



**BOARD OF ADJUSTMENT
AGENDA
February 13, 2019**

I. Call to Order

II. Approval of Minutes

III. New Business:

1. Hurricane WA, LLC

729 & 733 NE A Street (VAR19-0002)

- Fence Height requirements in R-1 zoning district

Variance*

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
January 9, 2019

Meeting called to order by Rick Rogers, Chairman

Present: Joe Haynie, Rick Rogers, Sam Pearson, and Rustin Chrisco
Absent: Jan Holland
Staff: Jon Tyler and Tyler Overstreet

Motion by Mr. Pearson, seconded by Mr. Chrisco to approve the minutes of November 28, 2018 as written.
Approved 4-0

New Business

Item #1

Michael Family Limited Partnership, Variance Request for 700 SW 14th Street, Flood Damage Prevention Code Appendix "A" Base Flood Elevation requirements for Nonresidential Structures, VAR18-0045

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Daniel Ellis, with Crafton Tull, presents the variance request to the Board.

Mr. Overstreet informs the Board that the City Engineer on staff is available for questions.

Ellen Norvell, City Engineer, addresses the Board and answers their questions.

There is discussion between Mr. Ellis, Ms. Norvell, the Board, and staff.

The Board requests that an additional condition of approval be added to the variance request that consists of a Letter of Map Amendment (LOMR) prior to issuance of a Certificate of Occupancy. Therefore, the conditions of approval are as follows:

1. The approved variance shall be for the building footprints of the proposed mini storage development only, as provided by the applicant within their application.
2. The applicant must obtain an approved building permit prior to construction.
3. The applicant must file a LOMR prior to issuance of a Certificate of Occupancy.

Approved 4-0

Item #2

J & M Investments of NWA, Variance Request for 3800 SW Post Loop, Minimum Lot Depth in R-ZL, Residential Zero-Lot Line Zoning District, VAR18-0046

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Jared Inman, with Jorgensen & Associates, presents the variance request to the Board.

There is some discussion amongst the Board members.

Approved 4-0

Item #3

Election of Officers

Nomination of Rick Rogers for Chair

Approved 4-0

Nomination of Sam Pearson for Vice Chair

Approved 4-0

Nomination of Rustin Chrisco for Secretary

Approved 4-0

Meeting adjourned

Ali Worley

*A copy of this recording can be obtained from the Bentonville Planning Department.

BOA STAFF REPORT

VAR19-0002, Hurricane WA, LLC, Fence Height

TO: Bentonville Board of Adjustment Members
THRU: Ellen Norvell, Community Development Director
FROM: Ali Worley, Planning Technician
BOA DATE: February 13, 2019

GENERAL INFORMATION:

Representative: Todd Jacobs

Applicant: Jacobs Group

Location: 729 & 733 NE A Street

Existing Zoning: R-1, Single Family Residential

Existing Land Use: Single Family Residences

REQUEST: Variance(s)

Side Interior Yard Fence Height Variance		
	Regulation	Request
Article 1400, Sec1400.15.D.4 Fence Height	Maximum Height shall be six (6) feet above grade	Request of: 7' Variance of : 1'

SURROUNDING ZONING:

Direction	Zoning
North	R-1, Single Family Residential
South	R-1, Single Family Residential
East	R-1, Single Family Residential
West	R-1, Single Family Residential

BACKGROUND:

The applicant has submitted a variance request to the maximum fence height requirements for the interior side yard of properties located at 729 and 733 NE A Street. The applicant is requesting that a 7-foot tall fence be allowed, which is a variance of 1 foot from the 6 feet allowed by ordinance. The proposed privacy fence is internal to the houses and has little visibility from the street. At the time of this request, there are no utility easements, drainage easements nor overhead electric that would be impeded with the proposed variance.

For additional information, please reference the attached documents.

PUBLIC COMMENT:

Staff has **NOT** received public comment regarding this request.

CONDITIONS OF APPROVAL:

If approved, the following condition(s) shall apply:

1. The approved variance shall be for the proposed height, location and materials of the fence only, as provided by the applicant within this application.
2. The applicant shall obtain an approved fence permit prior to constructing the fence.

JACOBS GROUP

Specializing in Downtown Housing

February 4, 2019

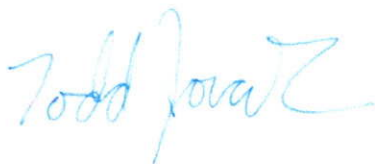
City of Bentonville
Board of Adjustments
305 SW A Street
Bentonville, Arkansas 72712

RE: 729 & 733 NE A St – Variance for fence height

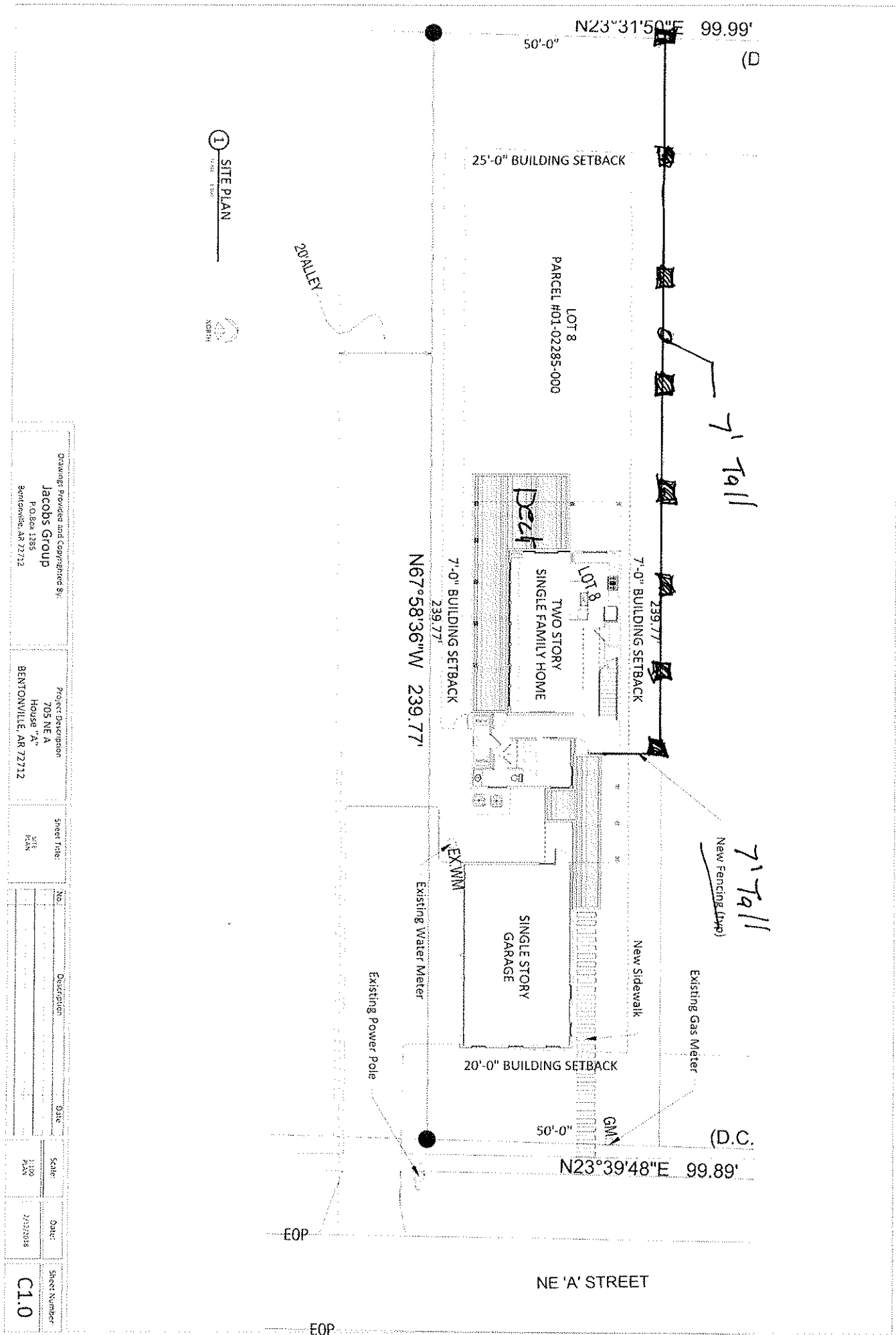
Dear Mr. Stanley,

As the current property owners, we are requesting to build a 7' tall privacy **fence that will be interior only** at 729 & 733 NE A Street. Due to the higher density of the project, a standard 6 ft fence will not provide enough privacy for the future home owners. These homes have rear decks which are approximately 3' above the final grade. A person standing on the deck can easily see into their neighbor's courtyard. The requested 7' privacy **fences are internal** to the houses and have little visibility to the street.

Sincerely,



Todd Jacobs



1 SITE PLAN
 1/2" = 1'-0"
 NOSH

Drawing Provider and Copyrighted by: Jacobs Group P.O. Box 1395 Bentonville, AR 72712		Project Description: 705 NE A House "A" BENTONVILLE, AR 72712		Sheet Title: SITE PLAN	
No.	Description	Date	Scale	Date	Sheet Number
			1/100 PLAN	2/15/2018	C1.0