



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Board of Zoning Adjustments

Tuesday, February 20, 2024

1:30 PM

Municipal Center, 300 S. Church

1. Call to Order

2. Roll Call

Present 4 - Doug Gilmore; Max Dacus Jr.; Rick Miles and Casey Caples

Absent 1 - Kevin Bailey

3. Approval of Minutes

[MIN-24:014](#) MINUTES FROM JANUARY 16, 2024

Attachments: [BZA MINUTES - JANUARY 2024](#)

A motion was made by Casey Caples, seconded by Rick Miles, that this matter be Approved . The motion PASSED with the following vote.

Aye: 3 - Max Dacus Jr.; Rick Miles and Casey Caples

Absent: 1 - Kevin Bailey

4. Appeal Cases

[VR-24-07](#) VARIANCE REQUEST: 210 E JOHNSON

Jonesboro Public Schools is requesting a variance for the total number of shrubs required by the landscaping ordinance. This site is located in the C-3 LUO, general commercial district with a limited-use overlay.

Attachments: [AS101 - ARCHITECTURAL SITE PLAN](#)
[C-001 - CIVIL PLAN](#)
[Signed Application](#)

Tabled until the April meeting - 4/16/2024

[VR-24-08](#) VARIANCE REQUEST: 220 PURNELL

Craig and Sarah O'Brien are requesting a variance from the street improvement standards for Purnell Lane. The site is located in the R-1, single-family medium-density district.

Attachments: [OBrien - BZA Variance App](#)

O'Brien's (Proponent): I am Sara O'Brien, Craig O'Brien, and we are requesting a variance for curb and pavement. The current Purnell Lane is paved to almost the edge of our property line. And you can kind of see it on the aerial but currently there is a gravel round about, that is what the post office uses, for our neighbors as well, they use that roundabout and deliver mail on each side of our driveway. So, we have submitted another proposal as far as what we would like to do, which would be to, pave the driveway to meet the existing pavement if that would be an option and we could have the variance, there is no curbs on the existing Purnell Lane; It is only 12 foot wide. So, that is what we're requesting. As far as the right of way they're requesting a 30 foot. But then that would make our drive go straight down to the end, where the blue is ending. Which is going to affect the mail going across their driveway, is what we're seeing in the paperwork. That's the reason why we were looking at trying to get a variance to change it to what we have in the diagram to what you see there in red. To meet the existing asphalt in that direction. Which that is giving up all that the stuff in the middle. And we of course didn't know about this till about, July when we came in to get a conditional use. We plan to put a manufactured home on the property and we approved for the conditional use for the manufactured home. We went in October and purchased the home and it's on deadline to be done today. Now we have a home that's going to be here that we can't even get a building permit for because of the driveway situation or the building permit is not being approved because there has not been a plat put on file. None of this stuff was mentioned in the beginning and we're walking through this and that was also the reason the previous owner gave up the property. We didn't know that and that's why they put it up for sale again, because of the city street.

Doug Gilmore (Chair): So you own this outlined in red?

O'Briens (Proponent): Yes.

Doug Gilmore: That's all your property and on that property, where is the home going to sit?

O'Briens: It's going to sit right there. Where it's cleared out some.

Doug Gilmore: Gotcha and so, are you going to take the driveway all the way to the home?

O'Briens: Yes, what we have in red there, and it could go a little further, because we have to find where exactly it's going to sit.

Doug Gilmore: And this bottom loop of this and you say that's where the mailman does his route.

O'Briens: It was already there when we purchased the property, the gravel lane. As far as our drive right now, it's currently gravel but we do plan to pave it. The other issue is they want it to be 13 foot wide and the current street is only 12 foot wide.

Doug Gilmore: Oh, the city is asking for your driveway to be 13?

O'Briens: No, the actual street.

Doug Gilmore: Is the street the blue?

O'Briens: The blue would be continuing up to the rest of Highway 91. I do have, a current minor plat. I don't know if it's been approved by the city, that we've had drawn up. I haven't submitted it to the city but I do have a copy of it if you want it.

Doug Gilmore: We can pass it around for now.

(Unable to transcribe)

Rick Miles (Board): So what's being questioned? It's just this area coming off of the circle drive going back to the lot itself. Is that what they're talking about?

Derrel Smith (City Planner): Yes.

Rick Miles: And where are we asking for the curb and guttering?

Derrel Smith: There is no curb or guttering on Purnell now, but it be from here, going up there.

Rick Miles: All the way in?

Derrel Smith: Yes.

Max Dacus: They want to make that drive public?

Derrel Smith: They have to make city water and light to serve 'em, they won't serve if it's not on a public street.

O'Briens (Proponent): That's another thing, we have already got our electric permit, and we have our water permit. There's already a city water light meter out there. It's already hooked up actually and we got all that even before we got the building permit. Just another thing that we that we realized. This is what we've run into, we've dumped about \$15,000 in the conduit in the ground, and had it ready for a temporary poll, to find out when we had to get it inspected by the city, that the city would not inspect it because we did not have a building permit. We were issued a reconnect permit which was wrong. And we were also issued a water permit which should not have been issued, before a building permit was even issued. We didn't know that. Everything was backwards. We would have had this situation taken care of a year ago but this process has really been a situation. And we've also had this property for almost 2 years and we have helped clean the street. We personally maintain it. The city hasn't plowed or salted the entrance. It is, from Dan Avenue and goes down, the last time it snowed he actually plowed it. We own an asphalt company so he's done all of that. He's even moved tree debris from the street. The city does not maintain it.

Doug Gilmore (Chair): It sounds like you've worked through your city water light problem.

O'Briens: Not totally we got the water turned on, it was turned on no problem with the water permit. But we can't get temporary power or anything until the city inspects our electrical meter.

Doug Gilmore: Derrel, explain to us the situation here. This is a driveway not a city street, am I wrong in assuming that?

Derrel Smith: The issue is the city ordinance says you'd have to have an improved street in front of your residence, this was annexed in from the county and there was no street there.

O'Briens: It's a street but Purnell is not paved in front of our property. However there is a house that extends even further than ours but they were annexed in from the county.

Board: Derrel, is the street going into 214 that's right above them? Is it paved and curbed and guttered?

O'Briens (Proponent): No it's gravel

Derrel Smith (City Planner): I'm sure it's not.

Board: It actually stops just before their drive. So Purnell, it is paved up to the circle?

O'Briens: The circle is not paved, it is paved up to the circle though.

Board: So that's where it stops. Right at the opening of the circle itself.

O'Briens: Yes sir.

Board: It seems like they're just trying to do an extension from Purnell to their home.

Doug Gilmore (Chair): Not, really it's a driveway.

Board: That would fall under a different category.

O'Briens: That is what the city is requesting yes, that we do an extension of Purnell,

Doug Gilmore: That will you allow you to get into your home.

O'Briens: Well, we can get into our home, but it's gravel.

Doug Gilmore: But your address is actually on Purnell.

O'Briens: That's right. But it's on the upper loop, just like the diagram is drawn.

Doug Gilmore: I'm gonna ask a question that I think seems obvious, why wouldn't you pave the loop?

O'Briens: Because the loop is not all our drive. We don't own all that. And when I was talking to Michael Morris, about this I asked him, I'm just confused at where the street is even supposed to go. And he said that he agreed and that it would look weird. But he said that was code.

Doug Gilmore: That's why we exist, to do things that are weird, so there you go.

Rick Miles (Board): I know this is probably a stupid question but I'm going to ask it anyway, is the city maintaining Purnell to the loop?

O'Briens: No sir.

Derrel Smith: It is a public street.

Doug Gilmore: There's no evidence by the things you've seen.

Derrel Smith: No whether it's maintained, I can't tell you, but it's a public right of way.

Rick Miles: My question is if it's stopped right there at the loop, would it not

Derrel Smith: Where the loop starts is not on their property. Their property starts south of the loop. Or actually at the east of the loop.

Rick Miles (Board): So, when Purnell starts into the loop and it breaks the right of way that's where it stops? That's where the city stops and they pick it up as private drive from that point?

Derrel Smith (City Planner): As of right now, yes.

Rick Miles: And the bottom half of that loop don't belong to anybody?

Derrel Smith: This minor plat dedicates that last 60 feet, or 30 feet, half of it as a public right of way.

Unable to transcribe

Max Dacus (Board): If it was like the rest of the street, if it was black topped to the edge of their property line.

Derrel Smith: By this dedication, foregoing the 30 foot of right of way across the front of their property, they would have right of way now. The rest of it you'd have to ask city water light. I can't help you.

O'Briens: Can I say something real quick? They've already given us water. We've already had them come out and inspect the ground where the pole would be serviced. They've already come out and replace the pole that I had made an access to, that's further back on the corner, they have already replace a pole. I have fixed all of that for them to be able to do that, while it was exposed. What they won't do, because we don't have a building permit, we haven't had the electrical box inspected by the city and they can't produce any temporary power because we don't have a plat on file that's approved by you guys. City water and light have already done work on the property, we have water on the property.

Rick Miles: So, they're just waiting on you to show proof of a building permit.

O'Briens: For the city to be able to inspect our electrical box and then for them to come in and put in the temp pole. We have everything ready for them but we're waiting on the city for approval. And that's where we're at is we didn't know you guys didn't have a plat on file. But it was filed with the state.

Casey Caples (Board): So from what I see we got, they're asking for a variance to reduce the width of the driveway slash extension to Purnell, reduce it from 13 feet which code requires to 12 feet to match Purnell and also not do the curb and gutter, along the sides of this extension or driveway.

O'Briens: So far as the pavement goes, we're asking not to do the extension of Purnell going straight, we're asking if we could just-

Unable to transcribe.

Board: That's where you're coming in and going out.

O'Briens: Right, if you guys require us to do the straight extension what we would do is just make our driveway meet the straight extension. Our current water meter and the neighbors is in that loop. I don't know about the Purnell house but the 214 their water meter is in that loop, it sits in the middle.

Rick Miles (Board): So to appease city water and light they gotta take their asphalt all the way to where the house is going to exist. Is that correct?

Derrel Smith (City Planner): No, they have to get it across to the east side of property. That's 60 foot and that's what's required by code. What they're wanting to do is instead of doing that is extend the driveway all the way to the house.

Board: We've dealt with a similar situation off Woodsprings road, we didn't ask them to make a curb and gutter it just had to extend through the property.

Unable to transcribe

Casey Caples (Board): They want to come down this way, and attach to there but the city wants them to do what the code state is they gotta go straight across here correct?

Derrel Smith: Yes

Casey Caples: In order to meet code you gotta bring it down to this bottom property line.

Rick Miles: From both sides?

Casey Caples: No, I think that's what she mentioned, if that was the case, and they were required to bring it down they would just take this and extend it straight in.

O'Briens (Proponent): Which will also go on top of the already existing water meters.

Rick Miles: That's why I asking, if they came down and brought it to here, what that not appease city water and light?

Unable to Transcribe

Rick Miles: You're process in what you are doing, is you're wanting to move your house in, what's your timeline, for going ahead and paving the rest of your drive all the way to the house?

O'Briens: We'll pave it as soon as the house is placed.

Rick Miles: Which could be with in what?

O'Briens: Since we have to lay the foundation, and we haven't even had a chance to get a building permit yet, we would love to get in by April.

Rick Miles: I'm going to make a suggestion, if you're going to try and appease city water and light, to get what you really need so that you can go forward with your house, I would go ahead and pay that 60 dollar fee and get them on your side. And then as you go forward, if we have the ability at that stage to issue you a building permit, then you're ready to go forward with the process of getting everything prepared for the home itself. Allowing you a little more time before you pave the drive the rest of the way in. Does that make sense?

O'Briens (Proponent): I see your suggestion but we never knew we had an issue with the city water and light, I mean, I see where you're coming from, but, we have city water and light on our side.

Rick Miles (Board): Well, apparently not.

O'Briens: It's not city water and light, it's the fact that we do not have a plat that's approved on file with the city, because it never got filed with the city and we don't have a building permit. So we can't do anything without that building permit, ethically we are out of the city code law. Could we even lay the asphalt?

Derrel Smith (City Planner): Rick, y'all can issue a variance not to require that

30 by 60 section to have curb, gutter, or asphalt. Or you can require it just to have asphalt, it's up to y'all but they were going to need a variance before they can get a building permit.

Rick Miles: The city can't issue a building permit till we get past this?

Derrel Smith: That is correct.

Rick Miles: Alright, that makes more sense.

O'Briens: And this is just a side note, let me we're pretty much going to be taking care of our neighbors. Our neighbors do not all know that, 50 percent do the other 50 percent don't. Which is the Purnell house we haven't had a lot of contact with them. But we have talked to 214 and the house next to them, they know what we would like to do in the maintaining of it. Because it's never been maintained, by the city or the county. We want to do what is right. We also are up against our deadline for the bank so that's the reason, they're waiting for information from us, what the approval is from the city, what we can do and what we have to get completed before the building permit is implemented.

Doug Gilmore (Chair): Y'all got any more questions please?

Casey Caples (Board): Mr. Chair, I'd like to make a motion that we approve the variance that would allow the owners too on that 60 foot extension to match Purnell as far as the width and the curb and gutter. So they would not have to install curb and gutter and go to a 12 foot drive, on the extension across the road front.

Rick Miles: I'll second that.

Doug Gilmore: Everybody understand what we're voting on? You want to read that back?

Casey Caples: They have to extend to Purnell 60 feet across, the front of their property, Purnell is 12 foot wide, I think we should allow the variance to go from 13 to 12 foot wide on that extension and then also allow not to have to install curb and gutter so that it matches because it doesn't have curb and gutter.

Rick Miles: That's matching Purnell right? All the way down.

Casey Caples: Yes that would allow that extension to come down in front of their property.

A motion was made by Casey Caples, seconded by Rick Miles, that this matter be Approved . The motion PASSED with the following vote.

Aye: 3 - Max Dacus Jr.;Rick Miles and Casey Caples

Absent: 1 - Kevin Bailey

[VR-24-09](#)

VARIANCE REQUEST: 2200 RED WOLF BLVD

Tralan Engineering, Inc. Is requesting a variance for the overlay district's greenspace, landscaping, and signage requirements and increased lot coverage of 60% to 78%. This site is located in the C-3 LUO, general commercial district with a limited-use overlay and within the overlay district.

Attachments: [24-001 2200 Red Wolf Expansion-BZA Site Plan](#)
 [BZA Application](#)
 [BZA application-signed by owner](#)
 [certified mail receipts](#)

Rob (Proponent): Rob, with Stonebridge, representing the variance request for Tralan Engineering and the owners of the property. This was developed about

10 years ago for Premier Auto and we're doing a 3 thousand square foot addition on the south side of the building and that triggered a few things with some of the overlay district, with sidewalks and landscaping requirements, and so forth. When this building was built obviously that wasn't in play so there's a few things out of the current code. We're asking for a greenspace reduction we're at 78 percent, which we're actually increasing the greenspace cause we're cutting in islands that were not there currently. We're asking for the existing sign to remain, it is 16 foot, on Red Wolf. Landscaping will be as per plans that we presented in the documents and that the existing finishes on the building to remain, currently it is all glass along the bottom, with stone and brick. We are going to on the rear of the building, currently it's a metal building across the rear, so we'll be taking that off and putting back brick to match.

Doug Gilmore (Chair): So, we're gonna take this one thing at a time, so with this new plan are you meeting the new overlay district greenspace?

Rob: No, currently the building, I don't have the square footage but it's probably 90 percent coverage on the greenspace currently.

Doug Gilmore: But you're adding more greenspace?

Rob: We're actually adding more greenspace even with the addition of the building. Cause we're cutting in islands around the building.

Doug Gilmore: Let's assume for the moment that it is 90 percent and if you add even a little it'll be over. Are you saying with the landscaping that there is 90 percent of what's required?

Rob (Proponent): No, sire, I'm saying the lot coverage area is about 90 percent currently, we're actually adding more greenspace than what is currently there because we're taking parking spot areas and making them landscape bed.

Rick Miles (Board): You're taking them out to add the addition, but then you're adding the greenspace along with it at the same time.

Doug Gilmore (Chair): Far as the sign requirement, you want the sign to be grandfathered in.

Rob: Yes sir

Doug Gilmore: And you're increasing the lot coverage, by the building itself? From 60 to 78?

Rob: Not the building, total coverage area of improvements, and like I said that's a requirement that's changed in the 10 years since this building has been built, we implemented a 60 percent coverage area for the zoning.

Doug Gilmore: Have y'all disclosed what could possibly be located here?

Rob: We don't have all the tenants we have 1 tenant, and I don't know if it's public or not but the addition is Stanton Optical, I don't know about the other tenants that's the new addition portion. That's who the tenant is but, I don't think they've tied down other tenants. This is just improvements, this with that addition is what sparked this request.

Rick Miles: Is the addition you guys are actually putting in, is it matching the existing building?

Rob: Yes, sir and the finishes. And what's triggered this is that we're doing an addition to the building, we can go in and renovate the existing building and put tenants in it and leave everything like it is, sidewalks, landscaping, none of that stuff would change, but we felt the better use for the property because of all the parking was to do a little bit of an addition to it. Even though we may be spending a quarter of a million dollars of improvements on the outside of the building. To bring it into compliance with the things that we could.

Doug Gilmore: Now with these additional tenants is that sign gonna change as far as-

Rob: The sign itself will change right now, the pole is still there but they've

removed the actually signage from it, we plan on putting it back the same height as the existing. I believe it was 16 feet.

Rick Miles: Instead of being an individual sign for that one location it's going to be a multi listing sign? Do you have a design of what it will look like?

Rob: No.

Rick Miles: Is that something that would need to be in this request Derrel?

Derrel Smith: If you don't sign the variance, they're sign limit is going to be 12 feet. So, they're wanting the additional 4 feet.

Unable to Transcribe

Derrel Smith (City Planner): They're just looking at height right now. They want that additional 4 feet that the original pole gave.

Rick Miles (Board): With the square footage they're still going to have to go through the signage and get all that approved.

Derrel Smith: They'll have to submit permits and get it approved yes.

Rob (Proponent): Yeah, we'll have to, because the sign was removed but the pole is still there.

Rick Miles: Right, you're going from a single entity on the sign to multiple.

Rob: Yes, when we have to get a permit for that we'll submit drawings then.

It's just the height requirement based on the overlay is 12 foot, as Derrel was saying so we're trying to get that handled under this variance as well if at all. Currently we're looking at 3 tenants so we felt like the height works for that. We'd do three panels on each side.

Rick Miles: Derrel how does the city feel about this?

Derrel Smith: I didn't know about the sign till today it wasn't on the application but I'm not sure 4 feet would make up much difference since it's already there now. They meet the landscaping requirement it's the open space that they don't meet. But most people won't be able to tell, they'll see over 20 percent green space but they won't see the open space.

Rob: The drawback is without the variance, most likely we would pull back and put that tenant inside that existing building and leave everything the same. With no sidewalks, no additional landscaping, that's what allows us the funds to be able to do that, and allow a little more wasted space. But we're trying to bring in as much as we can as far as sidewalks and landscaping cause we feel like that adds value to the property. It'll exceed anything in the vicinity because it was all developed prior to this.

Casey Caples (Board): That'll make that corner lot, look better than what it is right now, just building and asphalt.

A motion was made by Rick Miles, seconded by Casey Caples, that this matter be Approved . The motion PASSED with the following vote.

Aye: 3 - Max Dacus Jr.;Rick Miles and Casey Caples

Absent: 1 - Kevin Bailey

5. Staff Comments

Public Comments:

Alyssa Baldwin (Public): Alyssa Baldwin, 927 West Matthews, is there any update on 516 Gee Street?

Doug Gilmore (Chair): It's been pulled, so therefore nothing new has been presented to the city.

Alyssa Baldwin: It's an ugly building. So, no updates at this point?

Doug Gilmore: No occupancy, nothing is going to happen until something gives.

Alyssa Baldwin: Okay, Thank you.

Doug Gilmore: Anyone else?

Mary Ellen Warner (Public): Mary Ellen Warner, 1003 West Washington Avenue.

I just wanted to say that the reason we came here today, we knew it was pulled, we just want to let you know we are very concerned about this project and some other projects that have not gone on how we hoped they would go, we have an overlay district and that plan we would like it to be implemented. We want some diplomatic trust, that's why we started to come in October because we had these concerns and it has just continued, now they're asking for a variance which is 50 percent, of that 60 percent and we don't want that to continue. We would like the guidelines to be followed that were implemented cause our neighborhood is slowly going away, duplex by duplex and other commercial buildings and we just wanted to voice our opinion today. Thank you so much for listening.

Doug Gilmore: Thank you for coming.

6. Adjournment