Call To Order

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

Approval of September 28, 2017 Minutes

Johnson made a motion, seconded by David, to approve the September 28, 2017 minutes as written. The vote in favor was unanimous. The motion carried.

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: 383070300005) AND 2089 Highway 501 (TMS: 1510003001 / PIN: 38307030003) (on remand). (Deferred By Applicant)
IV. VARIANCE REQUESTS

A. Steven Starbuck, applicant, requests a variance from the strict application of the Unified Development Ordinance (UDO) from Article 5, Section 5.2.1 Accessory Structures for a property located at 1306 Sixth Ave (TMS: 137-02-12-002 / PIN: 33813040028).

Hucks said the applicant was requesting a variance to build a detached two-story garage in the front of his property, rather than on the sides or rear, as required by the UDO. Hucks said the applicant stated that the residence is located on the very rear of the property with approximately 20 linear feet to the property line. The applicant stated there was also no room on either side of the residence to build either.

Hucks said the applicant stated there was a relatively long loop driveway that was approximately 135 linear feet from the edge of Sixth Avenue, and that the structure would be approximately 85 linear feet from Sixth Avenue. The applicant also stated there was approximately 13,300 sq. ft. of property between the road and the driveway loop.

Hucks said if the proposed garage was two stories tall, it might exceed the 15 ft. height limitation and have to meet the 20' rear setback requirement without the variance. Hucks said building elevations and dimensions would be required in conjunction with the building permit if the variance was granted.

Hucks said that this was a legal nonconforming lot because it was a duplex in an R-1 zoning district, which allowed for single-family residences and not duplexes. Hyman said it should be grandfathered in because it was built prior to the UDO. Hucks said that was correct, but only as far as the current structure was concerned. She said any new structure would have to meet the requirements of the UDO.

Hyman said it did not appear that there was anywhere else on the lot to put a garage except in the front. He said it seemed to meet all the criteria required to receive a variance.

David asked if anyone was present who objected to this item. There was not.

David made a motion, seconded by Johnson, to approve the request saying the property did have exceptional or extraordinary conditions that we not present on surrounding properties, that not granting the variance would restrict the use of the property, the granting of the variance would not be a detriment to adjacent property or the public good.

B. McKenzie Jordan, on behalf of TBKITW Holding, LLC, requests a variance from the strict application of the Unified Development Ordinance (UDO) from Article 8, Section 8.2.1 (C)
for a property located at 1405 Main Street (TMS: 1231411001 / PIN: 33811020040).

Hucks said the applicant was requesting a variance from Section 8.2.1 – General Design Standard, (C), which states, “Every off-street parking space shall be arranged so that any vehicle may be moved into and out of such space without moving another vehicle.” Hucks said the applicant is proposing to construct a medical office building on the property, which is a permitted use in the zoning district.

Hucks said the applicant was requesting a variance for how parking will be stacked, with the objective being to ensure that adequate parking will be available to patients in the immediate area. The applicant states that limited parking has contributed to traffic congestion in other medical office buildings in the surrounding area, which has affected nearby properties with overflow parking demands. The proposed building will be an owner-occupied facility. Additionally, the applicant states that the minimum amount of parking spaces needed to support this facility is at least 50 spaces.

Hucks said the proposed site plan would include eight (8) parking spaces stacked together with adjacent eight (8) spaces. The intent of the stacked spaces would be to provide for vehicles that would under normal circumstances, remain parked throughout the day, and therefore would not be adversely affected by having their movements restricted.

Hucks then gave the applicants states reasons for requesting the variance as follows:

1. The property has several site-specific characteristics that influence the development plan.
   a. It is a corner lot, with frontage on 15th Ave and Main St., limiting the potential for drive entrances and exits in order to avoid traffic conflicts at the street intersection.
   b. The entire southwest boundary line of the property includes a utility easement as well as a required landscape buffer, which imposes a limit on the usable area of the property, in excess of what the underlying zoning would require.
   c. Additional landscape buffer requirements, including requirements resulting from residential zoning on adjacent parcels, have an additional effect on the usable area of the site.
2. The combination of the above items are specific to this property, and cumulatively result in a reduction of the usable site area in such a way that compromises the development that would otherwise be prohibited.
3. Parking for medical office/healthcare use for this project indicates a need for approx. 50 spaces. The site plan proposed includes parking spaces for 49 cars. Strict application of the ordinance would result in significantly reducing the number of parking spaces on this site. Inability to provide adequate parking for the proposed use would significantly restrict or prohibit development of the project.

4. Granting the variance would not have a negative impact on adjacent properties or character of the area. The site is currently vacant. Adjacent properties that are developed along Main Street are commercial properties that demonstrate a wide variety of architectural styles and designs. The proposed building design and placement will be an enhancement to the community and can serve as an appropriate link between commercial properties on Main Street and the nearby residential properties. The applicant believes the medical care facility in the proposed location will be a betterment to the public interest and to the community.

5. Granting the variance will not have the effect of increasing profitability of the property, but rather, the ability to provide adequate parking for the project will require additional investment by the owners and would not result in any additional monetary return.

Hucks said there was currently an amendment to the Upper Main Street Overlay (MSO) that was going through the council approval process. She said one of the amendments proposed was to eliminate the maximum parking permitted. She said parking would then resort to the requirements in Article 8 of the UDO; however, there would not be a limit on the number allowed for a single use for properties in the MSO. The minimum required parking, per Section 8.2.12 of the UDO is one space per 250 sq. ft. for doctor’s offices. Staff is unaware of what the gross floor area of the proposed building is, but the site plan provided shows 39 standard parking spaces, including ADA. Seven (7) spaces on the site plan are shown to accommodate two (2) vehicles; one parked behind the other. That would bring the total to 46 parks. Without having gone through a technical review process, staff cannot be sure that the parking shown will meet current requirements.

Hucks said another proposed amendment to the MSO would omit the parking location requirements, which required all parking to be located at the rear of a lot behind the primary structure or along an existing driveway.

Hyman asked if the buffer behind the building was required because there was residential zoning behind it. Hucks said that was correct.

David said prior to the meeting, he had reviewed the request, and he said the four conditions had been met. He said with regard to extraordinary conditions this was a corner lot on a busy street at a busy intersection, which would limit ingress and egress, and needed to be considered for safety. He said it appeared that the entire southwest boundary of the property had a utility easement on it and that would be considered extraordinary. He said all those things in combination were
not present on any adjacent property. He said if the variance was not granted, it would effectively restrict the use of the property. He said he did not think the variance would be detrimental to the area or other properties in the area.

David made a motion, seconded by Shelley, to approve the requested variance. The vote in favor was unanimous. The motion carried. The vote in favor was unanimous.

V. PUBLIC INPUT

There was none.

VI. ADJOURN

There being no further business to come before the Board, David made a motion, seconded by Johnson to adjourn the meeting. The vote in favor was unanimous. The motion carried. The meeting adjourned at 5:40 p.m.

Approved this 16th day of November, 2017.

[Signature]

Alex Hyman, Vice Chairman