



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes - Final Board of Zoning Adjustments

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Tuesday, March 19, 2019

1:30 PM

Municipal Center

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### 1. Call to Order

### 2. Roll Call

**Present** 5 - Doug Gilmore; Sean Stem; Rick Miles; Max Dacus Jr. and Jerry Reece

### 3. Approval of Minutes

[MIN-19:027](#)

MINUTES: February 19, 2019

Minutes from the February 19, 2019 BZA Meeting.

**Attachments:** [BZA Minutes from February 19, 2019 Meeting.pdf](#)

**Approved**

**Aye:** 4 - Sean Stem; Rick Miles; Max Dacus Jr. and Jerry Reece

### 4. Appeal Cases

[VR-19-02](#)

## VARIANCE: 4706 Prospect Farm Road

Mark Morris of Mark Morris Construction is requesting a variance for address 4706 Prospect Farm Road for a setback variance to allow for an encroachment into the rear 25 sq. ft. building setback with the new setback being 9.81 sq. ft. off of Aggie Road. This is located within an R-1 Single Family Medium Density District.

**Attachments:**     [Application.pdf](#)  
                              [Bill of Assurance.pdf](#)  
                              [Site Plan.pdf](#)  
                              [Variance Request Letter.pdf](#)  
                              [SWPPP large site.pdf](#)  
                              [Tree Preservation Map.pdf](#)  
                              [ADEQ.pdf](#)  
                              [Application for Commercial Building.pdf](#)  
                              [Pictures.pdf](#)

Mark Morris of Mark Morris Construction is requesting a variance for address 4706 Prospect Farm Road for a setback variance to allow for an encroachment into the rear 25 sq. ft. building setback with the new setback being 9.81 sq. ft. off of Aggie Road. This is located within an R-1 Single Family Medium Density District.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that Mark Morris could not be here today. We had bought some lots at Prospect Farms. You guys should have all the information that we sent ahead of time. We have run into the issue with that street being widen. Also, with 60 percent of the lot being taken up with easements. We are running with a difficult challenge to put a house on there with the setbacks. We have presented a plan that would encroach on that back line. We are asking for your permission to do that.

**BZA CHAIR:** Doug Gilmore stated looks like you have some of the easements resigned.

**APPLICANT:** David Stark with Rausch Coleman Homes stated yes. I have taken some pictures as of this morning which show the sidewalk and how much room we would have and you see that behind there that shows it pretty well. When you are on the lot there is still another - when you are on the property line and the sidewalk there is still alot of room back there. So we just feel like the ability to put this house on there we still be able to give a nice looking back yard and would not encroach or have any visibility problems on the road. That is what we are asking to do.

**COMMISSION:** Jerry Race stated was that lot an issue before.

**STAFF:** Derrel Smith stated that it was another subdivision. It was a similar situation, but another subdivision.

**COMMISSION:** Jerry Race stated ok.

**COMMISSION:** Sean Stem asked Derrel if a fence is put up is it basically going to follow that green line or the blue line. Which one will it be on that is on this plat?

**STAFF:** Derrel Smith stated that the blue line is probably the edge of the right of way. The Green line would be the line.

**COMMISSION:** Sean Stem asked how far from that blue line.

**APPLICANT:** David Stark with Rausch Coleman Homes stated about 15 ft showing from this drawing. Here is some pictures maybe you would like to see them maybe you would not, but it shows the sidewalk and the property line. We have quit abit of distance back there before we get to the property line. It wasn't on one of your pictures.

**STAFF:** Derrel Smith stated that the green line is a utility easement.

**COMMISSION:** Sean Stem asked how far is the sidewalk from the property line where the fence would be roughly.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that is all I have I did not come with a distance.

**COMMISSION:** Sean Stem it would be the same as the neighbor.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that I also took a picture of his fence right there and how far it is off there. Therefore, you would not know the difference I do not think.

**COMMISSION:** Rick Miles asked so that sidewalk is at the back of the property.

**APPLICANT:** David Stark with Rausch Coleman Homes stated yes that is along Aggie Street over there. I took the pictures hopefully to give you a better illustration. I did take one more picture. That shows the property line from the sidewalk. I did not measure and I wish I had done that. It is a good distance from the sidewalk to that property pin back there. Again, I wish I had done that. I do not have the measurements, but I could certainly get it though.

**COMMISSION:** Rick Miles asked if there was something built on 4710.

**APPLICANT:** David Stark with Rausch Coleman Homes stated there is houses on each side of the property. This is right in the cul-de-sac and each side has house on it.

**COMMISSION:** Rick Miles asked how is this going to line up with the other two houses.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that the front would line up with the front setback on the other houses.

**COMMISSION:** Rick Miles asked what caused this to get off in that lot. Is the lot not deep enough.

**CHAIR:** Doug Gilmore stated the easements.

**COMMISSION:** Rick Miles asked the easement itself.

**CHAIR:** Doug Gilmore stated that it took alot of the property. You see that 20 ft wide easement going thru there to the left of the home.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that evidently Aggie Street had been widen and it push some of this encroachment in is what I'm reading here and we bought the property as it sets today. The 1500 ft home was set back when and Aggie Street pushed that encroachment in. I was reading this that 60 ft of this lot was taken up in some form of easement or setback. It gives us about 32 percent to build on.

**STAFF:** Derrel Smith stated that they realigned the intersection. Originally it kind of came around a curve and they T'd the intersection. This was the one lot that was affected the most by that.

**COMMISSION:** Rick Miles asked the Bill of Assurance is how much.

**APPLICANT:** David Stark with Rausch Coleman Homes stated 1500. We tried to look to see if we could do a two-story home to meet that, but the bottom floor requires a 1300 sq. ft. So there again we ran the traps on that one as well. This home that we have is over the 1500 sq. ft requirement. This is only home we could find that would set on this lot.

**COMMISSION:** Rick Miles asked is they had started building this.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that we have not applied for this. We have cleared the lot, had some trees removed and done just some prep work.

**COMMISSION:** Jerry Reece asked if this would adhere to the Homeowners Bill of Assurance.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that it would.

**COMMISSION:** Jerry Reese stated it would still follow line for that.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that as far as I know.

**CHAIR:** Doug Gilmore stated it says no least than 1500 sq. ft.

**COMMISSION:** Sean Stem stated that is part of the problem trying to adhere to that he could not go with a two story.

**COMMISSION:** Max Dacus Jr ask if a fence would be put on that back line. Is that something that you do or is it the homeowner's responsibility.

**APPLICANT:** David Stark with Rausch Coleman Homes stated that typically, we would leave it up to the homeowner, but when we sent this to you we said that we would go ahead to offset were maybe it would not be as obvious. In the document we sent you, we stated that we would be willing to put up the rear

fence.

No public comment.

A motion was made by Sean Stem to grant variance as long as the rear fence is installed, seconded by Max Dacus Jr., that this matter be Approved. The motion PASSED with the following vote.

**Aye:** 4 - Sean Stem;Rick Miles;Max Dacus Jr. and Jerry Reece

[VR-19-03](#)

VARIANCE: 4706 E Highland Drive

Michael Boggs of Tralan Engineering on behalf of Highland Kathleen, LLC is requesting a variance for address 4706 E Highland Drive to wavier the curb and gutter along the south side of the proposed drive and to replace the hard surface with limestone surface on the future storage lot. This is located in C-3 General Commercial District.

**Attachments:**     [Application.pdf](#)  
                              [Site Plan.pdf](#)  
                              [Letter.pdf](#)  
                              [Aerial View.pdf](#)

**APPLICANT:** Michael Boggs of Tralan Engineering on behalf of Highland Kathleen, LLC is requesting a variance for address 4706 E Highland Drive to wavier the curb and gutter along the south side of the proposed drive and to replace the hard surface with limestone surface on the future storage lot for Williams Equipment off of Kathleen and Highland. This is located in C-3 General Commercial District.

**CHAIR:** Doug Gilmore ask how long do you want this variance for.

**APPLICANT:** Michael Boggs of Tralan Engineering stated their goal if you look at this site plan an area there they are wanting to sell heavy equipment as in excavators, dozers etc. placed out there in that with asphalt or concrete you know maneuvering that stuff around eventually will be a lot of wear and tear so we are looking to put like a limestone drive or limestone lot for that heavy equipment. We will have that limestone parking there for the equipment but the drive will be all the way to their existing property. It will be curb and guttered on the north side all the way, but on the south side just curb and gutter to the property line. Then it will die down, leave curb, and gutter off so they will have access to that storage yard. That is a future time we have not done the site plan for that, but I thought since we were coming before I would try to go ahead and get the hard surface done. They want to fence that in with sort of a decorative fencing along Highland and Kathleen sort of make it look nice, but still have functionally of the heavy equipment and storage for equipment and sales.

**COMMISSIONER:** Sean Stem asked is not that something we have gotten into before. If we give a variance on the hard surface, it has to be enclosed.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that this would be enclosed.

**COMMISSIONER:** Sean Stem asked if there were gates going at the entrance.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that there would be gates at the entrance.

**COMMISSIONER:** Max Dacus Jr asked this is the south side that you are talking about curb and guttering that is what faces is Highland.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that yes it would be on the south side of that drive coming in. That proposed drive we have going across the north line of that property. I am just talking about the south curb line of that driveway is what we are not wanting to put in.

**COMMISSIONER:** Max Dacus Jr stated oh just the curb line of the drive. You will be having things pulling in and out of there.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that yes that is where they will be pulling equipment and coming across.

**CHAIR:** Doug Gilmore stated that is where they will be coming across.

**COMMISSIONER:** Max Dacus Jr stated yes that would break that off.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that the storage area is in the future. About a year or so out from that. If we put the curb in now to get the plan thru eventually we will have to come back to take that off for the parking lot storage area. It would be just a waste of money with \$15.00 per foot for curb. We can do something better with that. That is why we are asking for the variance.

**COMMISSIONER:** Jerry Reece asked if future plans called for putting it back.

**APPLICANT:** Michael Boggs of Tralan Engineering stated No it will not be back. Not along that south line that is where that storage yard will sort of meet up butt up against that. There will probably be curb and gutter along the edges of that. They will have an area of limestone for the storage yard and they will have sort of a barrier to back up to. Along that, edge there no sir.

**STAFF:** Derrel Smith asked what about doing a 48 ft. wide drive to get equipment in and out.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that having that entire curb off that and having that being able to butt up to, it would be better use.

**STAFF:** Derrel Smith stated that it would make it look better coming in to the business if you have curb on both sides.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that it would have curb on both sides into the property line.

**STAFF:** Derrel Smith stated that if you get a wide enough drive you could get equipment or a semi in there.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that the curb would come around the parking where the parking is going to be at. It will eventually curb all around except along that edge of the driveway.

**CHAIR:** Doug Gilmore stated that you want to be able to pull a piece of equipment off in there at any point.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that to bring a semi

in that takes still a big area. To bring a semi in off that. Big wide drive sometimes is not big enough to get in there.

**STAFF:** Derrel Smith stated have you not put a template down to see what it would take to get a semi in there.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that I ran a template for getting a semi thru the parking and back out to Kathleen. Inside that area, that storage area to me they are going to have to back up in there. I doubt if they could turn back in and get out of there.

**COMMISSIONER:** Max Dacus Jr asked the SB2 that is on the front southeast corner what is that is that something existing.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that is existing concrete.

**COMMISSIONER:** Max Dacus Jr stated oh that is concrete.

**COMMISSIONER:** Sean Stem asked what kind of stuff they are going to be storing out there.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that it would be new equipment like dozers, excavators, heavy equipment. They are looking to get in the retail side of that not just the rental side.

**CHAIR:** Doug Gilmore stated that you mean I can rent a dozier.

**COMMISSIONER:** Rick Miles asked how far in on Kathleen are you going to curb and gutter.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that we could take it back on the setback line 10 ft. in or so. Per that new ordinance, this falls in the special overlay district on Highland Drive so you have to be 25 ft. and you cannot have any parking or hard surfaces in that 25 ft. of the property on the front and then it will be 10 ft. on the side of Kathleen.

**COMMISSIONER:** Rick Miles asked actual curbing stops would it be hard to go ahead and take the curbing to that.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that to that point right there that she is showing. We can do it to there. Leave the straight stretch open.

**COMMISSIONER:** Sean Stem stated that 185 ft surely a semi could pull thru that opening.

**APPLICANT:** Michael Boggs of Tralan Engineering stated that pulling in there but trying to be turned around in that storage area.

A motion was made by Max Dacus Jr. bring in the curb on the south side all the way to the mark all the way where the radius stops 184.4 ft. and perimeter of this property is to be fenced and gated at the driveway, seconded by Sean Stem, that this matter be Approved. The motion PASSED with the following vote:



**Aye:** 4 - Sean Stem;Rick Miles;Max Dacus Jr. and Jerry Reece

**5. Staff Comments**

**6. Adjournment**