



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Board of Zoning Adjustments

Tuesday, June 15, 2021

1:30 PM

Municipal Center, 300 S. Church

1. Call to Order

2. Roll Call

Present 4 - Doug Gilmore; Rick Miles; Casey Caples and Kevin Bailey

Absent 1 - Max Dacus Jr.

3. Approval of Minutes

[MIN-21:051](#)

MINUTES: BZA Minutes from May 4th, 2021 Special Called BZA Meeting

Attachments: [BZA Minutes from May 4th, 2021 Special Called BZA Meeting](#)

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

Aye: 3 - Rick Miles; Casey Caples and Kevin Bailey

Absent: 1 - Max Dacus Jr.

[MIN-21:050](#)

MINUTES: Meeting Minutes from May 18th, 2021 BZA Meeting

Attachments: [Meeting Minutes from May 18th, 2021 BZA Meeting](#)

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

Aye: 3 - Rick Miles; Casey Caples and Kevin Bailey

Absent: 1 - Max Dacus Jr.

4. Appeal Cases

[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](#)

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.

APPLICANT: Stated she's because of a privacy fence that she installed without seeking approval for the City first. She is also here to obtain a variance for the fence, that's believe to be in the front yard and not sure the back fence is an issue. I think it's the front fence because it's not in requirement.

COMMISSION: Doug Gilmore stated looking at the house the fence was constructed; One with the good side facing your home. He stated are you aware when building a fence you supposed to put the good side to your neighbor. He stated there are ways for doing that is to build shallow box fencing, you could finish both sides. He stated there are multiple ways to get around building a fence so it looks great on both side. He stated what should have happen is the fencing part should be towards your neighbor. He stated that's clearly in the fencing ordinance. Another ordinance is the fence on your side yard comes in line with the front of the home, it must be drop to a 4ft high and also be at least 50% open, which mean people can see over and through it.

STAFF: Derrel Smith stated where the fence is going down it part of the street right of way and has to come out or the street department will remove it. He stated where the white fence is, it's at the back of the right of way all this in front is the city's right of way, so you can't have a fence in the right of way.

APPLICANT: Mary Dalton stated as in her letter, she states it was her understanding was there would be sidewalks put in. She states in her letter when that take place or when the construction get started, that I have no problem with taking down the fence and doing what's right. She states I ask that he be left until those projects begin. She states if that's not an issue I would prefer that because for one thing we have the bus stop there at the corner and when people exits from the bus they attain to take short cuts. She stated one of the short cuts in through my yard and that's one of the reason I installed the fence to prevent that. Also the house sit so close to street because it was a safety concern. She stated I didn't want people crossing into the yard and coming onto the property at all.

COMMISSION: Doug Gilmore stated we dealt with many variances over fencing many years. He stated a lot of people aren't aware but does mean it's excusable. He stated the problem is finish the other side fence, which means finish the side of the neighbor and the back of your fence.

APPLICANT: Mary Dalton stated what do you meaning about finishing the fence.

COMMISSION: Doug Gilmore stated it is out of Code and what we allow in the City of Jonesboro and order how to build a fence. He stated so in order for it to become compliance you would have to finish the other side of the fence so the neighbor doesn't see the cross members. He stated you going to have to remove the fence from where it's at, because we can't allow fence in a street setback for any period of time.

COMMISSION: Rick Miles ask Ms. Dalton who constructed this fence for you.

APPLICANT: Mary Dalton replied Finley Fencing Company

COMMISSION: Rick Miles stated did they don't tell you the proper sequence of having this fence build for you.

APPLICANT: Mary Dalton stated in all honesty I ask that the fence be erected at that level. She stated for as coming back saying well we can't do that it wasn't discuss.

COMMISSION: Kevin Bailey stated did your contractor mention to you that you need a fencing permit.

APPLICANT: Mary Dalton replied no.

COMMISSION: Lonnie asked any more questions or do you want to make a motion.

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

Nay: 3 - Rick Miles; Casey Caples and Kevin Bailey

Absent: 1 - Max Dacus Jr.

[VR-21-22](#)

VARIANCE: 3914 S. Caraway Road

George Hamman of Civilogic on behalf of C3.LLC are requesting a variance for 3914 S Caraway Road to request a change from the Overlay District modifications of Masonry exterior on the west faces of the building only and not the 80% Building Finishes that the Overlay District calls for. This is located in a C-3 General Commercial District.

Attachments: [Application](#)
 [Conceptual Plan](#)
 [Drawings of layout of buildings](#)
 [Letter](#)
 [Location Map](#)
 [USPS Receipt](#)

Wrong address and date for notification to neighboring tenants.

Tabled

[VR-21-23](#)

VARIANCE: 403 Elizabeth Lane

Danny Burns of Horizon Land Surveying on behalf of Benjamin McCain are requesting a variance for 403 Elizabeth Lane to request a change from the R-1 Single Family Minimum lot frontage of 60 ft. that is required to 59.44 ft. on the proposed lots 9 and 10. This is located in an R-1 Single Family Residential District.

Attachments: [Application](#)
 [Variance Plat](#)
 [USPS Receipts](#)
 [Elizabeth Acres Plan Set](#)
 [Aerial View](#)

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

Aye: 3 - Rick Miles;Casey Caples and Kevin Bailey

Absent: 1 - Max Dacus Jr.

[VR-21-24](#)

VARIANCE: 910 Sycamore Cove

Bill Clark is requesting a variance for 910 Sycamore Cove to construct a 6 ft. instead of the 3 ft. that is there now that will extend 20 ft. making the total fence 80.5 ft. long. This is located in an R-1 Single Family Residential District.

Attachments: [Application](#)
 [Narrative Letter](#)
 [Site Plan](#)
 [Site Plan 2](#)
 [Drawing](#)
 [Distription and Circumstances](#)
 [Easements](#)
 [Pictures of Location](#)

Bill Clark is requesting a variance for 910 Sycamore Cove to construct a 6 ft. instead of the 3 ft. that is there now that will extend 20 ft. making the total fence 80.5 ft. long. This is located in an R-1 Single Family Residential District.

APPLICANT: Bill Clark stated he is asking for a variance for a 6 ft. privacy fence wood to go on the west side of my property. Beginning at a Conditionally Use building and South and Extending into a platted cul-de-sac.

COMMISSION: Doug Gilmore ask for Hardship or problem doing the fence per ordinance will cause.

APPLICANT: Bill Clark stated one area there's a building that's being recondition for a Mother-in law quarters. He stated when It was built in 2012 should have been 10 ft. off the property line. Instead it was built 28 ¾ inches from the property line. He stated I would like to partially hide that building that's there. He stated his neighbor also have a part time meat smoking business and has grown in the last 4 years. He stated he put tents and trailers up and it covers my whole front of my house when you look out the door. He stated also its just trash and junk that is sometime push just outside the fence

for our view. He stated there's other things but they kind of minor.

COMMISSION: Rick Miles ask was the picket fence is what you're wanting to replace

APPLICANT: Bill Clark replied yes that's all the City would allow me to do just over a year ago.

COMMISSION: Rick Miles ask is the gentlemen running a business where he's cooking this meat

APPLICANT: Bill Clark replied yes with prices all over Facebook

(See video for staff comments)

COMMISSION: Doug Gilmore stated we can't allow anything built by an individual inside that right of way.

APPLICANT: Bill Clark stated the corner of my neighbor house is on the street right of way also.

(See video for comments)

A motion was made by Kevin Bailey to grant a variance for a 6 ft. privacy fence to property line, seconded by Casey Caples, that this matter be Approved. The motion **PASSED** with the following vote.

Aye: 3 - Rick Miles; Casey Caples and Kevin Bailey

Absent: 1 - Max Dacus Jr.

[VR-21-25](#)

VARIANCE: 428 N Main

Chris West of Triple Sea, LLC is requesting a variance for 428 N. Main to extend existing building foot print to the east with a 62 x 35 red iron structure to be defined as a pipe shed. The original structure extends beyond north and south set back lines since it was built in 1984 before lines were set. Build site is behind legal fence, on existing parking lot with curb, gutter, and gate entrance. This is located in an "I-1" Limited Industrial District.

Attachments: [Application](#)
 [Letter](#)
 [Drawing](#)
 [Site Plan](#)
 [Survey](#)
 [Aerial View](#)

Chris West of Triple Sea, LLC is requesting a variance for 428 N Main to extend existing building foot print to the east with a 62 x 35 red iron structure to be defined as a pipe shed. The original structure extends beyond north and south set back lines since it was built in 1984 before lines were set. Build site is behind legal fence, on existing parking lot with curb, gutter, and gate entrance. This is located in an I-1 Limited industrial District.

APPLICANT: Chris West stated he been in the area for 12 years and brought a

vacant building, which was run down and outside was very rough. He stated we renovated the building and in 12 years we've grown from a couple of plumbers to 11 since I wrote the letter. He stated we're storing a lot of dry goods in the building that basically don't need sunlight or rain on them. He stated they want to go out the back of building from 35 ft. x 62 ft. He stated it does effect the eastside of the building just the north and south setback lines. He stated basically keeping the original footprint of the building, but extending to the east. He stated it will be connected to the building three sided the back side will be open, so we will be able to back a truck up to it on a rainy day.

COMMISSION: Doug Gilmore ask are you staying within the same width of the building now.

APPLICANT: Chris West stated yes the same width of the building now. He stated because the setback was set after the building was constructed. He stated I am on 3 street but I have no property owners that I'm effecting.

COMMISSION: Rick Miles ask was this all behind fencing

APPLICANT: Chris West stated yes.

COMMISSION: Doug Gilmore ask for Staff Comments.

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

Aye: 3 - Rick Miles; Casey Caples and Kevin Bailey

Absent: 1 - Max Dacus Jr.

5. Staff Comments

6. Adjournment