



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes Board of Zoning Adjustments

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Tuesday, April 21, 2015

1:30 PM

Municipal Center

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### 1. Call to Order

[play video](#)

### 2. Roll Call

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### 3. Approval of Minutes

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Approval of BZA minutes for March 17, 2015.

[play video](#)

Approved

### 4. Appeal Cases

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VR 15-08 3205 Oakmont Cove

Mike McNeese with McNeese Land Surveying on behalf of property owner John Roades request a variance for address 3205 Oakmont Cove to waive the fence requirement height from 6 ft to 8 ft due to the safety of his teenaged handicapped child. This request is on an R-1 Single Family Density District lot.

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**Mike McNeese came before the board representing owner John Roades. We were here before last month, same issue. What we discovered represents adjoining neighbor's fences; it has a few gaps in it. On the conceptual view extend his 8 ft fence adjacent to the fence you have photos of on to gain some privacy and for his he does have a letter from architectural control committee it is ok with them. They did ask that he transitions the fence down from 8 to 6 to match the existing fence. Adjoining lot owner, has no objections they just did not want their fence removed, they wanted their fence to stay in place.**

**Mr. Gilmore: Questions? Or opposition?**

There was none.

**Mr. Kelton:** I move we approve the variance as requested.

**Approved**

VR 15-10 Alvin (Doug) Dillin requests a variance for address 5206 Harrisburg Road to waive the requirements to put an accessory structure on an empty lot that is adjacent to his family home. This request is on an R-1 Single Family Density District lot.

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**Doug Dillin** came before the board to request a variance to waive the requirements to put an accessory structure on an empty lot that is adjacent to his family home. He wants to build a 30x40 shop to park a lawnmower in and a truck in.

**Mr. Kelton:** Mr. Chairman, I reviewed the application and I don't see any mention of a hardship.

**Mr. Gilmore (Chairman):** Mr. Dillin what this committee does is reviews City Ordinances in lieu of hardships that you may have or that might create a building to close to the property line, or a fence issue. Tell us your hardship, you own these two pieces of property there are two lots; they have not been re-plated into one lot. You want to put a utility building on an existing R-1 lot without putting anything else? What would be the problem with you re-plating this into one lot?

**Mr. Dillin:** It was a lot cheaper this way.

**Mr. Gilmore:** That is not a hardship.

**Mr. Dillin:** When I talked to the man he said I had two options. He talked to me about re-plating it but he said this was another thing to consider. I chose this one.

**Mr. Kelton:** Tracy, what would it take for him to get his land plated?

**Mr. Morris:** He would have to hire a survey to plat into one lot, and make sure it in ordinance with the Master Street Plan with proper right-of-way on Harrisburg Road.

**Mr. Kelton:** Mr. Dillin, you ready have a large red barn type storage building behind your house? How large is that?

**Mr. Dillin:** I think it is a 12x18.

**Mr. Dacus:** If this is re-plated into one lot, would it be allowed?

**Mr. Gilmore:** At that point there would not be the 7.5 side minimum.

**Mr. Morris:** He would have a fire separation that would still require 15 feet without putting a firewall.

**Mr. Gilmore:** If you built this building where you wanted to build it, would there be 15ft. between it and your other building?

**Mr. Dillin:** Yes, I would put in somewhere in the middle of the lot the lot is 110x330.

**Mr. Gilmore:** We need a motion or a deny.

**Mr. Gilmore:** Mr. Dillin, because it did not receive a motion we are going to have to decline your request we suggest you get it re-plated and have one lot there.

**Mr. Dillin:** That is what I'm trying to avoid, that is a lot of money.

**Mr. Gilmore:** I understand that but the idea of putting an out building on a piece of R-1 property with nothing else on it I'm not ok with, the correct thing to do is make this into one lot.

#### **Denied**

VR 15-11 Greg Brooks requests a variance for address 1216 East Country Club Terrace to waive the standard 25 ft rear setback to 10 ft for an addition to his residence. This request is on an R-1 Single Family Density District Lot.

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**Greg Brooks** came before the board requesting a variance to add a master bedroom, bathroom, and closet space to my house.

**Mr. Gilmore:** We are here because you're getting into some setbacks?

**Terry Hensen:** He would not be getting into the side setbacks but the rear setbacks. You guys have a drawing of the aerial view of the property. So you can see that several of the property owners have gotten into that setback.

**Mr. Gilmore:** Any questions?

**Mr. Kelton:** Do we have any opposition to this?

**Mrs. McGaha:** No Sir.

**Mr. Kelton:** Mr. Chairman, the application doesn't state the hardship.

**Mr. Gilmore:** Talk to us a little bit about this progress.

**Mr. Hensen:** We have a growing family and we don't have a lot of closet space.

**Mr. Gilmore:** Set back will go from 25ft. to 10ft.

**Mr. Kelton:** I move we grant the variance as requested.

#### **Approved**

VR 15-12 George Hamman with Civilogic Engineering on behalf of property owner SAG Leasing, LLC request a variance for address 3105 Southwest Drive to waive the paving requirements for this to be used as a temporary "Park and Sell" vehicle sale lot. This is on a C-3 General Commercial District lot.

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George Hamman, of Civilogic Engineering, on behalf of the property owner SAG Leasing, to request a variance for address 3105 Southwest Drive to waive the paving requirements for this to be used as a temporary "Park and Sell" vehicle sale lot. SAG Leasing has owned this lot for 7 or 8 years, back in 2008 we got approved to build a building. However, back in 2008 the economy was bad so they decided not to build the building. Since 2008, it has been a gravel parking lot and for the last few years it has been leased out to one of the snow cone company's. They would like to change the use to a park and sale, where people can park their car to sell it. And the request is not to pave it at this time, and after they do this for a couple of years and find some tenants then they would come back and build the building and finish site plan as it was approved.

Mr. Gilmore: Do you plan to put the curve and gutter in prior to this use?

Mr. Hamman: They would like to leave the lot as is, enhance the gravel that is there now and use it as a park and sell site.

Mr. Dorothy Robinson, 3210 Wood Street, our property goes to the Bank on Highway 49. I misunderstood; I do not have a problem with this.

Mr. Gilmore: Do we have a sunset on this

Mr. Hamman: I did include a sunset in the letter.

Mr. Max: Why don't we just do the 2 year, then at that time if it is still the park and sale then we need to look at it again, I make a motion we grant the variance with a 2 year time period, at the end of 2 years it would come back to the appropriate committee to be look at again.

**Approved**

VR 15-13 Ray Coleman requests a variance for address 905 N. Madison to waive the side yard from 7.5 ft the standard to 1 ft from the property line for the installation of a metal carport that is 29 ft x 20 ft. This is on an R-3 Multi-Family High Density District lot.

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Ray Coleman came before the board requesting a variance to but a metal carport that is 29ft. by 20ft.

Mr. Kelton: This will be on the North side of your property. You have a very good looking home place.

Mr. Coleman: Thank you, I've been trying for 30 years.

Mr. Kelton: Neighbors already have buildings with the property lines on the North side of him; I move we grant the variance.

**Approved**

VR 15-14 Wayne Timmons owner of Timmons Transit request a variance for address 3116 Nestle to waive the amount of paved parking spaces from 19 to 10 that are

required, due to the fact that the business does not do business with the general public. They are requesting an additional 120 days to complete the pavement work due to the inclement weather. This request is on an I-2 General Industrial District lot.

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**Wayne Timmons, came before the board to request a variance to waive the amount of paved parking spaces from 19 to 10 and additional 120 day extensions to complete due to inclement weather.**

**Wayne Timmons: We are an over the road trucking company, we don't have the need for that many parking places.**

**Mr. Gilmore: Do we have room in the future for parking places?**

**Wayne Timmons: We are the owner.**

**This will be hard serviced concrete or asphalt and the drive inward to it?**

**Wayne Timmons: I talked to the Engineer with Otis upstairs and the paved amount would be below the 200 square foot, so we would be exempt.**

**Mr. Morris: Correct, we might want to verify.**

**Mr. Dacus: So I-1 does not require curb and gutter or retention?**

**Mr. Morris: The retention is not required because it is less than 200 square foot of improvements, the curb and gutter, I will have to make sure, but in I-2 you're dealing with 18 wheelers so it's not required. However, I need to make sure of that.**

**Mr. Dacus: I move we grant the variance, with the contingency that the proper curb and gutter will be investigated and if required you must do. If not, just do what is required.**

**Mr. Morris: Has those 10 spaces been provided?**

**Wayne Timmons: There is 11 acres of chat out there, it's not mud.**

**Approved**

VR 15-15 Kelli and Ray Culpepper request a variance for address 1235 Haven Street to waive the standard 25 ft front yard setback to 10 ft for an accessory building to be built. This request is on an R-1 Single Family Density District Lot.

Applicant wishes to request that a 5-ft. high fence be added to this variance request (approved 4/21/15), due to property frontage on a corner lot having two front yards. Maximum height allowed is 4-ft., proposed fence will match neighbor's existing fence.

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**Ray Culpepper came before the board requesting a variance for address 1235 Haven Street to waive the standard 25ft. front yard setback to 10 ft. for an accessory building to be built.**

**Mr. Gilmore: Is this an out building?**

**Mr. Culpepper: Yes, to store lawn mower and other things.**

Mr. Gilmore: Will there be access off of Poplar Ave.?

Mr. Culpepper: We prefer not to have any access.

Mr. Gilmore: That's another lot to the south, correct? You own that too?

Mr. Culpepper: Yes.

Mr. Kelton: For clarity, where does Poplar become an alley way?

Mr. Gilmore: Its black topped and open, it's just a narrow road.

Mr. Kelton: Are there shrubs between proposed site and Poplar Street?

Mr. Culpepper: There are shrubs right now but there will be a fence.

Mr. Morris: The existing right of way off of Poplar is about 10-25ft. If they subdivide the lot, they would have to dedicate 30ft. for the Master Street Plan may want to think about doing 40ft. from the center line. So it wouldn't cause a problem in the future.

Mr. Kelton: If you did develop your back yard, and divided it not more than one lot then you may have to give up some property and move the building.

Mr. Culpepper: It would properly be 25 ft. from Poplar.

Mr. Kelton: How large will the building be?

Mr. Culpepper: 24x30.

Mr. Kelton: The concern I have is from that center line of Poplar Ave going south. If he was 20 to 30 ft. from the center of line of Poplar Ave I think that would be better.

Mr. Gilmore: I think the minimum of 30 feet from center line; another 5 ft. back would get you out of the way. I think that is good planning on the City's part.

Mr. Kelton: I move we approve the variance provision upon the building not being any closer than 20 ft. to the center line of Poplar Ave.

Approved

## **5. Staff Comments**

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## **6. Adjournment**

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