



**BOARD OF ADJUSTMENT
AGENDA
June 27, 2018**

I. Call to Order

- **Approval of Minutes**

- **New Business:**

- 1. Stoker** (*VAR18-0016*)
SE 7th & SE B Street

- Density in the DE, Zoning District

Variance*

- **Other Business**

- **Adjournment**

Board of Adjustment
Minutes
June 13, 2018

Meeting called to order by Rick Rogers, Chairman

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

Motion by Mr. Pearson, seconded by Mr. Haynie to approve the minutes of April 25, 2018 as written.
Approved 4-0

New Business

Item #1

Gruener, Variance Request for 507 W Central Ave, Fence Adjacent to Public Right-of-Way and Side Exterior Yard Fence Height, VAR18-0015

Tyler Overstreet reads the staff report.

Opened public hearing

Jeff Gruener, applicant, explains the variance request to the Board.

Closed public hearing

Mr. Rogers asks about the type of fence. Mr. Gruener states it will be wood privacy. There is discussion about the location of the gate. There is then discussion about the difference in fence heights from 5-6 feet. The Board agrees the hardship in regards to the location of the fence are being able to work around the mature trees.

Fence Adjacent to Public Right-of-Way

Motion by Mr. Rogers, seconded by Mr. Chrisco to amend the request to a 3-foot variance

Approved 4-0

Side Exterior Yard Fence Height

Motion by Mr. Rogers, seconded by Mr. Haynie to amend the request to maintain the height of the existing fence for the new fence-not to exceed 5-feet, which is a 2-foot variance.

Approved 4-0

Other Business

Mr. Stanley provides the members with a copy of the 2017 Annual Development Report.

Meeting adjourned

Ali Worley

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

BOA STAFF REPORT

VAR18-0016 Stoker – Density

TO: Bentonville Board of Adjustment Members
THRU: Shelli Kerr, AICP, Community Development Director
FROM: Jon Stanley, Senior Planner
BOA DATE: June 27, 2018

GENERAL INFORMATION:

Representative: Jacobs Group

Applicant: Robert & Shelly Stoker

Location: Southeast 'B' Street & Southeast 7th Street

Existing Zoning: DE, Downtown Edge

Existing Land Use: Vacant Residential Lot

REQUEST: Variance

Density Variance		
	Regulation	Request
Article 401. Sec 401.8-B.c Density Requirements for DE, Downtown Edge	18 dwelling units per acre	Request of: 28 dwelling units per acre Variance of : 10 dwelling units per acre

SURROUNDING ZONING:

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

BACKGROUND:

The applicant has submitted a variance request to the density requirements for a 0.22 acre parcel located in the DE, Downtown Edge zoning district. The applicant is requesting that 28 dwelling units per acre be allowed, which is a variance of 10 dwelling units per acre from the 18 dwelling units allowed by ordinance. The intent of the applicant per the provided written narrative would be to construct six, two story, two bedroom townhomes and provide parking spaces as required by the current zoning code.

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 structure only, as provided by the applicant within this application.
2. The applicant shall obtain Large Scale Development approval from the Planning Commission.
3. The applicant shall obtain a building permit prior to constructing the proposed structure.

JACOBS GROUP

Specializing in Downtown Housing

June 18, 2018

City of Bentonville
Board of Adjustments
305 SW A Street
Bentonville, AR. 72712

RE: SE B Street Rowhomes – Variance Request

Dear Board of Adjustment members,

Jacobs Group seeks to build five rowhomes located at the corner of SE B and SE 7th in downtown Bentonville in order to provide missing housing options for individuals seeking to live near the downtown location.

Project Description

The project site consists of one lot measuring approximately 67' x 141' approximately 9,447 Sq. Ft. The property is currently zoned D-E Downtown Edge. The project will consist of six rowhomes consisting of two bedroom units and exceeding the density allowed by D-E zoning. We propose to keep the existing zoning in place.

Variance Request from Code Section: 401.8-B, C-1

Density

- D-E allows 18 DU per Acre
- Our request is for: *28 DU Per Acre*

For the reasons listed above, I ask that you find the following:

- A. Special Conditions and circumstances exist which are specific to the proposed project. In particular the density of 18 units per acre does not allow for a true urban density in the context of the vision for Downtown Bentonville. The proposed project uses this infill site in an efficient manner while remaining sensitive to the human context.*
- B. Literal Interpretation of the ordinance - Strict interpretation of the zoning code would severely limit the use of the property commonly enjoyed by other projects found in the same zoning district.*

JACOBS GROUP

Specializing in Downtown Housing

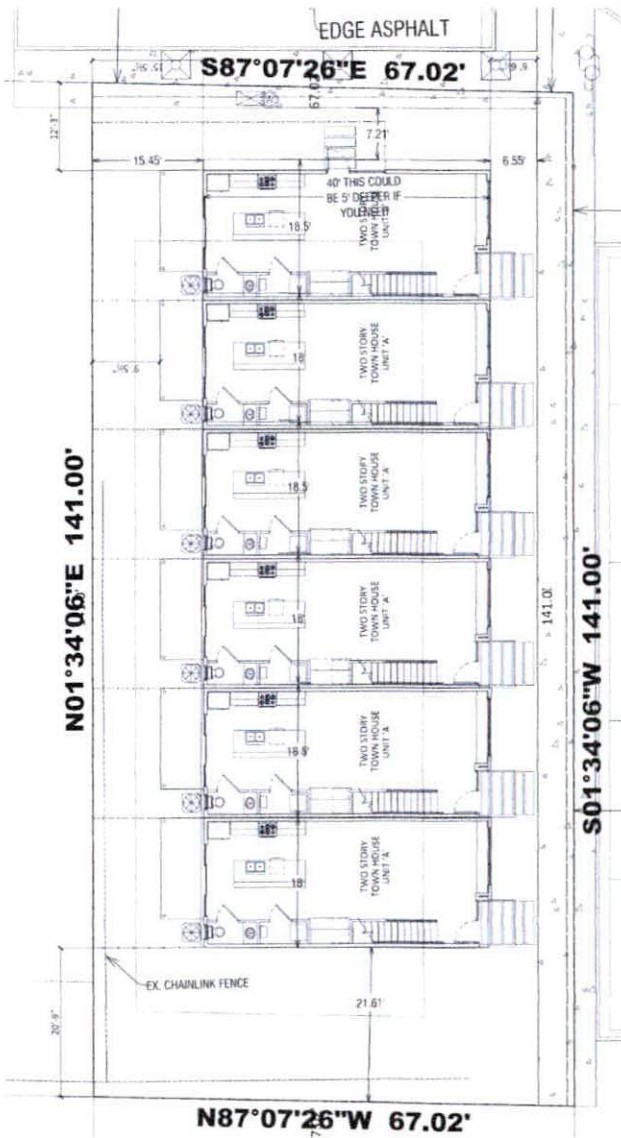
- C. The special conditions and circumstances do not result from the actions of the applicant. *Currently other projects can be found within the City of Bentonville Downtown Zoning districts that are above the set density for this ordinance. Our rowhome project is well below those found properties and we feel that the density we seek approval is warranted.*

Sincerely,

A handwritten signature in black ink, appearing to read "Jacobs Group", written in a cursive style.

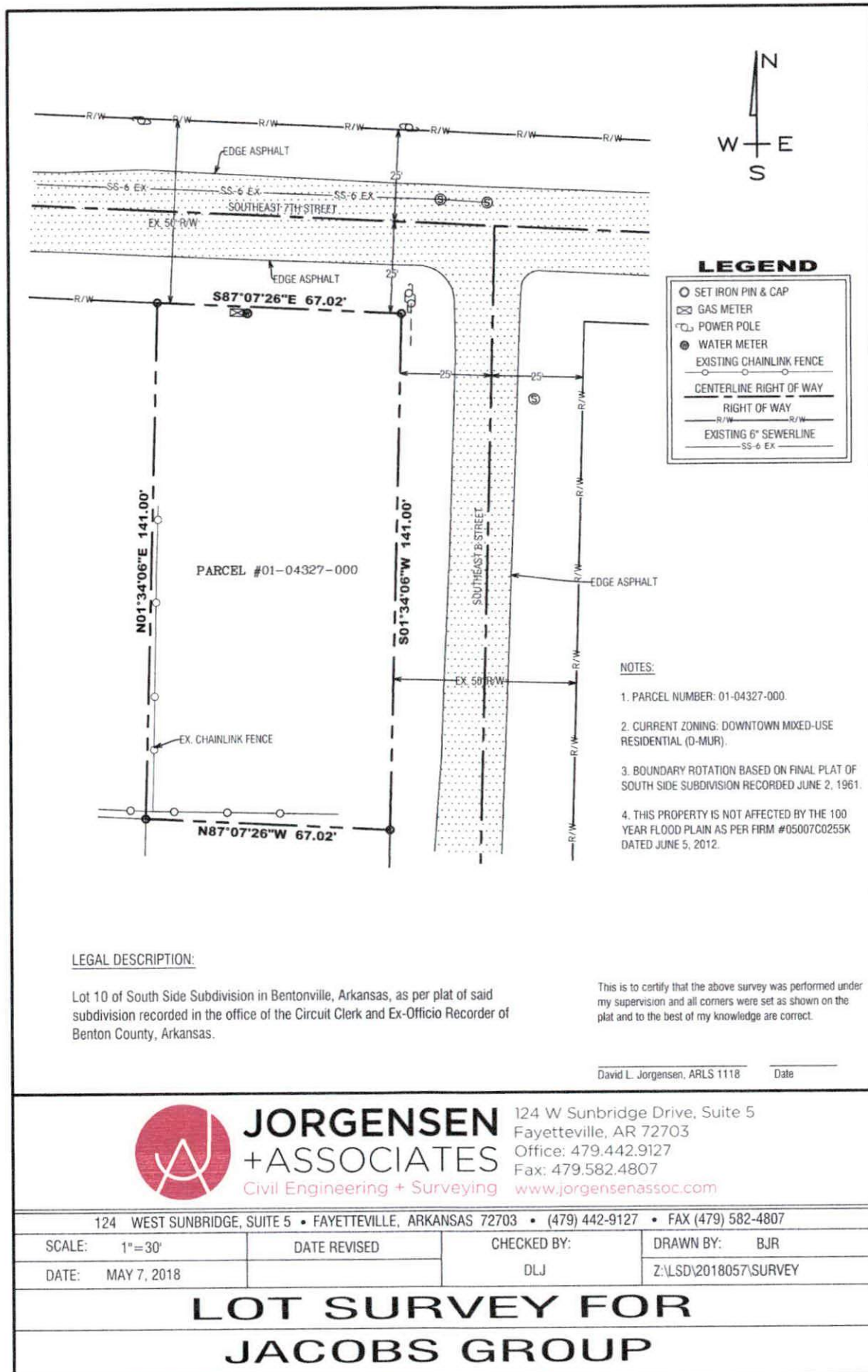
Jacobs Group
PO Box 1285
Bentonville Ar, 72712

NOTE: ALL SITE IMPROVEMENTS ARE ILLUSTRATIVE. REFER TO LARGE SCALE DEVELOPMENT PACKAGE FOR DETAILS.



1 ARCHITECTURAL SITE PLAN
SCALE 1/8" = 1'-0"
NORTH

[illegible]



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SCALE: 1"=30'

DATE REVISED

CHECKED BY:

DRAWN BY: BJR

DATE: MAY 7, 2018

DLJ

Z:\LSD\2018057\SURVEY

LOT SURVEY FOR
JACOBS GROUP