CITY OF CONWAY
BOARD OF ZONING APPEALS
THURSDAY, MARCH 23, 2017
CITY HALL COUNCIL CHAMBERS – 229 MAIN STREET – 5:30 P.M.

Present:    Alex Hyman, Georgia Johnson, James Shelley, Blake Hewitt, Matt Staub,
            Byron David

Absent:     Travis Dannelly

Staff:      Adam Emrick, Planning Director; Barbara Tessier, Secretary

Others:    See attached list

I. CALL TO ORDER

Vice Chairman Hyman called the meeting to order at 5:30 p.m.

II. APPROVAL OF MINUTES

Hewitt made a motion, seconded by Johnson, to approve the February 23, 2017
minutes as written. The vote in favor was unanimous. The motion carried.

III. APPEAL

A. Myrtle Beach Farms DBA Coastal Outdoor Advertising requests an
   appeal of the Planning Director’s interpretation of the City of Conway
   Unified Development Ordinance (UDO), Section 11.1.4. (B) Signs in
   Disrepair regarding the repair of existing billboards located at 95
   University Blvd. (TMS # 1510003065 | PIN 38307030005) and 2089
   Highway 501 (TMS #1510003001 |PIN 38307030003

   Hewitt said he had reviewed the facts presented and had read the referenced
UDO sections and said he was ready to make a motion.

   Hewitt made a motion, seconded by David, to uphold the Planning Director’s
   interpretation of Section 11.1.4. (B) Signs in Disrepair regarding the repair of existing
   billboards located at 95 University Blvd. and 2089 Highway 501. The vote in favor was
   unanimous. The motion carried.
IV. VARIANCES

A. Shai Shalit, applicant, requests a variance from the City of Conway Unified Development Ordinance (UDO), Section 5.2.1.1 and 5.2.1.2 Accessory Structures for a property located at 906 Rosehaven Drive (TMS 1360006001 | PIN 36810010043) regarding location of the accessory structure.

Emrick said this structure had been built without a permit. He said the property maintenance officer had responded to a complaint about the structure and had found there had been no permit issued. The applicant then submitted a permit application, but it had to be denied because it sat forward of the primary structure. Emrick said the ordinance required it to be behind the primary structure.

Hewitt asked if the structure met the other setbacks. Emrick said it did meet the side setbacks. Emrick said he had received calls on the item, but could not really say that they could be labeled as in opposition or in favor of.

Hyman asked what the applicant thought was his hardship. Emrick read from the variance application. They were as follows:

1) Very deep property in the woods 250’, woods and creek to the left and right of the property, back of property has flooding issues that prohibit building of a structure.

2) The conditions described above are particular to his piece of property.

3) That the strict application of the Zoning Ordinance would prohibit or unreasonably restrict the use of his property

4) The granting of the variance would not harm adjacent property, the character of the area or the public good.

Emrick said this property was at the entrance to the Wild Rose subdivision, but was not a part of the subdivision.

Hewitt said he was torn on this one, but the UDO clearly did not permit the structure to be in front of the primary residence. He said if the structure could be built elsewhere on the property, he was compelled to make a motion to deny.

Hyman swore in Larry Hardy, a friend of the applicant's. Hardy said the structure was built where it was because the property in the rear was always
wet due to the drainage ditches. Hardy said the applicant did not get a permit because he did not think the structure was large enough to require one.

Hyman swore in Mary Ann Land, who lives at 1063 Rosehaven Drive. Land said she was opposed to the structure being there. She said she would be hard pressed to call the structure a garage. She said it looked like sticks in the ground with a slanted roof. She said she did not like the structure or its location.

Emrick said if the applicant had come in beforehand, staff could have guided him on how he could have attached the structure to the house and this would have allowed the structure to be in front of the house.

Hyman said the rear yard could be used if dirt had been brought in or if the applicant had installed a cement driveway.

Hewitt made a motion, seconded by David, to deny the variance request. The vote in favor was unanimous. The motion carried.

B. Wall Engineering, applicant on behalf of Conway Property Holdings, LLC, requests a variance from the City of Conway Unified Development Ordinance (UDO), Section 6.3 Non-Residential Design Standards, Table 6.2 for a property located at 604 Church Street (TMS 137-01-34-012 | PIN 36803010067) for front setbacks.

Emrick said this location was previously the Sav-Way gas station and convenience store. He said it had been vacant for a number of years. Once a business has been vacant for over 180 days, the UDO requires that any reuse triggers the need to bring the site in compliance, including setbacks. Emrick said that the property owners wished to reopen as a gas station and convenience store. He said the setbacks were 30' in the front. The existing canopy extends 15' into the required setbacks. The applicant was asking for a variance to allow only a 15' front setback, which would permit them to leave the canopy in place as it was.

Hewitt made a motion, seconded by David, to approve the requested variance of a 15' front setback. The vote in favor was unanimous. The motion carried.
C. Wall Engineering, applicant on behalf of SDS Investments, LLC, requests a variance from the City of Conway Unified Development Ordinance (UDO), Section 6.3 Non-Residential Design Standards, Table 6.2 for a property located at 1725 Pocono Street (lot 15) (TMS 151-42-01-011 | PIN 38302010001) for front, side and rear setbacks.

Hewitt said after review of the information presented, he was ready to make a motion. David made a motion, seconded by Hewitt, to approve the variance requested being 30' front setback, 20' rear setback and 15' side setbacks. The vote in favor was unanimous. The motion carried.

D. Brantley Green, applicant, requests a variance from the City of Conway Unified Development Ordinance (UDO), Section 6.1.6 Minimum Required Yard and Setbacks for a property located at 701 Laurel Street (TMS #137-02-16-009 | PIN 33813040055 regarding rear yard setbacks.

Hyman said he had a work relationship with Green, but did not feel it would require him to recuse himself from this item.

Hewitt made a motion, seconded by David, to approve the 2.9" side setback that the applicant had requested based on the structure being in the existing historical district and the addition would be designed to mimic the historical design. The vote in favor was unanimous. The motion carried.

V. PUBLIC INPUT

There was none.

VI. ADJOURN

There being no further business to come before the Board, Hewitt made a motion, seconded by David, to adjourn. The vote in favor was unanimous. The motion carried. The meeting adjourned at 5:50 p.m.

Approved and signed this 27 day of April, 2017.

B, Alex Hyman, Vice Chairman