

**CITY OF CONWAY  
BOARD OF ZONING APPEALS MEETING  
THURSDAY, MAY 25, 2023  
BUILDING & PLANNING DEPARTMENT  
196 LAUREL STREET**

Present: Blake Hendrick, Sandra James, Charles Byrd, Catherine Dingle  
Absent: Paul Lawson, Lesley Hill, Jay Sellers  
Staff: Kym Wilkerson, Zoning Administrator; Vicki Stone, Zoning Officer; Anne Bessant,  
Planning Assistant; Marcus Cohen, IT  
Others: Richard Tyron

**I. CALL TO ORDER**

Vice-Chairman Byrd called the meeting to order at approximately 5:33 p.m.

**II. APPROVAL OF MINUTES**

Dingle made a motion, seconded by Hendrick to approve the April 27, 2023 minutes as written. The vote in favor was unanimous and the motion carried.

Byrd swore in the applicants and staff.

**III. CRITERIA**

Byrd read the following four criteria required to be met in order for the Board to grant a variance:

*Extraordinary conditions:* There are extraordinary and exceptional conditions pertaining to the particular piece of property;

*Other Property:* The extraordinary and exceptional conditions do not generally apply to other property in the vicinity;

*Utilization:* Because of the extraordinary or exceptional conditions, the application of the ordinance to a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

*Detriment:* The authorization of a variance will not be of substantial detriment to the adjacent property or the public good and the character of the district will not be harmed by granting a variance.

**IV. CONSIDERATION OF DRAFT ORDER**

A. At its meeting on April 27, 2023, the Board held a public hearing on Claycon Pharma Conway Re LLC's request for a variance to reduce the buffer requirement in

the *City of Conway Unified Development Ordinance* (UDO), Section 5.1.32(B)(3)(b) Community Support Services / Facilities and Outpatient Treatment Facilities, for the property located at **1800 Husted Road**. (PIN 383-02-04-0019 & 0020) from 1,000 feet to 500 feet. After completion and closing of the hearing and following discussion, the Board directed the staff to prepare a draft order reflecting a grant of the variance. The Board will consider that draft order and will vote on what action to take with respect to the draft order.

Sandra James recused herself from this agenda item.

Dingle made a motion to approve the drafted board order as presented. Hendrick seconded the motion and the motion carried unanimously.

## V. VARIANCE REQUESTS

A. Skyline Signs, agents for Petco, requests a variance from the strict application of the *City of Conway Unified Development Ordinance* (UDO), Article 11-Signage, for the property located at **2918 Church Street**. (PIN 337-03-01-0011)

Wilkerson stated that the property owner, PC-Conway SC-1-UT LLC is in the process of finalizing approvals to start construction on a Petco at 2918 Church Street. The sign package for Petco was submitted by Skyline Signs for review and approval.

Per the City of Conway's Unified Development Ordinance (UDO):

Section 11.4.1-Wall Signs states

A. Location and Number Permitted: Only one wall sign per tenant will be allowed and shall be located at the Public Entrance. A second wall sign will be allowed if the building is located on a corner lot, installed on another facade or if there is a second public entrance. The maximum number of wall signs permitted is two (2) per tenant.

B. Size: Wall signs may be a maximum of 15% of the building face where the sign is attached.

Based on the site plan submitted by Skyline Signs, 15% of the Front Building Face is 235.05 sq. ft. The two (2) wall signs are 250.72 sq. ft which is 16% of the Front Building Face.

The applicant requests a variance to allow for an additional wall sign on the front building face as well as a variance for all front wall signage to be 1% larger than the size requirement stated in the UDO.

The applicant cites the following reasons for which a variance should be granted: **1)** Petco would like to install a second wall graphic sign on the front elevation wall. The graphic reads "Neighborhood Farm & Pet Supply" and is 163.93 SF. The front elevation area is 1567 SF. Along with the first Petco sign on the front center elevation, the total signage square footage would be 250.72 SF or 16% of the front elevation wall area. **2)** Yes. We are unaware of the conditions to the neighboring and adjacent properties. **3)** The code would restrict Petco from installing a second wall

sign to the front elevation as described above. 4) No, it is not apparent that installing a second wall sign on the front elevation of the building will harm the adjacent property, the character of the area and the public good. 5) The variance request is initiated due to hardship.

Staff recommends that the BZA conduct a thorough review of the request and determine if a legal hardship exists and if the best interests of the City of Conway would be served by granting the request.

Richard Tryon, Skyline Signs was present to answer any questions.

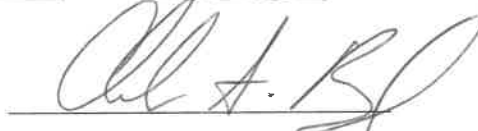
There was no public input.

After much discussion, James made a motion to deny the variance request. Byrd seconded the motion and the motion carried unanimously.

**VI. AJOURN**

There being no further business to come before the Board, a motion was made and seconded to adjourn the meeting. The vote in favor was unanimous. The motion carried and the meeting was adjourned at 5:56 p.m.

Approved and signed this 22 day of June, 2023.

  
Paul Lawson, Chairman