CITY OF CONWAY
BOARD OF ZONING APPEALS
THURSDAY, DECEMBER 14, 2017
CITY HALL CONFERENCE ROOM – 229 MAIN STREET- 5:30 P.M.

Present: Georgia Johnson, Travis Dannelly, Blake Hewitt, James Shelley
Absent: Alex Hyman, Byron David
Staff: Jessica Hucks, Zoning Officer; Barbara Tessier, Secretary
Others: Jimmy McLain

I. CALL TO ORDER

Chairman Dannelly called the meeting to order at 5:25 p.m. because everyone was present.

II. APPROVAL OF NOVEMBER 16, 2017 MINUTES

Hewitt made a motion, seconded by Johnson, to approve the November 16, 2017 minutes as written. The vote in favor was unanimous.

III. VARIANCE REQUESTS

A. Jamie McLain, applicant, requests a variance from the strict application of the Unified Development Ordinance (UDO), from Section 6.2 – Residential Building Types and Design Standards, Table 6.1: Dimensional Requirements for Residential Zoning Districts, for property located at 1500 Stilley Circle in the Snow Hill subdivision (TMS: 123-10-11-043 | PIN: 33805030054).

Hucks said the applicant was requesting a variance from what is considered a “corner front yard” setback requirement (per Section 6.1.9) for a proposed home in the Snow Hill subdivision. The subdivision is zoned R-4 (Traditional Residential), which requires standard lot setbacks of a “build-to” line in the front, five (5) feet on the sides and 15-ft in the rear. Section 6.2, Table 6.1 of the UDO provides a table with dimensional requirements for residential zoning districts. For the R-4 zoning district, the table lists the setback requirements for side yards adjacent to local streets as being 10-ft min.

Hucks said there was an approx. 10-ft wide area at the entrance to this lot, considered right-of-way for Stilley Circle, and is not identified as open space on the subdivision plans. The lot in question (lot 1) is similar in size and shape to several other lots within the subdivision, except that it is a corner lot, and unlike the other corner lots within the subdivision, this lot does not have as much square footage or lot area as the other corner lots do. Setbacks were noted on
the final plat and are correct with the exception of the omission of the setback requirements for sides yards that front a local street. Staff looked at permit files for other corner lots in this subdivision to see what setbacks were required, and lot 30 (permitted in 2013) was required to meet a 10-ft setback for the side yard fronting a local street as well. Staff notes that lot 30 was 5,838 +/- sq. ft. in size whereas lot one (1) is only 5,000 sq. ft. in total size.

Variance(s) requested:

<table>
<thead>
<tr>
<th>UDO Section:</th>
<th>Requirement:</th>
<th>Proposed:</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.2: Table 6.1</td>
<td>Side yard setback: 10-ft</td>
<td>Side yard setback: 5-ft</td>
</tr>
</tbody>
</table>

The applicant cites the following determinations for seeking a variance:

1. Lot size is 50' x 100' (5,000 sq. ft.). Setback requirements will make the lot unbuildable.
2. The conditions are particular to this piece of property. The other corner lots are approx. 60-ft wide.
3. The strict application of the ordinance would unreasonable restrict the use of the property. Any home built on the lot would only be able to be 34-ft wide.
4. The granting of the variance will not hard adjacent property nor will the character of the area or public good. Only one neighboring property to this lot. Asking for same setbacks the adjacent lot has. The lot is surrounded by roadways on the other 3 sides.

Shelley asked if this issue was because it was a corner lot. Hucks said that was correct. Johnson said this seemed to be a particular issue for just this parcel.

Shelley made a motion, seconded by Hewitt, to approve the request based on the 4 findings had been met. The vote in favor was unanimous. The motion carried.

IV. PUBLIC INPUT

There was none.

V. STAFF INPUT

Hucks presented Johnson with a plaque recognizing her service on the Board. Johnson said the time had been educational. Dannelly thanked Johnson as well.

VI. ADJOURN

Dannelly made motion to adjourn the meeting. Hewitt seconded the motion. The vote in favor was unanimous. The motion carried and the meeting adjourned at 5:30 p.m.

Approved and signed this 25th day of January 2018.

[Signature]
Travis Dannelly, Chairman