVED BY:	JCP
DATE:	12-18-23
SHEET NUMBER:	

C4.0



LETTER OF AGENCY

To: City of North Myrtle Beach

Re: Horry County PIN No.: 357-15-03-0119; 357-15-02-0002; 357-15-02-0003;
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