



**BOARD OF ADJUSTMENT
AGENDA
July 25, 2018**

I. Call to Order

- **Approval of Minutes**

- **New Business:**

- 1. Binns (VAR18-0018)**

- 3701 SW 2nd Street (Hwy 72 West)

- Rear Setback in the R-1 zoning district

Variance*

- **Other Business**

- **Adjournment**

Board of Adjustment
Minutes
July 11, 2018

Meeting called to order by Rick Rogers, Chairman

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

Motion by Mr. Pearson, seconded by Mr. Haynie to approve the minutes of June 27, 2018 as written.
Approved 4-0

New Business

Item #1

Zepeda, Variance Request for 20 Valley View Circle, Lot Width, VAR18-0017

Tyler Overstreet reads the staff report. He mentions that a 3rd condition is that the applicant shall submit a property line adjustment to be reviewed by Planning Commission.

Opened public hearing

No public comments

Closed public hearing

Linda Lloyd, real estate agent, speaks representing the applicant. She explains the variance request.

There is some discussion amongst the Board and staff.

Approved 4-0

Mr. Stanley informs the Board members of the upcoming Subdivision Code amendments.

Motion by Mr. Pearson, seconded 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

VAR18-0018 – Binns – Rear Setback Variance

TO: Bentonville Board of Adjustment Members
THRU: Shelli Kerr, AIPC, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: July 25, 2017

GENERAL INFORMATION:

Representative: Richard Binns

Applicant: Richard & Berkli Binns

Location: 3701 SW 2nd Street (Hwy 72 West)

Existing Zoning: R-1, Single Family Residential

Existing Land Use: Single Residence

REQUEST: Variance

Rear Setback Variance		
	Regulation	Request
Article 401. Sec 401.7-D(1) Minimum Rear Setback Requirements for R-1, Single Family Residential	25' minimum rear setback	Request of: 5' Variance of : 20'

SURROUNDING ZONING:

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

BACKGROUND:

The applicant has submitted a variance request to the rear setback for property located in the R-1, Single Family Residential zoning classification to allow for the construction of a covered pool patio in the rear of the single-family lot. The applicant is requesting a 5' rear setback be allowed along the southern property line, which is a variance of 20' from the 25' required by ordinance. At the time of this request, there are no utility 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 footprint of the covered pool patio only, as provided by the applicant within this application.
2. The applicant must obtain an approved building permit prior to construction of the structure.

I am requesting a variance for the back property line setback. The structure that we want to build requires a 25' setback and we are requesting a 5' setback. My neighbor has no problem with this request. He has installed a dirt berm and landscaping that provides a buffer for his property. The lots are several acres in size in this neighborhood. The desire is to maximize the usable area in the back yard upon completion of the pool. To build the pool that we want - it would be nice to have the extra space for walking room around the pool area. The intended structure will be no more than 990 square feet - 45 x 22 open air structure with electricity - no plumbing.

Richard Binns



