

*MAYOR*  
Barbara Jo Blain-Bellamy

*MAYOR PRO TEM*  
Larry A. White



*COUNCIL MEMBERS*  
Amanda Butler  
William M. Goldfinch IV  
Julie Harwick  
Beth Helms  
Justin D. Jordan

## PLANNING & DEVELOPMENT

### BOARD OF ZONING APPEALS MEETING THURSDAY, JANUARY 25, 2024 | 5:30 P.M. PLANNING & DEVELOPMENT DEPARTMENT 196 LAUREL STREET (*SIDE ENTRANCE*)

- I. CALL TO ORDER
- II. ELECTION OF OFFICERS
- III. APPROVAL OF DECEMBER 14, 2023 MINUTES
- IV. CRITERIA
- V. PUBLIC HEARINGS - VARIANCE REQUESTS
  - A. Betty Grissett, agent for her husband, Mark Onley, property owner, request a variance from the strict application of the City of Conway Unified Development Ordinance (UDO), *Article 6-Design Standards*, for the property located at **604 McCray Alley**. (PIN 368-03-01-0038)
  - B. Megan Newbold, AIA, with Garvin Design Group and agent for Coastal Carolina University, property owner, request a variance from the strict application of the City of Conway Unified Development Ordinance (UDO), *Article 6-Design Standards*, for the property located at **Highway 544 and University Boulevard**. (PIN 382-00-00-0039)
  - C. Matthew Norris with DN Engineering and T. Van Davenport, agents for Shannon Burchett, property owner, request a variance from the strict application of the City of Conway Unified Development Ordinance (UDO), *Article 6-Design Standards*, for the property located at **2206 Church Street**. (PIN 338-08-04-0001)
- VI. ADJOURN

**CITY OF CONWAY  
BOARD OF ZONING APPEALS MEETING  
THURSDAY, DECEMBER 14, 2023  
BUILDING & PLANNING DEPARTMENT  
196 LAUREL STREET**

Present: Paul Lawson, Blake Hendrick, Lesley Hill, Sandra James  
Absent: Catherine Dingle, Charles Byrd, Jay Sellers  
Staff: Kym Wilkerson, Zoning Administrator; Anne Bessant, Planning Assistant; Charlie Crosby, IT  
Others: George Thistle, Jamie Steele, David Schwerd, Sha-Ron Jones, Diane Davis, Vanessa Broman

**I. CALL TO ORDER**

Chairman Lawson called the meeting to order at approximately 5:31 p.m.

**II. APPROVAL OF MINUTES**

Hill made a motion, seconded by Hendrick to approve the November 16, 2023 minutes as written. The vote in favor was unanimous and the motion carried.

Lawson swore in the applicants and staff.

**III. CRITERIA**

Lawson 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. VARIANCE REQUESTS/PUBLIC INPUT

- A. Diamond Shores, agent for Stan Svischchev, property owner, request a variance from the strict application of the City of Conway Unified Development Ordinance (UDO), *Article 6-Design Standards*, for the property located at **Hemingway Street & Hwy 378**. (PIN 368-02-02-0084)

Wilkerson stated that a minor subdivision plat was submitted in April of this year to subdivide PIN 368-02-02-0084 into two parcels.

The parent parcel is zoned Medium Density Residential (R2). R2 allows for single family, duplex, townhomes and multi-family uses provided the dimensional requirements of **Table 6.1** of the UDO are met.

Per the application submitted by the owner's agent, the owner is proposing a single family detached home on each new lot. This requires a 6,000 sq ft minimum lot size as well as a 50-ft minimum lot width, which is shown on the plat; however, the proposed lots do not meet the additional requirements in order to approve the subdivision plat.

Per **Table 6.1**: R2-Single Family Detached minimum lot depth is a minimum of 120-ft. Neither proposed lot meets this requirement.

Also, proposed Lot 1 is a corner lot and per **Section 6.1.9** of the UDO, *"the front lot line shall be designated by the shorter of the two property lines adjacent to the street."*

**Variances requested (per plat):**

**Section 6.1.9-Side Yard Setbacks for Corner Lots:**

- A variance to allow the front lot line for proposed Lot 1 to be designated by the "longer" of the two property lines adjacent to Hemingway Street.

**Table 6.1-Dimension Requirements for Residential Zoning Districts:**

- A variance of 70-ft for Lot 1 in order to allow a lot depth of 50-ft and a variance of 50.85-ft for Lot 2 in order to allow a lot depth of 69.15-ft.

If all variances are granted, the setbacks for the single family detached homes will be 15-ft Front (Hemingway Street), 20-ft Rear, 7.5-ft Sides and for Lot 1 20-ft Corner Front (Highway 378).

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. If the Board chooses to grant the variances requested, staff recommend that it be only those which were requested via

the application provided, and that the applicant come into compliance with the remaining items, or request a separate variance to be heard at a future BZA meeting, once proper public notice has been provided.

Blake Hendrick recused himself from this agenda item.

Jamie Steele, Diamond Shores, was present to answer any questions.

Diane Davis and Sha-Ron Jones spoke during public input with concerns of traffic on Hemingway Street.

Lawson made a motion to grant the variance as requested. Hill seconded the motion and the motion carried unanimously.

- B. Coastal Foods Inc. (Zaxby's), agent for TSJ LLC, property owner, request a variance from the strict application of the City of Conway Unified Development Ordinance (UDO), *Section 5.2.3-Fences & Walls*, for the property located at **1623 Church Street** (PIN 338-10-03-0017)

Wilkerson stated that the Property Maintenance Inspector for the Building Department sent a letter to the property owner of the Zaxby's parcel on August 1<sup>st</sup> concerning the need for repair or removal of the damaged fence. The letter stated that ***"these conditions must be corrected by August 14, 2023. Failure to comply may result in the issuance of a court summons."***

On October 24, 2023, the Building Inspector noticed that the fence was being replaced without a permit and had the applicant contact this office for further information.

After speaking with Mr. George Thistle, I can definitely understand how he interpreted the letter from Property Maintenance Inspector as *"fix the fence.....period"*. Property Maintenance has since started adding to their letters the following statement to eliminate any confusion: ***"Please contact our office at (843) 488-9888 to verify Ordinances & Permitting Requirements."***

Per **Section 12.1-Nonconforming Uses** states: *"A nonconforming use, structure, or characteristic of use shall not be changed to any other nonconforming use, structure, or characteristic of use."* (ex. 6-ft privacy fence in the front yard)

Also, **Section 5.2.3-Fences & Walls** states: *"Commercial & Residential: Front Yards-shall not exceed 4-ft in height."*

This section further states: *"Wherever a fence or wall is installed, if one side of the fence or wall appears more "finished" than the other (i.e. one side has visible support framing and the other does not), then the more "finished" side of the fence shall face the perimeter or outside of the lot, rather than facing the interior of the lot."*



12/14/23

Mr. George Thistle has since applied for a Fence Permit (PB23-1206) and is applying for the following variances in order to leave the new fence as it was installed.

**Variances requested:**

**Section 5.2.3-Fences & Walls:**

- A 2-ft variance to allow a 6-ft fence in the front yard.
- A variance to allow the “finished” side of the new fence to face the interior of the lot.

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. If the Board chooses to grant the variances requested, staff recommend that it be only those which were requested via the application provided, and that the applicant come into compliance with the remaining items, or request a separate variance to be heard at a future BZA meeting, once proper public notice has been provided.

Ryan Harvey, agent for owners, was present to answer any questions.

George Thistle, was present and further explained the request.

There was no public input.

Lawson made a motion to grant the variance as requested. Hill seconded the motion and the motion carried unanimously.

**V. 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 6:11p.m.

Approved and signed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Paul Lawson, Chairman

**DATE: January 25, 2024**

**AGENDA ITEM: V.A**

**ISSUE:**

Betty Grissett, agent for her husband, Mark Onley, property owner, request a variance from the strict application of the City of Conway Unified Development Ordinance (UDO), Article 6-Design Standards, for the property located at 604 McCray Alley. (PIN 368-03-01-0038)

**BACKGROUND:**

The applicant's home, located at 604 McCray Alley, suffered fire damage. The applicant's originally intended to renovate what is left of the structure; however, the Building Department posted the structure as "unsafe" due to damage from the fire.

Per the Building Inspector, the home suffered major damage including rafters and roof damage. The house will need to be rewired and plumbed due to the fire. Additionally, the foundation needs support added in several areas and exterior wall studs/supports show evidence of termite damage.

The applicants have chosen to build a new home and have building plans ready to submit for a permit; however, they were advised to apply for the variance first.

The parcel is zoned R1 and is considered "*legal non-conforming*" since the width of the lot at the ROW does not meet the current UDO standards of 75-ft. The lot is only 34.76-ft wide. The only dwelling type permitted in the R1 zoning district is single family detached. The setbacks in the R1 zoning district are 20-ft Front, 20-ft Rear and 10-ft Sides. The applicant is requesting a 5-ft variance on both side setback requirements from 10-ft to 5-ft in order to build a single family detached home.

The applicant is seeking a variance from:

- **Table 6.1: Dimensional Requirements for Residential Zoning Districts**

*The applicant requests a variance of 5-ft on the side setback allowing for a 5-ft side setback on both sides of the property.*

*The applicant cites the following reasons for which a variance should be granted:*

***\*\*See attached application.***

### **CITY OF CONWAY UNIFIED DEVELOPMENT ORDINANCE (UDO) & ANALYSIS**

In *Section 14.2.1* of the *UDO*, the duties and powers of the Board of Zoning Appeals reflect *Section 6-29-800* of the South Carolina Code of Laws.

According to *Section 14.1035*, the Board of Zoning Appeals duties are “to hear and decide appeals for variances in specific cases when a strict application of the zoning ordinance would cause an unnecessary hardship, and approval of such variance would not be contrary to public interest or undermine the spirit of the zoning ordinance. The fact that property may be used more profitably if a variance is granted is not grounds for a variance. The Board may attach conditions to a variance that address location, character, or other features of a proposed building, structure, or use, in order to protect the established property values in the surrounding area or to promote the public health, safety, or general welfare of the community. The Board may grant a variance for an unnecessary hardship if it makes and explains in writing all of the following findings.

1. **Extraordinary Conditions:** There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. **Other Property:** The extraordinary and exceptional conditions do not generally apply to other property in the vicinity.
3. **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.
4. **Detriment:** The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting a variance.

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### **RECOMMENDATION:**

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.



City of Conway  
Board of Zoning Appeals  
VARIANCE/APPEAL REQUEST

Staff Use Only  
Received: VS  
BS&A #: P23-0358

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[planning@cityofconway.com](mailto:planning@cityofconway.com)  
[www.cityofconway.com](http://www.cityofconway.com)

Pin#:	Zoning District:	Meeting Date:
Property Address: <u>604 McCray Alley Conway SC. 29527</u>		
Property Owner: <u>Marz A. Onley</u>		Daytime phone: <u>843-213-8142</u>
Agent:		Daytime phone: <u>843-687-5097</u>
Agent's E-Mail Address:		
Number of Variances Requested: <u>5 Feet Variance on Both Sides</u>		

**Requested Action:**

- ☒ I am requesting a **variance** from the strict application of the Unified Development Ordinance (UDO). To my knowledge there are no Deed Restrictions on this property that would prohibit or conflict with my variance request. Please continue to the following section.
- ☐ I am requesting an administrative **appeal** of the action or decision of the Zoning Administrator, which I believe to be contrary to the meaning of the Conway Unified Development Ordinance (UDO). Please continue to page three.

**VARIANCE REQUESTS:**

Please demonstrate how you satisfy the following **CRITERIA FOR VARIANCE** (see §14.2.1 of the Conway Unified Development Ordinance).

<b>Please describe your proposal in detail:</b>
<u>Our home burnt and to Repair it, it doesn't meet current setback and the property has to meet the Setback, which is Five Feet on both sides.</u>

This proposal does not conform to the Unified Development Ordinance in the following way:	
UDO Section and Requirement:	Proposed Instead:
1.	
2.	



City of Conway  
Board of Zoning Appeals  
VARIANCE/APPEAL REQUEST

Staff Use Only

BS&A #: \_\_\_\_\_

1. Describe the extraordinary conditions pertaining to your particular piece of property:

Narrow Lot on Front and Sets wider in back.  
and the Lot it self does Not meet the width when it self.  
Needs to be 75 feet 35 cross front.

2. Are the conditions described above particular to your piece of property? Explain.

yes! there's NO other lots around like this one..

3. Would the strict application of the Zoning Ordinance prohibit or unreasonably restrict the use of your property? Explain.

yes Cause the narrow width of house dont allow to fit.

4. Will the granting of the variance harm adjacent property, the character of the area or the public good? Explain:

NO Realisat on property.

and; "Is the variance request initiated because of hardship and **not** to increase the profitability of the property?"

yes Our house Burnt.

**Application Requirements:**

- A completed BZA application including required signatures (incomplete applications will not be accepted)
- A filing fee of two hundred and fifty dollars (\$250.00)
- A digital site plan illustrating property lines, existing structures, proposed structures and any other relevant site information. (may be emailed to [planning@cityofconway.com](mailto:planning@cityofconway.com))

I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be inspected, and that all required material will be submitted to the City of Conway Planning Department no later than **thirty (30) days prior to the meeting date**. Board of Zoning Appeals meets the **4th Thursday of each month** (except November) at **5:30PM** at the Planning & Building Dept., 196 Laurel Street. (unless otherwise posted). I understand that it is my responsibility to obtain all necessary approvals from other city departments.

I also acknowledge that once my property is posted, the signs can only be removed by an agent of the City of Conway are to remain in place until retrieved.

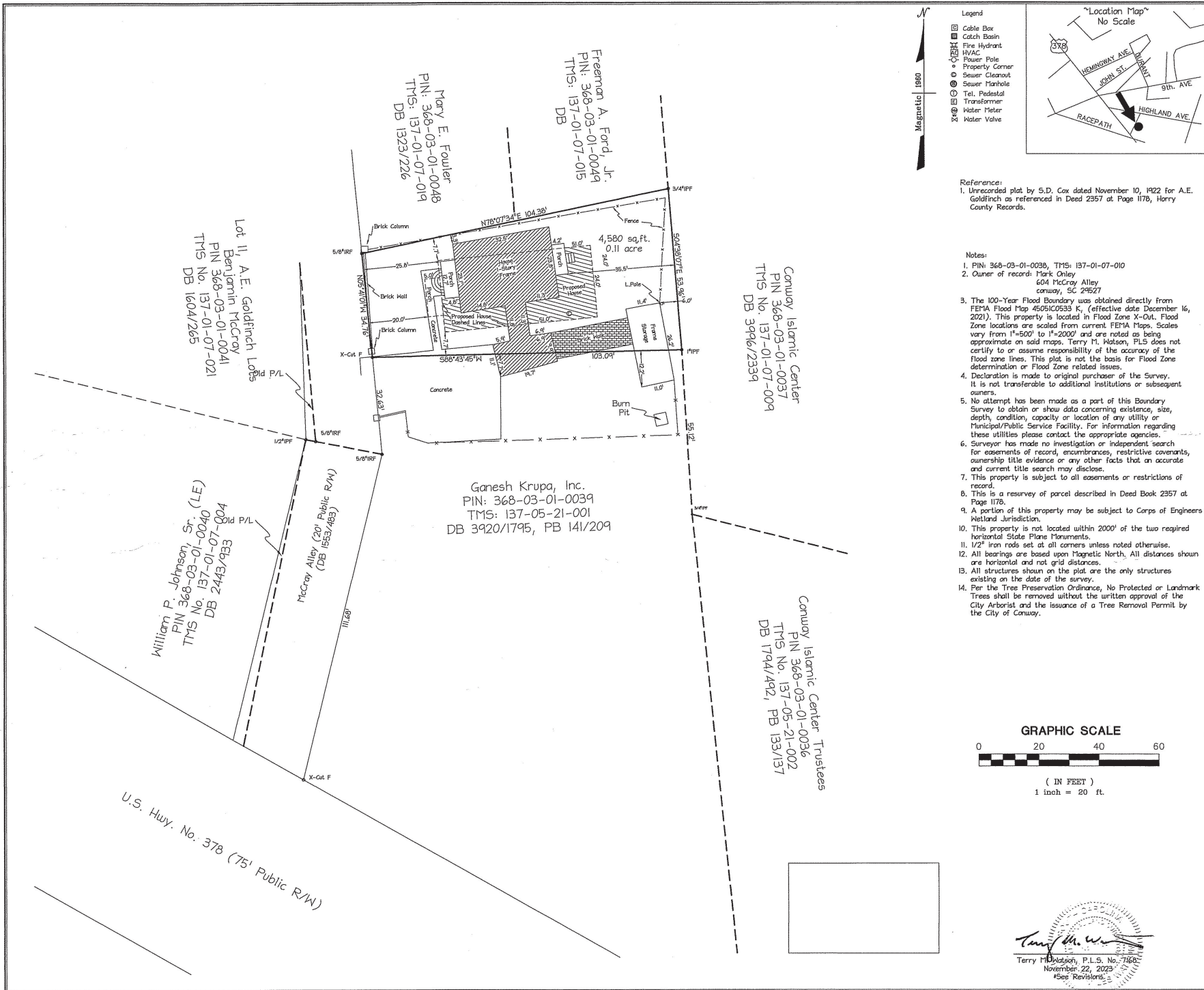
**A REPRESENTATIVE MUST BE PRESENT AT THE MEETING TO HAVE YOUR REQUEST HEARD.**

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print name legibly: \_\_\_\_\_

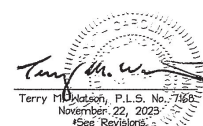
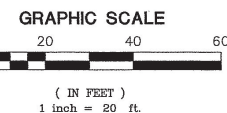




- Legend
- Cable Box
  - Catch Basin
  - Fire Hydrant
  - HVAC
  - Power Pole
  - Property Corner
  - Sewer Cleanout
  - Sewer Manhole
  - Tel. Pedestal
  - Transformer
  - Water Meter
  - Water Valve

Reference:  
1. Unrecorded plat by S.D. Cox dated November 10, 1922 for A.E. Goldfinch as referenced in Deed 2357 at Page 1178, Horry County Records.

- Notes:
- PIN: 368-03-01-0036, TMS: 137-01-07-010
  - Owner of record: Mark Onley  
604 McCray Alley  
Canway, SC 29527
  - The 100-Year Flood Boundary was obtained directly from FEMA Flood Map 45051C0533 K, (effective date December 16, 2021). This property is located in Flood Zone X-Out. Flood Zone locations are scaled from current FEMA Maps. Scales vary from 1"=500' to 1"=2000' and are noted as being approximate on said maps. Terry M. Watson, PLS does not certify to or assume responsibility of the accuracy of the Flood zone lines. This plat is not the basis for Flood Zone determination or Flood Zone related issues.
  - Declaration is made to original purchaser of the Survey. It is not transferable to additional institutions or subsequent owners.
  - No attempt has been made as a part of this Boundary Survey to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility or Municipal/Public Service Facility. For information regarding these utilities please contact the appropriate agencies.
  - Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.
  - This property is subject to all easements or restrictions of record.
  - This is a resurvey of parcel described in Deed Book 2357 at Page 1178.
  - A portion of this property may be subject to Corps of Engineers Wetland Jurisdiction.
  - This property is not located within 2000' of the two required horizontal State Plane Monuments.
  - 1/2" Iron rods set at all corners unless noted otherwise.
  - All bearings are based upon Magnetic North. All distances shown are horizontal and not grid distances.
  - All structures shown on the plot are the only structures existing on the date of the survey.
  - Per the Tree Preservation Ordinance, No Protected or Landmark Trees shall be removed without the written approval of the City Arborist and the issuance of a Tree Removal Permit by the City of Canway.



**Plot Plan**  
Lot 5, A.E. Goldfinch Lots containing 0.11 acre  
PIN: 368-03-01-0038, TMS: 137-01-07-010  
Canway, Horry County, S.C.  
Prepared for  
**Mark Onley**

Revisions	Job No.	Plot	By	Description
No. 1	TMW-1293	Plot	TMW	Revised Proposed Uses Location
Date	Date	Drawn by	Checked by	Scale
12/04/2023	11/22/2023	TMW	TMW	1" = 20'
				NB: 011-41

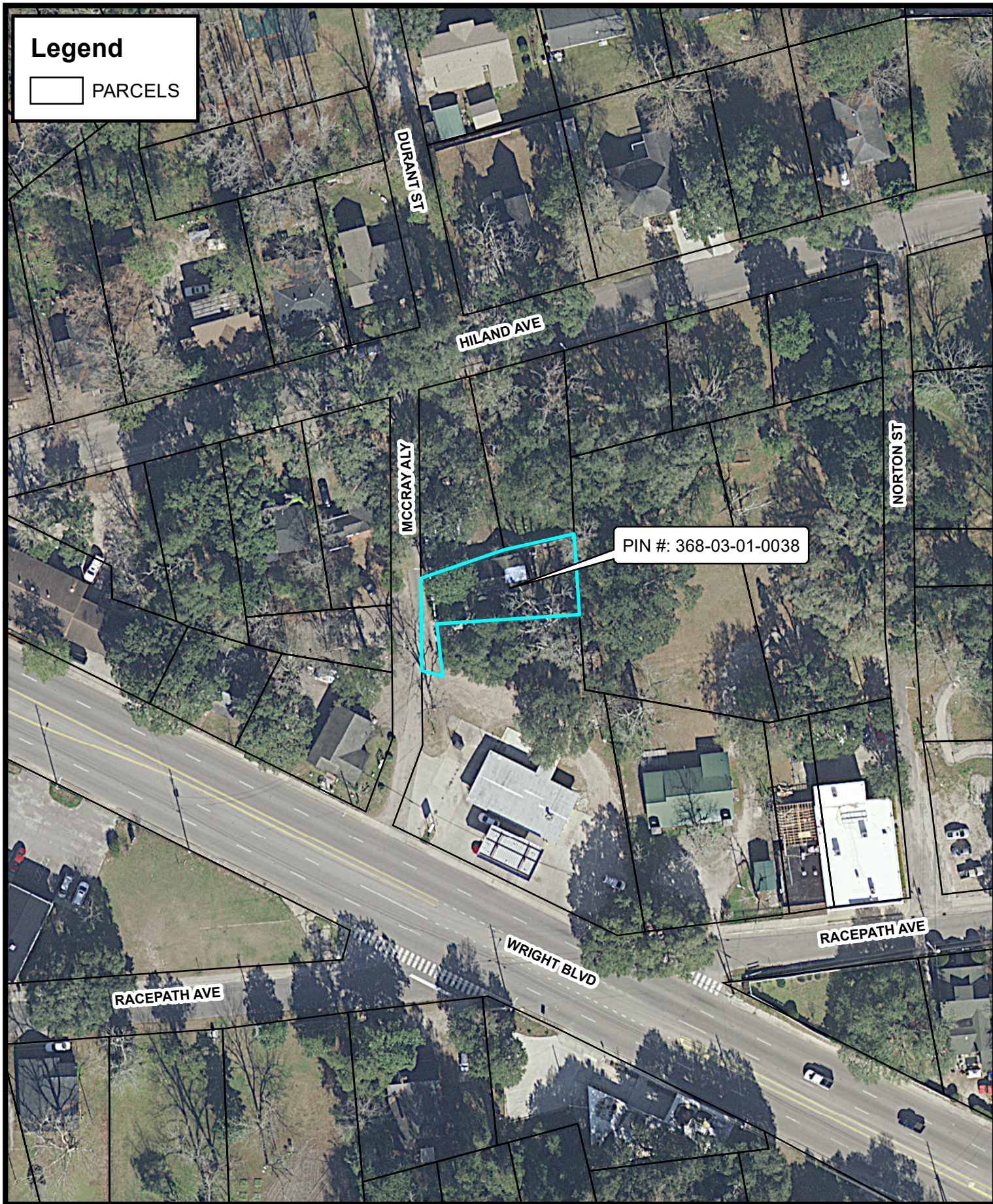
**TERRY M. WATSON, P.L.S.**  
**Surveyors • Land Planners**  
500 McQueen St. • Canway, S. C. 29527  
(843) 802-0798 • surveys@gmail.com



TMW-1293-Plot







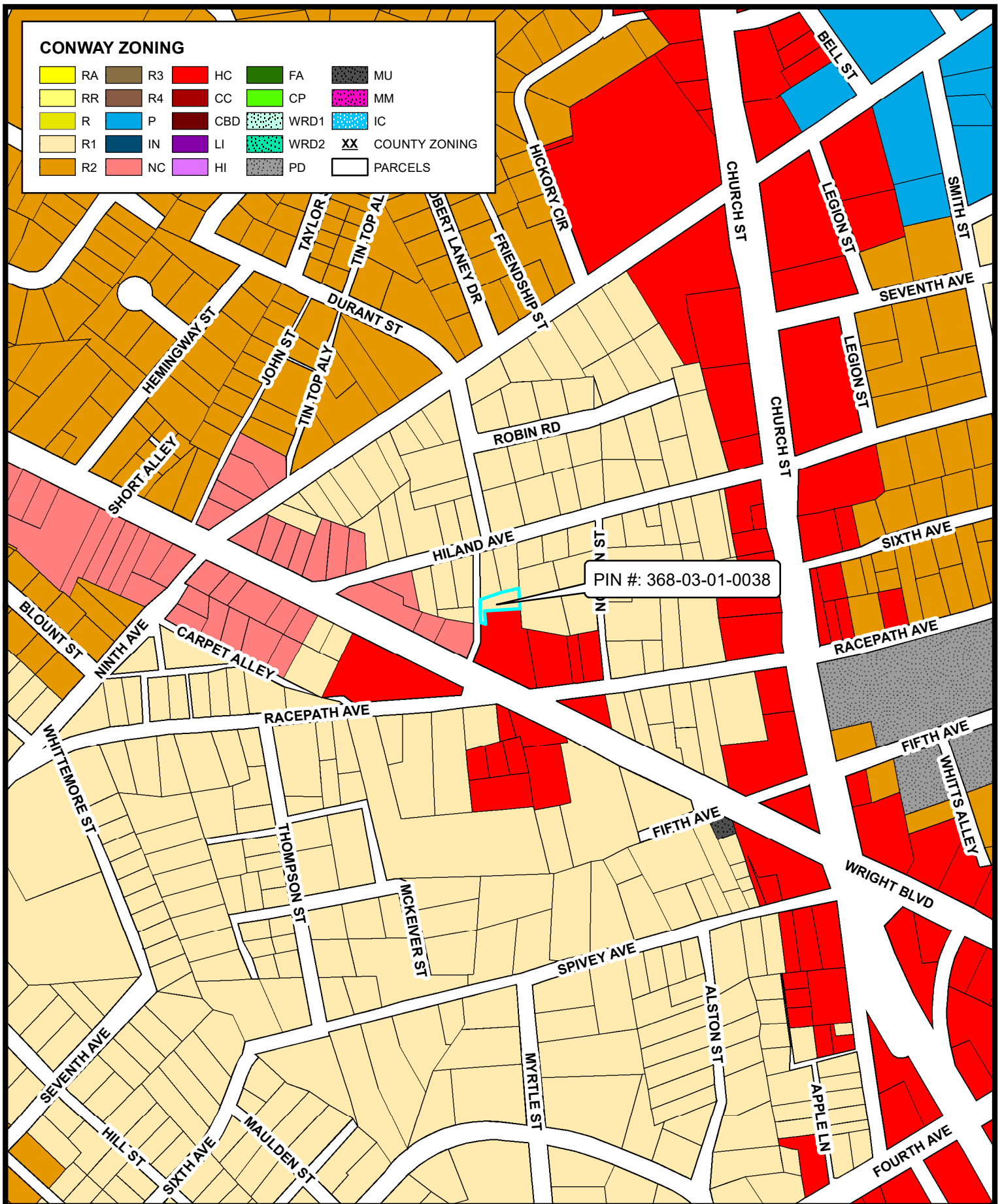
# Legend



PARCELS







**DATE: January 25, 2024**

**AGENDA ITEM: V.B**

**ISSUE:**

Megan Newbold, AIA, with Garvin Design Group and agent for Coastal Carolina University, property owner, request a variance from the strict application of the City of Conway Unified Development Ordinance (UDO), Article 6-Design Standards, for the property located at Highway 544 and University Boulevard. (PIN 382-00-00-0039)

**BACKGROUND:**

The applicant currently has plans in review for a new CCU Indoor Practice Facility. The parcel is zoned Institutional (IN) and is within the Gateway Corridor Overlay (GCO). The initial submittal made the applicant aware that the facility must meet the requirements of the Gateway Corridor Overlay (GCO).

Per **Section 6.3.1-Nonresidential Architectural Design Standards** of the UDO:

*D: P, NC, HC, CC, CBD, GCO, and VCO: Properties that are located outside of the HDRDs shall be reviewed and approved by the Planning Department and shall meet the following architectural design standards:*

*9: "No portion of a building constructed of unadorned concrete masonry units or corrugated metal, sheet metal, exposed metal, and / or manufactured panelized metal wall systems shall be visible in any manner from adjoining developed properties, from existing public rights-of-way, or from adjoining properties which are eligible for future development."*

Though staff can appreciate that the structure is aesthetically appealing, staff's role is to enforce the UDO as written.

The applicant is seeking a variance from:

- **Section 6.3.1-Nonresidential Architectural Design Standards**

*The applicant requests a variance from D-9 of the above section in order to allow exposed metal as part of the façade of the new CCU Indoor Practice Facility.*

*The applicant cites the following reasons for which a variance should be granted:*

***\*\*See attached application.***

### **CITY OF CONWAY UNIFIED DEVELOPMENT ORDINANCE (UDO) & ANALYSIS**

In *Section 14.2.1* of the *UDO*, the duties and powers of the Board of Zoning Appeals reflect *Section 6-29-800* of the South Carolina Code of Laws.

According to *Section 14.1035*, the Board of Zoning Appeals duties are “to hear and decide appeals for variances in specific cases when a strict application of the zoning ordinance would cause an unnecessary hardship, and approval of such variance would not be contrary to public interest or undermine the spirit of the zoning ordinance. The fact that property may be used more profitably if a variance is granted is not grounds for a variance. The Board may attach conditions to a variance that address location, character, or other features of a proposed building, structure, or use, in order to protect the established property values in the surrounding area or to promote the public health, safety, or general welfare of the community. The Board may grant a variance for an unnecessary hardship if it makes and explains in writing all of the following findings.

1. **Extraordinary Conditions:** There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. **Other Property:** The extraordinary and exceptional conditions do not generally apply to other property in the vicinity.
3. **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.
4. **Detriment:** The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting a variance.

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### **RECOMMENDATION:**

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.



City of Conway  
Board of Zoning Appeals  
VARIANCE/APEAL REQUEST

Staff Use Only

Received: \_\_\_\_\_

BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[planning@cityofconway.com](mailto:planning@cityofconway.com)  
[www.cityofconway.com](http://www.cityofconway.com)

Pin#: 38200000039	Zoning District: IN	Meeting Date: January 25, 2024
Property Address: To be determined		
Property Owner: Coastal Carolina University		Daytime phone: (843) 349-2152
Agent: Garvin Design Group		Daytime phone: (803) 212-1032
Agent's E-Mail Address: mnewbold@garvindesigngroup.com		
Number of Variances Requested: 1		

**Requested Action:**

- ☒ I am requesting a **variance** from the strict application of the Unified Development Ordinance (UDO). **To my knowledge there are no Deed Restrictions on this property that would prohibit or conflict with my variance request.** Please continue to the following section.
- ☐ I am requesting an administrative **appeal** of the action or decision of the Zoning Administrator, which I believe to be contrary to the meaning of the Conway Unified Development Ordinance (UDO). Please continue to page three.

**VARIANCE REQUESTS:**

Please demonstrate how you satisfy the following **CRITERIA FOR VARIANCE** (see § 14.2.1 of the Conway Unified Development Ordinance).

**Please describe your proposal in detail:**

Although not generally permitted within the Gateway Corridor Overlay, insulated metal panels are the industry-standard for indoor athletic practice facilities. We've taken a sensitive aesthetic approach to the cladding, utilizing neutral colors along with brick veneer and ground-face masonry units that complement other CCU facilities on campus. Renderings of the proposed material palette, including the metal panels, are attached for reference.

**This proposal does not conform to the Unified Development Ordinance in the following way:**

UDO Section and Requirement:	Proposed Instead:
1. 6.3.1.D.9 does not allow corrugated metal, sheet metal, exposed metal, and / or manufactured panelized metal wall systems	Proposed building materials include insulated metal wall panels
2.	



City of Conway  
Board of Zoning Appeals  
VARIANCE/APEAL REQUEST

Staff Use Only

BS&A #: \_\_\_\_\_

1. Describe the extraordinary conditions pertaining to your particular piece of property:  
This property is located south of CCU's Brooks Stadium, in between University Blvd to the north and an existing pond to the south. The west elevation faces Highway 544.  
Following industry standards for Indoor Practice Facilities, the primary structure should be a pre-engineered metal building clad with insulated metal panels and masonry veneer.

2. Are the conditions described above particular to your piece of property? Explain.  
Yes, the location of this project has been strategically selected to provide amenities adjacent to and in support of CCU's existing athletic programs. The materials on the building should directly complement Brooks Stadium through the use of brick veneer, ground-face CMU, and exposed structure in neutral colors, but the nature of the Indoor Facility requires cladding to conceal the steel structure.

3. Would the strict application of the Zoning Ordinance prohibit or unreasonably restrict the use of your property? Explain.

Yes, the large scale required for a building to house a football practice field makes it financially impractical to clad the entire volume in conventional building materials. The use of insulated metal panels along with brick, ground-face CMU, and glazing systems makes this project financially feasible. If other cladding materials need to be installed in lieu of metal panels, it is unlikely that CCU can afford to build this facility.

4. Will the granting of the variance harm adjacent property, the character of the area or the public good? Explain:

No, the proposed building materials will be in harmony with the surrounding campus character. Brick veneer and ground-face CMU are featured prominently on the west facade facing Highway 544. Metal panels on this elevation are secondary to large window bays, masonry, and bracket and trellis detailing. Pilasters provide relief on the longer elevations.

**and;** "Is the variance request initiated because of hardship and **not** to increase the profitability of the property?"

The development of this project is in service of student athletes at CCU and is not influenced by profitability. As a public, academic institution, CCU is mindful to build facilities that are not only sensitive to cost but best serve its students, faculty, and staff.

**Application Requirements:**

- A completed BZA application including required signatures (incomplete applications will not be accepted)
- A filing fee of two hundred and fifty dollars (\$250.00)
- A digital site plan illustrating property lines, existing structures, proposed structures and any other relevant site information. (may be emailed to [planning@cityofconway.com](mailto:planning@cityofconway.com))

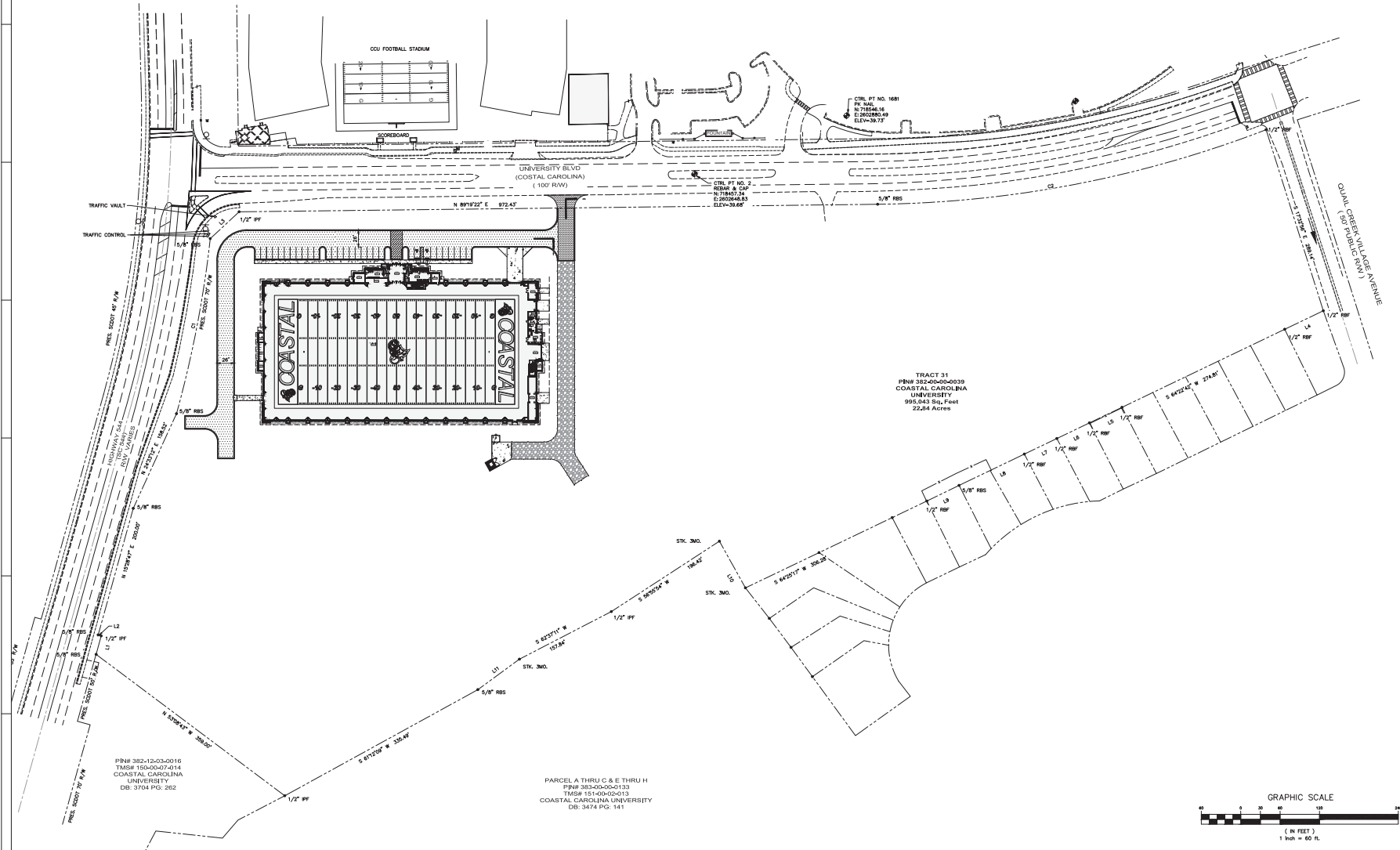
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be inspected, and that all required material will be submitted to the City of Conway Planning Department no later than **thirty (30) days prior to the meeting date**. Board of Zoning Appeals meets the **4th Thursday of each month (except November)** at **5:30PM** at the Planning & Building Dept., 196 Laurel Street. (unless otherwise posted). I understand that it is my responsibility to obtain all necessary approvals from other city departments.

**I also acknowledge that once my property is posted, the signs can only be removed by an agent of the City of Conway are to remain in place until retrieved.**

**A REPRESENTATIVE MUST BE PRESENT AT THE MEETING TO HAVE YOUR REQUEST HEARD.**

Applicant's Signature: Megan Newbold Date: 12/21/2023

Print name legibly: Megan Newbold, AIA



NOTES AND LEGENDS

1. SEE DRAWING C-100 FOR NOTES AND LEGENDS.

OPTION A

THIS OPTION REFLECTS IMPROVEMENTS ON THE EASTERN SIDE OF THE BUILDING RELATIVE TO VEHICULAR ACCESS IF CONSTRUCTION ON THE NEW UNIVERSITY BUILDING IS NOT COMPLETE BY THE TIME THE INDOOR PRACTICE FACILITY IS COMPLETE.



AS E&AL

AS E&AL

PROJECT TITLE  
**COASTAL CAROLINA UNIVERSITY  
INDOOR PRACTICE FACILITY**

STATE PROJECT NUMBER H17-6624-AU  
UNIVERSITY BLVD,  
CONWAY, SC 29526

NO.	REVISIONS	NAME	DATE

DRAWN BY	AS E&AL
CHECKED BY	CONWAY

DRAWING TITLE  
**OVERALL STAKING PLAN -  
OPTION A**

**100% DESIGN DEVELOPMENT**

PROJECT NO.	08922	DRAWING NO.	<b>C-201</b>
DATE	12/15/2023		



**SURROUNDING CONTEXT**  
**BROOKS STADIUM**



- 1 BRICK VENEER
- 2 GROUND-FACE CMU
- 3 EXPOSED METAL, GRAY



**SIMILAR FACILITIES**  
**STANDARD MATERIALS**



UNIVERSITY OF SOUTH CAROLINA  
BRICK VENEER, KALWALL GLAZING, AND INSULATED METAL PANELS



CLEMSON UNIVERSITY  
BRICK VENEER, KALWALL GLAZING, AND INSULATED METAL PANELS



**PROPOSED RENDERING**  
**VIEW FROM 544**

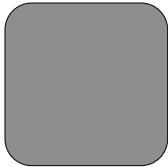

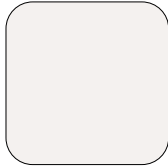

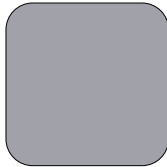





CCU INDOOR PRACTICE FACILITY

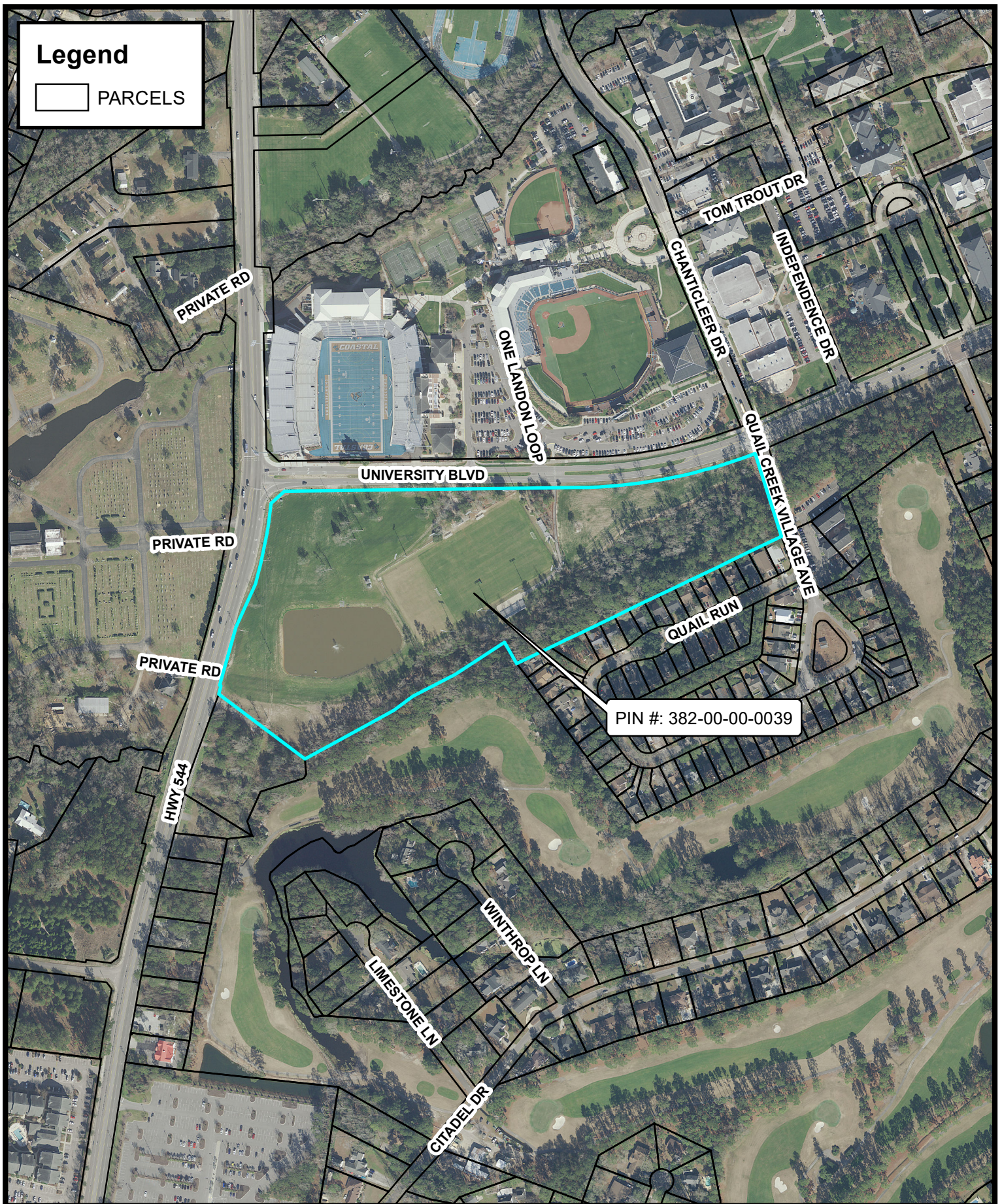


ENLARGED 3D VIEWS  
PROPOSED MATERIALS & COLOR PALETTE

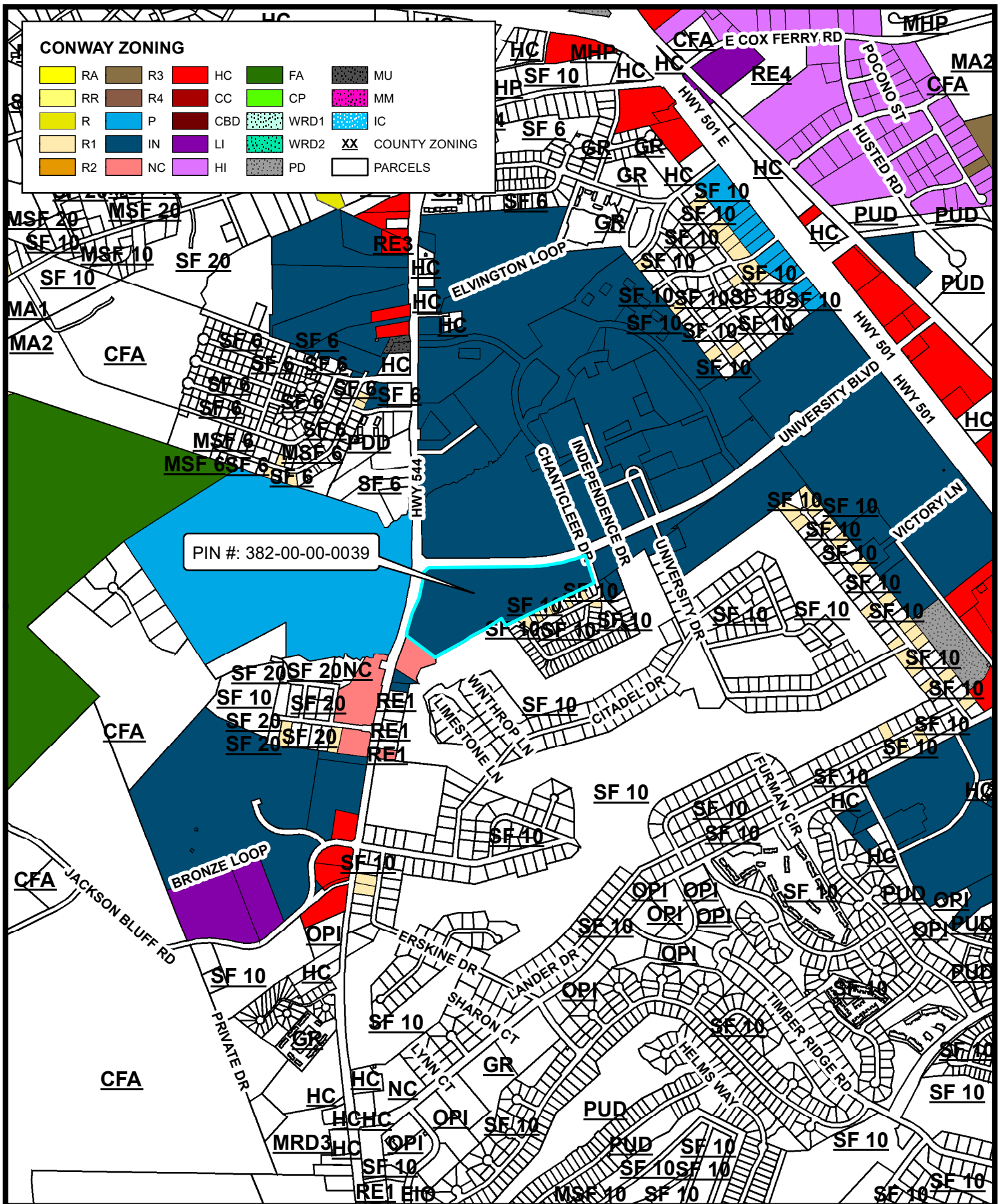


①	②	③	④	⑤	⑥	⑦	⑧
							
RIBBED IMP (H) TUNDRA	STRIATED IMP (V) SLATE GRAY	STRIATED IMP (V) SNOW WHITE	UNINSULATED (V) CHARCOAL	ROOF PEARL GRAY	BRICK CCU STANDARD	GROUND FACE CMU 4302	KALWALL WHITE









DATE: January 25, 2024

AGENDA ITEM: V.C

**ISSUE:**

Matthew Norris with DN Engineering and T. Van Davenport, agents for Shannon Burchett, property owner, request a variance from the strict application of the City of Conway Unified Development Ordinance (UDO), Article 6-Design Standards, for the property located at 2206 Church Street.

(PIN 338-08-04-0001)

**BACKGROUND:**

The parcel is zoned Highway Commercial (HC) and was annexed into the City of Conway as Highway Commercial in 2006. The applicant is proposing a Commercial Strip Center on this parcel.

The City of Conway's Technical Review Committee (TRC) has reviewed a one-page sketch plan which triggered a comment concerning the dumpster location.

Per **Section 6.6.2 – Mechanical Equipment, Dumpster, Recycling, and Trash Handling**, of the UDO:

- **B: Location.** *The location of all utilities and trash handling facilities shall be in the rear or side yards. No such facilities shall be located in any yard adjacent to a public street.*

The parcel is a corner lot with Highway 501 (Church Street) as the front yard and Village Street as the corner front yard. If the dumpster is placed on the parcel meeting the UDO requirements, it will be against the residential parcels that abut this parcel in the rear and on the side. Reggie Jenerette, Sanitation Director, has approved the location along Village Street for the purposes of sanitation trucks entering and exiting with the condition that the applicant follow the City of Conway's Double Dumpster Specs. (*attached*)

**Section 6.6.2 – Mechanical Equipment, Dumpster, Recycling, and Trash Handling**, of the UDO also states:

- **C-2: Screening.** *The Appropriate screening includes: A wall OR opaque fence (excluding chain-link), a minimum of six (6) feet in height and constructed of materials approved by TRC. **Shrubs, earth berm, and/or understory trees may be required in conjunction with a fence/wall to further obscure such facilities.***

Staff has not seen a landscaping plan yet but should the variance be granted, staff would like the board to consider adding a condition that additional landscaping be utilized in conjunction with the wall or fence to further obscure the dumpster facility.

The applicant is seeking a variance from:

- **Section 6.6.2 – Mechanical Equipment, Dumpster, Recycling, and Trash Handling**  
A variance to allow the dumpster facility to be located in the corner front yard along Village Street with the condition that the dumpster facility be screened by the required wall or fence as well as additional landscaping to further obscure the facility from the public right-of-way and adjacent properties.

*The applicant cites the following reasons for which a variance should be granted:*

**\*\*See attached application.**

#### **CITY OF CONWAY UNIFIED DEVELOPMENT ORDINANCE (UDO) & ANALYSIS**

In *Section 14.2.1* of the *UDO*, the duties and powers of the Board of Zoning Appeals reflect *Section 6-29-800* of the South Carolina Code of Laws.

According to *Section 14.1035*, the Board of Zoning Appeals duties are “to hear and decide appeals for variances in specific cases when a strict application of the zoning ordinance would cause an unnecessary hardship, and approval of such variance would not be contrary to public interest or undermine the spirit of the zoning ordinance. The fact that property may be used more profitably if a variance is granted is not grounds for a variance. The Board may attach conditions to a variance that address location, character, or other features of a proposed building, structure, or use, in order to protect the established property values in the surrounding area or to promote the public health, safety, or general welfare of the community. The Board may grant a variance for an unnecessary hardship if it makes and explains in writing all of the following findings.

1. **Extraordinary Conditions:** There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. **Other Property:** The extraordinary and exceptional conditions do not generally apply to other property in the vicinity.
3. **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.
4. **Detriment:** The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting a variance.

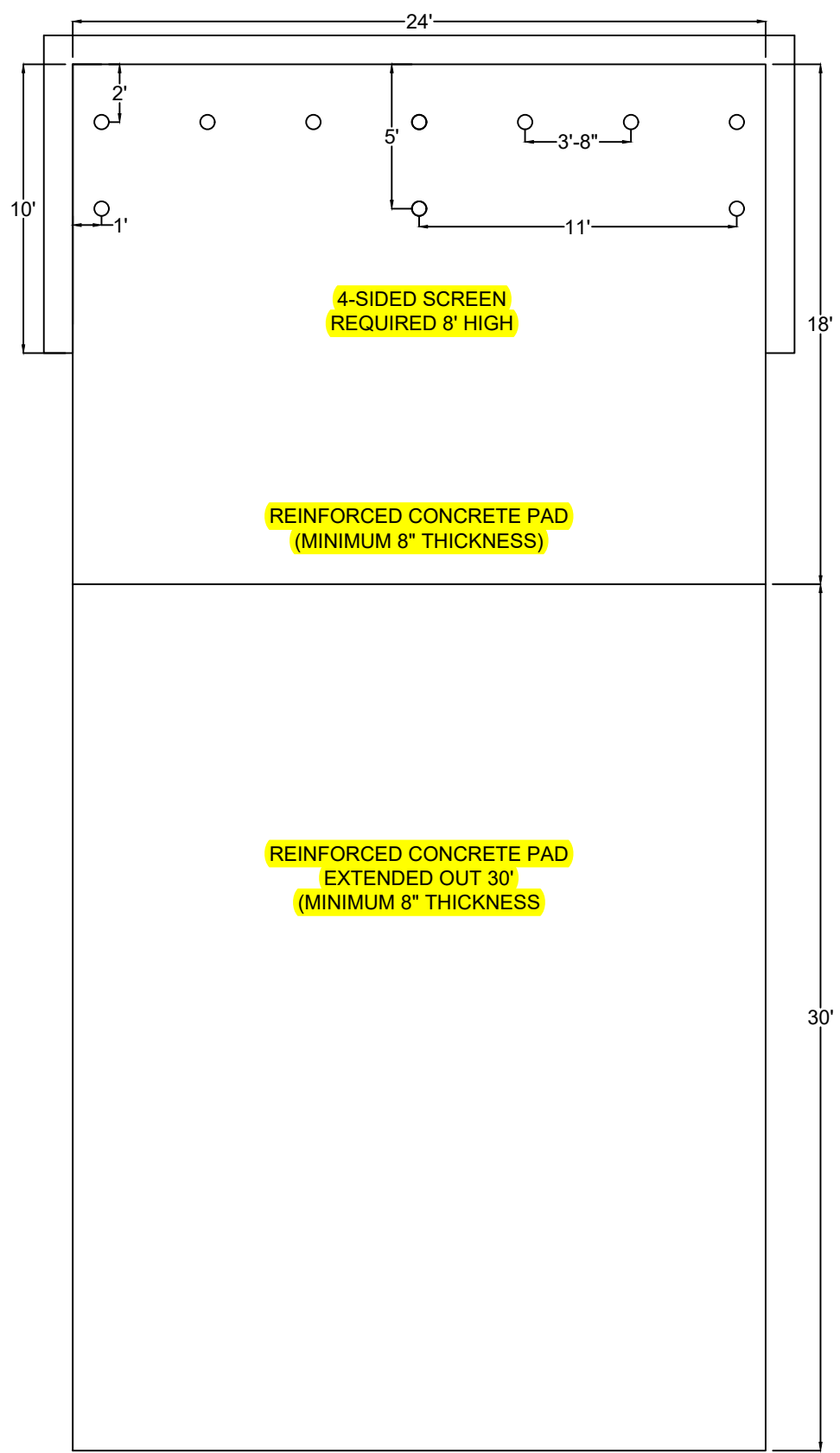
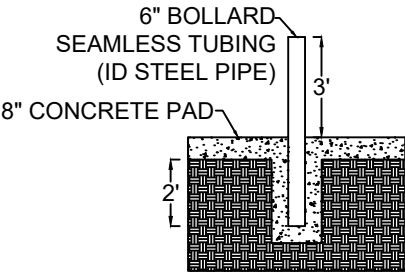
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#### **RECOMMENDATION:**

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.

# CITY OF CONWAY STANDARD DOUBLE DUMPSTER PAD SPECIFICATIONS

- NOTE:
- 1.) A clearance of 24" above the dumpster is necessary.
  - 2.) No electrical lines or cable lines are permitted in the area.
  - 3.) All collection within the City of Conway must be provided by the City.
  - 4.) A turn around area is required within 50 feet of the dumpster pad.





City of Conway  
Board of Zoning Appeals  
VARIANCE/APPEAL REQUEST

Staff Use Only

Received: \_\_\_\_\_

BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[planning@cityofconway.com](mailto:planning@cityofconway.com)  
[www.cityofconway.com](http://www.cityofconway.com)

Pin#:	Zoning District:	Meeting Date:
Property Address:		
Property Owner:		Daytime phone:
Agent:		Daytime phone:
Agent's E-Mail Address:		
Number of Variances Requested:		

**Requested Action:**

- ☐ I am requesting a **variance** from the strict application of the Unified Development Ordinance (UDO). **To my knowledge there are no Deed Restrictions on this property that would prohibit or conflict with my variance request.** ***Please continue to the following section.***
- ☐ I am requesting an administrative **appeal** of the action or decision of the Zoning Administrator, which I believe to be contrary to the meaning of the Conway Unified Development Ordinance (UDO). ***Please continue to page three.***

**VARIANCE REQUESTS:**

Please demonstrate how you satisfy the following **CRITERIA FOR VARIANCE** (see § 14.2.1 of the Conway Unified Development Ordinance).

Please describe your proposal in detail:

This proposal does not conform to the Unified Development Ordinance in the following way:	
UDO Section and Requirement:	Proposed Instead:
1.	
2.	





City of Conway  
Board of Zoning Appeals  
VARIANCE/APEAL REQUEST

Staff Use Only

BS&A #: \_\_\_\_\_

1. Describe the extraordinary conditions pertaining to your particular piece of property:

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2. Are the conditions described above particular to your piece of property? Explain.

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3. Would the strict application of the Zoning Ordinance prohibit or unreasonably restrict the use of your property? Explain.

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4. Will the granting of the variance harm adjacent property, the character of the area or the public good? Explain:

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**and;** "Is the variance request initiated because of hardship and **not** to increase the profitability of the property?"

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**Application Requirements:**

- A completed BZA application including required signatures (incomplete applications will not be accepted)
- A filing fee of two hundred and fifty dollars (\$250.00)
- A digital site plan illustrating property lines, existing structures, proposed structures and any other relevant site information. (may be emailed to [planning@cityofconway.com](mailto:planning@cityofconway.com))

I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be inspected, and that all required material will be submitted to the City of Conway Planning Department no later than **thirty (30) days prior to the meeting date**. Board of Zoning Appeals meets the **4th Thursday of each month (except November)** at **5:30PM** at the Planning & Building Dept., 196 Laurel Street. (unless otherwise posted). **I understand that it is my responsibility to obtain all necessary approvals from other city departments.**

**I also acknowledge that once my property is posted, the signs can only be removed by an agent of the City of Conway are to remain in place until retrieved.**

**A REPRESENTATIVE MUST BE PRESENT AT THE MEETING TO HAVE YOUR REQUEST HEARD.**

Applicant's Signature: T. Van Davenport Date: \_\_\_\_\_

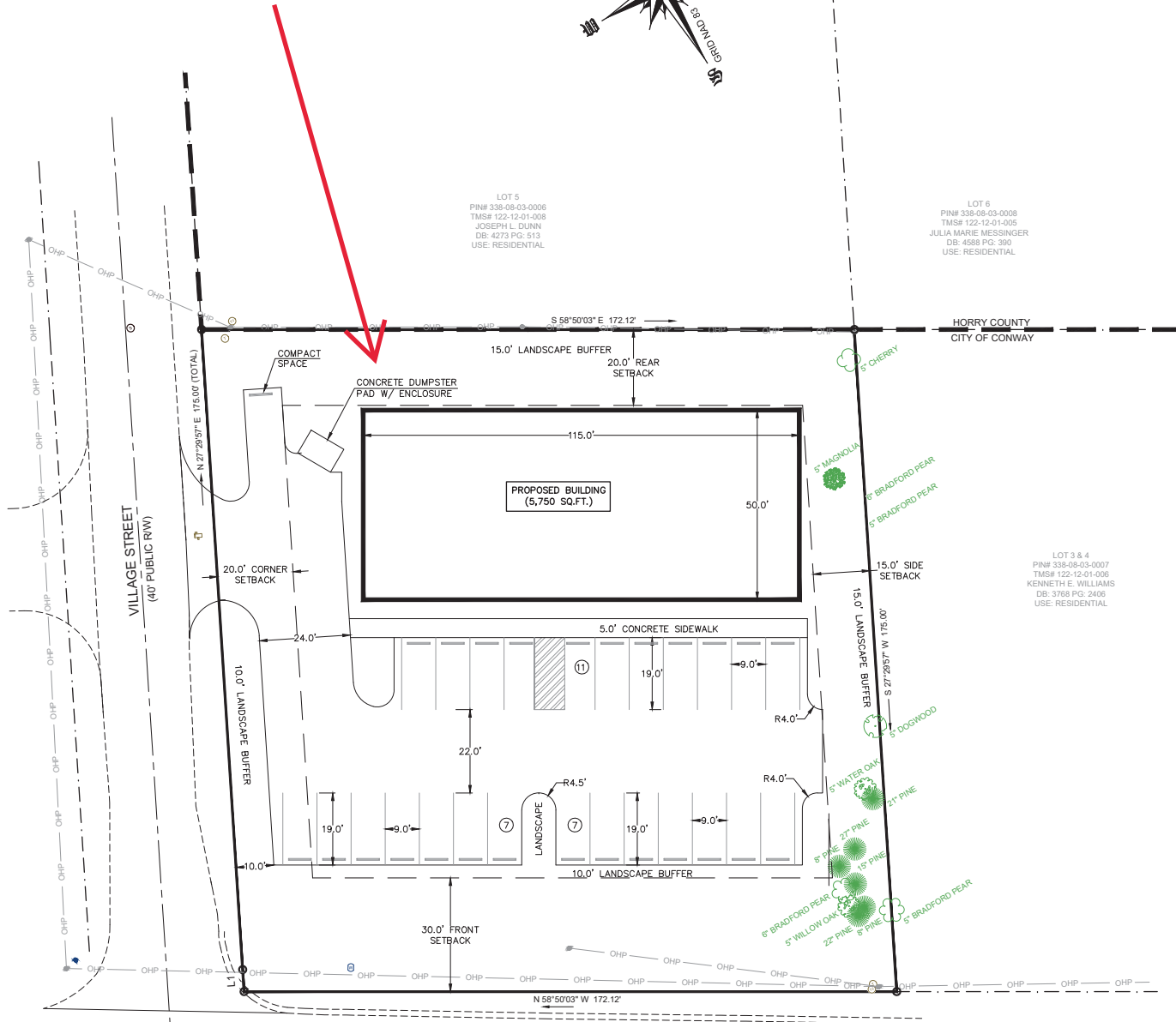
Print name legibly: \_\_\_\_\_



LOT 5  
PIN# 338-08-03-0006  
TMS# 122-12-01-008  
JOSEPH L. DUNN  
DB: 4273 PG: 513  
USE: RESIDENTIAL

LOT 6  
PIN# 338-08-03-0008  
TMS# 122-12-01-005  
JULIA MARIE MESSINGER  
DB: 4588 PG: 390  
USE: RESIDENTIAL

HORRY COUNTY  
CITY OF CONWAY



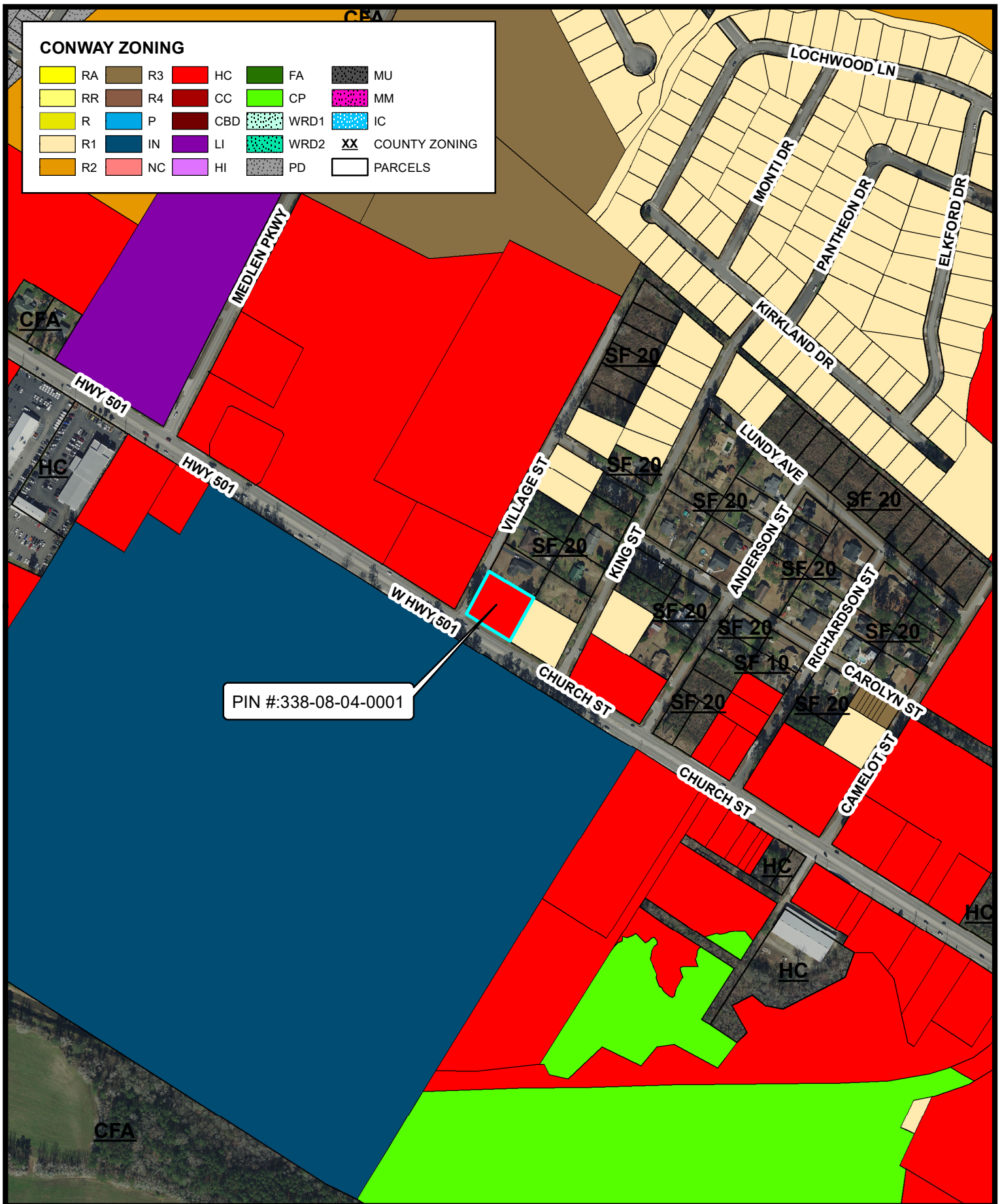
LOT 3 & 4  
PIN# 338-08-03-0007  
TMS# 122-12-01-006  
KENNETH E. WILLIAMS  
DB: 3768 PG: 2406  
USE: RESIDENTIAL

U.S. HIGHWAY 501  
(75' PUBLIC R/W)









CITY OF CONWAY

**2024 Board of Zoning Appeals - 5:30 pm**

Deadline	Meeting Date
December 27, 2023	January 25, 2024
January 24, 2024	February 22, 2024
February 28, 2024	March 28, 2024
March 27, 2024	April 25, 2024
April 24, 2024	May 23, 2024
May 29, 2024	June 27, 2024
June 26, 2024	July 25, 2024
July 24, 2024	August 22, 2024
August 28, 2024	September 26, 2024
September 25, 2024	October 24, 2024
October 23, 2024	November 21, 2024
November 20, 2024	December 19, 2024