



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Board of Zoning Adjustments

Tuesday, February 28, 2023

1:30 PM

Municipal Center, 300 S. Church

SPECIAL CALLED MEETING

1. Call to Order

2. Roll Call

Present 5 - Doug Gilmore;Max Dacus Jr.;Rick Miles;Casey Caples and Kevin Bailey

3. Approval of Minutes

[MIN-23:016](#) MINUTES: January 17, 2023 Meeting Minutes

Attachments: [Jan. 17, 2023 BZA Minutes](#)

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

Aye: 4 - Max Dacus Jr.;Rick Miles;Casey Caples and Kevin Bailey

4. Appeal Cases

[VR-23-03](#) VARIANCE: 1105 Sandino Drive

Andrew Sang is requesting a variance for the location of an existing accessory building. This property is zoned R-3, multi-family high density, and requires all accessory buildings to be located in the side or rear yard.

Attachments: [Application](#)
[Certified Mail Receipts](#)
[Photos](#)

No one present to represent case

[VR-23-04](#) VARIANCE: 5004 Prospect Farm Road

Moss Fencing is requesting a variance for 6' tall fence located in a street facing yard. This property is zoned R-1, single family medium density.

Attachments: [Application](#)
[Certified Letters](#)
[Site Plan](#)

Josh Moss - Moss Fencing: Said he is for Bobby James at 5004 Prospect Farm Road requesting a variance for a 6' tall privacy fence on the street facing side of the house.

Doug Gilmore - Commission: Asked what the circumstances are for this.

Moss: Said the backyard is small and holds a lot of water in that area. They are wanting to gain access on that side of the property.

Gilmore - Commission: Asked if it is a corner lot.

Moss: Said it is a corner lot. Currently as measured on the diagram, previously it measured right at 28' off the curb.

Gilmore - Commission: Confirming he is requesting 6'.

Moss: Confirmed it is 6' and said it causes no obstructions to anyone turning at the corner or the neighbor's driveway.

Gilmore - Commission: Asked if the access from the house is from the driveway side.

Moss: Said that's correct.

Gilmore - Commission: Asked if anyone objects.

(none)

Monica Pearcy – Staff: Said there has been no letters of opposition, but have received receipt of them being notified.

Casey Caples - Commission: Asked if the fence would cause any obstruction to the house behind him.

Moss: Said it would not. Said he spoke to the neighbor and he said he felt comfortable he had enough room.

Caples - Commission: Asked how far the fence is off of the house.

Moss: Said it's 24' off of the house which puts it 28' off of the curb.

Derrel Smith – Staff: Said there's no line of sight problem. Said these are hard lots to get a fence on. Said these have been done in the past and as long as there no line of sight problems or neighbor complains, this is okay.

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

Aye: 4 - Max Dacus Jr.;Rick Miles;Casey Caples and Kevin Bailey

[VR-23-05](#)

VARIANCE: 3311 South Stadium Boulevard - KIA

Jeremy Ellis is requesting a variance for the overlay district requirements; building materials, landscape buffers, and signage. This property is zoned C-3, general commercial.

Attachments: [Application Packet - KIA](#)
 [Neighbor Notification](#)

Jeremy Ellis – Proponent: Said he is requesting a few items for the Kia dealership. Said these items are similar to the some plans they've brought before on the adjoining dealerships. Said the Hyundai dealership will be next door.

Doug Gilmore - Commission: Asked for specifics and how many variances.

Ellis: Said the glass isn't recognized in the overlay as an acceptable finish, but in the case of a car dealership it's a very nice type glass. ACM panels at the top and (unintelligible) around the sides and back. Said the next thing would be the landscape buffer to the east south of stadium to remove the trees on 25 ft. centers and to put low height bushes in their place.

Casey Caples - Commission: Asked if he could explain it once more time and if

it's on the east side against Stadium.

Ellis: Said its running north and south on stadium on the frontage and doing away with the deep landscape buffer with the trees so they can maintain inventory and the lot there and replace it with low landscaping.

Derrel Smith – Staff: Asked if they are planning to remove the trees or move them to another location.

Ellis: Said they have double up on the islands which is part of the request they made last time to reduce the tree islands from 4 parking spaces to 2.

Gilmore - Commission: Asked what the next one is.

Ellis: Said the height of the sign. With only an 8ft sign allowance and taking in consideration the other dealerships north and south along with exiting signage. They would like to increase it to something usual.

Gilmore - Commission: Asking if it's going to be a monument sign.

Ellis: Said it would be a monument sign but 25ft tall.

Caples - Commission: Asked if they are wanting to put it on a pole.

Ellis: Said not a pole.

Max Dacus - Commission: Asked if the ones they are taking out of the front is okay since they doubled up in other places.

Smith: Said as long as they aren't taking the trees out completely and they are somewhere else it would be okay.

Ellis: Said the engineer is with them and they've submitted a grading plans and their accounts do take account the ones that are supposed to be in the front. Said they're also extending Malibu Dr. to the west and landscaping that frontage as well.

Gilmore - Commission: Asked about the sign.

Smith: Said there is no hardship to have a 24ft sign. Said City Council passed that this should be a monument sign and they're supposed to look at the hardship and there is no hardship for this so he sees no reason to grant a variance for the sign.

Gilmore - Commission: Said the façade of the building being tall and good looking would help with visibility.

Ellis: Said the hardship angle is if you look at the other dealerships there they have large signs along with existing signs on the property.

Smith: Said if they do a remodel or change out they will have to go to monument.

Caples - Commission: Asked where the monument sign will be located.

Ellis: said it will be in the North East corner.

Matt Cavanagh – Cavanagh Group: Said the manufacturer is very specific on the full design of the building and the site in terms of what is required on the signage and placement. With where they require the monument sign to be, having a vehicle there fully obstructs it. Said a car dealership is separate from most retail establishments due the inventory is outside and displayed outside as opposed to inside a department store. Said the signage is a hardship to place there and not be obstructed by the merchandise in front of it and this is why they are requesting a variance.

Dacus - Commission: Asked Derrel if there are any allowances for a smaller monument sign but maybe a little taller than 8ft.

Smith: Said they'd consider something more than 8ft.

Ellis: Said they have different heights. A 20ft, 25ft, and a 30ft.

Smith: Said KIA makes smaller signs.

(Unable to transcribe)

Dacus - Commission: Asked if there's a prerequisite from the company that has minimum sign size

Cavanaugh: Said they have lots of specific on everything from the square

footage of the building, each department within the building, the site area, acreage, how many parking spots there are, and yes, signage. Where it's placed, the size of it, the scale of it, it's all very tightly written from the manufacture.

Smith: Said the code will allow up to 12ft, anything more than that is not following code.

Cavanaugh: Asked how to find a compromise. Is it in this setting or another meeting? Is there a motion to table this and come to a decision on the exact height?

Smith: Said they can look at the other 3 and table this one and see what options he can come back with. He said they are looking at if there's a hardship, why can't they meet it? It's what the board is for.

Cavanaugh: Asked if the final decision on the height is done here or in a separate meeting.

Smith: said it's done here and the height the code allows in the overlay district is for 12ft. He said a single occupant can have up to 8ft, multiple occupants are 12ft, and anything more than that has to prove why the hardship and 12ft won't work.

Rick Miles - Commission: Asked if the picture shown with the signage, if that sign is the one.

Ellis: Said no it's the 8ft one. Said it's the same monument style sign that's stretched up.

*The board requested the applicant return with a reworked sign design at a later date.

A motion was made by Casey Caples, seconded by Max Dacus Jr., that this matter be Approved, with the exception of the sign height request. The motion PASSED with the following vote.

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

Recused: 1 - Kevin Bailey

[VR-23-06](#)

VARIANCE: 3315 South Stadium Boulevard - Hyundai

Jeremy Ellis is requesting a variance for the overlay district signage requirements. This property is zoned C-3, general commercial.

Attachments: [Application Packet - Hyundai](#)

Matt Cavanaugh: Asked if this one can be tabled.

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

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

Recused: 1 - Kevin Bailey

[VR-23-07](#)

VARIANCE: Greensborough Village, adjacent to Arvest Bank

Sharada Madhuri is requesting a variance for the Overlay District landscape guidelines. The applicant is proposing a 5' side landscape buffer in place of the required 10' buffer. This property is zoned TC-O, town center overlay.

- Attachments:** [Application](#)
 [Cover Letter](#)
 [Site Plan](#)
 [Certified Mail Receipt](#)

John Easley – Associated Engineering: Asking for the 10ft side setbacks be reduced to 5ft from each side. Said the front and rear would remain the same. The additional footage would allow them to put a bypass lane around the restaurant and drive thru area. The West of them on the Arvest Bank side would be greenspace and the East would have required greenspace.
Doug Gilmore - Commission: Asked if this primarily for drive thru.
Easley: Said yes, to provide a drive thru and the bypass lane.
Kevin Bailey - Commission: Asked if they can get the landscaping tree count in if they take out half of it.
Easley: Said they can landscape no problem and keep the tree count.

A motion was made by Kevin Bailey, seconded by Max Dacus Jr., that this matter be Approved . The motion PASSED with the following vote.

Aye: 4 - Max Dacus Jr.;Rick Miles;Casey Caples and Kevin Bailey

[VR-23-08](#)

VARIANCE: Madison Avenue

Associated Engineering is requesting a variance for additional right-of-way along Madison Ave. This property is zoned C-1, downtown core commercial.

- Attachments:** [Application](#)
 [Cover Letter](#)
 [Notification Letter](#)

John Easley – Associated Engineering: Said the county is preparing to do a courthouse addition to the existing annex. Said in the 1800’s the original survey for Jonesboro Madison was a 30ft right of way. It’s around 35ft upon development. Asking for a variance from the minimum 60ft to leave the Madison Avenue right of way as it. The design of curb and gutter, sidewalks and landscaping along Madison and the parking lot itself.
Derrel Smith – Staff: Said it’s going to be more pedestrian traffic than cars anyways, so the city is okay with it.

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

Aye: 4 - Max Dacus Jr.;Rick Miles;Casey Caples and Kevin Bailey

[VR-23-09](#)

VARIANCE: Corner of Hudson Drive and Visions Avenue

Construction Network Inc., is requesting a variance for the Overlay District landscape requirements. The applicant is proposing a reduction of the front landscape buffer width, 25’ to 15’. This property is zoned C-3, general commercial.

- Attachments:** [Application](#)
 [Cover Letter](#)
 [Buffer Work Map](#)
 [Notification Receipts](#)

Jeremy Bevill – Fisher Arnold: Said they fall within 300ft of the overlay district on Johnson Avenue, and they are asking for a variance on the landscape buffer requirement.

Doug Gilmore - Commission: Asked if they wanted a landscape buffer between them and Tommy’s Car Wash.

Bevill: Said they’ll have landscaping to the South, they will have a buffer on all sides. They are just asking for a reduction on Visions Avenue from 25ft to 10ft. They’re going to keep buffers in place, they are asking for a reduction in width along Visions only.

(Unable to transcribe)

Kevin Bailey - Commission: Asked if the tree count will be the same and not reduced.

Bevill: Said they will have trees and shrubs in place. Said there will be trees along Hudson and Vision.

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

Aye: 3 - Max Dacus Jr.;Rick Miles and Kevin Bailey

Recused: 1 - Casey Caples

[VR-23-10](#)

VARIANCE: 1815 Ivy Point Cove

Dacus Fence Co. is requesting a variance to replace an existing 8’ tall fence. This property is zoned R-1, single family medium density.

- Attachments:** [Application](#)
 [Site Plan](#)
 [Signed Notifications](#)

Applicant: Said in the early 90’s the existing southern perimeter fence of the neighborhood was built as an 8ft privacy fence. They need to replace a short line of the fence that backs up to a commercial property on Highland. The fence is deteriorating and falling and they are asking for approval to replace the fence back to as it originally was.

Doug Gilmore - Commission: Asked how many years they’ve been there.

Applicant: Said it was built in 1992.

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

Aye: 4 - Max Dacus Jr.;Rick Miles;Casey Caples and Kevin Bailey

5. Staff Comments

6. Adjournment