



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes - Final Board of Zoning Adjustments

Tuesday, February 18, 2020

1:30 PM

Municipal Center

1. Call to Order

2. Roll Call

Present 4 - Max Dacus Jr.; Jerry Reece; Rick Miles and Sean Stem

Absent 1 - Doug Gilmore

3. Approval of Minutes

[MIN-20:016](#)

MINUTES: BZA Meeting Minutes from January 21, 2020

Attachments:

[Meeting Minutes from January 21, 2020](#)

4. Appeal Cases

[VR-20-02](#)

VR 20-02 605 Dogwood Lane

Brenda Rainwater is requesting a variance for address 605 Dogwood Lane to allow the side setback to be reduced from 7.5 ft. to 4.4 ft. for the Accessory Building that is not in compliance with the current setback standards. This is located within an R-1 Single Family Medium Density District.

Attachments:[Application](#)[Layout](#)[Picture of Accessory Building](#)[Plat](#)[Signed Notifications](#)

Brenda Rainwater is requesting a variance for address 605 Dogwood Lane to allow the side setback to be reduced from 7.5 ft. to 4.4 ft. for the Accessory Building that is not in compliance with the current setback standards. This is located within an R-1 Single Family Medium Density District.

APPLICANT: Brenda Rainwater stated she bought the property in 1998. At one time she was going to build apartments on it. There was a strip of land behind it that she also purchased. Everything was replatted into one lot. She stated she gave parts of land away to various entities. The paperwork was done incorrectly originally. Nothing was right. She is attempting to get the lot resurveyed so that it can be divided into two lots. They cannot do this because of a building that sits close to a lot line. The property issues have been corrected. She has contacted the neighbors and they have no objection to her dividing the lots.

COMMISSION: Jerry Reece asked if this is for Dogwood or Curtview.

APPLICANT: Brenda Rainwater stated it is for 2606 Curtview.

COMMISSION: Rick Miles asked if the property in question is at 605 Dogwood Lane.

APPLICANT: Brenda Rainwater water stated it is not. It is at the Curtview house. She is wanting to split that into two lots so that she can sell the house and have a separate lot she can sell. They will be 70' across on each lot. She stated she does not want to move anything or tear down anything.

COMMISSION: Rick Miles asked if this was a single lot to begin with and if she is wanting to divide it.

APPLICANT: Brenda Rainwater stated it was originally two lots. She had everything replatted into one big lot. She now wants to sell the house and divide it into two lots.

COMMISSION: Sean Stem asked if the building was there before you had the other lot.

APPLICANT: Brenda Rainwater stated it was. The fence and building were there when she purchased the lot.

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

Aye: 3 - Max Dacus Jr.; Jerry Reece and Sean Stem

Absent: 1 - Doug Gilmore

[VR-20-03](#)

VR 20-03 2950 SCT Quality Way Drive

Ritter Communication is requesting a variance for 2950 SCT Quality Way Drive to a Small Wireless Communications Point to Point Antenna to be placed in the City Street Right of Way. The Ordinance rules at this time prevent utilizing City Street Right of Way. This is located within an I-2 General Industrial District.

Attachments: [Application](#)
 [Documents](#)
 [USPS Receipts](#)

Ritter Communication is requesting a variance for 2950 SCT Quality Way Drive to a Small Wireless Communications Point to Point Antenna to be placed in the City Street Right of Way. The Ordinance rules at this time prevent utilizing City Street Right of Way. This is located within an I-2 General Industrial District.

APPLICANT: David Jordan stated the variance is for the small wireless communication facility that the city and City, Water, and Light have adopted. He stated they are installing a facility that is only for broadband. It is not designed for mobile phones. It is for a point to a point in the building. There are size qualifications in the ordinance that this device does not meet. He stated he discussed it with Ryan in Planning and it was decided that they would need to apply for a variance.

STAFF: Derrel Smith stated the small cell wireless ordinance requires that towers can only be a certain height and the equipment can only be a certain size. The small cell ordinance was written for cellular antennas that are equipped with devices for 5G. He stated they do not really have anything for what Ritter is trying to do. This ordinance was as close as they could get. This is not going to be something where they put 200 across the city. This is a once or twice type event.

COMMISSION: Sean Stem asked what the actual variance is for.

APPLICANT: David Jordan stated it will meet the height requirement. The variance is for the size of the antenna and the extension off the pole. The size is supposed to be no more than three cubic feet. Their equipment will be close to 28 cubic feet. It is a 4' diameter round dish with some thickness to it. The ordinance says it cannot extend beyond 32". It is a 4' dish so it will extend at least 48" plus a bracket. Roughly 52". Ritter would like to use the city right-of-way. He stated they are asking to not be under the small cell ordinance which requires a yearly right-of-way fee. If they keep it under this small cell ordinance they would need the variances for this equipment.

STAFF: Derrel Smith stated the location is going to be in the right-of-way. The city has received a letter from City, Water, and Light saying they will allow it. The city owns the right-of-way.

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

Aye: 3 - Max Dacus Jr., Jerry Reece and Sean Stem

Absent: 1 - Doug Gilmore

[VR-20-04](#)

VR 20-04 4106 Peachtree

Michael Swindle is requesting a variance for address 4106 Peachtree to allow an Accessory Building to be built before the Primary Residential Structure. Ordinance states that Primary Residential Structure has to be on the property. This is located with an R-1 Single Family Medium Density District.

Attachments: [Application](#)
 [Plat](#)
 [Signed Notifications](#)
 [USPS Receipts](#)

Michael Swindle is requesting a variance for address 4106 Peachtree to allow an Accessory Building to be built before the Primary Residential Structure. Ordinance City of Jonesboro Page 1 Printed on 2/18/2020 Board of Zoning Adjustments Meeting Agenda February 18, 2020 states that Primary Residential Structure has to be on the property. This is located with an R-1 Single Family Medium Density District.

APPLICANT: Michael Swindle stated he is wanting to build a detached garage prior to building his home on his property. It is 5.2 acres of land. The building will be approximately 1,000' from the road. There is only one home close enough to see the building.

COMMISSION: Rick Miles asked for the purpose of building the detached garage first.

APPLICANT: Michael Swindle stated it is so he has a place to store tools and materials when building the home. It is on the edge of the city limits. Things could walk off.

COMMISSION: Rick Miles asked if there is a drawing or rendering of the building.

APPLICANT: Michael Swindle stated it is a standard steel building. It will be built by Overman Buildings. It will have 12' sidewalls which will be roughly 17' to the middle. It was also have a lean-to on the side for a tractor.

COMMISSION: Rick Miles asked how long it would be before he starts the residence.

APPLICANT: Michael Swindle stated after the shop is in the place he will immediately start on the home.

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

Aye: 3 - Max Dacus Jr., Jerry Reece and Sean Stem

Absent: 1 - Doug Gilmore

[VR-20-05](#)

VR 20-05 4301 E. Johnson

Rhodes Development is requesting a variance for address 4301 E Johnson to allow a reduction in parking from 35 spaces required to 29 spaces. Omission of the required 10' landscape strip for approximately 150' along the rear property line, as required by the "Overlay District" as described in the Land Use Plan. Omission of required 10' landscape strip for approximately 30' along the northeast side property line, as is required by the "Overlay District" as described in the Land Use Plan. This is located with an R-1 Single Family Medium Density District.

Attachments: [Application](#)
 [Letter](#)
 [Plat](#)
 [Signed Notification](#)
 [USPS Receipts](#)

Rhodes Development is requesting a variance for address 4301 E Johnson to allow a reduction in parking from 35 spaces required to 29 spaces. Omission of the required 10' landscape strip for approximately 150' along the rear property line, as required by the "Overlay District" as described in the Land Use Plan. Omission of required 10' landscape strip for approximately 30' along the northeast side property line, as is required by the "Overlay District" as described in the Land Use Plan. This is located with an R-1 Single Family Medium Density District.

APPLICANT: George Hamman stated Rhodes Development operates Plaza Tire Service. They have 68 locations and three more under development including this one. Based on their experience, they say 35 parking spaces are not necessary. They want to reduce the number of parking spaces. This property lies within the overlay district. For connectivity, they want to eliminate a roughly 30' section of the landscape requirement so they can connect their driveway to the O'Riley's Auto Part store next door. Because they have to have a retaining wall on this site with the building and parking on the high side, the overlay district requires a landscape requirement for the rear of the property. The purpose of the overlay district is to make everything more attractive as new people are driving into the city. Any landscaping here will be at the bottom side of the wall and will not be seen. This site is also above the road so you will not see it unless you drive around the building.

COMMISSION: Rick Miles asked for staff comments.

STAFF: Derrel Smith stated the 10' landscape buffer they are requesting to lose in the rear is a greenspace buffer. Taking out the side buffer for connectivity is fine. He stated they are also ok on the parking reduction. The city is currently working to reduce the parking regulation and he believes the requested reduction will fall in line with that. He stated if you cannot get the greenspace buffer with the building, the building may be too large for the site.

APPLICANT: George Hamman stated this is the typical building they build. It duplicates the footprint they have in several locations. They want the office space they have up front and seven bays to service the vehicles.

COMMISSION: Rick Miles stated that this is in the overlay district. If the greenspace is truly needed then what precedent would this set.

COMMISSION: Sean Stem stated that it looks like there is a two way drive in the rear. What if that was one way all the way around.

APPLICANT: George Hamman stated that would give them space. He stated the other thing to consider is that in the rear are warehouses owned by RGB. He stated in our lifetime nothing really nice is going to be placed back there.

COMMISSION: Rick Miles stated that may be true, but he feels they really need to try and follow the guidelines as much as they possibly can. He stated they do not want to get in a situation where they are looking at this down the road and are creating a problem not only for the city, but for this board. If a one way would help this problem that is something they would be more likely to consider.

COMMISSION: Max Dacus Jr. asked how wide it was in the rear.

STAFF: Derrel Smith stated they are showing a 3' buffer in the rear.

COMMISSION: Rick Miles stated they needed to discuss the side issue.

STAFF: Derrel Smith stated the city is not going to have a problem with the side for connectivity. We want to encourage all the connectivity we can on these projects. The fewer curb cuts, the better.

COMMISSION: Sean Stem asked how much room he thinks he will need to just get around the building.

APPLICANT: George Hamman stated they will need roughly 14' to have a little maneuverability. The curb is 24' off the back of the building.

COMMISSION: Max Dacus Jr. stated you would have your 14' if you added that 10' back to it. He asked if 10' is the total required.

STAFF: Derrel Smith stated that is correct. The other 3' can go back into the drive.

COMMISSION: Max Dacus Jr. stated that would give you 17'. He then asked about the procedure and what is to be voted on.

STAFF: Derrel Smith stated you can vote on the first two. A 10' buffer with a 17' drive would not need a variance.

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

Aye: 3 - Max Dacus Jr., Jerry Reece and Sean Stem

Absent: 1 - Doug Gilmore

5. Staff Comments

6. Adjournment