



**BOARD OF ADJUSTMENT
AGENDA
October 9, 2019**

I. Call to Order

II. Approval of Minutes

III. New Business:

1. Serrano

1512 Rice Road ([VAR19-0022](#))

- Side Exterior (Front) Setback

Variance*

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
August 14, 2019

Meeting called to order by Rick Rogers, Chairman

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

Vote on approval of the minutes of July 24, 2019 as written.
Approved 5-0

Item #1

J Street Company, LLC, Variance Request for 2600 SE J Street, Fence Height, VAR19-0018
Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Rod Wittenburg, Headmaster of Haas Hall Academy, explains the variance request.

There is some discussion amongst the Board, staff, and Mr. Wittenburg.

Approved 5-0

New Business

Item #1

Clark, Variance Request for 101 NW O Street, Accessory Building Setback, VAR18-0044
Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Mike Clark, owner, explains the variance request.

There is discussion amongst the Board, staff, and Mr. Clark.

Approved 5-0

Item #2

Lawler, Variance Request for 108 NE F Street, Front Setback, VAR19-0019
Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Benjamin Bendall, representative, explains the request for the variance.

Mr. Overstreet explains the situation with the right-of-way width.

There is some discussion amongst the Board, staff, and Mr. Bendall.

Approved 5-0

Item #3

Kotyanker, Variance Request for 209 SE B Street, Street Facing Garage Setback, VAR19-0020

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Christopher Beekman, contractor, and Santosh Kotyanker, owner, explains the request to the Board.

They present the site plan to the Board.

There is some discussion amongst the Board, staff, and the representatives.

Approved 5-0

Motion by Mr. Pearson, seconded by Ms. Holland, third by Mr. Haynie to adjourn.

Meeting adjourned

Ali Worley

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

BOA STAFF REPORT

VAR19-0022, Serrano, Side Exterior (Front) Setback

TO: Bentonville Board of Adjustment Members
THRU: Ellen Norvell, Community Development Director
FROM: Jon Stanley, Senior Planner
BOA DATE: October 9, 2019

GENERAL INFORMATION:

Representative: Jose Serrano

Applicant: Jose Serrano

Location: 1512 Rice Lane

Existing Zoning: R-1, Single Family Residential

Existing Land Use: Low Density Residential

REQUEST: Variance(s)

Side Exterior (Front) Setback Variance		
	Regulation	Request
Article 401, Section 401.07, Residential districts regulations, Subsection d.1, Standards	The minimum front setback for properties in R-1 Zoning Districts shall be 20-feet	Request of: 4 ft. Variance of: 16 ft.

Accessory Nonresidential Building Setback		
	Regulation	Request
Article 601, Section 601.01, Accessory nonresidential buildings, Subsection c, Setbacks	In the case of a corner lot, the accessory structure shall not project beyond the building line required or existing on the adjacent lot. In this case 20 feet.	Request of: 0 ft. Variance of: 20 ft.

SURROUNDING ZONING:

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

BACKGROUND:

The applicant has submitted a variance request to the Side Exterior (Front) Yard Setback requirements for property located in the R-1, Single Family zoning classification for a 480 square feet addition along the north side of an existing residence at 1512 Rice Lane. The applicant is requesting a 4' side exterior (front) setback be allowed which is a variance of 16' from the 20' allowed by ordinance.

Additionally, the applicant has submitted a variance request to the Setback requirements for three accessory nonresidential buildings. The applicant is requesting to locate the three nonresidential accessory buildings in the side exterior (front) yard setback. Code states that in the case of a corner lot, said accessory buildings shall not project beyond the building line required or existing on the adjacent lot and that all accessory nonresidential buildings shall meet the front building setback for the zone it is to be located. The applicant is requesting a 0' setback be allowed for the accessory nonresidential buildings, which is a variance of 20' from the 20' required by ordinance.

Note: The addition and all of the accessory structures are within a public utility easement.

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 layout and setbacks as provided by the applicant within the application.
2. The applicant shall be required to obtain an approved building permit for the 480 square feet residential addition.
3. All structures and additions shall be located outside of any public easements.

City of Bentonville GIS

100' accessory structure with 480' roofline extension



Legend

Bentonville Address

	ANC
	APT
	BLDG
	BSMT
	CABLE
	CONT
	Detention Pond
	ELEC
	FENCE
	IRR
	LARGE
	LIFT
	MAIN
	PARK
	PRE
	PZ
	SIGN
	STE
	TEMP
	TLITE
	TOWER
	TPED



NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
City of Bentonville

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