



**BOARD OF ADJUSTMENT
AGENDA
July 11, 2018**

I. Call to Order

- **Approval of Minutes**

- **New Business:**

- 1. Zepeda** (*VAR18-0017*)
20 Valley View Circle

Variance*

- Lot width in the R-1 zoning district

- **Other Business**

- **Adjournment**

Board of Adjustment
Minutes
June 27, 2018

Meeting called to order by Rick Rogers, Chairman

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

Motion by Mr. Pearson, seconded by Mr. Haynie to approve the minutes of June 13, 2018 as written.
Approved 5-0

New Business

Item #1

Stoker, Variance Request for Southeast 7th Street and Southeast B Street, Density in DE, Downtown Edge zoning district, VAR18-0016

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Todd Jacobs, representative, explains the variance request to the Board.

There is some discussion amongst the Board and staff.

Approved 5-0

Meeting adjourned

Ali Worley

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

BOA STAFF REPORT

VAR18-0017 –Zepeda–Lot Width Variance

TO: Bentonville Board of Adjustment Members
THRU: Shelli Kerr, AICP, Community Development Director,
FROM: Jon Stanley, Planner
BOA DATE: July 11, 2018

GENERAL INFORMATION:

Representative: Linda Lloyd

Applicant: William & Linda Zepeda

Location: 20 Valley View Circle

Existing Zoning: R-1, Single Family Residential

Existing Land Use: Single Family Home

REQUEST: Variance

Lot Width Variance (Lot 86 Northaven Hills Subdivision Phase 1)		
	Regulation	Request
Article 401. Sec 401.7.C.1-e Bulk & Area Standards for R-1, Single Family Residential	60' minimum lot width	Request of: 56' Variance of : 4'

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 minimum lot width standards to create an R-1 Single Family Residential lot located in Northhaven Hills Subdivision. The applicant is requesting a 56' wide lot be allowed which a variance of 4' from the 60' required by ordinance. The original Lots 33 & 34 were combine to create Lot 86, the applicant is now requesting to re-subdivide Lot 86 into two separate lots and what was old Lot 34 will no longer conform the minimum lot width requirements for lot in the R-1 zoning district. 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 lot width only as, provided by the applicant within this application.
2. The owner of the newly create lot shall obtain a building permit prior to any construction occur on said lot.

Board of Adjustments application for 20 Valley View Circle, Bentonville, AR 72712

William and Linda Zepeda purchased lot 33 of the NorthHaven Hills subdivision in December of 1996. They still live in that home at 20 Valley View Circle.

They purchased the adjoining lot 34 about 5 years later and in 2003 they completed a Lot Line Adjustment Plat combining the two lots into Lot 86.

They understood that they could re-subdivide that property into the two original lots if they later chose to sell Lot 34 separate from the house.

Since that time, the requirements for lot size in this area have changed and the current requirement is for a lot to be 60' wide with a minimum area of 6000 sq ft. Lot 34 has a frontage of 56.19 feet, but an area of 8948 sq ft, which exceeds the area requirement by 49%.

We would like to ask the Board of Adjustments for a 3.83' variance of that 60' frontage requirement.

We feel that special circumstances exist which are peculiar to this property in that the 56' frontage is actually larger than a number of existing lots in this subdivision.

We also feel that literal interpretation of the provisions of this ordinance would deprive applicant of rights commonly enjoyed by other properties in the same district.

As indicated lot 34 is 149% of the currently required 6000 sq ft area for a new lot. We feel that due to the above facts that granting return of Lot 34 to its original size is in keeping with other lots in this subdivision and ask that the Board of Adjustments grant their 3.83' variance request.

Thank you for your consideration.

Sincerely,

Linda Lloyd representing William and Linda Zepeda



