



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

I. Call to Order

II. Approval of Minutes

III. New Business:

1. Smith

310 NE Cobblestone Lane ([VAR19-0024](#))

- Rear Setback

Variance*

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
November 13, 2019

Meeting called to order by Rick Rogers, Chairman

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

Motion by Mr. Pearson, seconded by Mr. Haynie to approve the minutes of October 9, 2019 as written.
Approved 5-0

New Business

Item #1

Record Properties, LLC, Variance Request for 104 SW A Street, Temporary Sign Permit Display Board, VAR19-0017

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Pastor Brad Hampton, representative, gives a brief summary of the hardship. There is discussion regarding number of signs and size regulations.

A 3rd condition of approval is discussed and approved by the applicant. It reads as: The sign shall be displayed from 7am-7pm on Sundays, no more than 52 displays per year.

Approved 5-0

Item #2

Northwest Assembly, Variance Request for 305 SW Unity Boulevard, Maximum Wall Sign Area, VAR19-0025

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Ken Booth, representative, explains the hardship. There is discussion amongst staff, the representative, and the Board members.

The representative asks to amend the request to add additional signage of 41.9 square feet on the east façade.

North façade: variance of 101.6 square feet

Approved 5-0

South façade: variance of 124.6 square feet

Approved 5-0

East façade: variance of 16.9 square feet

Approved 5-0

Other Business

Mr. Pearson and Mr. Haynie are both up for reappointment, and both would like to be reappointed.

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

Variance 19-0024, Smith, Rear Setback

TO: Bentonville Board of Adjustment Members
THRU: Ellen Norvell, Community Development Director
FROM: Ali Worley, Planning Technician
BOA DATE: November 27, 2019

GENERAL INFORMATION:

Applicant: Cameron Smith

Existing Zoning: R-1, Single Family Residential

Location: 301 NE Cobblestone Lane

Existing Land Use: Residential

REQUEST: Variance

Rear Setback in Residential District		
	Regulation	Request
Article 401, Section 401.07, Residential districts regulations, Subsection d.1, Standards	The minimum rear setback for properties in R-1, Single Family Residential, zoning districts shall be 25 feet.	Request of: 20 ft. Variance of: 5 ft.

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 final plat for Williamsburg Heights Lots 1-11 was filed on May 2, 2001; it dedicated right of way, easements, and the detention pond. 301 NE Cobblestone Lane's original building permit was issued on May 30, 2001 and the Certificate of Occupancy was issued on January 3, 2002. The pool permit was issued on August 6, 2004 and the final inspection and approval was on September 17, 2004. Aerial photos flown in February and early March of 2001 do not reflect the home, pool, or fence. Subsequent aerial photos flown in 2004 depict the home and fence in their current locations. Fence permits were not required until May 2005. The applicant has submitted a variance request to the rear setback requirements for property located in the R-1, Single Family Residential, zoning classification for an addition along the western side of an existing residence. The applicant is requesting a 20-foot rear setback be allowed which is a variance of 5 feet from the 25 feet allowed by ordinance.

PUBLIC COMMENT:

Staff has **NOT** received public comment regarding this request.

CONDITIONS OF APPROVAL:

If approved, the following conditions shall apply:

1. The approved variance shall be for the proposed layout and setbacks, as provided by the applicant within this application.
2. The applicant shall be required to obtain an approved building permit prior to construction.

Variance Request for **301 NE Cobblestone Ln in Bentonville, Arkansas.**

I, Cameron Smith, along with my wife, Julie Smith are submitting for a variance consideration so that we can complete an addition to our existing property at the address above.

The project scope is to add an addition which includes two bedrooms, a bath and an upstairs bonus space to the existing property. The project will not include building any part of the new structure closer to the north property line than the already existing garage. We are looking to extend a portion of the new addition towards the west line. This includes extending beyond the current structure by 10 feet to the west, which 5 feet of that encroaches upon the current setback.

The site is limited when it comes to the available area to support an addition and we believe we have chosen the best and most logical area to do so. The area of the property that we are looking to obtain the variance for backs up to a drainage basin instead of a backyard of neighbors or possible future lot. Due to the necessity of the drainage basin, the option of discussing to vacate the drainage easement simply is not there and totally understandable. Therefore, this large area behind our property does not appear it will allow for any future construction or become a habitable space so we feel the variance would not provide any future construction concerns. After a short conversation with the City of Bentonville Engineering department, it did not seem there was a concern with the distance available to the west draining line. There would still be 30 feet available with our proposed plans. Of course, full plans would be reviewed.

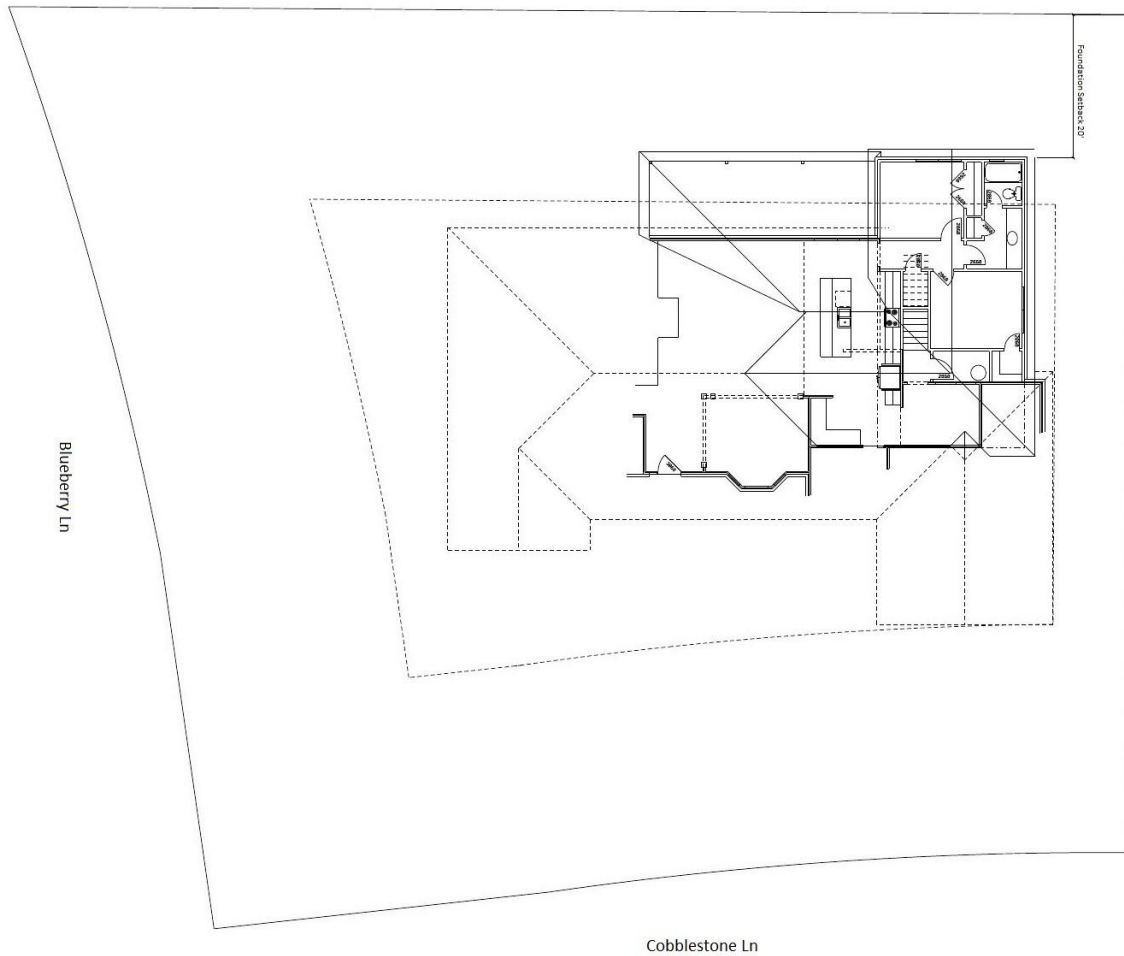
Our desire is to keep, renovate and add to our current property, rather than look to move locations or school zones. As a blended family, with 4 kids, this addition will allow for us to provide each kid their own room and space. The additional bathroom will eliminate 4 kids sharing the same bathroom while allowing for our 2 boys and 2 girls a separate bathroom in general. Without the ability to build the addition requested in the variance submittal it would unnecessarily drive up project costs and create an undesirable and inefficient building layout.

Thank you for your time and consideration of this request.

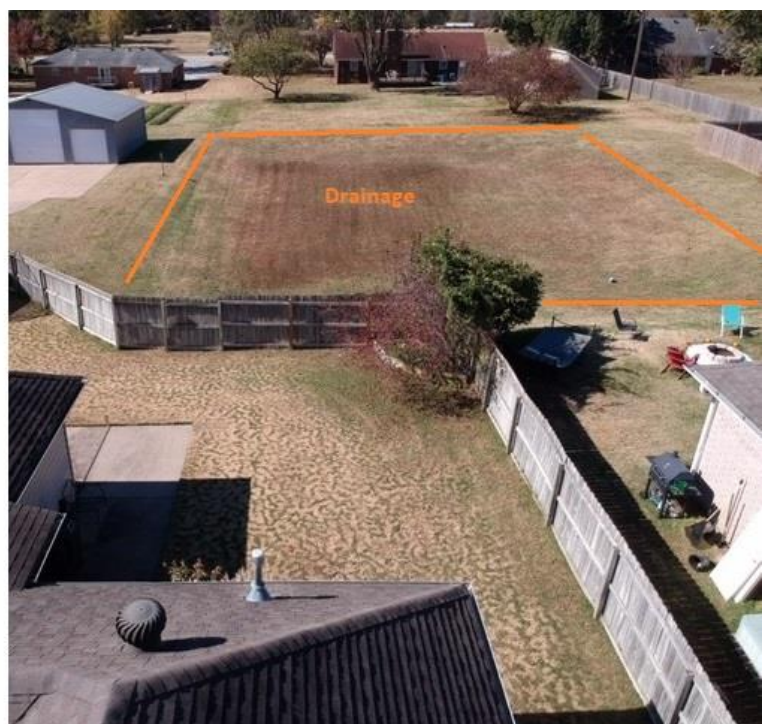
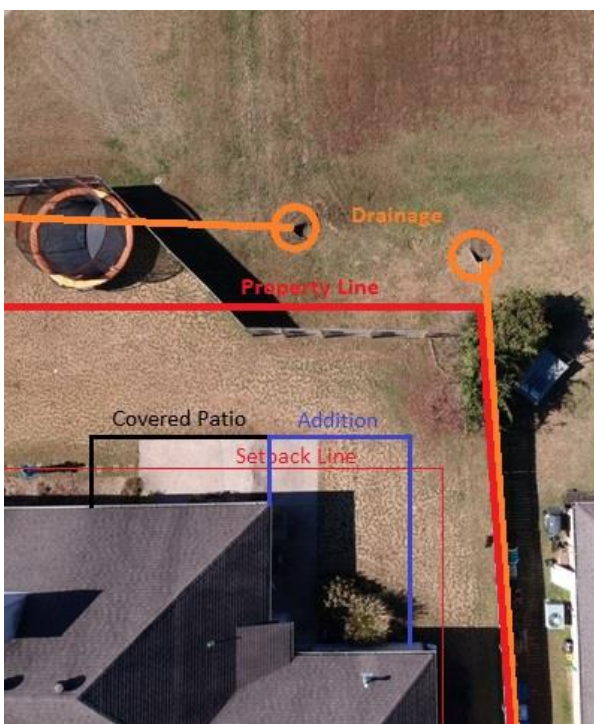
Regards,

Cameron and Julie Smith

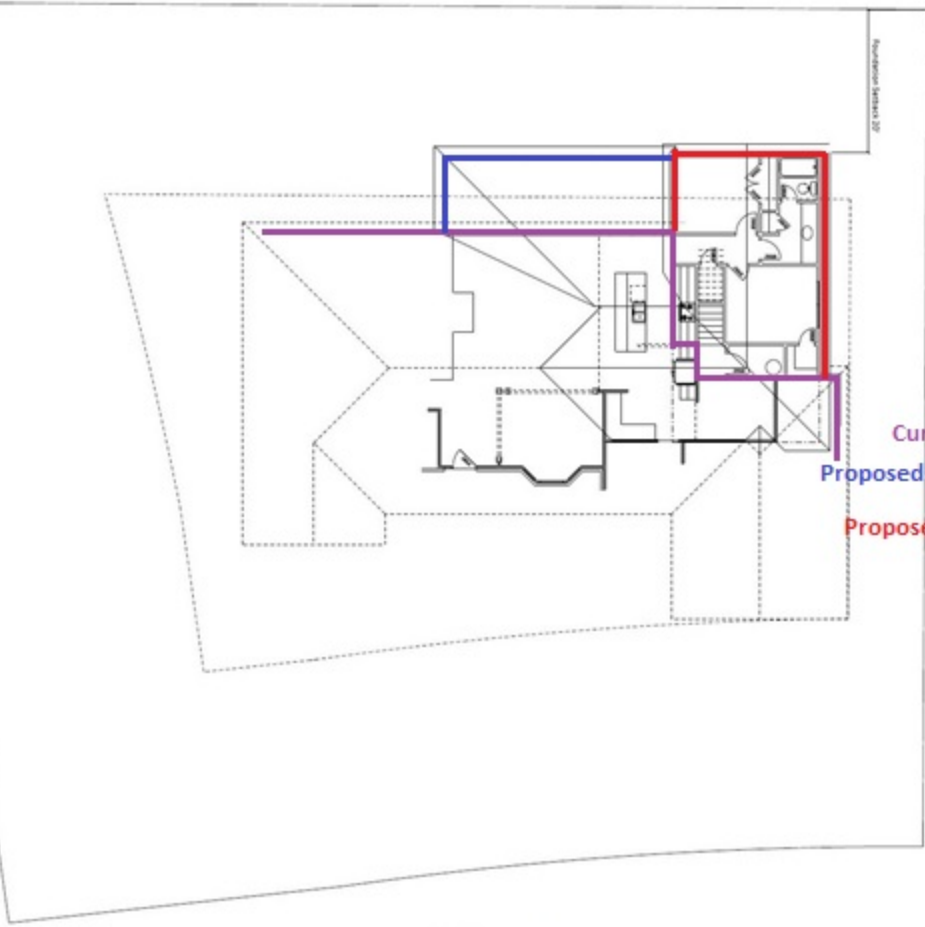
Plan Set for 301 NE Cobblestone Ln in Bentonville, Arkansas.



Arial view showing proposed plan for our property in relation to the drainage. View also shows the empty drainage space behind.



Revised March 20



Current House

Proposed Covered Patio

Proposed Addition

Blueberry Ln

Cobblestone Ln