



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Board of Zoning Adjustments

Tuesday, July 15, 2025

1:30 PM

Municipal Center, 300 S. Church

1. Call to Order

2. Roll Call

Present 5 - Rick Miles; Casey Caples; Kevin Bailey; Doug Gilmore and Matthew Millerd

3. Approval of Minutes

[MIN-25:061](#)

Minutes: June 17, 2025 BZA Meeting

Attachments: [6.17.25 BZA Minutes](#)

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

Aye: 4 - Rick Miles; Casey Caples; Kevin Bailey and Matthew Millerd

4. Appeal Cases

[VR-25-21](#)

Variance: 2020 Fair Park Blvd.

Ray Flake is requesting a variance for a five-foot-wide sidewalk. The property is in the C-3, general commercial district.

*Certified mail receipts to be attached once received by applicant.

Attachments: [Application](#)
[C03.0-SITE PLAN](#)
[L01.0-LANDSCAPE PLAN](#)

Doug Gilmore (Chair): Let's see, Mr. Flake come up here and tell us what you want to do.

Ray Flake (Proponent): My name is Ray Flake. I am the owner of Civil Engineering Services, the engineer for the Panda Express that we built here in Jonesboro. Just out there to see the building it's actually very beautiful. I was very pleased with it, but in the front there is a five-foot wide sidewalk that we called out on the street, Fair Park Boulevard and it's supposed to be six-foot on either side. And then to the north and the south it doesn't connect to any other sidewalks. It's right now just a sidewalk to nowhere. There is another sidewalk that is a little bit further to the south. It's to Kiddy Daycare, or something I don't know what it is. But it has a sidewalk and it's about five and a half feet. So, it's not six feet either and so what we're asking is for a variance to go from a

six-foot wide sidewalk to a five-foot wide sidewalk there. It's already constructed and in place.

Doug Gilmore: And I guess the five-foot wide sidewalk was on the plan the whole time?

Ray Flake: Correct, and it was approved as a five-foot sidewalk. And that's where the confusion came from is that-

Derrel Smith (City Planner): That is not correct. During the review process, it was called out. The sidewalks had to be six-foot and the revised document showed a six-foot sidewalk. So, that was what was approved was the six-foot sidewalk. That's the reason they got the plans approved to begin with.

Ray Flake: Oh, I apologize, was there another set of plans that showed the six foot?

Derrel Smith: Yes, there was. The approved set of plans showed six-foot sidewalk. They just showed it on the wrong sheet. The architect or engineer, whoever replied to the comments put on there, they called out the sheet. We looked at it and saw the six-foot sidewalk so we approved it. But the original was five-foot and we called that out.

Ray Flake: And see that is something I didn't realize, because these are my stamp plans here that you're seeing and I thought it was approved at 5 foot. So, there is my bad, and that's where I'm sorry but it is now, it's a 5 foot sidewalk out there. And that's what we're requesting with this variance is to go from a six foot to a five foot.

Rick Miles (Board): Is the sidewalk already in?

Ray Flake: Yes, sir. It is.

Rick Miles: Is that noted in any kind of inspection, Derrel, that you know of?

Derrel Smith: We gave them a temporary CO because they had deficiencies and that was one of them.

Casey Caples (Board): They're still under a temporary CO?

Derrel Smith: Yes, sir.

Casey Caples: I think my only concern with it is the ordinance is six foot and where is that gonna stop because then the next neighbor's going to want to go to five foot.

Doug Gilmore: We said the neighbor to the south is five and a half feet?

Ray Flake: That's correct. It's the only sidewalk I think that's in that vicinity.

Kevin Bailey (Board): Derrel, I drove by this site a few weeks ago and there was some work being torn out at the drive and redone-

Derrel Smith: They didn't have the ADA slope correct on the grounds.

Kevin Bailey: Okay.

Ray Flake: And that has been since, accomplished.

Matthew Millerd (Board): Is the only solution to completely tear it out and do a six foot or is there a way.

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Kevin Bailey: So, to go back a step. If it was caught in the comments on the permit review and was revised and submitted and permitted, then it's truly on the builder for not complying with the six-foot sidewalk. And Mr. Flake, I'm not- You're not the builder.

Ray Flake: I agree and Derrel, I'll be honest with you. That, that was the first time I heard that, that it was approved six-foot somewhere else. I don't know if the architect showed six foot or what. This is the site plan that the contractor would have to go with and with that, I'll be honest with you I've been doing this for 30 years and this is the first time I've had to come through and do a screw up of my own. I accept responsibility on this. This is something where there were two sets of comments at the end. One was from public works and one was from planning and I didn't see the planning one and so, with that, we

kept it at five foot on our plan. It was submitted and I thought for sure it was approved with the five foot. The contractor took my plan and there's no way for him to know any different. So, he put in the five-foot sidewalk and then therefore, it's coming back to me and it's saying well, its not our fault. It should be on you and so that's why for the first time, I'm coming in pleading for a variance. Seeing if there's any way. Otherwise it is going to me replacing that sidewalk. And I've done flat work before but it's too hot down here.

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Ray Flake: There's nothing to the south, there's that really nice center that's below us. They don't have sidewalk. Then below them there's a kiddie daycare or something they have a sidewalk but I measured it today and it's just five and a half feet. I know there's some master plan, street plan out there that shows six feet but your regs actually say from four to six feet and your details say four to six feet and so that's what we went by and when we didn't see that comment it's just a series of unfortunate events. The one to the south you could start to widen, again the other one is not six foot so you're already gonna have some variance going down there, if there are ever new sidewalks.

Doug Gilmore: Any other questions or comments?

Ray Flake: Just, thank you for your time.

Rick Miles: Derrel what's the feelings of the city?

Derrel Smith: Should be built to city code. And Mr. Flake if you want to come up here after this, I'll be glad to show you the correspondence and even show you where it is. But they revised it six feet.

Ray Flake: I have since seen it. But I didn't see it at the time.

A motion was made by Kevin Bailey, seconded by Casey Caples, that this matter be Approved . The motion FAILED with the following vote.

Nay: 4 - Rick Miles;Casey Caples;Kevin Bailey and Matthew Millerd

5. Staff Comments

6. Adjournment