



**BOARD OF ADJUSTMENT
AGENDA
March 27, 2019**

I. Call to Order

II. Approval of Minutes

III. New Business:

1. Red Barn Farm

Variance*

1605 NW A Street ([VAR19-0004](#))

- Maximum Fence Height

2. Bentonville High School

Variance*

1801 SE J Street ([VAR19-0005](#))

- Maximum Fence Height

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
February 27, 2019

Meeting called to order by Rick Rogers, Chairman

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

Motion by Mr. Pearson, seconded by Mr. Haynie to approve the minutes of February 13, 2019 as written.
Approved 5-0

New Business

Item #1

Thaden School, Variance Request for 800 SE C Street, Freestanding signs in DC and DE zoning district, VAR19-0003

Ali Worley reads the staff report.

Mr. Chrisco recuses himself.

Opened public hearing

No public comments

Closed public hearing

David Swain, representative, summarizes the reason for the request and the reason for the hardship. There is discussion between Board members, staff, and representative.

Approved 3-1-1

Mr. Haynie votes against.

Mr. Chrisco abstains.

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

Meeting adjourned

Ali Worley

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

BOA STAFF REPORT

VAR19-0004, Red Barn Farm, Fence Height

TO: Bentonville Board of Adjustment Members
THRU: Ellen Norvell, Community Development Director
FROM: Tyler Overstreet, Planner
BOA DATE: March 27, 2019

GENERAL INFORMATION:

Representative: Adam Millsap

Applicant: C Street Properties, LLC

Location: 1605 NW A Street

Existing Zoning: PRD, Planned Residential Development

Existing Land Use: Red Barn Farm

REQUEST: Variance(s)

Side Interior Yard Fence Height Variance		
	Regulation	Request
Article 1400, Sec1400.15.D Fence Height	Maximum Height shall be six (6) feet above grade	Request of: 8' Variance of : 2'

SURROUNDING ZONING:

Direction	Zoning
North	PRD, Planned Residential Development
South	PRD, Planned Residential Development
East	R-3, Medium-Density Residential
West	PRD, Planned Residential Development

BACKGROUND:

The applicant has submitted a variance request to the maximum fence height requirements for the interior side yards and rear yards for property located at 1605 NW A Street. The applicant is requesting that an 8-foot tall fence be allowed, which is a variance of 2 feet from the 6 feet allowed by ordinance. The proposed fence shall be located in the areas furthest away from NW A Street. According to the applicant's narrative, the primary purpose for the variance is that deer can easily jump a six-foot tall fence, which would put their operations in jeopardy.

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 height, location and materials of the fence only, as provided by the applicant within this application.
2. The applicant shall obtain an approved fence permit prior to constructing the fence.



Farm Team

Request for a variance to maximum fence height section 1400.15 of the Bentonville subdivision code

Red Barn Farm is a vegetable production farm under construction at 1605 NW A St. which grows certified naturally grown produce to sell at the Bentonville Farmers Market and to local restaurants. Because the farm is situated near a wooded area we anticipate difficulty in preventing deer from damaging and consuming our product. It is important that we exclude deer from the crop areas to the best of our ability in order that our crops remain saleable.

Section 1400.15 of the Bentonville subdivision code states the following height restrictions.

“Side Interior Yard. A fence or wall located in the side interior yard shall not exceed six (6) feet in height.”

“Rear Yard. A fence or wall located in the rear yard shall not exceed six (6) feet in height”

And under E. Design Standards “Height. Maximum height shall be six (6) feet above grade. “

Because deer can readily jump a 6-foot fence, we are requesting a variance which would allow us to build an 8-foot tall fence between the wooded areas, and the crop areas. This fence would border the tree line at the north side, and back of the property, and would not run across the front of the property.

A straight and clean, wire mesh construction will allow for un-interrupted sight lines, and will blend into the background of the woods when viewed from the street.

Thank you for your consideration. We hope to see you soon at the farmer’s market.

Adam Millsap .

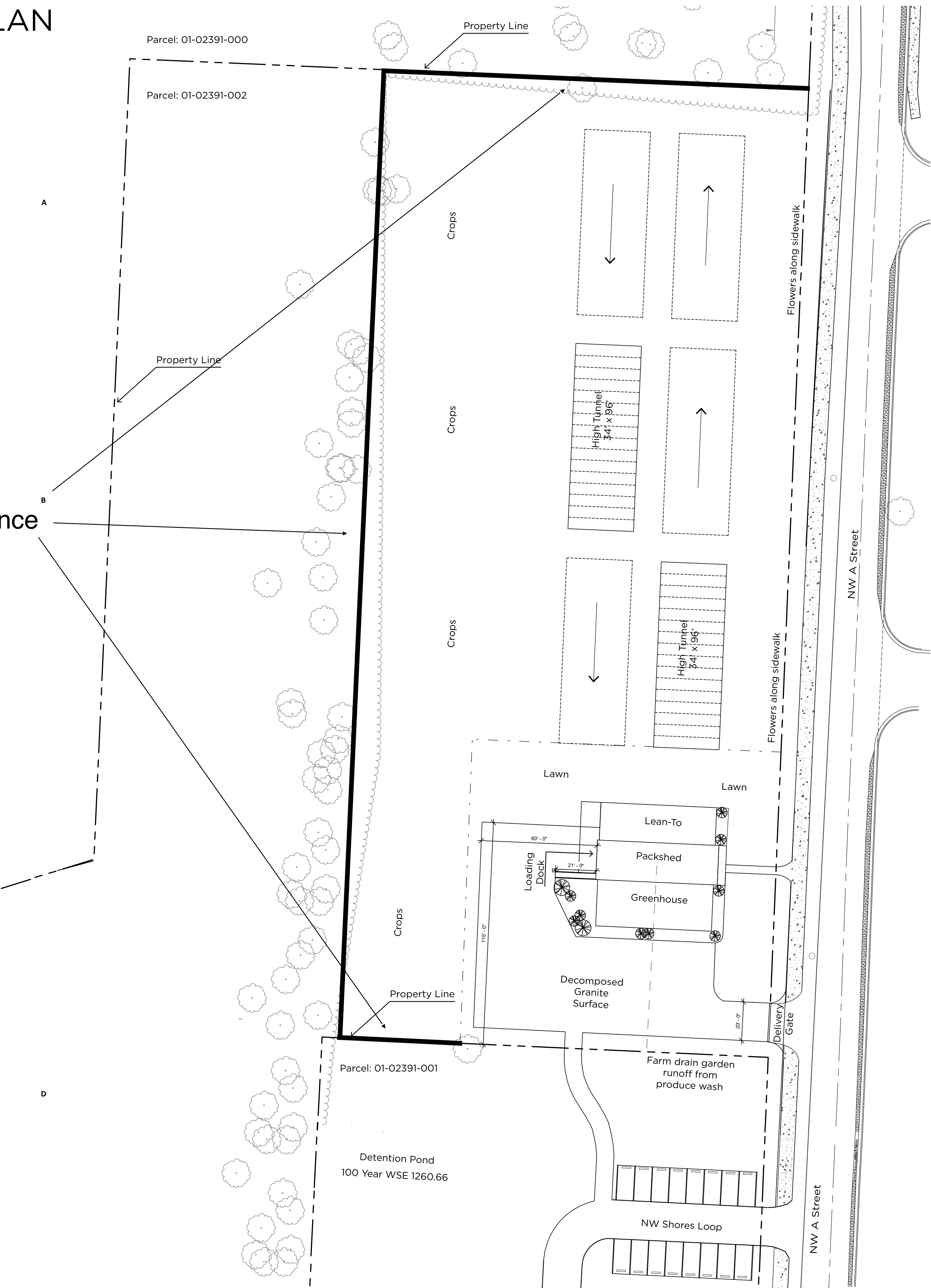
Farm Team Director of Operations

RED BARN FARM | PROPOSED SITE PLAN

NW A STREET
BENTONVILLE, AR 72712

amillsap@farmteamozarks.com
326 SW A St #200
Bentonville, AR 72712

Proposed Fence



BOA STAFF REPORT

VAR19-0005, Bentonville Public School District, Fence Height

TO: Bentonville Board of Adjustment Members
THRU: Ellen Norvell, Community Development Director
FROM: Ali Worley, Planning Technician
BOA DATE: February 13, 2019

GENERAL INFORMATION:

Representative: Paul Wallace

Applicant: Bentonville Public School District

Location: 1801 SE J Street

Existing Zoning: A-1, Agricultural

Existing Land Use: Educational Facility

REQUEST: Variance(s)

Side Interior Yard Fence Height Variance		
	Regulation	Request
Article 1400, Sec1400.15.D.4 Fence Height	Maximum Height shall be six (6) feet above grade	Request of: 8' Variance of : 2'

SURROUNDING ZONING:

Direction	Zoning
North	R-1, Single Family Residential
South	R-3, Medium Density Residential
East	R-3, Medium Density Residential
West	R-3, Medium Density Residential & A-1, Agricultural

BACKGROUND:

The applicant has submitted a variance request to the maximum fence height requirements for property located at 1801 SE J Street. The applicant is requesting that an 8-foot tall fence be allowed, which is a variance of 2 feet from the 6 feet allowed by ordinance. The proposed privacy fence is internal to the school. According to the applicant's narrative, the fence will contain the required egress gates for emergency vehicle traffic. At the time of this request, there are no utility easements, drainage 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 height, location and materials of the fence only, as provided by the applicant within this application.
2. The applicant shall obtain an approved fence permit prior to constructing the fence.

Alison Worley

From: Paul Wallace <pwallace@bentonvillek12.org>
Sent: Friday, March 15, 2019 9:29 AM
To: Alison Worley; Paul Wallace
Subject: Variance Request for Safety Fence at BHS

This fence variance request is to construct a permanent 8-foot metal wrought iron fence to increase safety for all students and staff at Bentonville High School. The proposed fence will connect the North and South buildings on both the east and west open areas. This fence will contain the required egress gates for both foot traffic and emergency vehicle traffic. This fencing will have the required hardware for outdoor fencing to allow the gates to be locked at times of the day when students and staff are present. This variance is requested for enhancing the safety and security at BHS.



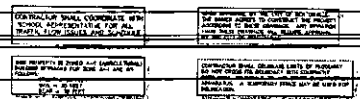
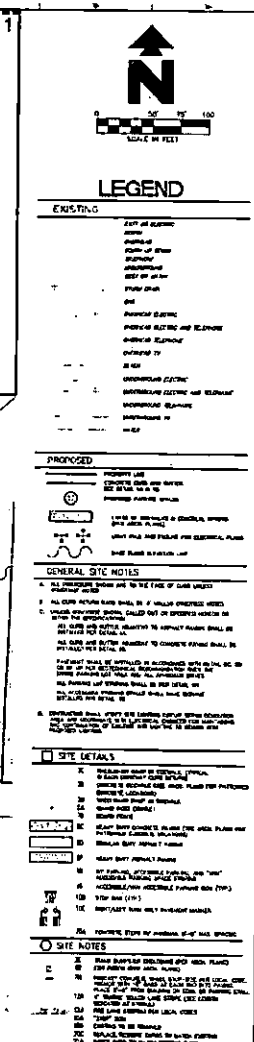
Paul Wallace
Director of
Facilities
Phone: **479-**
254-5085
Bentonville
Schools
500 Tiger Blvd
Bentonville, AR
72712
Where
Excellence
Lives

--

Thanks and Have a Great Day,

Paul Wallace

Director of Facilities
Bentonville Public School District
pwallace@bentonvillek12.org
(479) 254-5085



PARKING RATIO				
APPLICABLE CODE	APPLICABLE ZONE	NO. of CLASSROOMS	NO. of STUDENTS	NO. of SPACES REQUIRED
1.0	1.0	1.0	1.0	1.0
AFTER CONSTRUCTION				



ATLAS PAGE 445

STATE OF
ARKANSAS
REGISTERED
PROFESSIONAL
ENGINEER
David L. Smith
No. 7344
EXPIRES 12-1-2000

HIGHT - JACKSON
ASSOCIATES, P.A.
ARCHITECTS AND PLANNERS
1725 K Street, N.W., Suite 1200 Washington, D.C. 20005
Phone: (202) 462-1100 Fax: (202) 462-1101

**SCHOOL DISTRICT #6
BENTONVILLE HIGH
SCHOOL PHASE II**
Bentonville, Arkansas

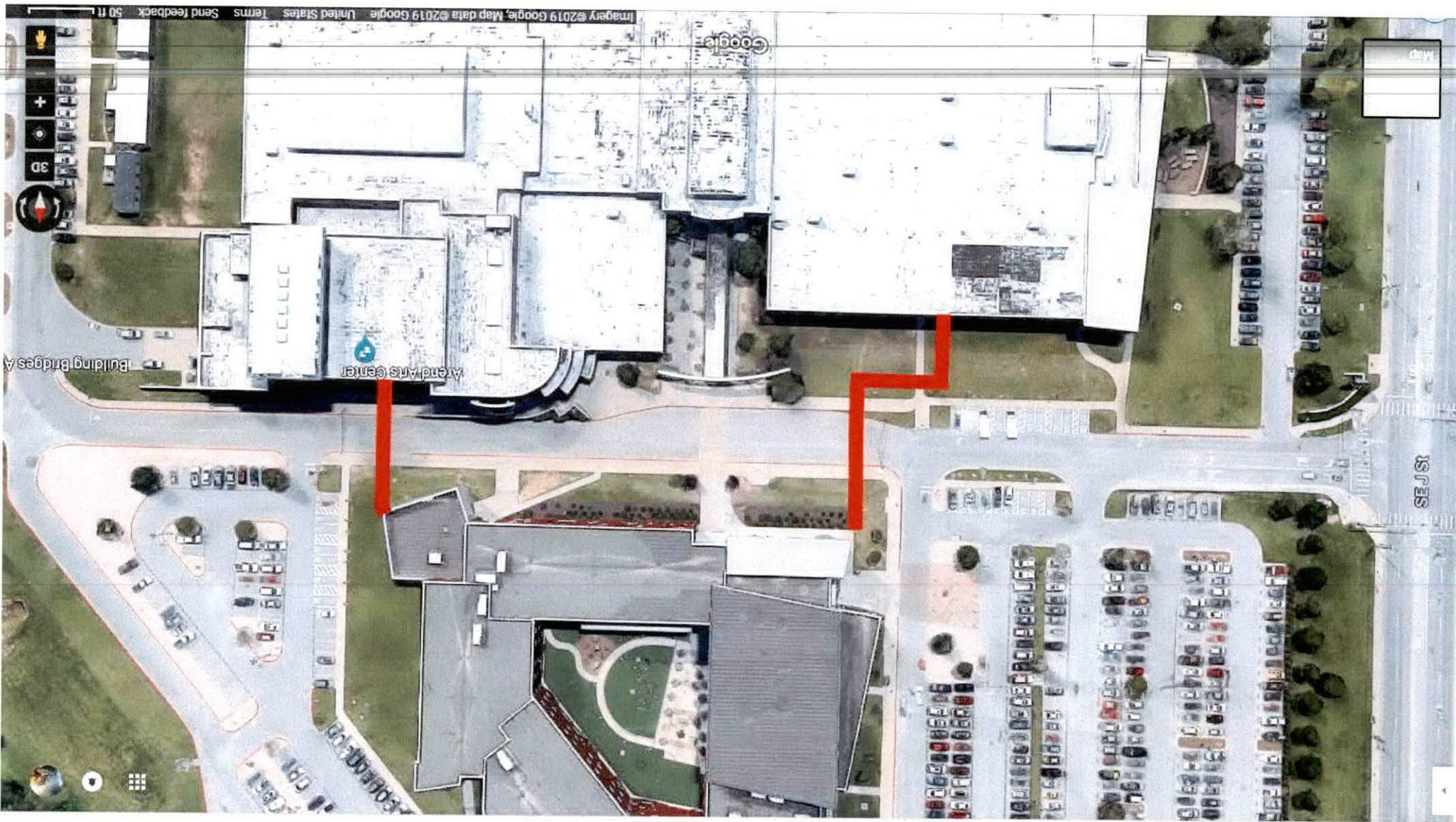
18680.0
TKT
RER
8/16/04

PROJECT NO.
0237
Gibbs & Guy
09/16/04

C1.0

COPIES OF THIS REPORT ARE
AVAILABLE FROM THE
NATIONAL ARCHIVES AT COLLEGE PARK, MARYLAND
OR FROM THE NATIONAL ARCHIVES AT
ST. PETERSBURG, FLORIDA





Map

SE 35

Arend Arts Center

Building Bridges A

Imagery ©2019 Google, Map data ©2019 Google, United States Terms Send feedback 50 ft





