City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes - Draft
Board of Zoning Adjustments

Tuesday, May 18, 2021 | **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 - Jerry Reece

3. Approval of Minutes

MIN-21:040 MINUTES: Meeting Minutes from April 20th 2021 BZA Meeting

Attachments: Meeting Minutes from April 20th, 2021 BZA Meeting

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

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

Absent: 1 - Jerry Reece

4. Appeal Cases

VR-21-17 VARIANCE: 801 Shoshoni Drive

Danny Burns of Horizon Land Survey on behalf of Joan Clark are requesting a variance for 801 Shoshoni Drive to construct an accessory building / garage within the front yard setback along Indian Trails. Proposed location is 23 feet from the existing right of way and 5.5 feet from the existing house with the proposed garage being 780 square feet. This is located in an R-1 Single Family Residential District.

Attachments: Application
Variance Plat
USPS Receipts

Danny Burns of Horizon Land Survey on behalf of Joan Clark are requesting a variance for 801 Shoshoni Drive to construct an accessory building/garage within the front yard setback along Indian Trails Proposed location is 23 feet from the existing right of way and 5.5 feet from the existing house with the proposed garage being 760 square feet. This is located in an R-1 Single Family Residential District.

APPLICANT: Danny Burns states they're asking for a variance for a new garage to be constructed at 801 Shoshoni Drive, which is located on the corner of Shoshoni and Indian Trails in Jonesboro. The propose garage is going to be within 23ft of the front right of way of Indian Trails on the west side of the property and within 7 ½ feet of the rear setback.

COMMISSION: Doug Gilmore states with a corner lot we have built in hardship with two front yards

APPLICANT: Danny Burns states we try to situated that she can build the garage on the east side of the house. We try to go for an abandonment for that existing easements on the eastside.

COMMISSION: Doug Gilmore ask will it be within that median area or just outside

APPLICANT: Danny Burns states the median goes about half way in length alone the property line

COMMISSION: Doug Gilmore ask for staff comments

COMMISSION: Rick Miles ask is there an existing garage on this house already

APPLICANT: Danny Burns states there's a one car garage on the west side

COMMISSION: Dough Gilmore ask for public comments

COMMISSION: Rick Miles ask staff Derrel Smith will there be any problem with this not attach to the house.

STAFF: Derrel Smith states there's no city codes that requires that and the covenant has expired

STAFF: Michael Morris ask what's the fire code requirement separation

COMMISSION: Derrel Smith states between building it should be Ten Feet, but if less than that you have to have a fire rated walls

COMMISSION: Doug Gilmore ask do you know what kind of material that's going to be use.

APPLICANT: Joan Clark stated metal and aluminum and vinyl siding

(See Video for applicant comments about owning the property and pictures of area

A motion was made by Rick Miles to approve the variance with the understanding that drawing will have to be submitted to the Fire Department and approve by them, 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 - Jerry Reece

VR-21-18 VARIANCE: 1220 W Jefferson Avenue

Mary Dalton is requesting a variance for 1220 W Jefferson Avenue to leave a fence that was done without a permit 6 foot tall in the front yard setback and changes to 4 foot tall and not 50 % open all the way to the utility pole on the East Side of the property. This is located within an R-2 Multi-Family Low Density District.

Attachments:
Application
Drawing
Letter
Pictures of Location
Signed Adjoining Property Owner
USPS Receipts
Violation Letter
Aerial View

Withdrawn

VR-21-19 VARIANCE: 1716 Executive Square

McAlister Engineering on behalf of Weston Wagner are requesting a variance for 1716 Executive Square for a lot rendered non-conforming and to reduce setbacks for a building of a structure that will conform to match the others with the lot depth only being 70 foot instead of the required 100 foot. The request to have 20 foot from the street and 10 foot from the rear and 5 foot from the sides for the setbacks would allow a building to be placed there. This is located in a C-3 General Commercial District.

Attachments: Application
Harrell-McDonald Replat
Narraitve
Variance Site Plan
Adjacent Owner Mailer
USPS

McAlister Engineering on behalf of Weston Wagner are requesting a variance for 1716 Executive Square for a lot rendered non-conforming and to reduce setbacks for a building of a structure that will conform to match the other with the lot depth only being 70 foot instead of the required 100 foot. The request to have 20 foot from the street and 10 foot from the rear and 5 foot from the sides to the setbacks would allow a building to be placed there. This is located in a C-3 General Commercial District>

APPLICANT: Taylor McBride states they're asking for a set of variance today. One of them due to the fact that a C-3 lot requires a 100 ft. depth and the lot only has a 70 ft. depth off the road. The other variance that we're looking for is a little easy for the required setback for the zoning that is issued. Basically so we can get a normal or average size building in there. We're not trying to put anything huge on the lot because the size of the lot we will have to be smaller than the building that's next to it. Our aim was to match what's in the area and keep everything uniform. There just not enough room to maintain that size and parking needed.

COMMISSION: Doug Gilmore ask what kind of office will it be.

APPLICANT: Taylor McBride states for the purpose of parking we just used a multi-use building, because his intent will be to rent out the building.

COMMISSION: Doug Gilmore ask for Staff Comments

COMISSION: Doug Gilmore ask Staff Derrel Smith what the City response to this

STAFF: Derrel Smith states we have a platted lot, so we basically told them they can build something on it when the City platted it. The lot depth I'm not concern about, the 20 ft. normally such be 25 ft. but looks like we already have a building out there within 20 ft. So they just trying to average what's left and we wouldn't have a concern with that.

STAFF: Michael Morris states we need to include in the variance about 20ft from the driveway on property line too so we can have that cover as well. That driveway from the west property isn't 20ft.

A motion was made by Max Dacus Jr. to approve the variance with the stipulation that the plans met City Engineering concerns also with the driveway, 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 - Jerry Reece

VR-21-20 VARIANCE: 603 Pinehill Lane

Carlos Wood of Wood Engineering on behalf of Nathan Carter are requesting a variance for 603 Pinehill Lane to pave street in front of lot 12 feet wide to match existing road width over existing gravel road location and not install curb and gutter. This is located in an R-1 Single Family Residential District

Attachments: Application
Carter BZA Map
Parcel Map
Right of Way Easement
RP 20-40 CARTER REPLAT OF TRACT A OF RAY CARTER LAND - 604 F
Pictures looking North and South

Carlos Wood of Wood Engineering on behalf of Nathan Carter are requesting a variance for 603 Pinehill Lane to pave street in front of lot 12 feet wide to match existing road width over existing gravel road location and not install curb and gutter. This is located in an R-1 Single Family Residential District.

APPLICANT: Carlos Wood states we're asking for a variance for Mr. Carter on 603 Pinehill Lane. What we are asking for is to pave the street 12 feet wide to match the existing road and gravel that's there instead of install curb and gutter section and this will match the existing street that's been paved. Mr. Carter obtain this from his grandmother back a couple of years ago. His grandmother signed a right away petition for street paving in 1999. The city done a paving of that street and this section did not get paved.

COMMISSION: Doug Gilmore ask Staff Derrel Smith do the City have problem with continue that street as is to the end of the property.

STAFF: Derrel Smith states No

COMMISSION: Doug Gilmore ask for Staff Comments.

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

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

Absent: 1 - Jerry Reece

VR-21-21 VARIANCE: 1238 Main Street

John Mixon of Cooper and Mixon on behalf of Bill Carwell are requesting a variance for 1238 Main Street to add a driveway on Church Street to add a garage without steps into the house. This is located in an R-2 Multi-Family Low Density District.

Attachments:
Application
Application 2
Letter
Property Owner Notification
Renovations Plan
Site Plan
Survey

John Mixon of Cooper and Mixon on behalf of Bill Carwell are requesting a variance for 1238 Main Street to add a driveway on Church Street to add a garage without steps into the house. This is located in an R-2 Multi-Family Low Density District.

APPLICANT: Bill Carwell states he is requesting for a variance to get a driveway in and out on Church Street. My only entrance and exit is on Main Street. Now there is an Easement on the Northside of the property. I have been there about six week now and trying to come through that easement, but the people on the northeast corner of the easement several time I had to ask them to move so I can get in and they want to know why and were I'm going. Sometime it takes an hour or two for someone to move a vehicle that right in the middle of the easement. I'm concern about back out onto main as my only entrance and never know when I can use the easement on the Northside, so my request is based on wrecks and accidents trying to get in and out on Main Street on to my property is not good.

COMMISSION: Doug Gilmore ask are you going to have two driveways on Church

APPLICANT: Bill Carwell stated No only one

STAFF: Michael Morris stated we have a new Access Management Code that states you can't have driveways within 80ft of each other. So that's what brought this before this Commission.

COMMISSION: Doug Gilmore states as you see nowhere can you get 80ft between those two driveways.

STAFF: Michael Morris stated the code said if you can't get 80ft then combine two lots with an ingress egress and share. So now that has already been done.

APPLICANT: Bill Carwell stated I don't know the exact measurement, but I will close to 80ft. It might not be 80 but close.

STAFF: Michael Morris states also the drive on the north side also lines up with the street on the opposite side which make for less conflicting turning movements. So now you're going to have two people pulling out of driveway with a street located directly across from you.

COMMISSION: Rick Miles ask how long as that new ordinance been in effect.

STAFF: Michael Morris stated 1 year.

COMMISSION: Doug Gilmore ask for Staff Comments.

COMMISSION: Rick Miles states I have to voice my opinion on this, because this one bothers me. I realize we have a conflict here with an ordinance that's been a year in the makings or year ago when it was granted. What I'm seeing especially in area of our city we have some older homes that was place many many years ago and a Main Street that probably not nearly as busy as what we got now. I don't know how far he is from the intersection of Main and Nettleton, but I see a hardship here. This scares and bothers me for him and his family or whoever visiting.

A motion was made by Rick Miles to approve this variance for safe along of the people coming in and out of this property on the Main street side and Church Street, seconded by Max Dacus Jr., that this matter be Approved. The motion PASSED with the following vote.

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

Absent: 1 - Jerry Reece

5. Staff Comments

6. Adjournment