



# ZONING APPEALS PROCESS

*(a) Administrative review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative official in the enforcement of this ordinance. The board may affirm or reverse, in whole or in part, said decision of the administrative official.*

*(b) Variances. To authorize upon appeal in specific cases such variance from the terms of this zoning chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship that would deprive the owner of any reasonable use of the land or building involved.*

*(c) Special exceptions. In addition to the powers and duties specified above, the board shall also have the following powers and duties to hold public hearings and decide on special exceptions...*

## **Board of Zoning Adjustment**

### **Sections:**

- 14.40.01 Creation and Appointment
- 14.40.02 Organization
- 14.40.03 Powers and Duties
- 14.40.04 Procedure for Applications and Appeals

**14.40.01 Creation and Appointment.** There is hereby created a board of zoning adjustment consisting of five (5) members to be appointed for three-year terms, with at least one member being a planning commissioner. All members shall be qualified electors and residents of the City of Jonesboro. The members of the board of zoning adjustment that was legally in existence immediately prior to the effective date of this chapter shall be constituted as members and continue serving their present term as member of the board of zoning adjustment hereby created; provided the member with the least time remaining on his term shall be replaced by a member of the planning commission.

**14.40.02 Organization.** The board of zoning adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. Meetings shall be held on a regular schedule and at such other times as the board may determine. All meetings shall be open to the public. The board of zoning adjustment shall keep minutes of its vote, indicating such fact; it shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the city planner. A quorum of the board shall consist of three (3) members. The concurring vote of a majority of the total board members shall be necessary to revise any order or decision of the enforcement officer or to decide on any matter upon which it is required to pass under this ordinance. The city planner or his representative shall attend each meeting of the board and shall bring with him all plans, specifications, plats, and papers relating to any case before the board for determination.

**14.40.03 Powers and Duties.** The board of zoning adjustment shall have all the powers and duties prescribed by law and by this ordinance, which are more particularly described as follows:

(a) **Administrative review.** To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative official in the enforcement of this ordinance. The board may affirm or reverse, in whole or in part, said decision of the administrative official.

(b) **Variances.** To authorize upon appeal in specific cases such variance from the terms of this zoning chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship that would deprive the owner of any reasonable use of the land or building involved. A variance from the terms of this zoning ordinance shall not be granted by the board of zoning adjustment unless and until:

(1) The applicant demonstrates that special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structure or buildings in the same district; that literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance; that special conditions and circumstances do not result from the actions of the applicant; and that granting the variance requested will not confer on the applicant any special privilege that is denied by the zoning ordinance to other lands, structures, or buildings in the same district.



(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building, or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this zoning ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) In granting any variance, the board of zoning adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.

(6) Under no circumstances shall the board of zoning adjustment grant a variance to allow a use not permissible under the terms of this zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

(c) Special exceptions. In addition to the powers and duties specified above, the board shall also have the following powers and duties to hold public hearings and decide the following special exceptions:

(1) Interpret zoning district boundaries where uncertainty exists as to the boundaries of the zoning districts or when the street or property lines existing on the ground are at variance with those shown on the zoning district map.

(2) Determine the amount of parking required for a use not listed herein.

(3) Vary the parking regulations by not more than twenty-five percent (25%) where it is conclusively shown that the specific use of a building would make unnecessary the parking spaces otherwise required by this ordinance.

(4) Permit an addition to a nonconforming structure provided that said addition conforms to all building code requirements, and further provided that the current use of the structure conforms to the zoning district in which it is located.

#### **14.40.04. Procedure for Applications and Appeals.**

(a) **Application.** Appeals to the board may be taken by any person aggrieved or by any officer, department, or board of the city affected by any decision of the administrative official. All appeals and applications made to the board shall be made in writing on forms prescribed by the board within fifteen (15) days after the decision has been rendered by the administrative official. Every appeal or application shall refer to the specific provision of the code involved and shall exactly set forth:

(1) The interpretation that is claimed;

(2) The use for which the permit is sought; or

(3) The details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

The appeal or application shall be filed with the officer from whom appeal is taken and with the board. The officer from whom appeal is taken shall forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken.

**(b) Public Hearing and Notice.** The board shall fix a reasonable time for the public hearing of an application or appeal, give public notice of the time and place thereof, as well as due notice to the parties in interest, and decide same within a reasonable time. Said public notice shall be published at least once not less than seven (7) days preceding the date of such hearing in a newspaper of general circulation in Jonesboro. The public notice shall give the particular location of the property on which the application or appeal is requested, as well as a brief statement of what the application or appeal consists. Evidence of notification of all adjoining property owners shall accompany all applications for variances. Such notification shall include the above described public notice information, as well as the time and place where the public hearing will be conducted. Public hearings may be adjourned from time to time, and, if the time and place of the adjourned meeting be publicly announced when the adjournment is made, no further notice of such adjourned meeting need be published. At a public hearing any party may appear in person, by agent, or by attorney.

**(c) Effect of Appeal.** An appeal shall stay all proceedings of the action appealed from, unless the person affected by such appeal certifies to the board, that, by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or a court of record on application, and notice to the person from whom the appeal was taken.

**(d) Time Limit on Permits.** No order permitting the use of a building or premises, or the alteration or erection of a building shall be valid for a period longer than sixty (60) days unless such use is established or the erection or alteration is started within such period and proceeds to completion in accordance with the terms of a building permit.

**(e) Appeals from Board of Zoning Adjustment.** Any person or persons, or any board, taxpayer, department, board or bureau of the city aggrieved by any decision of the board of zoning adjustment may seek review by a court of record of such decision, in the manner provided by the laws of the State of Arkansas.





**CITY OF JONESBORO  
BOARD OF ZONING ADJUSTMENT  
APPLICATION REQUESTING VARIANCE &  
NONCONFORMING USE CHANGE REQUESTS**

Case Number \_\_\_\_\_ BZA Deadline \_\_\_\_\_  
Date Submitted \_\_\_\_\_ BZA Meeting Date \_\_\_\_\_

**OWNER/APPLICANT INFORMATION**

Property Owner	<u>Garriel &amp; Megan Roberts</u>	Applicant	<u>Geor Roberts</u>
Address	<u>1104 Thrush</u>	Address	<u>1104 Thrush</u>
Phone	<u>870-243-1707</u>	Phone	<u>870-243-1707</u>
Signature	<u>[Signature]</u>	Signature	<u>[Signature]</u>

**DESCRIPTION OF REQUESTED VARIANCE**

We are requesting approval to build a detached  
carport along with a sitting area on our property  
located at 1104 Thrush. We are wanting to build this  
no closer than 7 ft. from our property lines. Both impacted  
neighbors have been notified and have approved this variance.  
Survey has been ordered.

**CIRCUMSTANCES NECESSITATING VARIANCE REQUEST**

We are requesting this so our family can have adequate  
covered parking and storage for our vehicles. This will prevent  
haul damage to property. My current truck does not fit in  
current garage.

Details and pictures of proposals are attached.

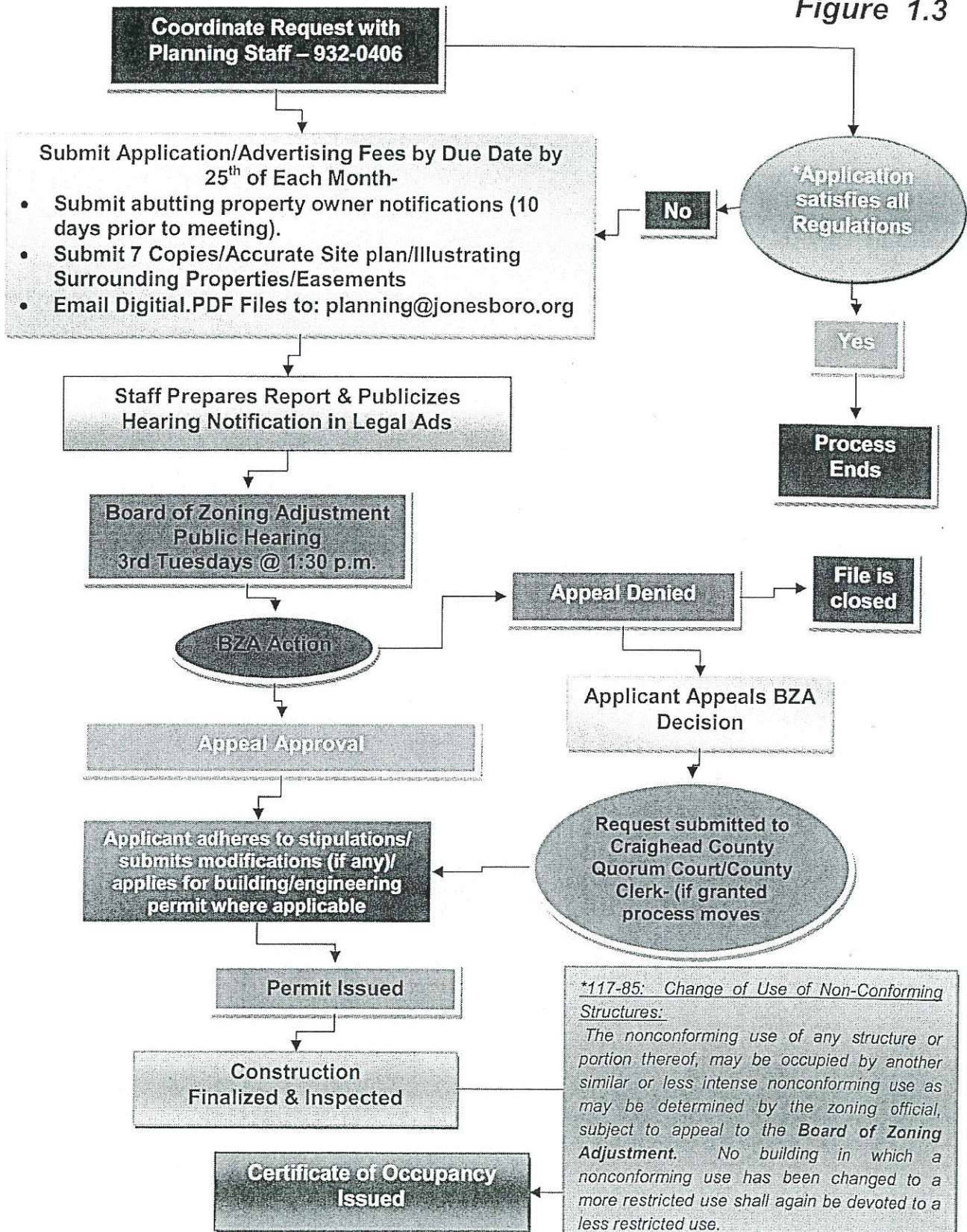
**GENERAL SUBMITTAL INFORMATION**

- Submit a narrative letter explaining your request along with seven (7) copies of an accurate site plan drawn at a scale that clearly illustrates the requested use, the subject property, and surrounding properties, streets and easements, etc.
- Provide confirmation receipts to our office that adjoining owners of all properties have been notified.



# BZA Variance Process

Figure 1.3





## Planning

### Single Family Residential Approvals - Planning Review

New Single Family Dwelling (per structure)	\$50
New Multiple Family Dwellings (per plan submittal)	\$100
Additions to Residential Dwellings (increase in footprint)	\$25
Detached Buildings & Other Accessory or Temporary Structure	\$25
Alterations or Repairs of Residential Dwelling	\$25
Swimming pools (above or below ground)	\$25
Walls, fences, decks, antenna towers & satellite dishes	\$50
Multi-family Additions	\$50
Multi-family Accessory Structures	\$50
Multi-family Dwellings 5 units and above	\$500

### Commercial Building Permits - Planning Review

0 sq ft to 10,000 sq ft Commercial Building Area	\$500
10,001 sq ft or more Commercial Building Area	\$1,000
Interior alterations/repairs of commercial or industrial structures	\$250
Awnings and Canopies	\$250
Accessory buildings, walls, fences, decks	\$250
Cellular towers/antenna & satellite (new)	\$100
Cellular towers/antenna & satellite (existing)	\$100
Parking Lots	\$100
Landfill and Extractions (land use only)	\$1,000
Gravel Mining	\$1,000
Change of Use Certificate	\$100
Commercial Storage Tanks	\$250
Temporary Tents, Trailers & Structures	\$250

### Rezoning Fees

Base Fee +	\$500
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### Special District Applications

Village Residential Overlay	\$500
JMA-O Jonesboro Municipal Airport Overlay District	\$500
Planned Development District	
Fee per stage (Preliminary, Final, Modifications)	\$500

### Board of Zoning Appeals Fees

Residential Appeal - Compatible Non-Conforming Use (BZA)	\$200
Commercial Appeal - Compatible Non-Conforming Use (BZA)	\$400
Conditional Use (MAPC)	\$400

### Subdivision Fees

#### Minor Plats & Replats (Administrative Approvals)

Base Fee	\$400
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### Reviews requiring MAPC Approval

#### Subdivisions 0 to 20 acres

Base Fee	\$500
Per Lot Fee	\$4
Subdivisions Over 20 to 40 acres	\$1,000
Subdivisions Over 40 acres	\$1,500

### On/Off Premise Sign Permits

Bill Board Base Fee	\$1,000
Construction Base Fee	\$100
Ground Sign New Base Fee	\$100
Wall & Awning Signs Base Fee	\$100
Pole Sign Base Fee	\$100
Marquee Sign Base Fee	\$100
Monument Sign Base Fee	\$100
Promotional Event Signs Base Fee	\$100
Banners	\$50

### Mapping Services

Zoning Research Letter	\$500
Zoning Letter (simple)	\$50

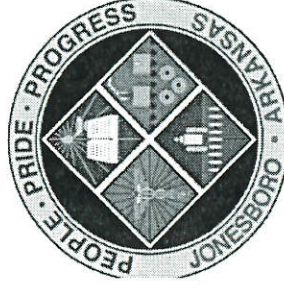
### Additional Fees Not being Charged

Multi-Family Dwelling Review (3rd submittal)	\$1,000
Commercial/Industrial Review (3rd submittal)	\$1,000

# INSPECTIONS & PLANNING

## FEES

## THE CITY OF JONESBORO



### INSPECTIONS

300 S. Church St.  
Jonesboro, AR 72401  
870-933-4602

### PLANNING

300 S. Church St.  
Jonesboro, AR 72401  
870-932-0406

[www.jonesboro.org](http://www.jonesboro.org)

Planning RES-17-091

Inspections RES-17-092

## Inspections

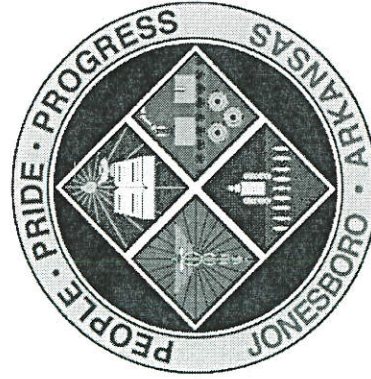
Swimming Pool Elec Bond .....	\$50	RElectrical Reconnect .....	\$50	Commercial Sewer Connection & Street Cut .....	\$100
Street Cut Permit .....	\$40	Plumbing Changeout .....	\$40	Commercial Plumbing .....	07 sq ft
Storm Shelter .....	\$50	Multi-family Building Permit .....	Project Cost	Commercial HVACR .....	07 sq ft
Residential Water Meter Permit .....	\$40	Multi Family Plumbing .....	06 sq ft	Commercial Gas Test .....	\$50
Residential Swimming Pool .....	Project Cost	Multi Family HVAC .....	06 sq ft	Commercial Electric - Site Trailer .....	\$100
Residential Storage .....	Project Cost	Multi Family Electric .....	06 sq ft	Commercial Electric Reconnect .....	\$55
Residential Sprinkler Permit .....	\$60	Mobile Vending Permit .....	\$40	Commercial Electric Alteration .....	\$55
Residential Single Family .....	Project Cost	HVAC C/O VentAHood .....	\$40 C/a \$55 C/O & Duct	Commercial Electric .....	07 sq ft
Residential Sewer Stubout Permit .....	\$40	Grading Permit .....	Engineering Fee	Commercial Building Permit .....	Project Cost
Residential Sewer Permit .....	\$40	Fire Sprinkler Permit .....	\$50 - Fire Dept.	Commercial Alterations .....	Project Cost
Residential Sewer Connection & Street Cut .....	\$80	Fire Alarm .....	\$50 - Fire Dept	Commercial Additions .....	Project Cost
Reinspection Fee .....	R - \$40 C - \$100	Fence Permit .....	Planning Fee	Canopy Permit .....	\$50
Residential Plumbing .....	.05 sq ft	Existing Structure CO .....	\$50	Backflow Permit .....	C - \$50 R - \$40
Residential HVAC .....	.05 sq ft	Driveway Permit .....	Engineering Fee	Temp Pole .....	\$55
Residential Gas Test .....	\$40	Demolition Permit .....	R - \$100 C - \$250	Low Voltage .....	R - \$50 C - \$100
Residential Electrical .....	.05 sq ft	Communication Tower .....	Project Cost	Temp Co .....	R - \$50 C - \$500
Residential Electric Alteration .....	\$50	Commercial Water Meter Permit .....	\$50	Foundation & Footing .....	040,000 sq ft \$50 10,001+ sq ft \$1,000
Residential Building - Duplex .....	Project Cost	Commercial Temp Power .....	\$55	Tent Permit .....	\$50
Residential Alterations .....	\$100 min.	Commercial Storage .....	Project Cost	Moving Permit .....	\$50
Residential Additions .....	Project Cost	Commercial Sprinkler Permit .....	\$85	HVAC Duct Only .....	\$40
Re-Roofing Permit .....	R - \$100 C - Project Cost	Commercial Signs .....	Project Cost		
		Commercial Sewer/Stubout .....	\$50		



# ENGINEERING & STREET DEPARTMENTS

## FEES

### THE CITY OF JONESBORO



[www.jonesboro.org](http://www.jonesboro.org)

Engineering Dept. RES-17-089  
Street Dept. RES-17-088

## Engineering Fees

Driveway Permit (per driveway) (includes one form inspection & one final inspection)	\$50
Driveway Re-Inspection Fee	\$30
Lane/Traffic Closure Permit:	
One Traffic Lane Closure Permit	\$25
Street Closure (Collector)	\$100
Street Closure (Arterial)	\$200
Floodplain Development Permit	\$100 per acre (\$25 min.)
Drainage Alteration/Modification Permit (plus \$0.10 per linear ft. of drainage system modification/alteration)	\$25
Grading Permit	\$100 per acre (\$50 minimum)
Stormwater Management Plan Permit:	
for subdivision	\$1,000 minimum
additional lots over 10	\$100 per lot
for commercial site	\$350 minimum
additional acres over 3.5 acres	\$100 per acre
Stormwater Appeal Fee	\$200
Encroachment Permit	\$50
Residential Site Permit	\$25

## Street Fees

Street Plate - 1st plate delivered (up to 60 days) (includes one form inspection & one final inspection)	\$45
Each additional street plate delivered (up to 60 days)	\$15
Street Repair	\$200
Base Asphalt	\$30
Barricades (contractors - street cuts and repairs)	\$75/ea
Barricades (block parties, etc.)	\$10/ea
Cones	\$5/ea
Replacement of Regulatory Sign & Post - accidents, etc	\$150
Replacement of Street Identifier Sign & Post - accidents, etc	\$150
New Regulatory Sign & Post for Subdivisions	\$150
New Street Identifier Sign & Post for Subdivisions	\$250
Replacement for Damaged Sign Post - accidents, etc	\$50



## Planning Charge Sheet

### Residential Approvals – Planning Review (select all that apply) 01-0731:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Single Family Dwelling   | <input type="checkbox"/> Multiple Family Dwelling  | <input type="checkbox"/> Detached/Accessory Bldg     |
| <input type="checkbox"/> Single Family Additions  | <input type="checkbox"/> Single Family Alterations | <input type="checkbox"/> Swimming Pools              |
| <input type="checkbox"/> Walls, Fences, Decks Etc | <input type="checkbox"/> Multi Family Additions    | <input type="checkbox"/> Multi Family Accessory Bldg |

### Commercial Approvals – Planning Review (select all that apply) 01-0732:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Building _____ Sqft.              | <input type="checkbox"/> Interior Alterations/Repairs | <input type="checkbox"/> Awnings/Canopies        |
| <input type="checkbox"/> Accessory Bldgs, etc.             | <input type="checkbox"/> Parking Lots                 | <input type="checkbox"/> Landfill and Extraction |
| <input type="checkbox"/> Gravel Mining                     | <input type="checkbox"/> Change of Use                | <input type="checkbox"/> Storage Tanks           |
| <input type="checkbox"/> Temp Tents, Trailers & Structures |   |  |

### Residential Zoning Districts : (Zoning Map Amendments) 01-0516:

- |  |
|--|
| <input type="checkbox"/> Single Family Districts _____ Acres |
| <input type="checkbox"/> Multi Family Districts _____ Acres  |

### Non-Residential Zoning Districts : (Zoning Map Amendments) 01-0516:

- |  |
|--|
| <input type="checkbox"/> Zoning Map Amendments _____ Acres |
|--|

### Special District Applications 01-0516:

- |  |  |
|--|--|
| <input type="checkbox"/> Village Residential Overlay   | <input type="checkbox"/> JMA-O, Jonesboro Municipal Overlay District |
| <input type="checkbox"/> Planned Development District _____ phase (preliminary, final, modification) |  |

### Board of Zoning Appeals Fee 01-0516:

- |                                      |                                     |  |  |
|--------------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Compatible Non-Conforming Use |
|--------------------------------------|-------------------------------------|--|--|

### Subdivision Planning Fees 01-0733:

- |  |  |
|--|--|
| <input type="checkbox"/> Minor Plats & Replats | <input type="checkbox"/> Reviews MAPC Approval: _____ Lots _____ Acres |
|--|--|

### On/Off-Premise Signage Permits – Planning Review 01-0734:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Billboards  | <input type="checkbox"/> High Rise Interstate _____ faces | <input type="checkbox"/> Bulletin Board _____ Sqft |
| <input type="checkbox"/> Construction Sign                                     | <input type="checkbox"/> Ground Sign _____ Sqft           | <input type="checkbox"/> Wall & Awning _____ Sqft  |
| <input type="checkbox"/> Directional Sign _____ Sqft                           | <input type="checkbox"/> Pole Sign _____ Sqft             | <input type="checkbox"/> Marquee Sign _____ Sqft   |
| <input type="checkbox"/> Promo Event   | <input type="checkbox"/> Special Event Sign               | <input type="checkbox"/> Grand Opening Sign        |
| <input type="checkbox"/> Corner or Interior Parcel Sign _____ Sqft Faces _____ |   |  |

### Zoning Sign Deposit 01-0155: ☐ \_\_\_\_\_ Number of Signs

### Mapping and Duplicating Services Per Page 01-0735:

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> 8 1/2" x 11" BW Copies         | <input type="checkbox"/> 8 1/2" x 11" Color Map | <input type="checkbox"/> Over Size Page              | <input type="checkbox"/> Zoning Resolution |
| <input type="checkbox"/> Zoning Map 36"x50"             | <input type="checkbox"/> Land Use (36"x44")     | <input type="checkbox"/> 11"x17" Map                 |  |
| <input type="checkbox"/> Property Owner Search/Plat Map |   | <input type="checkbox"/> Zoning Certification Letter |  |

Total Pages \_\_\_\_\_

Description: \_\_\_\_\_ Total Amount Due: \_\_\_\_\_

Site: Address: \_\_\_\_\_ Tracking No.: \_\_\_\_\_

Customer

Customer #

City Official

Date





**CITY OF JONESBORO**  
**BZA ADJOINING PROPERTY OWNER NOTIFICATION**

The Board of Zoning Adjustment, City of Jonesboro, Arkansas, will hold a public hearing at the City of Jonesboro Municipal Center, 300 S. Church St., Council Chambers, 1<sup>st</sup> Floor, Jonesboro, Arkansas, on:

**TUESDAY, \_\_\_\_\_, 2021 AT 1:30 P.M.**

One item on the agenda for this meeting is a request to the Board to approve a variance to the variance ordinance concerning property that is adjacent to your property. You have the opportunity to attend this meeting to voice your approval or disapproval if you wish. If you have information that you feel should be taken into consideration before a decision is rendered, you are encouraged to submit such information to the Board. If the Board renders a decision you feel is unfair or unjust, you may appeal the decision to Circuit Court.

VARIANCE REQUESTED BY: Gabe Roberts

DATE: 8-9-2021

SUBJECT PROPERTY ADDRESS: 1104 Thrush Jonesboro AR 72401

DESCRIPTION OF VARIANCE REQUESTED: We are seeking to build a 20 ft wide x 32 ft deep carport. The proposed carport will be similar to the attached pictures. We are asking to build this as close to 7 ft from the property lines.

In affixing my signature below, I am acknowledging my understanding of this request for an appeal or variance. I further understand that my signature only indicates my receipt of notification of the request for an appeal or variance and does not imply an approval by me or the proposed variance or appeal, unless so written by me to the Board.

Dean S. Rossa  
Printed Name of Property Adjacent Owner

Dean S. Rossa 8-11-2021  
(Signature) Date

1901 Starling Jonesboro  
Address

935-1515  
Phone

If you would like to obtain additional information, or voice an opinion regarding this request, you may do so by contacting the Planning Department, at 300 S. Church St., or by calling 870-932-0406, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.



**CITY OF JONESBORO**  
**BZA ADJOINING PROPERTY OWNER NOTIFICATION**

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Linda Beasley  
Printed Name of Property Adjacent Owner  
1103 Dove Road  
Address

Linda Beasley 8-10-21  
(Signature) Date  
(870) 219-1385  
Phone

If you would like to obtain additional information, or voice an opinion regarding this request, you may do so by contacting the Planning Department, at 300 S. Church St., or by calling 870-932-0406, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.



To whom it may concern:

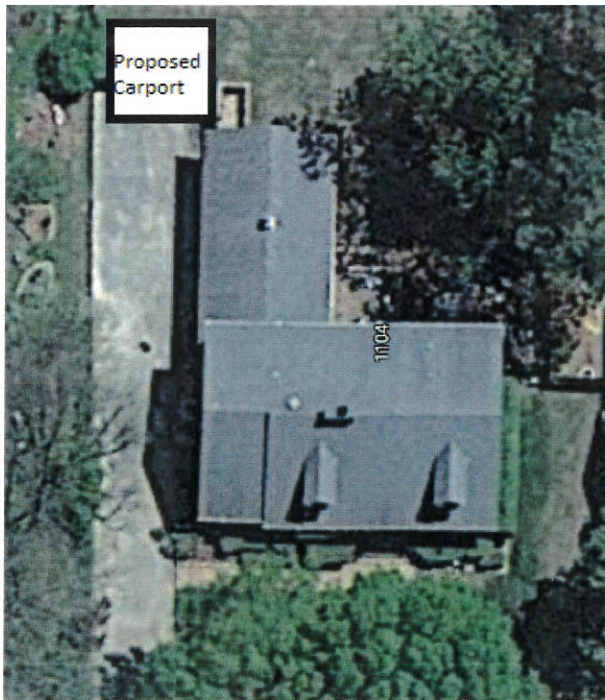
Listed below on following pages are examples of detached carport and pergola/sitting area we are wanting to build at our home located at 1104 Thrush Jonesboro AR 72401. The proposed detached carport will be approximately 32 ft x 20 ft wide. Survey plans are to be submitted at later date before meeting once completed. The purpose behind this addition is to provide more cover parking for our vehicles to prevent hail damage and other natural elements on vehicles. There will also be additional storage in the carport.

Please reach me at 870-243-1707 with any additional questions.

Thanks,

Gabe W. Roberts

Proposed Look and location of detached Carport at 1104 Thrush. 32dx20w





Proposed pergola/covered porch off of carport

