



**Board of Adjustments
Meeting Agenda
February 26, 2025
Bentonville City Hall
Meeting Time: 4:00 PM**

Registration Link: <https://us02web.zoom.us/j/83595118444>

- I. Call to Order**
- II. Approval of Minutes**
 - 1. February 12th Meeting Minutes** **Approval of Meeting Minutes**
- III. New Business**
 - 1. Arnold** **Variance***
403 Magnolia Drive ([VAR25-0004](#))
Section 1100.06 (h)(1) of the Land Development Code - Fence Height
 - 2. Bentonville School District** **Variance***
3503 Northwest Marquess Drive ([VAR25-0005](#))
*Section 801.15 of the Zoning Code - Signs Allowed With A Sign Permit, (1)
Height and Area Regulations*
- IV. Old Business**
- V. Other Business**
 - 1. Election of Officers** **Informational**
- VI. Adjournment**



**Board of Adjustments
Meeting Agenda
February 12, 2025
Bentonville City Hall
Meeting Time: 4:00 PM**

Recording Link:

<https://us02web.zoom.us/rec/share/zrX84bMXkDp1GuWZEEFOtejSrngUbB7Gr5FO35ZQVtPgGngxAas1r4qeIUEDeqQp.9QgBlmI84rTzqK2F>
Passcode: iE7F65P@

I. Call to Order

- Meeting called to order at 4:00 PM by Chairman Kruithof.
- Members present: Dean Kruithof (Chair), BJ Phillips, Danny Bennett, Celia Swanson, Kevin Barrington
- Members absent:
- Staff present: Tom Adler, Brittany Chue, Sophie McAdara

II. Approval of Minutes

1. January 8th Meeting Minutes

Approval of Meeting Minutes

- Motion to approve by Phillips, second by Swanson.
- Minutes are approved 3-0, with Kruithof and Barrington abstaining.

III. New Business

1. Chad Dilday

Variance*

514 Tiger Boulevard ([VAR24-0026](#))

Section 601.01 (d)(1) of the Zoning Code - setback standards for accessory structures

Section 401.07(c)(1) & (3)(b)- Residential (R) districts setback standards.

- Ms. McAdara provides an overview of the staff report.
- Chairman Kruithof opens the public hearing.
- Chad Dilday, the applicant, is here for any questions.
- Chairman Kruithof closes the public hearing.
- Commissioners discuss the potential of flooding, the future land use map, the stem lot, and the placement of the garage with the setbacks.
- Phillips makes a motion to approve, Barrington seconds.
- The variance is approved 5-0.

IV. Old Business

V. Other Business

- Chairman Kruithof states they will determine positions and elections for next time.

VI. Adjournment

- Chairman Kruithof adjourns the meeting.



Arnold

403 Magnolia Drive

BOA Date: 2/26/2025

Staff Report Details

Project Number	VAR25-0004
Applicant / Current Owner	Matthew Arnold
Site Area	+/- 0.3 Acres
Current Zoning	R-1, Low-Density Single-Family Residential
Variance Request	Sec 1100.06 Fence and Wall Requirements, h) Fence design standards, 1) Fence height
Related projects	N/A

Property Description

The subject property is located on 403 Magnolia Drive. The property is presently zoned R-1, Low-Density Single-Family Residential with a future land use designation of Walkable Neighborhood.

Regulation

Section 1100.06 Fence and Wall Requirements, h) Fence design standards, 1) Fence height

R-1, Low-Density Single-Family zoning requires a 6-foot rear fence height. The applicant is seeking a variance from the 6-foot fence height requirement to build an 8-foot rear yard fence instead.

Variance Request

This report will consider and analyze this request based upon the six conditions of approval from the Zoning Code. Said conditions of approval will be bolded to differentiate from staff commentary.

Variance Request

1. The applicant demonstrates that:

a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structure or buildings in the same district;

The applicant does not refer to any special conditions or circumstances that are peculiar to the land involved in the same zoning district.

b. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

The applicant states the reason for wanting the variance is to enhance privacy for the occupants and neighboring properties. Other properties in the same district have the same 6-foot rear fence height, so the applicant would not be deprived of rights commonly enjoyed by other properties in the same zoning district.

c. That special conditions and circumstances do not result from the actions of the applicant; and

There are no special conditions or circumstances referenced by the applicant. The applicant would be creating the need for the variance through their actions.

d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

This variance would grant the applicant a special privilege as other homes in the R-1, Low-Density Single-Family zoning district do not have a 6-foot rear fence height.

2. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

The applicant makes no reference to any nonconformities or properties in neighboring lands or zoning districts.

3. The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

The variance requested by the applicant is the same height allowed in downtown neighborhood zoning districts. The future land use for the property under Plan Bentonville is Walkable Neighborhood, which would allow a standard review of rezoning to DN-1, DN-2, or DN-3 and allow an 8-foot rear yard fence height. DN districts are an appropriate place type for the property. The applicant can apply for a rezoning instead of a variance to be in conformance with the code.

4. The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The granting of this variance is not injurious to the neighborhood.

5. Conditions. In granting any variance, the board of adjustment may prescribe

Variance Request

appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

The Board has the authority to attach any conditions to a variance request that it deems appropriate. Any conditions proposed with a variance approval should be clearly stated into the record in the approval motion.

6. Uses. Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

The applicant's request does not include a variance to use.

Conclusion

The applicant's variance request comes from Section 1100.06 Fence and Wall Requirements, h) Fence design standards, 1) Fence height of the Land Development Code. The applicant is requesting that the Board of Adjustment allow an 8-foot rear yard fence height instead of a 6-foot rear yard fence height due to privacy concerns.

Conditions of Approval

The following conditions of the approval are below:

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 fence permit for the structure.

Background

Public Comment

Has Staff received Public Comment at the time of this report?: **No**

Conditions of Approval

The following conditions of the approval are below:

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 fence permit for the structure.

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

(1) The applicant demonstrates that:

- a. special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;
- b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;
- c. that special conditions and circumstances do not result from the actions of the applicant; and,
- d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

Request for Variance Amendment

To Whom It May Concern,

The owners of the property held in the Arnold Trust, Matthew Lee Arnold and Eliseia Arnold, residing at 403 Magnolia Dr., Bentonville, AR 72712, hereby submit a formal request for a variance amendment concerning the height of the existing fence.

Current Property Details:

- **Location:** Rear of the property
- **Enclosure:** Fully encloses the entire property
- **Existing Fence Height:** 6 feet

Requested Amendment:

- **Proposed Fence Height:** 8 feet

Reason for Amendment: The primary purpose of this request is to enhance privacy for the current occupants and neighboring properties. The proposed plan involves the removal of the existing fence and its replacement with a new fence, measuring 8 feet in height. All existing property boundaries will be strictly observed, and no changes to the placement of the fence will occur; only the height will be modified.

We appreciate your guidance and consideration of our request.

Sincerely,

Matthew & Eliseia Arnold / Arnold Trust



**Bentonville School District**

3503 Northwest Marquess Drive

BOA Date: 2/26/2025**Staff Report Details**

Project Number	VAR25-0005
Applicant / Current Owner	Best Sign Group / Bentonville School District
Site Area	+/- 45.5 Acres
Current Zoning	A-1, Agriculture
Variance Request	Sec 801.15 Signs Allowed With A Sign Permit
Related projects	SIGN25-0014

Property Description

The subject property is located on 3503 Northwest Marquess Drive. The property is zoned A-1, Agriculture with a future land use designation of Civic and Institutional.

Regulation***Section 801.15 of the Zoning Code - Signs Allowed With A Sign Permit, (1) Height and Area Regulations***

The code does now allow properties located in A-1, Agriculture zoning to have wall signs for non-residential use. The applicant is seeking a variance to allow a wall sign in the A-1 zoning district for Bentonville Public Schools Transportation.

Variance Request

This report will consider and analyze this request based upon the six conditions of approval from the Zoning Code. Said conditions of approval will be bolded to differentiate from staff commentary.

1. The applicant demonstrates that:

Variance Request

a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structure or buildings in the same district;

The applicant demonstrates that special conditions exist in the transportation building set farther back from the road, creating a hardship that limits visibility and identification of the building. The applicant states in their narrative that without a sign on the building, it becomes difficult for drivers, visitors, employees, and emergency responders to locate the facility efficiently.

b. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

The applicant states the reason for wanting the variance is to allow identification of the transportation building for the school district. Schools have previously applied for wall signs in the A-1 agricultural district and have been granted a variance. Not granting the applicant the variance would mean that the applicant would be deprived of rights commonly enjoyed by other school district buildings in the same zoning district through previous variances.

c. That special conditions and circumstances do not result from the actions of the applicant; and

The applicant is not creating special conditions or circumstances.

d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

This variance would not grant the applicant special privileges that are denied to other school buildings in the same zoning district.

2. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

The applicant makes no reference to any nonconformities or properties in neighboring lands or zoning districts.

3. The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

The variance requested by the applicant is the minimum variance needed that will make possible the reasonable use of the building. Wall signs in other zoning districts cannot exceed 15% of the building wall area. This sign meets the other requirements of the zoning code in meeting the maximum area requirements.

4. The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The granting of this variance is not injurious to the neighborhood. Granting the variance will be beneficial to the neighborhood in providing identification of the building.

5. Conditions. In granting any variance, the board of adjustment may prescribe

Variance Request

appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

The Board has the authority to attach any conditions to a variance request that it deems appropriate. Any conditions proposed with a variance approval should be clearly stated into the record in the approval motion.

6. Uses. Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

The applicant's request does not include a variance to use.

Conclusion

The applicant's variance request comes from Section 801.15 of the Zoning Code - Signs Allowed With A Sign Permit, (1) Height and Area Regulations. The applicant is requesting that the Board of Adjustment allow a wall sign in the A-1, Agriculture zoning district for identification purposes.

Conditions of Approval

The following conditions of the approval are below:

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 sign permit for the structure.

Background

Public Comment

Has Staff received Public Comment at the time of this report?: **No**

Conditions of Approval

The following conditions of the approval are below.

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 sign permit for the structure.

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

(1) The applicant demonstrates that:

- a. special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;
- b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;
- c. that special conditions and circumstances do not result from the actions of the applicant; and,
- d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

Request For Variance

To: The City of Bentonville, Arkansas

Re: Bentonville Public Schools Transportation

Date: February 6, 2025

To whom it may concern,

Best Sign Group is requesting a sign variance on behalf of our client, Bentonville Public Schools – BSD Transportation. We are asking for relief from the sign regulations within A1 Zoning. A1 regulations do not currently allow for any building signage to be displayed, creating a hindrance in locating the building from the road.

The transportation building is set significantly far back from the road, creating a unique hardship that limits visibility and identification. Without a sign on the building, it becomes difficult for drivers, visitors, employees, and emergency responders to locate the facility efficiently.

For your consideration, we are requesting one lighted building sign on the North elevation. The sign will be raceway mounted to the wall, with an overall size of 175" x 12".

We hope that you will support this request for Bentonville Public Schools.

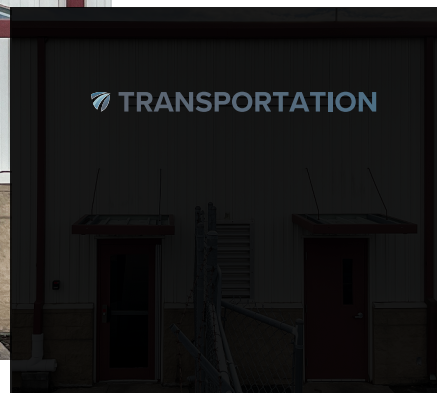
Thank you,

Lee Reinhardt

Best Sign Group

TRANSPORTATION

TRANSPORTATION



01 CHANNEL LETTERS

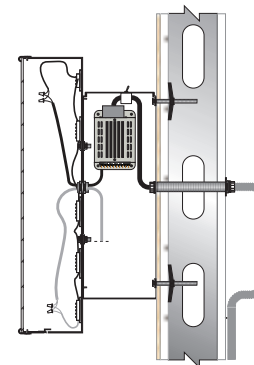
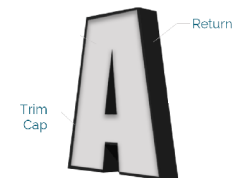
PREFORMED CHANNEL LETTERS
W/ PLEX FACES AND LED'S

FACE: 3/16" PLEX FACES - WHITE
VINYL: DIRECT PRINT TRANSLUCENT VINYL
TRIM CAP: 3/4" OR 1" JEWELITE TRIM - BLACK
RETURN: 4" DEEP .040 PREFINISHED COIL - BLACK
BACK: 3MM WHITE ACM

ILLUMINATION: PRINCIPAL WHITE NRG SERIES PN2W7K
7000K (24V CONSTANT CURRENT)

POWER SUPPLY: PRINCIPAL PLPOH09624HE H96W 24V
(120-277 ADJUSTABLE) WITH BOX

ELECTRICAL: PREWIRED 6' LEADS & SNAP-IN BUSHINGS / UL LISTED



TYPICAL DRAWING
NOT FOR CONSTRUCTION
MANUFACTURING MAY VARY

ELECTRICAL NOTES

- ALL MATERIALS & FASTENERS TO MEET CODE 3004.4.
- ALL COMPONENTS TO BE UL LISTED.
- SIGN SHOULD BE GROUNDED, PER NEC 600.7.
- SIGNS TO BE MADE IN ACCORDANCE WITH NEC 600.
- ONE 20 AMP CIRCUIT DEDICATED TO EACH SIGN. (BY OTHERS)
- DIMMER/TIMER BY CLIENT/ELECTRICAL CONTRACTOR
- MINIMUM ONE DISCONNECT SWITCH TO BE VISIBLE PER CIRCUIT. (AT POWER SOURCE: BY OTHERS)

THIS ELECTRIC ILLUMINATED SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND OTHER APPLICABLE LOCAL CODES. THIS INCLUDES GROUNDING AND BONDING OF SIGNAGE.

ALL ELECTRICAL COMPONENTS



BEST SIGN GROUP
Get Noticed.

2860 W. WALNUT
SUITE 300
ROGERS, AR 72756

CLIENT
FLINTCO

DATE
01/17/2025

DRAWN BY
ERG

REVISIONS

BPS TRANSPORTATION

PG: 01

Project Location 3503 NW Marquess Dr, Bentonville, AR 72712

ELEVATION:2594 SQFT
SIGN: 14.5 SQ FT



12" 175" TRANSPORTATION

167.5"

18.5 ft



Election of Officers

BOA Date:

Staff Report Details

Project Number	
Applicant / Current Owner	
Site Area	+/- [Site_Area] Acres
Current Zoning	
Variance Request	
Related projects	

Property Description

Regulation

Variance Request

Background

Public Comment

Public Comment
Has Staff received Public Comment at the time of this report?: No

Conditions of Approval
The following conditions of the approval are below. 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 for the structure.

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

- (1) The applicant demonstrates that:
 - a. special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;
 - b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;
 - c. that special conditions and circumstances do not result from the actions of the applicant; and,
 - d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

- (2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

- (3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

- (4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- (5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

- (6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

BY-LAWS
BENTONVILLE BOARD OF ADJUSTMENT

ARTICLE 1. Members, Term, Attendance

- 1.1. The members and terms of office shall be as stipulated by Municipal Code Section 301.04, as amended.
- 1.2. When a new member is appointed to the Board, the position number he or she is filling will be so designated at the time of appointment.
- 1.3. Missing three consecutive regular meetings or a total of six meetings in a one calendar year period, except in extraordinary cases, may, at the recommendation of the Board constitute cause for removal by the City Council.
- 1.4. Members should advise the Secretary or Staff before the meeting date if they expect to be absent or late.

ARTICLE 2. Officers, Election and Term, Duties, Chairing the Meeting, Signing for the Board

- 2.1. The members shall elect a chairman, vice-chairman and a secretary at the first regular meeting in January, and the term of office shall be until the next officers have been elected.
- 2.2. The chairman shall preside at meetings and hearings and shall decide point of order or procedure, following Robert's Rules of Order.
- 2.3. In case the chairman is absent, the vice-chairman shall assume the duties as Chair; in the absent of both the Chair and the Vice-Chair; the Secretary shall preside.
- 2.4. The Secretary shall be responsible for the following tasks; however, they may delegate authority for performing them to another member of the Board or an employee of the City of Bentonville.
 - 2.4.1. Furnish a current copy of the by-laws and appointing orders at meetings as required.
 - 2.4.2. Prepare the minutes of meetings and public hearings.
 - 2.4.3. Distribute the proposed order of business items and notice of regular and special meetings.
 - 2.4.4. Distribute the proposed order of business items and notice of regular and special meetings.

2.4.5. Maintain correspondence a filed and place notices of public hearings and advertisements.

2.5. When the certifying signature is required, the Chair's signature shall be utilized unless such authority has been designated by the Chair to another Board member or to a Board employee.

Article 3 Meeting, Scheduling, Quorum, Majority, Order of Business, Public Hearings

3.1. Board meetings shall be open to the public as provided by the Arkansas Freedom of Information Act.

3.1.1. The regular meetings of the Board of Adjustment shall be on the second and fourth Wednesday of each month at 4:00 p.m. at City Hall.

3.1.2. Special meetings may be called at any time by the Chair or any three members.

3.2. No formal business shall be conducted without a quorum and no member may vote by proxy.

3.2.1. A quorum shall exist when a majority of the appointive members are present.

3.2.2. The affirmative vote of a simple majority of the full membership of the Board shall carry any motion or resolution.

3.2.3. The Mayor shall be an ex-officio member and shall have no vote. The Mayor shall not be counted in arriving at a quorum.

3.3. The order of business shall follow the distributed agenda unless otherwise agreed to by the members.

3.4. Public hearings shall be conducted informally, and the Chair shall make all rulings and determinations regarding the scope of the inquiry, the admissibility of evidence, the order in which evidence, objection, and arguments will be heard, and other like matters, except that other members shall be privileged to make inquiries personally and to call for a vote on any ruling of the Chair to expedite the hearing, confining the participants to the presentation of only essential matters, but entertaining the presentation of sufficient matter to do substantial justice to all concerned parties to the proceedings. Each speaker shall be limited to a total of three minutes. No speaker shall speak twice on the same subject at a single meeting, however the Board may call any speaker to answer additional questions. Additional time may be granted by a majority of the Board. Final or official action shall be taken only in regular meetings unless the public hearing is continued to a special session of the Board after the hearing.

Article 4 Committees

- 4.1. The Chairman may establish standing, special, or advisory committees. Committee members may be persons other than members of the Board, but a board member shall be named as either active or ex-officio Chair of each committee.
- 4.2. Meetings shall be called by the chairman of the committee, or a majority of the membership of the committee, notifying the others.

Article 5 Records, Actions, Studies, Recommendation, Public Access

- 5.1. The Board Shall keep a file including all official documents of the Board including, but not limited to reports, records of decisions, recommendations, and studies made by the Board or its employees in the discharge of its duties and responsibilities.
- 5.2. Records shall be kept open to the public, available without fees or delays, subject only to the necessity for good order in the office of the Board.

Article 6 Amendments to These By-Laws, Timing, Majority

- 6.1. These by-laws shall be adopted, and later suspended, changed, or canceled only after an affirmative vote of a majority of the membership of the Board, Amendments shall be proposed in writing at a regular meetings and moved for action at a following meeting, unless ten-days notice and the written amendment itself have been given to all members, in which case motion may be made at a special meeting ten days after all the members have received the proposed change to these by-laws. Records shall be kept open to the public, available without fees or delays, subject only to the necessity for good order in the office of the Board.

Board Action:

by majority of the appointed members so voting, these by-laws for the Bentonville Board of Adjustment are hereby approved the 28th day of February 2024.

ATTEST:



Secretary



Chair