



**Board of Adjustments  
Meeting Agenda  
August 13, 2025  
Bentonville City Hall  
Meeting Time: 4:00 PM**

**Registration Link:** <https://us02web.zoom.us/j/85648566615>

**I. Call to Order**

**II. Approval of Minutes**

**1. July 23rd Meeting Minutes**

**Approval of Meeting Minutes**

**III. New Business**

- |                                                                                                                                                                                                                                                                                                                               |                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>1. Dadi, Lot 36, Grammercy Park</b><br>3108 Northeast Doyle Drive ( <a href="#">VAR25-0022</a> )<br><i>Section 401.10 PUD setbacks</i>                                                                                                                                                                                     | <b>Variance*</b> |
| <b>2. Dadi, Lot 37, Grammercy Park</b><br>3106 Northeast Doyle Drive ( <a href="#">VAR25-0023</a> )<br><i>Section 401.10 PUD setbacks</i>                                                                                                                                                                                     | <b>Variance*</b> |
| <b>3. Dadi, Lot 38, Grammercy Park</b><br>3104 Northeast Doyle Drive ( <a href="#">VAR25-0024</a> )<br><i>Section 401.10 PUD setbacks</i>                                                                                                                                                                                     | <b>Variance*</b> |
| <b>4. Oneill, Lot 11, Demings 2nd Addition</b><br>602 NE A Street ( <a href="#">VAR25-0021</a> )<br><i>Section 1100.06 Fence and Wall Requirements</i>                                                                                                                                                                        | <b>Variance*</b> |
| <b>5. Reeves</b><br>1202 Northwest A Street ( <a href="#">VAR25-0016</a> )<br>Section 601.01(d)(1) of Zoning Code, Accessory structures prohibited in front yard. The established setback standards do not allow for an accessory structure to be located beyond the front building line of the primary structure on the lot. | <b>Variance*</b> |

**IV. Old Business**

**V. Other Business**

**VI. Adjournment**





**Board of Adjustments  
Meeting Agenda  
July 23, 2025  
Bentonville City Hall  
Meeting Time: 4:00 PM**

**Recording Link:** Meeting not recorded due to technical difficulties.

**I. Call to Order**

- Meeting called to order at 4:00 PM by chairman Dean Kruithof.
- Members present: BJ Phillips, Celia Swanson, Kevin Barrington, Danny Bennett, Dean Kruithof
- Members absent: None
- Staff present: Casey Hackler, Braedyn McBroom

**II. Approval of Minutes**

**1. July 9th Meeting Minutes**

**Approval of Meeting Minutes**

- Motion to approve by Swanson, second by Phillips.
- Minutes are approved 5-0.

**III. New Business**

**1. Dadi & Dadi**

**Variance\***

2305 Northeast Steinbeck Drive ([VAR25-0019](#))

*Section 401.10 PUD setbacks*

- Chairman Kruithof opens the public hearing.
- Ms. Hackler provides an overview of the staff report.
- Jon Stanley, representing the applicant, is present for any questions.
- There are no members of the public present or online.
- Chairman Kruithof closes the public hearing.
- Commissioners deliberate and conclude that the variance request is clear and reasonable.
- Phillips makes a motion to approve. Swanson seconds.
- The variance is approved 5-0.

**IV. Old Business**

**V. Other Business**

**1. FOIA Changes with the 2025**

**Informational**

**Legislative Session**

- Ms. Hackler provides an overview of the FOIA changes and recommended that the board members read through the FOIA slide deck and listen to the briefing from Legal at the July 15<sup>th</sup> Planning Commission meeting.

## **VI. Adjournment**

- Barrington makes a motion to adjourn, Phillips seconds.
- Chairman Kruithof adjourns the meeting.

**Dadi, Lot 36, Grammercy Park**

3108 Northeast Doyle Drive

**BOA Date:** 8/13/2025**Staff Report Details**

|                                  |                                 |
|----------------------------------|---------------------------------|
| <b>Project Number</b>            | VAR25-0022                      |
| <b>Applicant / Current Owner</b> | Swope Engineering / Shekar Dadi |
| <b>Site Area</b>                 | 0.25 acres                      |
| <b>Current Zoning</b>            | PUD, Planned Unit Development   |
| <b>Variance Request</b>          | Front setback variance          |
| <b>Related projects</b>          |                                 |

**Property Description**

The subject property is located at 3108 Northeast Doyle Drive (Lot 36 of Grammercy Park Subdivision). The property is presently zoned PUD, Planned Unit Development, with a future land use designation of Neighborhood Suburban.

**Regulation**

Article 401 Zoning District Regulations, Section 401.10 PUD, Planned Unit Development. The PUD for this subdivision has established the following setbacks: 30' front (dwelling), 20' front (garage), 7' side (interior), 20' side (exterior), and 25' rear.

**Variance Request**

Setback variance requested: A 10-foot variance on the front building setback to allow for a 20-foot front building setback instead of the required 30-foot front setback.

**Background**

## Background

### Background

The applicant is requesting a 10-foot variance to allow for a 20-foot front building setback, instead of the 30-foot front building setback required of the PUD, Planned Unit Development. The applicant states that the rear lot topography significantly reduces the lot's buildable area, and is seeking to shift the proposed home towards the front of the property line. Please see provided plans for clarification. The front setback requirement of 30 feet was set previously through the Planned Unit Development Process. There is also a 20-foot-wide utility easement along the front property line.

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:**

##### **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 states that special circumstances and conditions exist due to the rear yard topography of the lot.

##### **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 that the literal interpretation of the setback ordinance would mean a much smaller house would need to exist on this lot, which does not conform to the existing scale, character, context, and form of the existing neighborhood. The applicant writes that this ultimately reduces the property values of its neighbors and the subdivision as a whole.

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

The applicant states that the lot topography is not a result of the current lot owner, but that the existing lot grades appear to be a result of subdivision design and construction.

##### **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.**

The applicant states the variance requested will not confer any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. The applicant is seeking a variance in order to build a home that confers with the surrounding neighborhood to ensure cohesion.

#### **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 mention of nonconforming uses of neighboring lands, structures, or buildings in the same district.

#### **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**

## Background

### structure.

The applicant has provided a site design demonstrating how their requested variance is only needed for a portion of the front of the building. The existing front setback of 30' is depicted to show how far the proposed dwelling would exceed current 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 variance requested appears to have no detrimental impact 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.**

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 of use.

### Conclusion

The applicant is requesting a 10-foot variance to allow for a 20-foot front building setback instead of the 30-foot front building setback required by the PUD. The applicant states that special circumstances and conditions exist due to the rear yard topography of the lot. The topography of the south side of the lot (the rear of the lot) is creating the hardship, according to the applicant. The applicant states that the literal interpretation of the setback ordinance would mean a much smaller house would need to exist on this lot, which does not conform to the existing scale, character, context, and form of the existing neighborhood. The applicant claims that this ultimately reduces the property values of its neighbors and the subdivision as a whole. The applicant further states that the lot topography is not a result of the current lot owner, but the existing lot grades are a result of the subdivision design and construction.

Ultimately, the Board must find all six criteria to have been met for the approval of a variance request.

## Public Comment

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

## Conditions of Approval

### Conditions of Approval

If the Board approves the variances, the following conditions of approval are proposed:

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.

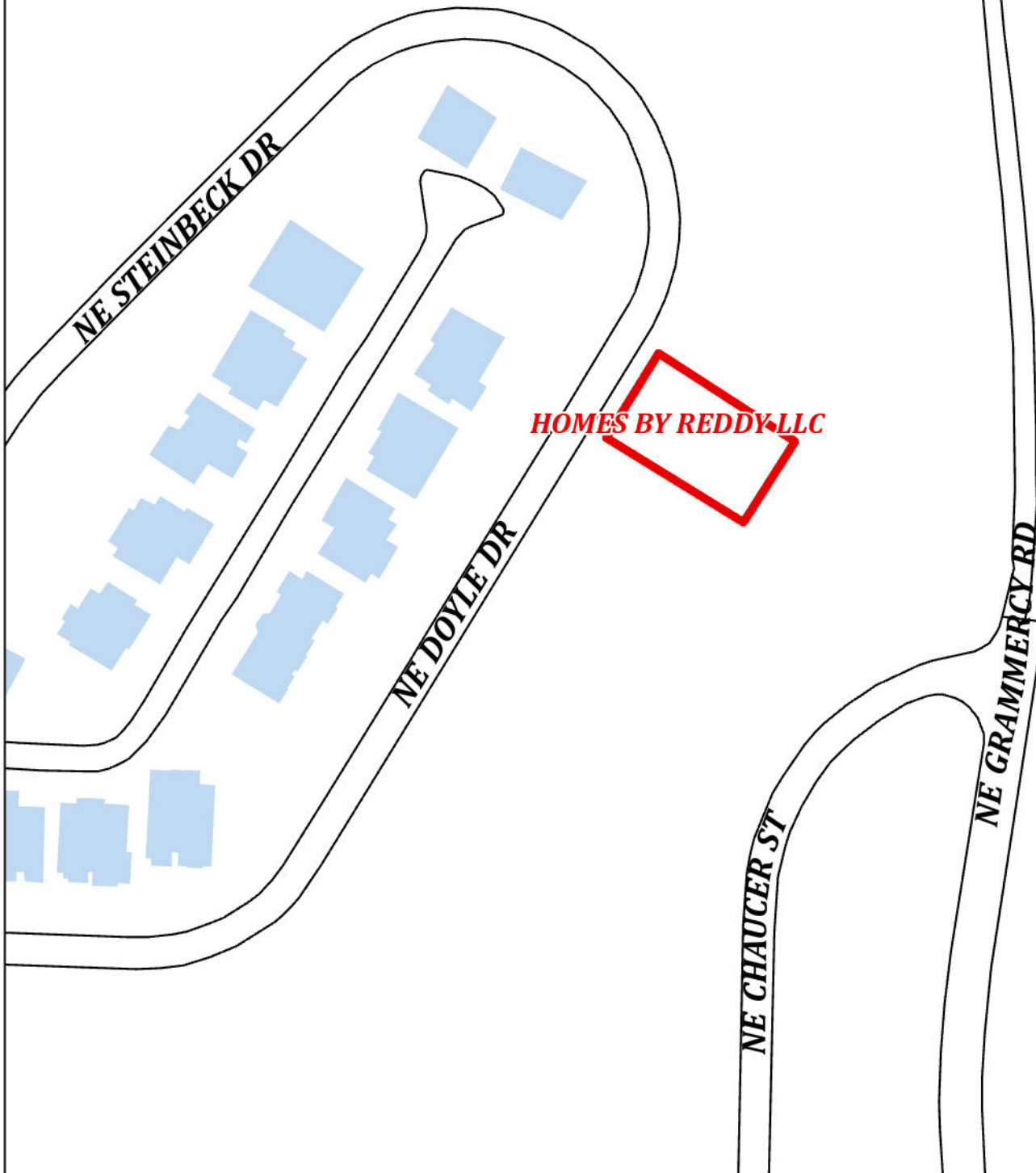
(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(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.



Pending PC Item



**VAR25-0022**  
**HOMES BY REDDY LLC**  
**3108 NE Doyle Dr**





July 23, 2025

City of Bentonville

305 SW A Street

Bentonville, AR

**RE: Front Building Setback Variance – 30' to 20'**

LOT 36, GRAMMERCY PARK ADDITION, PHASE 1, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS PER PLAT RECORDED IN PLAT BOOK 2009 AT PAGES 76 THROUGH 78.

To whom it may concern, please consider a front building setback variance of 10 feet (30' required, 20' requested) for Lot 36 of Grammercy Park Subdivision Phase 1. This lot has its own set of challenges and requires some accommodations to make it work. See the following responses, below, to the required criteria.

The special condition and circumstance that exists for the lot is the rear yard topography. This lot is not buildable well into the rear buildable area of the lot; therefore, the proposed home needs shifted to the front.

Literal interpretation of the setback ordinance would mean a much smaller house would have to exist on this lot, thereby not conforming to the existing scale, character, context and form of the existing neighborhood and ultimately reducing property values of its neighbors and the subdivision as a whole.

The special condition in this case, the lot topography, is not the result of the current lot owner. The existing lot grades appear to be the result of subdivision design and construction.

The developer will ensure that there are no encroachments into the setback/utility easements including but not limited to the slab/footings.

In summary, we believe this setback variance request meets the standard criteria established for granting variances. This letter is submitted for your review and approval.

Sincerely,

Jon Stanley, ASLA  
Senior Project Manager





PROJECT NAME:  
GRAMMERCY PARK PLAN  
3 - R  
DATE PRINTED: 2/3/2022

| FLOOR PLAN SQ. FT AREAS |      |
|-------------------------|------|
| BASEMENT FL. HEAT/COOL: | 1577 |
| 1st FLOOR HEAT/COOL:    | 1952 |
| FRONT PORCH:            | 37   |
| BACK DECK:              | 241  |
| BACK PORCH:             | 241  |
| GARAGE:                 | 692  |
| HEATED SQ. FT.:         | 3429 |

| <b>CEILING HEIGHTS:</b> |       |
|-------------------------|-------|
| MAIN FLOOR CEILINGS:    | 9'-0" |
| BASEMENT CEILINGS:      | 9'-0" |

SLOPED AND TRAY AREAS AS NOTED ON PLAN

ALL INTERIOR DIMENSIONS ARE FROM EDGE OF FRAMING TO EDGE OF FRAMING.

WINDOW LABELS ARE SPECIFIED BY 3030 WHICH TRANSLATES TO 3'-0" X 5'-0"

OWNER / BUILDER TO VERIFY ALL WINDOWS AND DOOR SIZES, QUANTITIES AND LOCATIONS PRIOR TO FRAMING. PROVIDE EGRESS AND FIRE DOORS PER CODES.

UNLESS OTHERWISE SHOWN, EXTERIOR WALLS AROUND HEATED AREAS ARE 2X4 @ 16" O.C.  
OPTIONAL 1" SHOWN. EXTERIOR WALLS AROUND HEATED AREAS ARE 2X6 @ 16" O.C.  
INTERIOR WALLS ARE 2X4 @ 16" O.C.

LOCATE WATER HEATER AND FURNACE TO BEST ADVANTAGE AND PER LOCAL CODES.  
DRINK PANS WILL BE REQUIRED TO BE PLACED IN THE ATTIC IF PLACED IN THE ATTIC.  
PROVIDE ATTIC ACCESS STAIR TO ATTIC DURING RENOVATION.  
LOCATE RETURN AIRS AND SUPPLY VENTS TO BEST ADVANTAGE PER SUPPLIER.  
LOCATE ONE HOSE BIB ON EACH SIDE OF HOME PER OWNER OR CONTRACTOR.

LOCATE ONE WATERPROOF OUTLET ON EACH SIDE OF  
HOLE PER OWNER OR CONTRACTOR

PROVIDE CONDUIT IN SLAB FOR ISLANDS AND KITCHEN  
APPLIANCES. ELECTRICIAN TO EMBED 1/2" PVC CONDUIT  
FROM BEST STUD TO ISLAND

ELECTRICIAN TO FRAME BOX FOR CEILING FAN TO BEST  
LOCATION

LOCATE 4" PVC PIPE UNDER LAND LOCKED DRIVEWAYS  
AND SIDEWALKS

PLUMBER TO PROVIDE ACCESS PANEL TO LETTLED TUBS

OWNERS NOTES.....

SEE OWNER FOR CABINET DESIGN AND FINAL LAYOUT

PROVIDE ELECTRICAL PANEL THIRD PARTY OWNER

PROVIDE ATTIC VENTILATION AS PER CODES

LOCATE EXTERIOR SECURITY LIGHTING AS DIRECTED

SIDEWALKS AND DRIVEWAYS TO BE DESIGNED BY BUILDER OR HOME OWNER

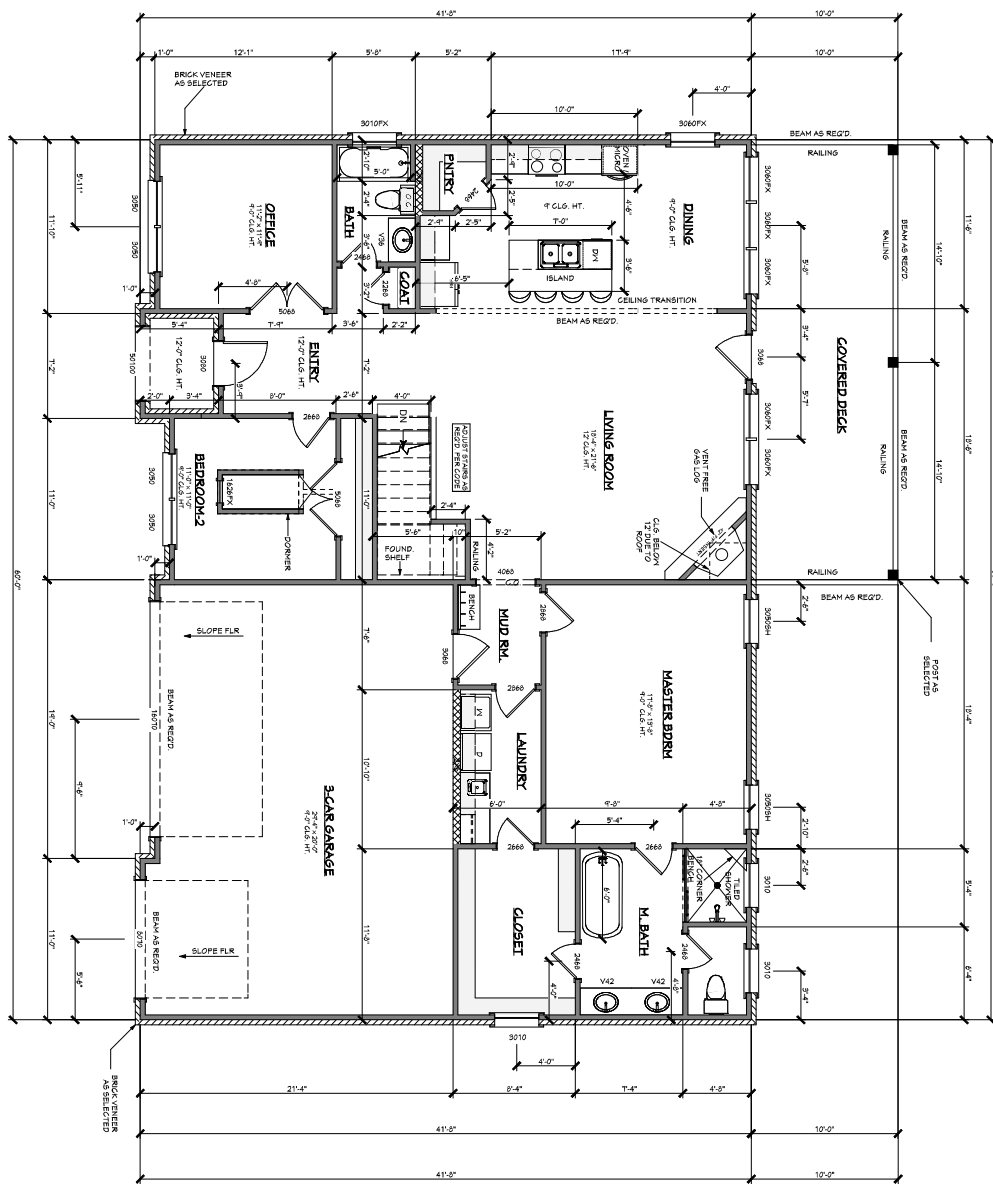
PROVIDE GROUND COVER OR SEED OR SOG AS DIRECTED

PROVIDE CONCRETE AT ALL DEAD VALLEYS.

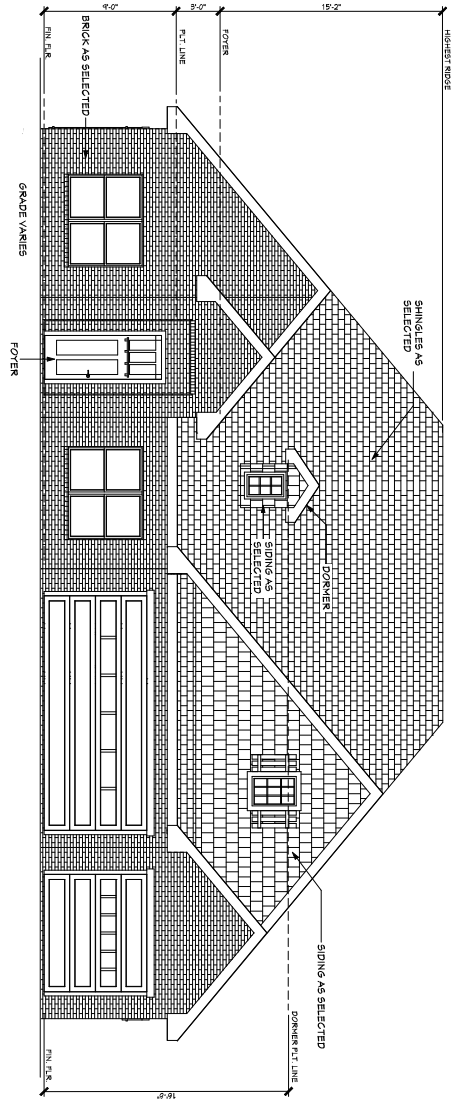
DRAIN ALL DOWN SPOUTS AWAY FROM BUILDING.

**BEFORE ORDERING:**  
ALL EXPRESS WINDOWS TO MEET CODES

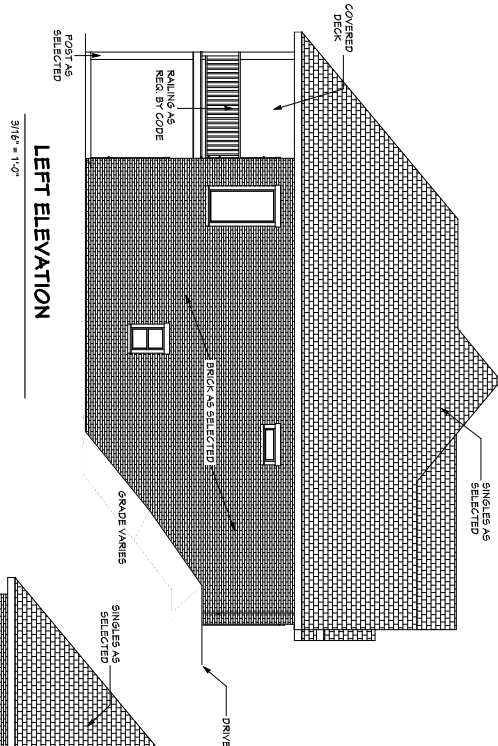
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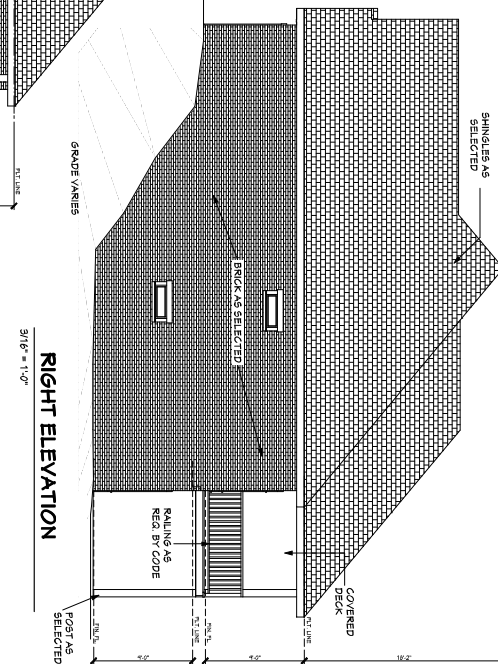
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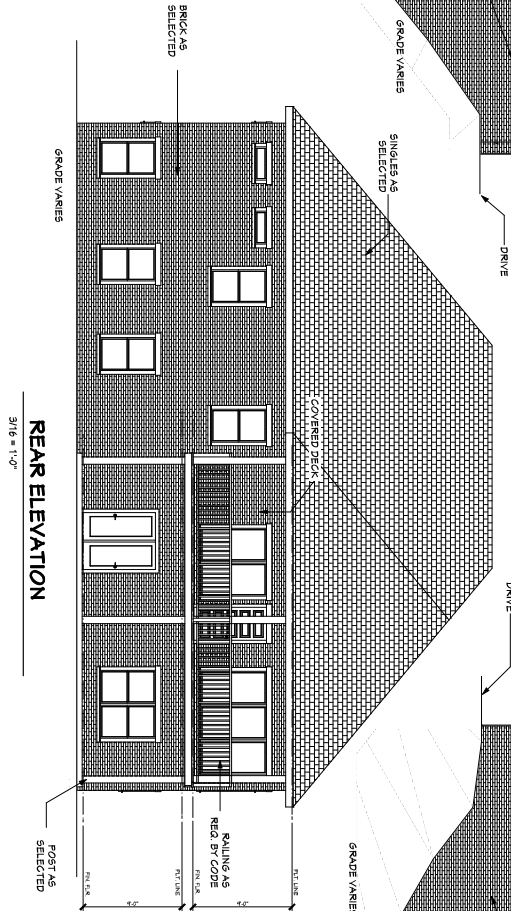
FRONT ELEVATION  
3/16" = 1'-0"



LEFT ELEVATION  
3/16" = 1'-0"



RIGHT ELEVATION  
3/16" = 1'-0"



REAR ELEVATION  
3/16" = 1'-0"

SEE ROOF PLAN FOR  
ROOF PITCHES

\\jc:\Users\hunte\_e1\p\Drawings\DWG Master\DWG-MASTER\SURESH\GRAMMERCY SUBDIVISION\GRAMMERCY PLAN 3 - R\GRAMMERCY PARK PLAN 3 - R.dwg

Hunter Drafting Services L.L.C. Does NOT provide Architect or Engineers Seals

PROJECT NAME:  
**GRAMMERCY  
PARK PLAN 3 - R**

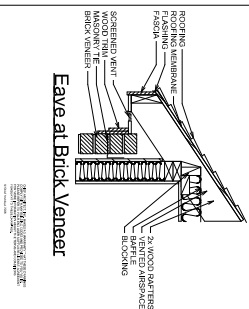
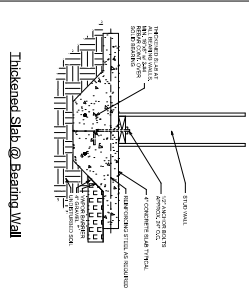
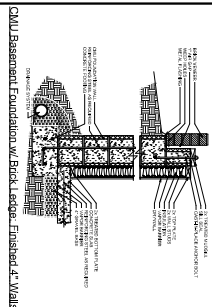
SHEET TITLE:  
**ELEVATIONS**

CONTRACTOR:  
**TWELVESTONE  
CONSTRUCTION**  
P.O. BOX 193 Cave Springs, AR.  
Phone: 591-454-4383 E-mail: timwangcreator@gmail.com

**FINALS  
PLANS  
READY FOR  
CONSTRUCTION**

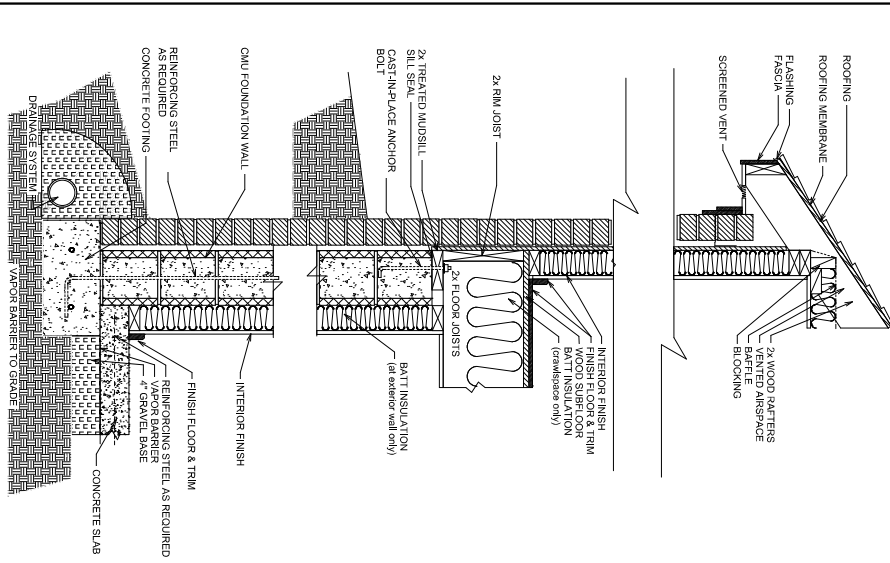
DRAWINGS PROVIDED BY:  
**JOEY HUNTER**  
HUNTER DRAFTING SERVICES, L.L.C.  
ROGERS, AR. 474-436-6113  
jhunter.drafting@gmail.com

| DATE     | BY          | REVISION |
|----------|-------------|----------|
| 2/3/2022 | JOEY HUNTER | 1        |
| 2/3/2022 | JOEY HUNTER | 2        |
| 2/3/2022 | JOEY HUNTER | 3        |
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| 2/3/2022 | JOEY HUNTER | 7        |



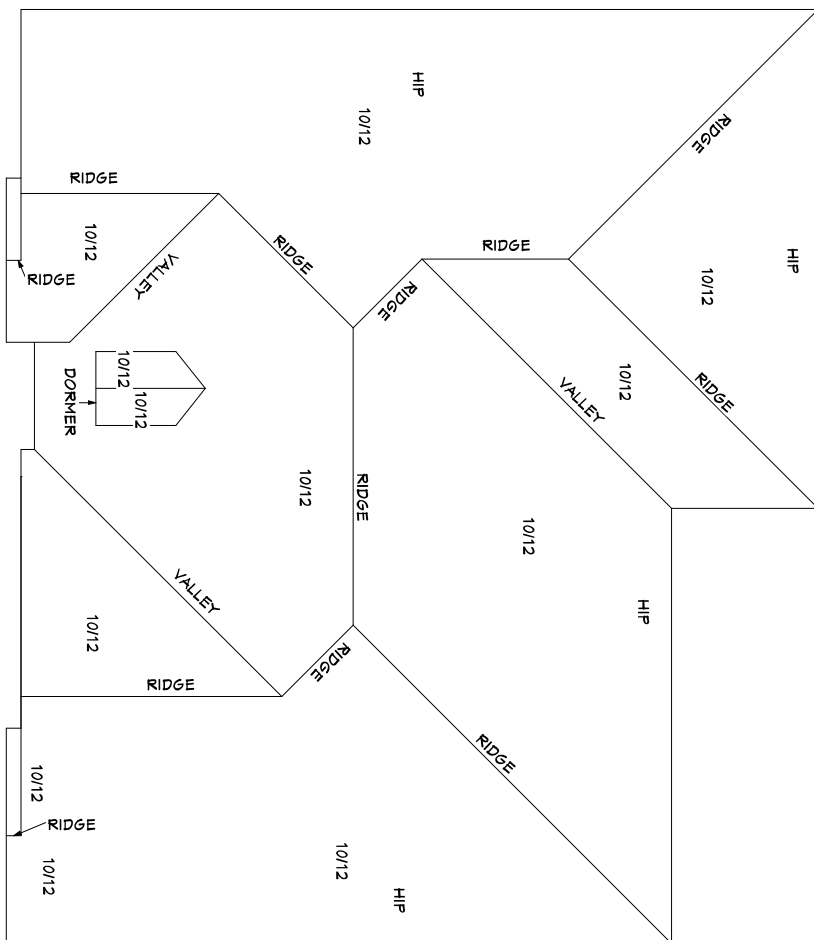
| TYPICAL CEILING                     |      | SUGGESTED INSULATION:                            |  |
|-------------------------------------|------|--------------------------------------------------|--|
| FLAT CEILING IN ATTIC SPACE ABOVE   | R-38 | USE BATTLES IN ATTIC FOR VENTILATION             |  |
| 4" EXTERIOR WALLS                   | R-16 | FILL ALL VOIDS AS POSSIBLE                       |  |
| 6" EXTERIOR WALLS                   | R-21 | INSULATE AROUND DOOR AND WINDOW FRAMES AND VENTS |  |
| ALL FRAINED FLOORS OVER OPEN SPACES | R-30 | INSULATE UNDER TUBS AND SHOWERS                  |  |
| ALL FLOORS ON GRADE OR BELOW        | R-10 | INSULATE UNDER TUBS AND SHOWERS                  |  |

TYPICAL DETAILS SOME MAY NOT APPLY, ADJUST AS REQUIRED TO FOLLOW ALL NATIONAL AND LOCAL CODES AS REQUIRED

[illegible][illegible]

**TYPICAL WALL SECTION @  
BASEMENT HEATED WITH BRICK**

**TYPICAL WALL SECTION @  
BASEMENT HEATED WITH BRICK**



Hunter Drafting Services L.L.C. Does NOT provide Architect or Engineers Seals

DRAWINGS PROVIDED BY:

**JOEY HUNTER**  
HUNTER DRAFTING SERVICES, L.L.C.

ROGERS, AR. 479-936-6713

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CONTRACTOR:

**TWELVESTONE  
CONSTRUCTION**

P.O. BOX 193 Cave Springs, AR.  
Phone: 591-454-4383 E-mail: [timwangrcaltor@gmail.com](mailto:timwangrcaltor@gmail.com)

## FINALS PLANS

**READY FOR  
CONSTRUCTION**

WHILE EVERY ATTEMPT HAS BEEN MADE IN THE PREPARATION OF THIS PLAN TO AVOID ERRORS, OMISSIONS, AND MISTAKES, THE DESIGNERS CAN NOT GUARANTEE AGAINST HUMAN ERROR. THE CONTRACTOR AND/OR CLIENT SHALL VERIFY ALL CONDITIONS, DIMENSIONS, DETAILS AND SPECIFICATIONS AND BE RESPONSIBLE FOR SAME. THE DESIGNER WILL NOT BE LIABLE FOR HUMAN ERROR AFTER CONSTRUCTION BEGINS. REF. TO ALL LOCAL, NATIONAL AND INDIC

PROJECT NAME:

GRAMMERCY  
PARK PLAN 3 - R

SHEET TITLE:  
**ROOF PLAN**  
TYPICAL DETAIL

DATE PRINTED: 2/3/2022 8:51:37 PM

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|         |   |
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| of      | 2 |
| Sheets: | 7 |

**Dadi, Lot 37, Grammercy Park**

3106 Northeast Doyle Drive

**BOA Date:** 8/13/2025**Staff Report Details**

|                                  |                                 |
|----------------------------------|---------------------------------|
| <b>Project Number</b>            | VAR25-0023                      |
| <b>Applicant / Current Owner</b> | Swope Engineering / Shekar Dadi |
| <b>Site Area</b>                 | 0.25 acres                      |
| <b>Current Zoning</b>            | PUD, Planned Unit Development   |
| <b>Variance Request</b>          | Front setback variance          |
| <b>Related projects</b>          |                                 |

**Property Description**

The subject property is located at 3106 Northeast Doyle Drive (Lot 37 of Grammercy Park Subdivision). The property is presently zoned PUD, Planned Unit Development, with a future land use designation of Neighborhood Suburban.

**Regulation**

Article 401 Zoning District Regulations, Section 401.10 PUD, Planned Unit Development. The PUD for this subdivision has established the following setbacks: 30' front (dwelling), 20' front (garage), 7' side (interior), 20' side (exterior), and 25' rear.

**Variance Request**

Setback variance requested: A 10-foot variance on the front building setback to allow for a 20-foot front building setback instead of the required 30-foot front setback.

**Background**

## Background

### Background

The applicant is requesting a 10-foot variance to allow for a 20-foot front building setback, instead of the 30-foot front building setback required of the PUD, Planned Unit Development. The applicant states that the rear lot topography significantly reduces the lot's buildable area, and is seeking to shift the proposed home towards the front of the property line. Please see provided plans for clarification. The front setback requirement of 30 feet was set previously through the Planned Unit Development Process. There is also a 20-foot-wide utility easement along the front property line.

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:**

##### **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 states that special circumstances and conditions exist due to the rear yard topography of the lot.

##### **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 that the literal interpretation of the setback ordinance would mean a much smaller house would need to exist on this lot, which does not conform to the existing scale, character, context, and form of the existing neighborhood. The applicant writes that this ultimately reduces the property values of its neighbors and the subdivision as a whole.

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

The applicant states that the lot topography is not a result of the current lot owner, but that the existing lot grades appear to be a result of subdivision design and construction.

##### **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.**

The applicant states the variance requested will not confer any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. The applicant is seeking a variance in order to build a home that confers with the surrounding neighborhood to ensure cohesion.

#### **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 mention of nonconforming uses of neighboring lands, structures, or buildings in the same district.

#### **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**

## Background

### structure.

The applicant has provided a site design demonstrating how their requested variance is only needed for a portion of the front of the building. The existing front setback of 30' is depicted to show how far the proposed dwelling would exceed current 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 variance requested appears to have no detrimental impact 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.**

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 of use.

### Conclusion

The applicant is requesting a 10-foot variance to allow for a 20-foot front building setback instead of the 30-foot front building setback required by the PUD. The applicant states that special circumstances and conditions exist due to the rear yard topography of the lot. The topography of the south side of the lot (the rear of the lot) is creating the hardship, according to the applicant. The applicant states that the literal interpretation of the setback ordinance would mean a much smaller house would need to exist on this lot, which does not conform to the existing scale, character, context, and form of the existing neighborhood. The applicant claims that this ultimately reduces the property values of its neighbors and the subdivision as a whole. The applicant further states that the lot topography is not a result of the current lot owner, but the existing lot grades are a result of the subdivision design and construction.

Ultimately, the Board must find all six criteria to have been met for the approval of a variance request.

## Public Comment

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

## Conditions of Approval

### Conditions of Approval

If the Board approves the variances, the following conditions of approval are proposed:

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.





July 23, 2025

City of Bentonville

305 SW A Street

Bentonville, AR

**RE: Front Building Setback Variance – 30' to 20'**

LOT 37, GRAMMERCY PARK ADDITION, PHASE 1, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS PER PLAT RECORDED IN PLAT BOOK 2009 AT PAGES 76 THROUGH 78.

To whom it may concern, please consider a front building setback variance of 10 feet (30' required, 20' requested) for Lot 37 of Grammercy Park Subdivision Phase 1. This lot has its own set of challenges and requires some accommodations to make it work. See the following responses, below, to the required criteria.

The special condition and circumstance that exists for the lot is the rear yard topography. This lot is not buildable well into the rear buildable area of the lot; therefore, the proposed home needs shifted to the front.

Literal interpretation of the setback ordinance would mean a much smaller house would have to exist on this lot, thereby not conforming to the existing scale, character, context and form of the existing neighborhood and ultimately reducing property values of its neighbors and the subdivision as a whole.

The special condition in this case, the lot topography, is not the result of the current lot owner. The existing lot grades appear to be the result of subdivision design and construction.

The developer will ensure that there are no encroachments into the setback/utility easements including but not limited to the slab/footings.

In summary, we believe this setback variance request meets the standard criteria established for granting variances. This letter is submitted for your review and approval.

Sincerely,

Jon Stanley, ASLA  
Senior Project Manager



**PROJECT NAME:**  
**GRAMMERCY PARK PLAN**  
**3 - R**

| FLOOR PLAN SQ. FT AREAS |      |
|-------------------------|------|
| BASEMENT FL. HEAT/COOL: | 1577 |
| 1st FLOOR HEAT/COOL:    | 1282 |
| FRONT PORCH:            | 37   |
| BACK DECK:              | 241  |
| BACK PORCH:             | 241  |
| GARAGE:                 | 652  |
| HEATED SQ. FT.:         | 3429 |

| CEILING HEIGHTS:     |       |
|----------------------|-------|
| MAIN FLOOR CEILINGS: | 9'-0" |
| BASEMENT CEILINGS:   | 9'-0" |

SLOPED AND TRAY AREAS AS NOTED ON PLAN

ALL INTERIOR DIMENSIONS ARE FROM EDGE OF FRAMING TO EDGE OF FRAMING.

WINDOW LABELS ARE SPECIFIED BY 3030 WHICH TRANSLATES TO 3'-0" X 5'-0"

OWNER / BUILDER TO VERIFY ALL WINDOWS AND DOOR SIZES, QUANTITIES AND LOCATIONS PRIOR TO FRAMING. PROVIDE EGRESS AND FIRE DOORS PER CODES.

UNLESS OTHERWISE SHOWN, EXTERIOR WALLS AROUND HEATED AREAS ARE 2X4 @ 16" O.C.  
OPTIONAL 1" SHOWN. EXTERIOR WALLS AROUND HEATED AREAS ARE 2X6 @ 16" O.C.  
INTERIOR WALLS ARE 2X4 @ 16" O.C.

LOCATE WATER HEATER AND PURNACE TO BEST ADVANTAGE AND PER LOCAL CODES.  
DRINK PANS WILL BE REQUIRED TO BE PLACED IN THE ATTIC IF PLACED IN THE ATTIC.  
PROVIDE ATTIC ACCESS STAIR TO ATTIC DURING RENOVATION.  
LOCATE RETURN AIRS AND SUPPLY VENTS TO BEST ADVANTAGE PER SUPPLIER.  
LOCATE ONE HOSE BIB ON EACH SIDE OF HOME PER OWNER OR CONTRACTOR.

LOCATE ONE WATERPROOF OUTLET ON EACH SIDE OF  
HOLE PER OWNER OR CONTRACTOR

PROVIDE CONDUIT IN SLAB FOR ISLANDS AND KITCHEN  
APPLIANCES. ELECTRICIAN TO EMBED 1/2" PVC CONDUIT  
FROM BEST STUD TO ISLAND

ELECTRICIAN TO FRAME BOX FOR CEILING FAN TO BEST  
LOCATION

LOCATE 4" PVC PIPE UNDER LAND LOCKED DRIVEWAYS  
AND SIDEWALKS

PLUMBER TO PROVIDE ACCESS PANEL TO LETTIED TUBS

OWNERS NOTES.....

SEE OWNER FOR CABINET DESIGN AND FINAL LAYOUT

PROVIDE ELECTRICAL PANEL THIRD PARTY OWNER

PROVIDE ATTIC VENTILATION AS PER CODES

LOCATE EXTERIOR SECURITY LIGHTING AS DIRECTED

SIDEWALKS AND DRIVEWAYS TO BE DESIGNED BY BUILDER OR HOME OWNER

PROVIDE GROUND COVER OR SEED OR SOG AS DIRECTED

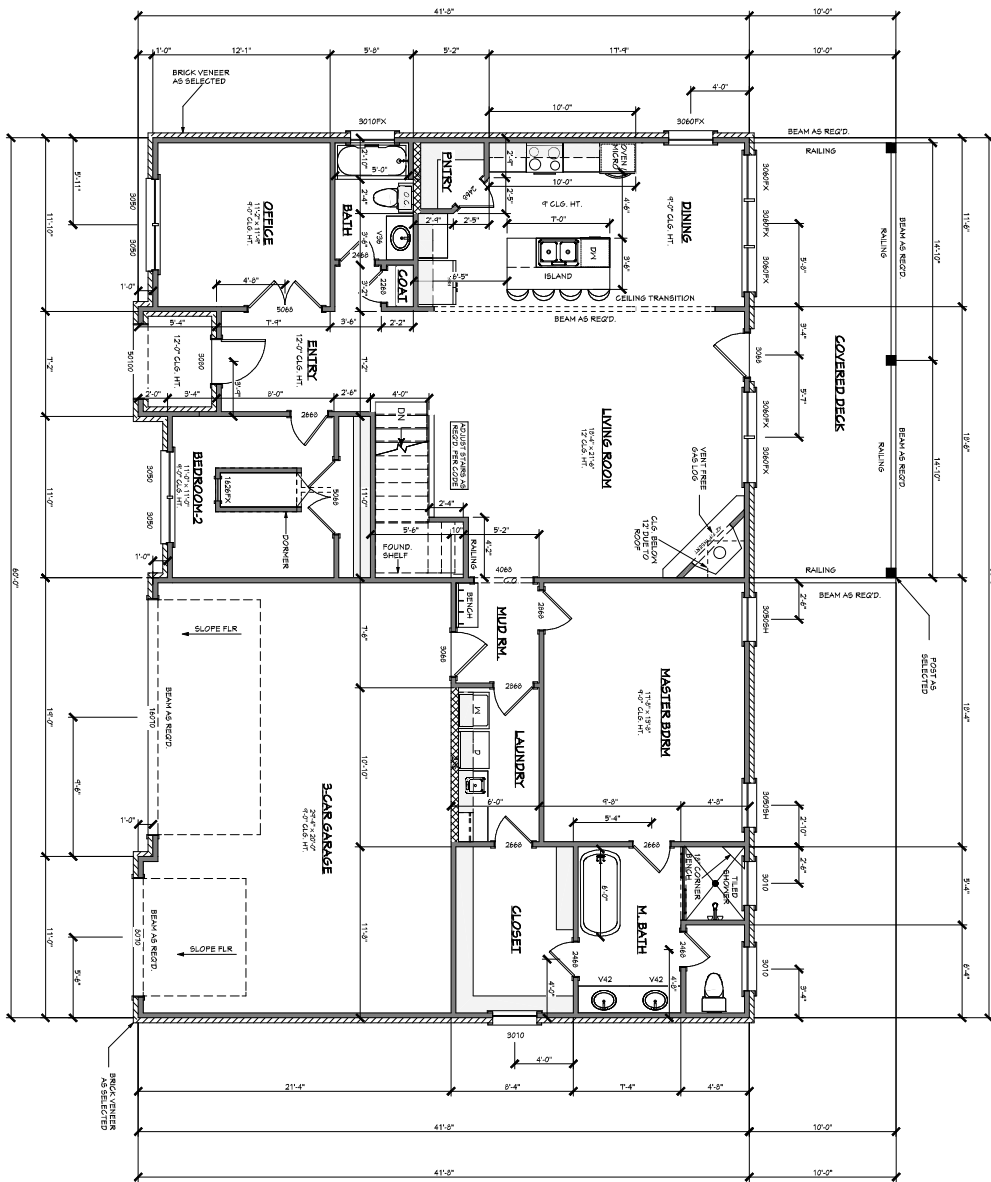
PROVIDE CONCRETE AT ALL DEAD VALLEYS.

DRAIN ALL DOWN SPOUTS AWAY FROM BUILDING.

**BEFORE ORDERING:**  
ALL EXPRESS ORDERS TO MEET CODES

| Pinhole Schedule |     |       |       |        |             |      |
|------------------|-----|-------|-------|--------|-------------|------|
| Shift            | Col | Floor | Pinch | Height | Time        | Top  |
| 3030             | 4   | 3     | 56"   | 60"    | Single Hand | 60"  |
| 3030             | 4   | 3     | 56"   | 60"    | Single Hand | 60"  |
| 3030/3H          | 5   | 1     | 56"   | 60"    | Single Hand | 60"  |
| 3060/3H          | 6   | 1     | 56"   | 74"    | Fixed Glass | 60"  |
| 3060/3H          | 6   | 1     | 56"   | 74"    | Fixed Glass | 60"  |
| 3010/3H          | 3   | 3     | 56"   | 60"    | Fixed Glass | 60"  |
| 3010             | 3   | 3     | 56"   | 60"    | Fixed Glass | 60"  |
| 3025/3H          | 2   | 3     | 56"   | 60"    | Single Hand | 60"  |
| 3010/3H          | 2   | 3     | 56"   | 60"    | Single Hand | 60"  |
| 2035/3H          | 1   | 1     | 56"   | 60"    | Fixed Glass | 60"  |
| 1635/3H          | 1   | 1     | 24"   | 36"    | Single Hand | 60"  |
| 1635/3H          | 1   | 1     | 15"   | 50"    | Fixed Glass | 106" |
| 2037/3H          | 1   | 3     | 24"   | 36"    | Fixed Glass | 94"  |

| Label | Qty | Pos  | Item description | Type |
|-------|-----|------|------------------|------|
| 1672  | 1   | 1672 | DRUM             | DRUM |
| 1673  | 1   | 1673 | DRUM             | DRUM |
| 1674  | 1   | 1674 | DRUM             | DRUM |
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**SCALE: 1/4"=1'-0"**

**DRAWINGS PROVIDED BY:**

**JOEY HUNTER**  
HUNTER DRAFTING SERVICES, L.L.C.

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jhunter.drafting@gmail.com

CONTRACTOR:

**TWELVESTONE  
CONSTRUCTION**

P.O. BOX 193 Cave Springs, AR.  
Phone: 591-454-4383 E-mail: [timwangrealtor@gmail.com](mailto:timwangrealtor@gmail.com)

**FINALS  
PLANS**

**READY FOR  
CONSTRUCTION**

SHEET TITLE:

FIRST  
FLOOR PLAN

DATE PRINTED: 2/8/2022 8:51:37 PM

PROJECT NAME:

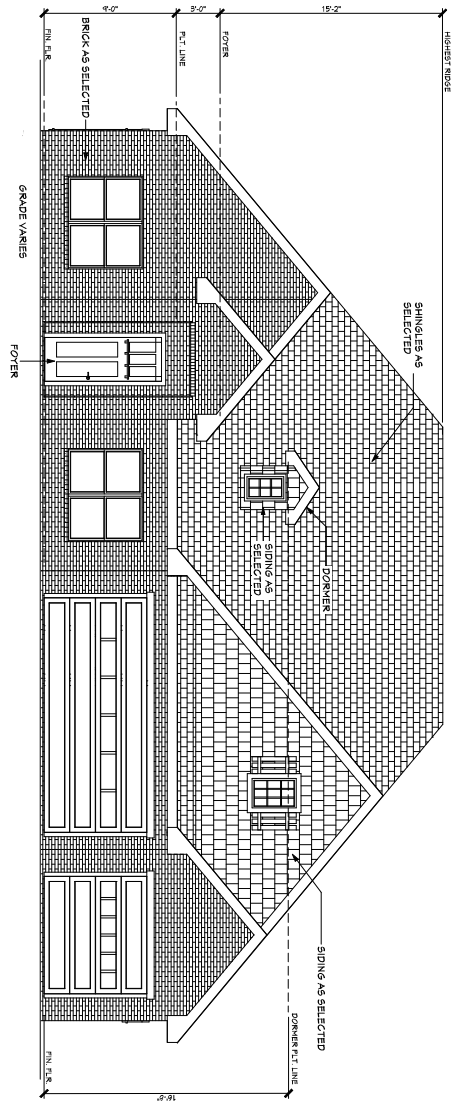
GRAMMERCY

Dr. [Name]

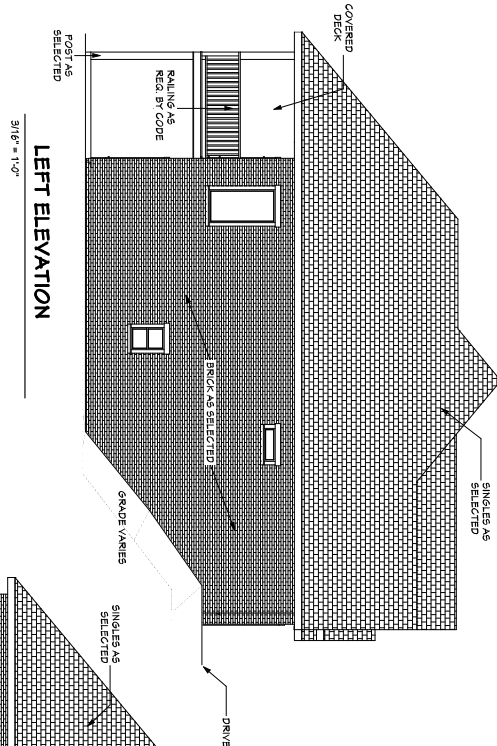
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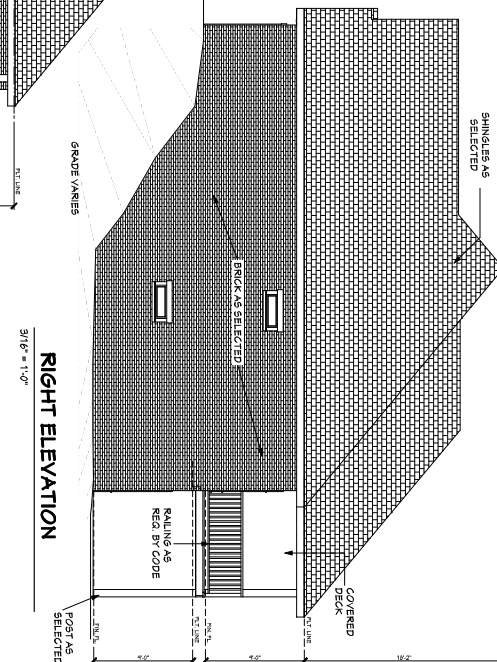
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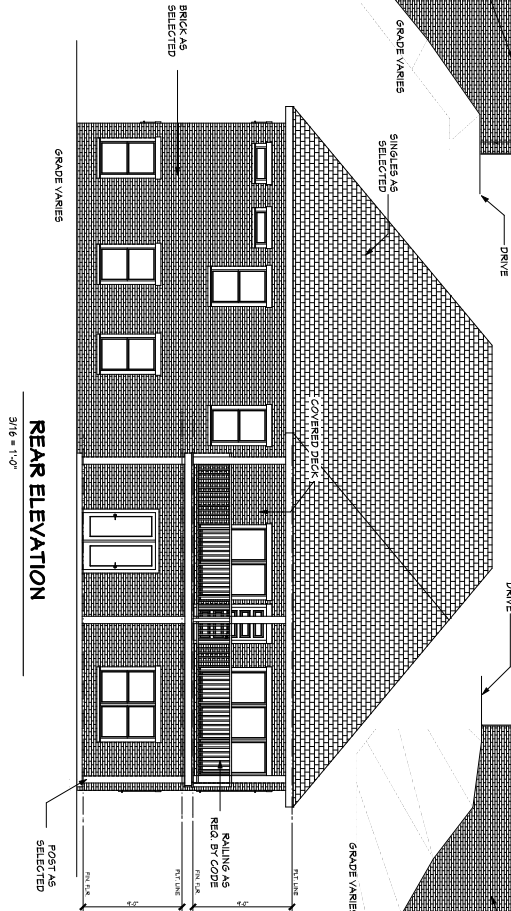
FRONT ELEVATION  
3/16" = 1'-0"



LEFT ELEVATION  
3/16" = 1'-0"



RIGHT ELEVATION  
3/16" = 1'-0"



REAR ELEVATION  
3/16" = 1'-0"

SEE ROOF PLAN FOR  
ROOF PITCHES

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Hunter Drafting Services L.L.C. Does NOT provide Architect or Engineers Seals

| Sheet | Of | 7 |
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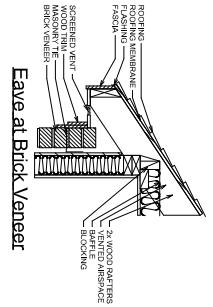
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**GRAMMERCY  
PARK PLAN 3 - R**

SHEET TITLE:  
**ELEVATIONS**  
DATE PRINTED: 2/3/2022 8:51:31 PM

CONTRACTOR:  
**TWELVESTONE  
CONSTRUCTION**  
P.O. BOX 193 Cave Springs, AR.  
Phone: 591-454-4383 E-mail: timwangcreator@gmail.com

**FINALS  
PLANS**  
READY FOR  
CONSTRUCTION

DRAWINGS PROVIDED BY:  
**JOEY HUNTER**  
HUNTER DRAFTING SERVICES, L.L.C.  
ROGERS, AR. 474-436-6113  
jhunter.drafting@gmail.com



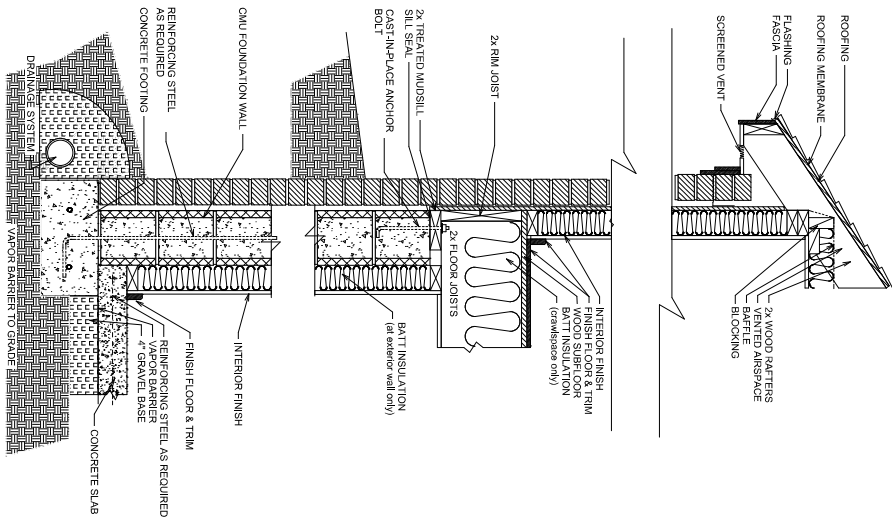
| SUGGESTED INSULATION:             |                                            |
|-----------------------------------|--------------------------------------------|
| TYPICAL CEILING                   | R-38 BATT INSULATION                       |
| FLAT CEILING w/ ATTIC SPACE ABOVE | R-44 FULL ATTIC VENT INSULATION            |
| 4' EXTERIOR WALLS                 | R-16 POSSIBLE                              |
| 6' EXTERIOR WALLS                 | INSULATE AROUND AND VENTS                  |
| ALL ROUNDED ROOFS OVER OPEN SPACE | R-30 INSULATE UNDER CURBS AND SHOWER UNITS |
| ALL SLAB ON GRADE IF USED         | R-10 ABOVE CRAWL SPACES                    |

|                                                                                           |
|-------------------------------------------------------------------------------------------|
| 1) ROOFING IS SELECTED TO MEET THE REQ.                                                   |
| 2) ROOF VENT IF REQ. OR SELECTED                                                          |
| 3) SPIRIT VENTILATION TO MEET REQ. ATTIC VENTS TO MATCH ROOFING. COATING THEM AS MUCH OUT |
| 4) INSULATION TO MEET REQ. OR SELECTED                                                    |
| 5) PROVIDE FLASHING IN ALL WALLS, SHEDDERS AND CHIMNEYS                                   |
| 6) AND FLASHING IN ALL WALLS AT SPIRITS                                                   |
| 7) AS REQUIRED                                                                            |
| 8) INSULATION TO MEET REQ. OR SELECTED PER ANY LOCAL CODES                                |
| 9) INSULATE ROOF FLASHING AS REQ.                                                         |
| 10) INSULATE ROOF FLASHING AS REQ. INSULATE FLASHING                                      |
| 11) INSULATE ROOF FLASHING AS REQ. INSULATE FLASHING                                      |
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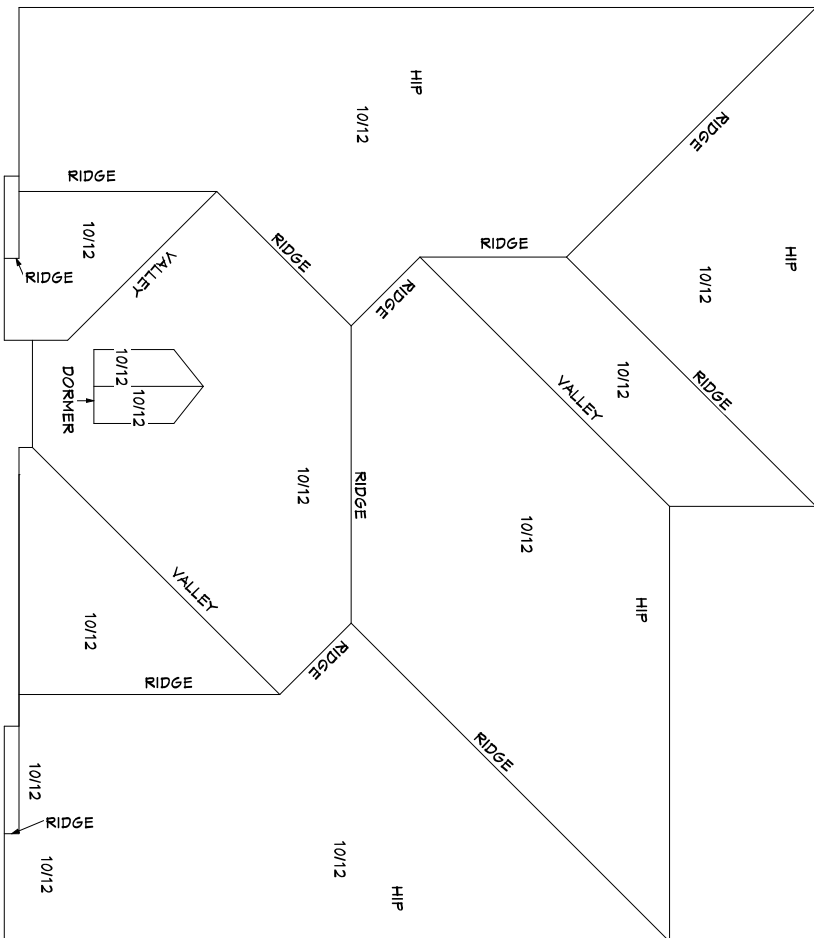
  

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**TYPICAL WALL SECTION @  
BASEMT HEATED WITH BRICK**

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| MIN. FOOTINGS 2'-0" x 1'-6" C.M.U. | NOTE: FOUNDATION AND     | 4" CONC. SLAB 15 PSI PER LOCAL |
| BLOCK FOUNDATION SETTING ON        | FOOTINGS TO FOLLOW LOCAL | CODES w/ #10 @6" ID10 RUMM     |
| MIN. 18"x12" CONC. FTNG. W/ #4     | CODES DETAILS SHOWN ARE  | OTHER A CONTRACTED GRAVEL      |
| CONC. REBAR TOP OF FOOTING         | EXAMPLES ONLY .....      | FILL AND 6 MIL. POLY VAPOR     |
| MIN. 2" BELOW FROST LINE           |                          | BARRIER.                       |



**SCALE: NONE**  
**ACTUAL MAY VARY**



Pending PC Item



**VAR25-0023**  
**HOMES BY REDDY LLC**  
**3106 NE Doyle Dr**





## Dadi, Lot 38, Grammercy Park

3104 Northeast Doyle Drive

**BOA Date:** 8/13/2025

### Staff Report Details

|                                  |                                 |
|----------------------------------|---------------------------------|
| <b>Project Number</b>            | VAR25-0024                      |
| <b>Applicant / Current Owner</b> | Swope Engineering / Shekar Dadi |
| <b>Site Area</b>                 | 0.25 acres                      |
| <b>Current Zoning</b>            | PUD, Planned Unit Development   |
| <b>Variance Request</b>          | Front setback variance          |
| <b>Related projects</b>          |                                 |

### Property Description

The subject property is located at 3104 Northeast Doyle Drive (Lot 38 of Grammercy Park Subdivision). The property is presently zoned PUD, Planned Unit Development, with a future land use designation of Neighborhood Suburban.

### Regulation

Article 401 Zoning District Regulations, Section 401.10 PUD, Planned Unit Development. The PUD for this subdivision has established the following setbacks: 30' front (dwelling), 20' front (garage), 7' side (interior), 20' side (exterior), and 25' rear.

### Variance Request

Setback variance requested: A 10-foot variance on the front building setback to allow for a 20-foot front building setback instead of the required 30-foot front setback.

### Background

## Background

### Background

The applicant is requesting a 10-foot variance to allow for a 20-foot front building setback, instead of the 30-foot front building setback required of the PUD, Planned Unit Development. The applicant states that the rear lot topography significantly reduces the lot's buildable area, and is seeking to shift the proposed home towards the front of the property line. Please see provided plans for clarification. The front setback requirement of 30 feet was set previously through the Planned Unit Development Process. There is also a 20-foot-wide utility easement along the front property line.

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:**

##### **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 states that special circumstances and conditions exist due to the rear yard topography of the lot.

##### **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 that the literal interpretation of the setback ordinance would mean a much smaller house would need to exist on this lot, which does not conform to the existing scale, character, context, and form of the existing neighborhood. The applicant writes that this ultimately reduces the property values of its neighbors and the subdivision as a whole.

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

The applicant states that the lot topography is not a result of the current lot owner, but that the existing lot grades appear to be a result of subdivision design and construction.

##### **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.**

The applicant states the variance requested will not confer any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. The applicant is seeking a variance in order to build a home that confers with the surrounding neighborhood to ensure cohesion.

#### **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 mention of nonconforming uses of neighboring lands, structures, or buildings in the same district.

#### **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**



## Background

### structure.

The applicant has provided a site design demonstrating how their requested variance is only needed for a portion of the front of the building. The existing front setback of 30' is depicted to show how far the proposed dwelling would exceed current 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 variance requested appears to have no detrimental impact 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.**

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 of use.

### Conclusion

The applicant is requesting a 10-foot variance to allow for a 20-foot front building setback instead of the 30-foot front building setback required by the PUD. The applicant states that special circumstances and conditions exist due to the rear yard topography of the lot. The topography of the south side of the lot (the rear of the lot) is creating the hardship, according to the applicant. The applicant states that the literal interpretation of the setback ordinance would mean a much smaller house would need to exist on this lot, which does not conform to the existing scale, character, context, and form of the existing neighborhood. The applicant claims that this ultimately reduces the property values of its neighbors and the subdivision as a whole. The applicant further states that the lot topography is not a result of the current lot owner, but the existing lot grades are a result of the subdivision design and construction.

Ultimately, the Board must find all six criteria to have been met for the approval of a variance request.

## Public Comment

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

## Conditions of Approval

### Conditions of Approval

If the Board approves the variances, the following conditions of approval are proposed:

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.



July 23, 2025

City of Bentonville

305 SW A Street

Bentonville, AR

**RE: Front Building Setback Variance – 30' to 20'**

LOT 38, GRAMMERCY PARK ADDITION, PHASE 1, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS PER PLAT RECORDED IN PLAT BOOK 2009 AT PAGES 76 THROUGH 78.

To whom it may concern, please consider a front building setback variance of 10 feet (30' required, 20' requested) for Lot 38 of Grammercy Park Subdivision Phase 1. This lot has its own set of challenges and requires some accommodations to make it work. See the following responses, below, to the required criteria.

The special condition and circumstance that exists for the lot is the rear yard topography. This lot is not buildable well into the rear buildable area of the lot; therefore, the proposed home needs shifted to the front.

Literal interpretation of the setback ordinance would mean a much smaller house would have to exist on this lot, thereby not conforming to the existing scale, character, context and form of the existing neighborhood and ultimately reducing property values of its neighbors and the subdivision as a whole.

The special condition in this case, the lot topography, is not the result of the current lot owner. The existing lot grades appear to be the result of subdivision design and construction.

The developer will ensure that there are no encroachments into the setback/utility easements including but not limited to the slab/footings.

In summary, we believe this setback variance request meets the standard criteria established for granting variances. This letter is submitted for your review and approval.

Sincerely,

Jon Stanley, ASLA  
Senior Project Manager



## DATE PRINTED: 2/3/2022

OR PLAN SQ. FT AREAS:

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| HEAT/COOL:     | 1852 |
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|          |     |
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TO 3'-0" X 5'-0"

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PRESSURE AND FIRE DOORS PER CODES.

FRAMES SHOWN. EXTERIOR WALLS AROUND  
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WINDOWS ARE 2'x4 @ 16" O.C.  
VERTICAL EXTERIOR WALLS AROUND HORIZONTAL  
WINDOWS ARE 2'x4 @ 16" O.C.

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AND SPACED BY ENGINEER OR MANUFACTURER.  
AND TUB DIMENSIONS ARE CLEAR  
3. ....  
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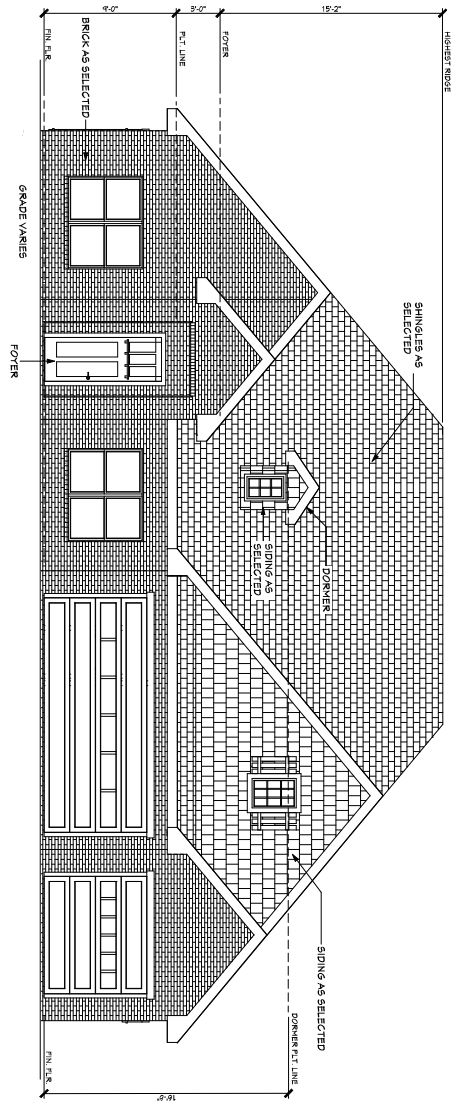
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OWNER OR CONTRACTOR  
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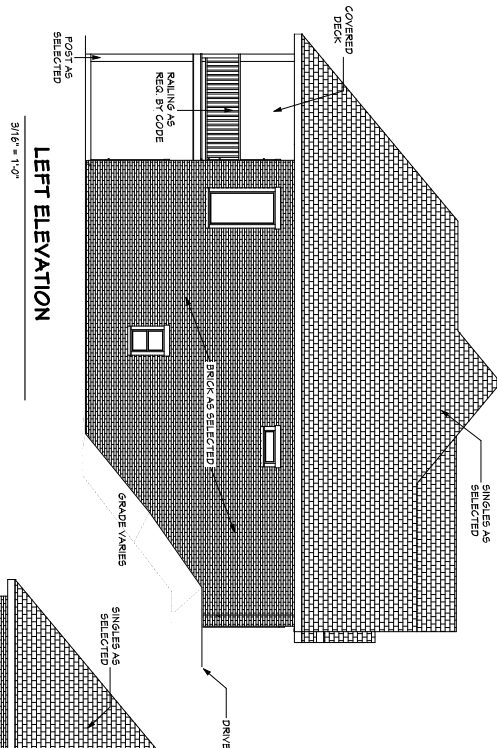
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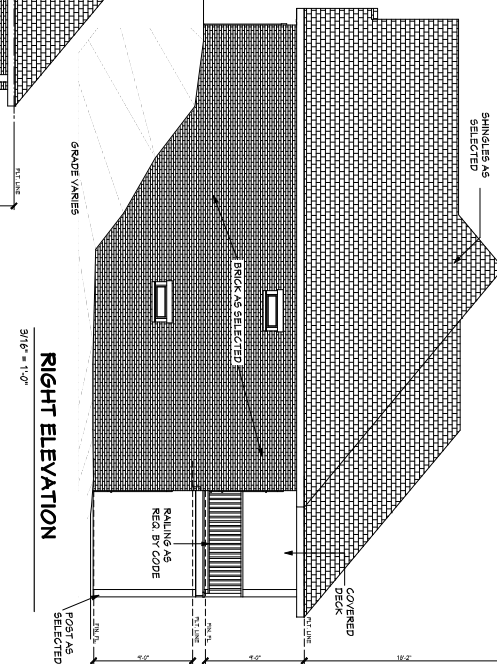
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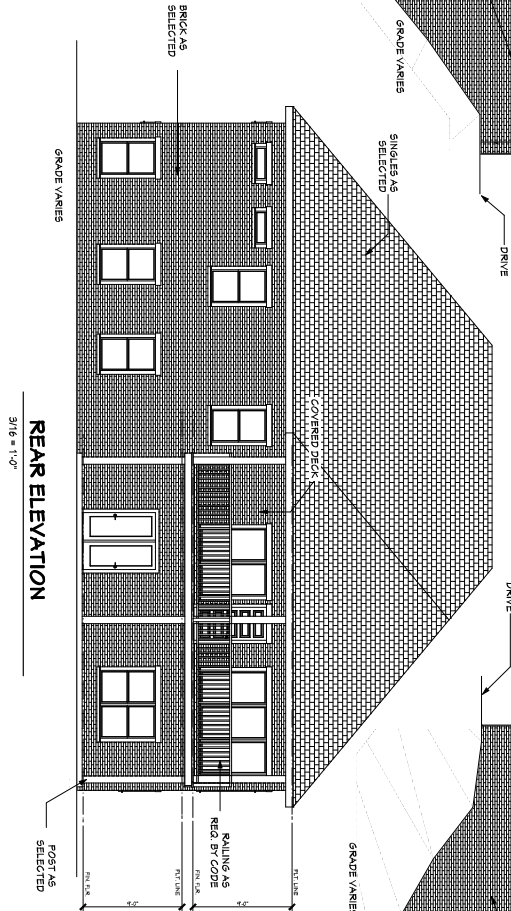
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LEFT ELEVATION  
3/16" = 1'-0"



RIGHT ELEVATION  
3/16" = 1'-0"



REAR ELEVATION  
3/16" = 1'-0"

SEE ROOF PLAN FOR  
ROOF PITCHES

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Hunter Drafting Services L.L.C. Does NOT provide Architect or Engineers Seals

PROJECT NAME:  
**GRAMMERCY  
PARK PLAN 3 - R**

SHEET TITLE:  
**ELEVATIONS**

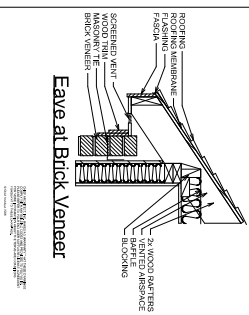
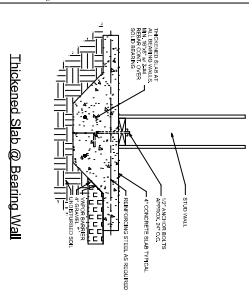
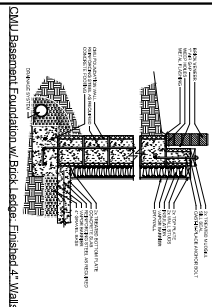
CONTRACTOR:  
**TWELVESTONE  
CONSTRUCTION**  
P.O. BOX 193 Cave Springs, AR.  
Phone: 591-454-4383 E-mail: timwangcreator@gmail.com

**FINALS  
PLANS  
READY FOR  
CONSTRUCTION**

DRAWINGS PROVIDED BY:  
**JOEY HUNTER**  
HUNTER DRAFTING SERVICES, L.L.C.  
ROGERS, AR. 474-436-6113  
jhunter.drafting@gmail.com

| DATE     | BY          | REVISION |
|----------|-------------|----------|
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| DATE     | BY          | REVISION |
| 2/3/2022 | JOEY HUNTER | 1.00     |
| DATE     | BY          | REVISION |
| 2/3/2022 | JOEY HUNTER | 1.00     |

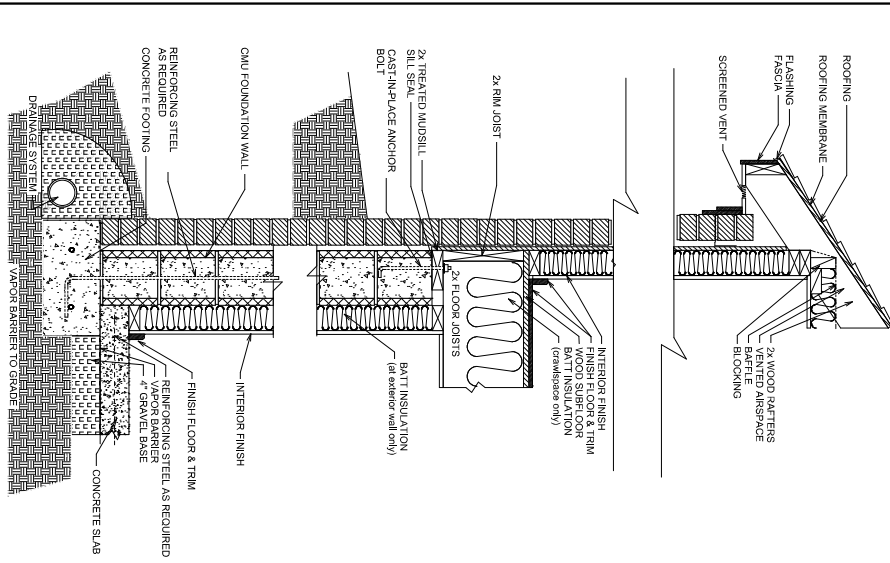
Drawings: 5 of 7



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| 8' EXTERIOR WALLS                  | R-21 | INSULATE AROUND DOOR AND WINDOW FRAMES      |
| ALL ROOFED PORCHES OR PATIOS       | R-30 | INSULATE UNDER TIERS AND SHOWER/DRESS AREAS |
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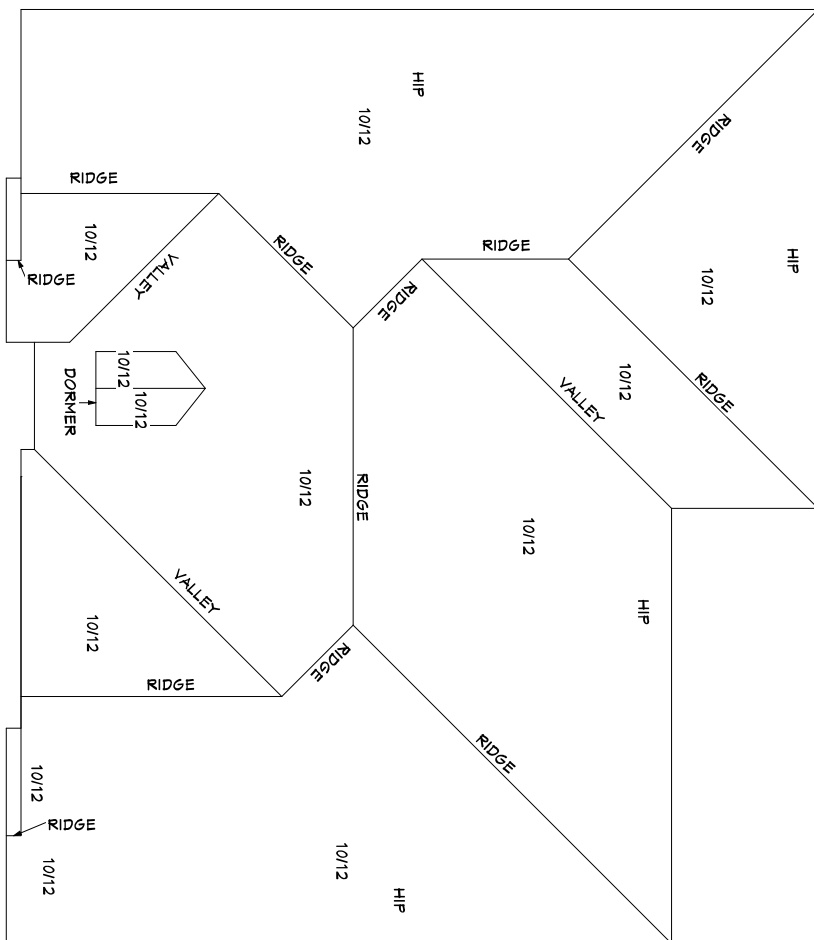
**SUGGESTED INSULATION:**

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**TYPICAL WALL SECTION @  
BASEMENT HEATED WITH BRICK**

**TYPICAL WALL SECTION @  
BASEMENT HEATED WITH BRICK**



CONTRACTOR:  
**TWELVESTONE  
CONSTRUCTION**  
P.O. BOX 193 Cave Springs, AR.  
Phone: 591-454-4383 E-mail: [timwangrcaltor@gmail.com](mailto:timwangrcaltor@gmail.com)

**FINALS  
PLANS**  
READY FOR  
CONSTRUCTION

**HUMAN ERROR DRAFTING SERVICES, L.L.C.** does not provide Architects or Engineers' Seals  
MADE IN THE PREPARATION OF THIS PLAN TO COVER DESIGN ERRORS, OMISSIONS,  
AND MISTAKES. THE DESIGNER CAN BE HELD RESPONSIBLE FOR ANY SUCH ERRORS,  
OMISSIONS AND MISTAKES. THE DESIGNER WILL NOT BE LIABLE FOR HUMAN ERROR  
UNLESS THE CONTRACTOR AND/OR CLIENT SHALL VERIFY ALL  
CONDITIONS, DIMENSIONS, DETAILS  
CONSTRUCTIONS AND MATERIALS ARE  
RESPONSIBLE FOR SAME. THE  
DESIGNER WILL NOT BE LIABLE FOR  
HUMAN ERROR UNLESS THE  
CONSTRUCTION BEGINS WITH  
ALL LOCAL, NATIONAL, AND IRC

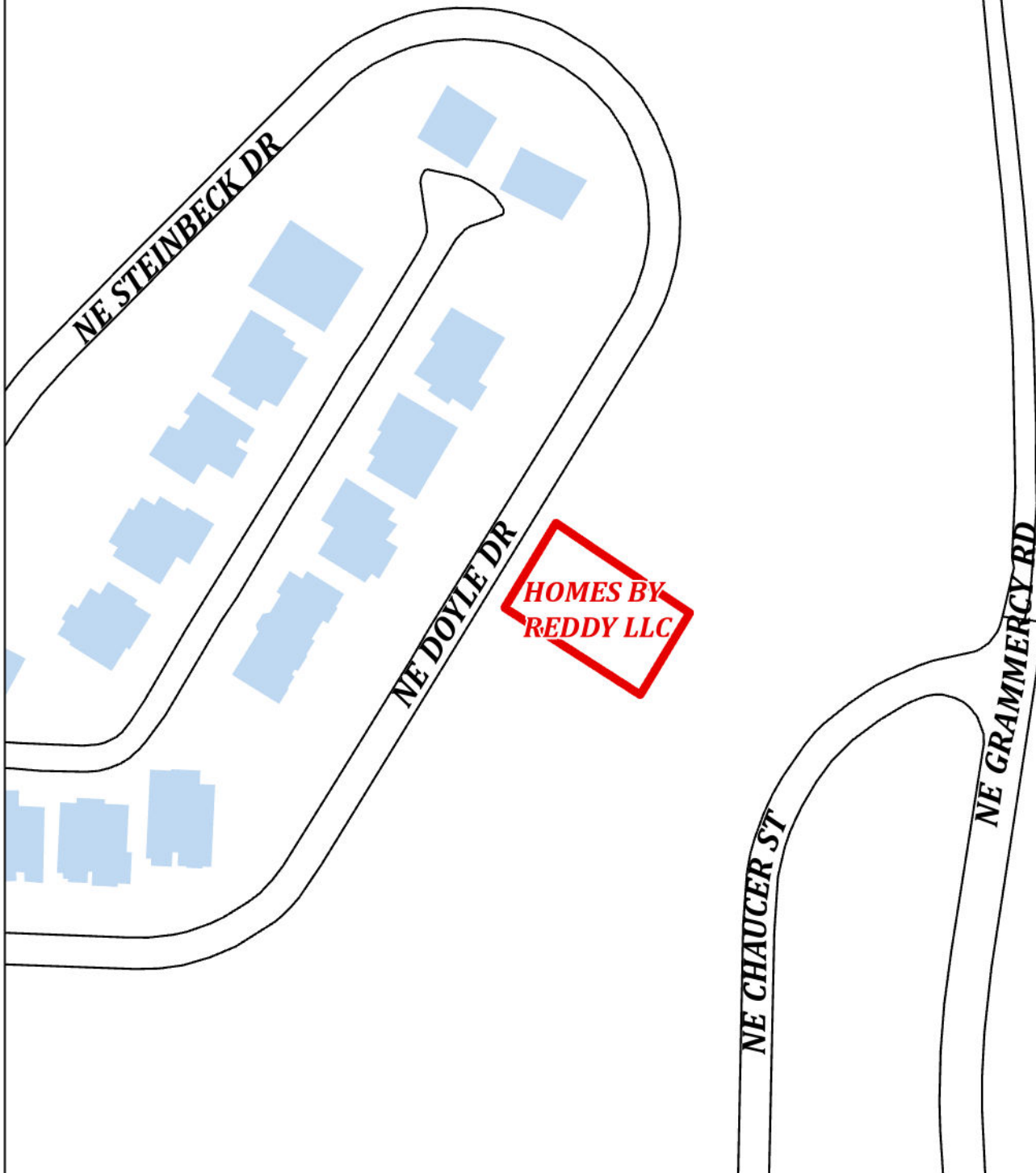
DRAWINGS PROVIDED BY:  
**JOEY HUNTER**  
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Pending PC Item



**VAR25-0024**  
**HOMES BY REDDY LLC**  
**3104 NE Doyle Dr**





**Oneill, Lot 11, Demings 2nd Addition**

602 NE A Street

**BOA Date:** 8/13/2025**Staff Report Details**

|                                  |                                |
|----------------------------------|--------------------------------|
| <b>Project Number</b>            | VAR25-0021                     |
| <b>Applicant / Current Owner</b> | Tom O'Neill                    |
| <b>Site Area</b>                 | 0.47 acres                     |
| <b>Current Zoning</b>            | R-1, Single Family Residential |
| <b>Variance Request</b>          | Fence setback variance         |
| <b>Related projects</b>          |                                |

**Property Description**

The subject property is located at 602 NE A St (Lot 11 of Demings 2nd Addition Subdivision). The property is presently zoned R-1, Single Family Residential, with a Future Land Use designation of Walkable Neighborhood.

**Regulation**

Article 1100 Development Standards, Section 1100.06 Fence and Wall Requirements. Subsection (g) *Fence Location (2) Adjacent to public right-of-way* states that: a fence or wall shall be placed no closer than five (5) feet to the current or proposed public right-of-way as prescribed within the Master Street Plan.

**Variance Request**

Setback variance requested: A 5-foot variance on the fence setback adjacent to right of way to allow for a 0-foot fence setback adjacent to the right of way instead of the required 5-foot fence setback.

## Background

### Background

The owners of 602 NE A Street are requesting a variance from the Land Development Code Article 1100, Section 1100.06 - Fence and Wall Requirements, which requires a 5-foot setback from the right-of-way for fences. The request is for a 0-foot setback adjacent to the west(front) side of the property, abutting the right-of-way. The applicants state that a disproportionately wide city right-of-way in front of their property creates a significantly greater road and sidewalk corridor that is typical along NE A Street. The applicant further states that this condition reduces their usable property area more than neighboring lots and results in a setback requirement that is out of character with nearby fencing patterns.

The applicant states that properties to the north and south - including the adjacent property at 606 NE A Street have narrower rights-of-way, and some newer developments (including 606 NE A) are built with no apparent additional right-of-way dedication.

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

#### **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 applicants state that special circumstances and conditions exist due to the additional right-of-way that has been dedicated on their property and which is not the case for surrounding properties.

##### **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 that literal interpretation of the 5-foot fence setback—on top of the already wide right-of-way—would push the fence significantly farther back than other fences on NE A Street. This would diminish their usable front yard and result in an inconsistent fence line.

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

The applicant states that the right of way dedication is not a result of the current lot owner, but that the existing additional right of way dedication appears to be the result of some former master street plan requirement.

##### **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.**

The applicant states the variance requested will not confer any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. The applicant proposes to construct a fence that aligns with the general character and setbacks of fences along A Street. The request is not seeking to exceed height, transparency, or materials standards.

#### **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.**

## Background

The applicant makes no mention of nonconforming uses of neighboring lands, structures, or buildings in the same district.

**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 submitted site plan shows that the requested variance allows a fence to be placed at a logical location within the front yard, approximately 16 feet from the sidewalk, despite the 0-foot setback from the right-of-way. The variance appears to allow functional and consistent use of the yard while maintaining neighborhood context.

**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.**

There is no evidence the proposed fence location would create a visibility issue, encroach into a travel corridor, or otherwise impact public safety or 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.**

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 pertains solely to a fence setback and does not propose a new or altered land use.

## Conclusion

The applicants are requesting a 5-foot fence setback variance to allow a 0-foot setback adjacent to the right-of-way. The applicant states the request is based on the disproportionate width of the right-of-way in front of their property, which is greater than that of surrounding lots and significantly reduces the usable front yard area. The applicant has demonstrated that this condition is not self-created, and the proposed fence would align with existing neighborhood character.

Ultimately, the Board must find all six criteria to have been met for the approval of a variance request.

## Public Comment

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

### Conditions of Approval

If the Board approves the variances, the following conditions of approval are proposed:

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 fence.
3. Nothing in this variance authorizes a fence closer than 5' from the back of any existing or future sidewalk.

### 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.

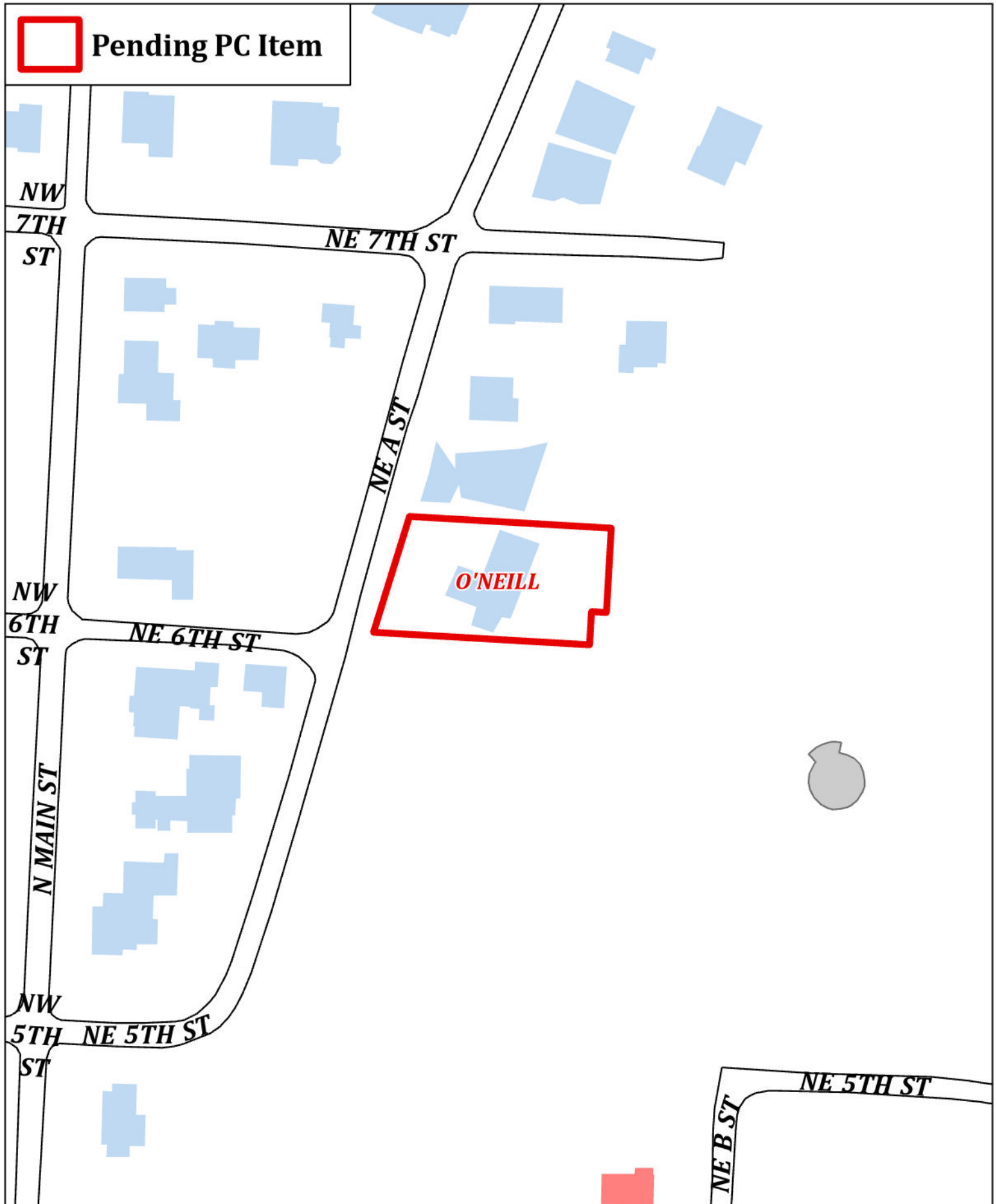
(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(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.



Pending PC Item



VAR25-0021  
O'Neill  
602 NE A ST



RE: Variance request for 602 NE A. Street, Bentonville AR 72712

Owners/Applicants: Tom and Mary O'Neill (Thomas and Mary O'Neill Living Trust dt: January 31, 2002)

Project: Fence

Written Narrative:

The owners of 602 NE A. Street, Bentonville AR, 72712 wish to construct a fence on the property. All fencing is in compliance with the zoning ordinance of the City of Bentonville with regards to height and setbacks with the exception of distance from a City Right-of-way on the west side (front) of the property. Owners wish to place the fence just inside of the 602 NE A. Street property line. This will place the fence inside the 5-foot set back from the Right-of-way. The City Right-of-way significantly infringes on our property and results in a far wider section of potential roadway and sidewalk than the surrounding properties along A street, both North and South. The property at 606 NE A. Street (adjacent to the North) has a new sidewalk, as does our property, and No City Right-of-Way. 606 NE A. Street was built after 602 NE A. The vast majority of A street surrounding properties have between 50 and 60 feet of potential roadway. With the City Right-of-Way, our property has over 70 feet of potential road and sidewalk.

Requiring the 5-foot setback from the right of way would significantly limit the use of our property, unlike the surrounding property owners. The current City Right-of-way already takes up a considerable portion of the property at 602 NE A. Street. A new walkway was constructed by the city within its right-of-way in front of our property that is wider than the prevailing walkway or road in the surrounding properties, both North and South.

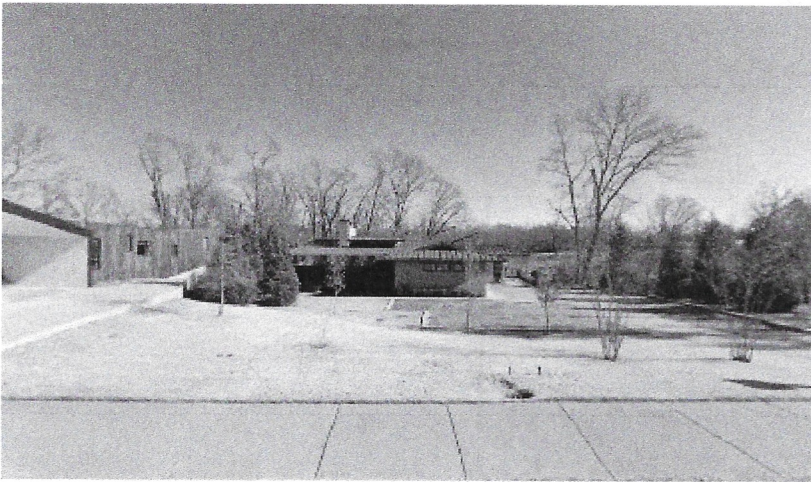
Owners took no actions to create the circumstances present.



602 NE A St



Imagery ©2025 Airbus, Map data ©2025 Google 20 ft



602 NE A St

Building



Directions



Save



Nearby



Send to  
phone



Share

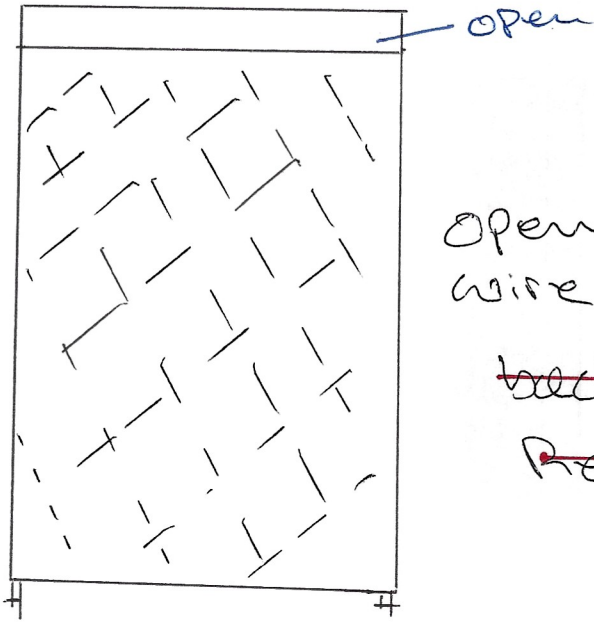


602 NE A St, Bentonville, AR 72712





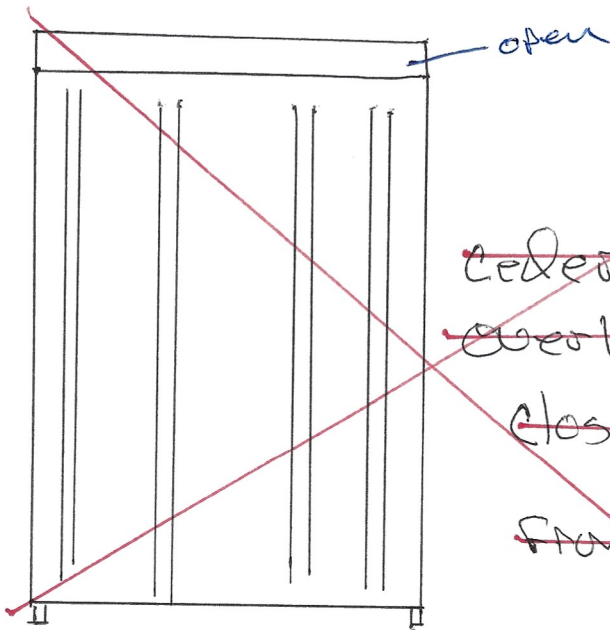




open  
wire

All sides  
360°

~~back & side in~~  
~~front~~



~~cedar boards~~

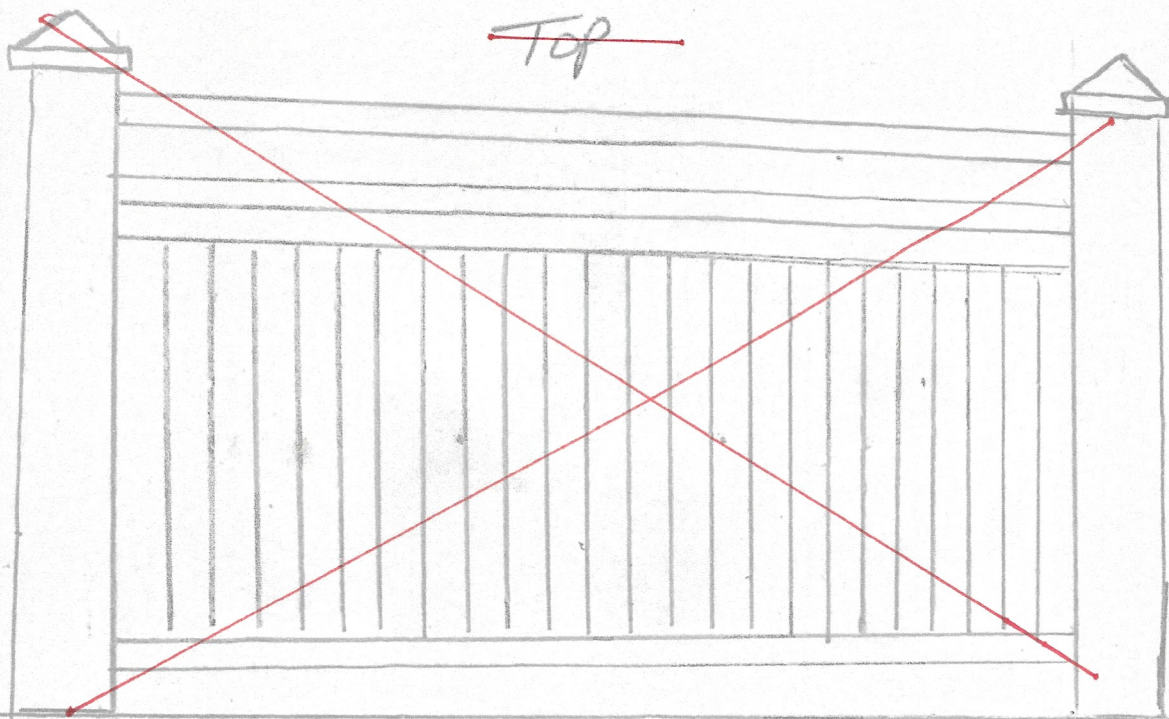
~~overlap~~

~~closed in panel~~

~~front & side by Road~~

~~FRONT yard side~~

~~Top~~

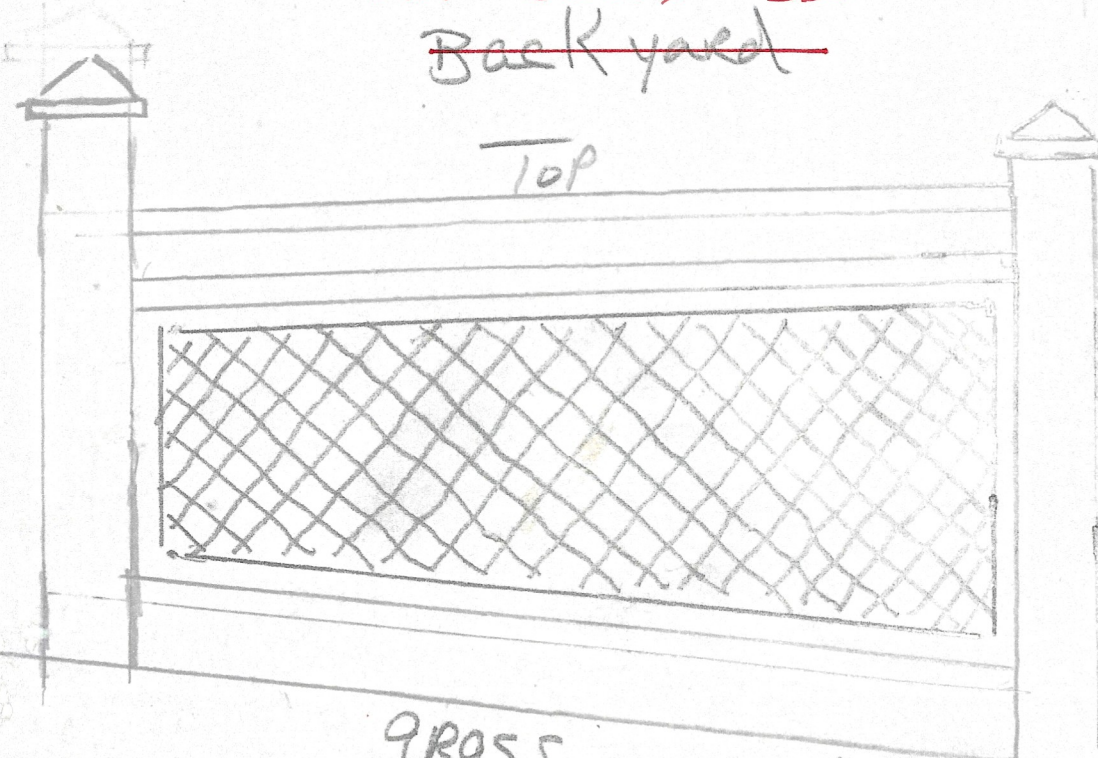


GRASS

All sides 360°

~~Back yard~~

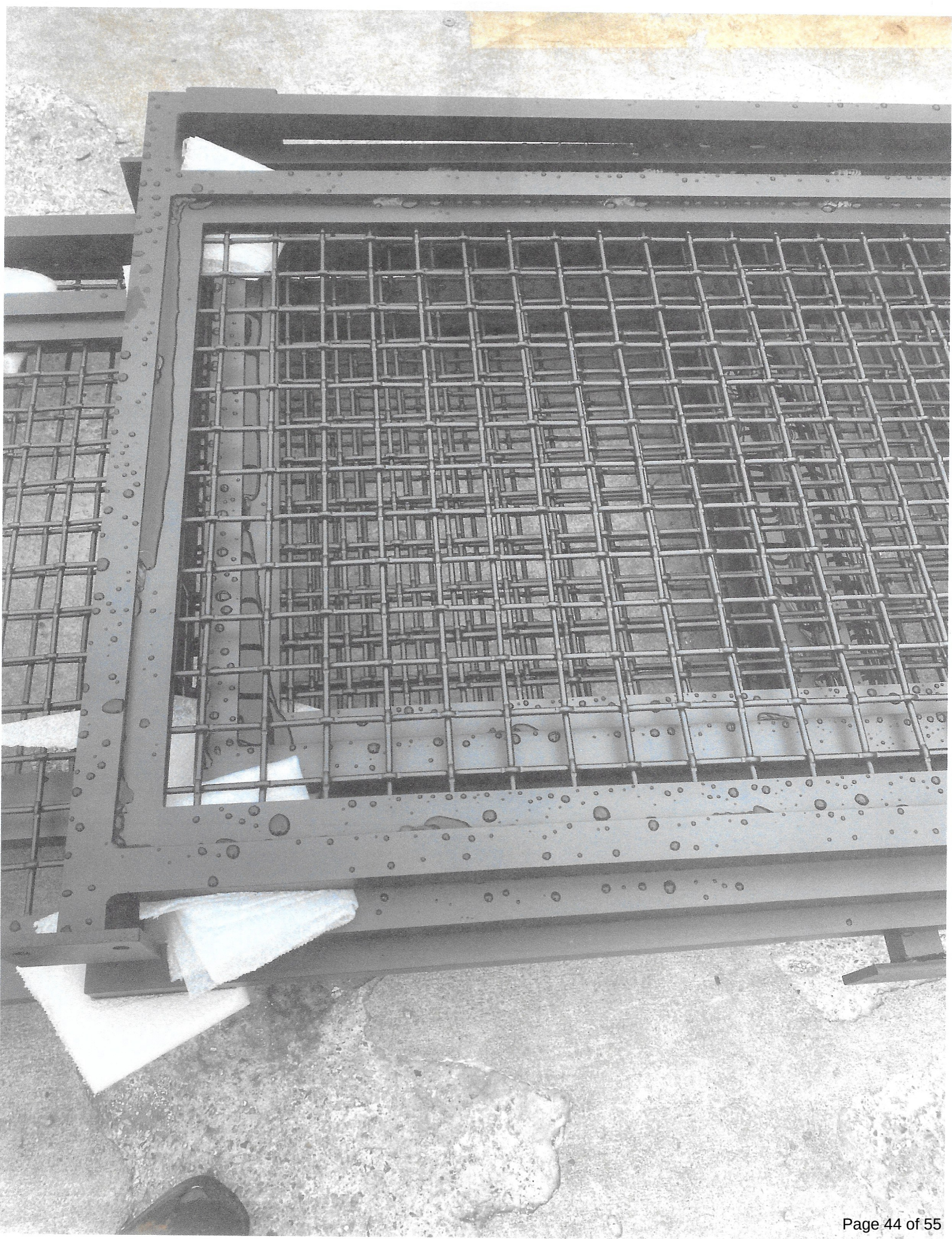
~~Top~~



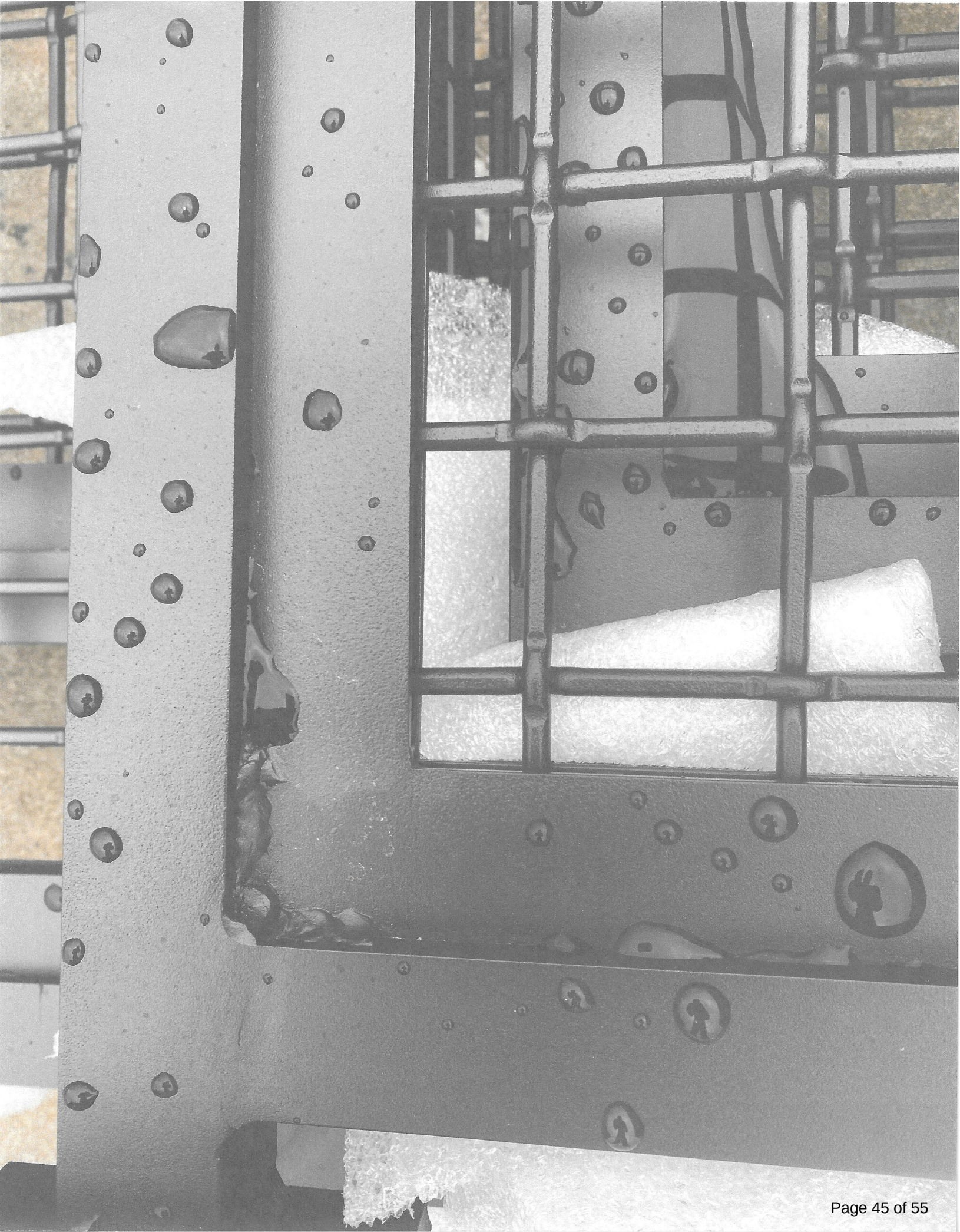
GRASS

→ slope













**Reeves**

1202 Northwest A Street

**BOA Date:** 8/13/2025

### Staff Report Details

|                                  |                                            |
|----------------------------------|--------------------------------------------|
| <b>Project Number</b>            | VAR25-0016                                 |
| <b>Applicant / Current Owner</b> | Reeves Design and Construction/Cole Reeves |
| <b>Site Area</b>                 | 0.58 Acres                                 |
| <b>Current Zoning</b>            | R-2 (Medium-density residential)           |
| <b>Variance Request</b>          | Section 601.01(d)(1)                       |
| <b>Related projects</b>          | LSD24-0041, LS24-0032, RZ24-0006           |

### Property Description

The subject property is located at 1202 Northwest A Street (Lot 11A, Block 3 of W A Burks Addition). The property is presently zoned R-2, Medium-Density Residential, with a future land use designation of Neighborhood Suburban.

### Regulation

Article 601 of Zoning District Regulations, Section 601.01, Accessory Structures. Per this section of code, accessory structures are prohibited in front yard. The established setback standards do not allow for an accessory structure to be located beyond the front building line of the primary structure on the lot.

### Variance Request

Requesting variance from Section 601.01(d)(1): Applicant is proposing a 510 square-foot detached accessory structure, which will be set back 20 feet from the front property line, meeting the required setback distance, but the applicant wants to place the structure in front of the principal dwelling.

## Background

### Background

The applicant is requesting a variance from Section 601.01(d)(1), which prohibits accessory structures from being placed in front of the primary structure on a lot, to allow for a 510 square foot accessory structure to be placed in front of the primary structure. The applicant states that the rear lot topography combined with a shared access easement make rear or side yard placement of the accessory structures impractical. Please see the provided plans for clarification.

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:**

##### **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 states that special circumstances and conditions exist due to two constraints:

1. Topography: The rear of the lot contains steep hillsides and mature trees, making construction difficult and environmentally disruptive.
2. Shared access easement: the City of Bentonville required a shared driveway and single curb cut, limiting circulation and rear yard access.

##### **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 that the literal interpretation of the setback ordinance would mean disturbing the trees and hillside behind the home, possibly impacting the visual and ecological connection of the area to nearby public trails and disturb the character of the neighborhood.

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

The applicant states that neither the lot topography nor the shared access easement are a result of the current lot owner, but existed prior to their ownership. The applicant states that the site limitations were shaped by the lot's natural features and city-imposed infrastructure standards.

##### **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.**

The applicant states the variance requested will not confer any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district -- only permission to locate the accessory structure in front of the primary residence due to unique site conditions.

#### **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 mention of nonconforming uses of neighboring lands, structures, or buildings in the same district.

#### **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**

## Background

**minimum variance that will make possible the reasonable use of land, building or structure.**

The applicant has provided a site design demonstrating how their requested variance would be constructed. The applicant also provided property photos and renderings of the structure elevations.

**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 variance requested appears to have no detrimental impact 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.**

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 of use.

## Conclusion

The applicant is requesting a variance from Section 601.01, which prohibits accessory structures from being placed in front of the primary structure of a lot. The applicant writes that at the time the property was rezoned, Cottage Court zoning was not available. The applicant states that as part of their commitment to improving the surrounding area, that they funded and built a major sewer extension, which helped adjacent parcels by supporting future development. The intention of the variance request is to prevent disturbing the hill side and existing trees. The applicant states that due to the unique topographic constraints, City-imposed access requirements, and their commitment to preserving the natural landscape and contributing to area infrastructure, they respectfully request a variance to allow a 510 square foot accessory structure to be placed in the front yard. The applicant states that the proposed design meets all dimensional requirements, including the 20-foot front setback, and reflects a thoughtful approach to responsible development.

Ultimately, the Board must find all six criteria to have been met for the approval of a variance request.

## 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.

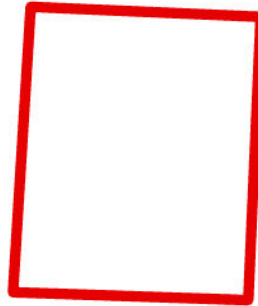
(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of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



**Pending PC Item  
Item**

NW A ST



NE TIGER BLVD

TIGER BLVD



**VAR25-0016**  
**Reeves**  
**1202 NW A ST**



Cole Reeves & Luke Jenkins  
870-245-8505  
reevesdesignandconstruction@gmail.com

July 7th,, 2025

To:

Board of Zoning Adjustment  
City of Bentonville  
c/o Planning Department  
305 SW A Street  
Bentonville, AR 72712

Re: Variance Request – Accessory Structure in Front Yard  
Property Address: 1202 NW A Street  
Parcel Number: 01-04532-000  
Zoning District: R-2 (Medium-Density Residential)

#### 1. Summary of Request

We respectfully request a variance from Section 601.01(d)(1) of the Bentonville Municipal Code, which prohibits accessory structures in the front yard.

We are proposing a 510-square-foot detached accessory structure, which will be set back a full 20 feet from the front property line in compliance with the required front setback. However, because the structure is located in front of the principal dwelling, a variance is required for placement within the front yard area.

#### 2. Site Constraints and Project Background

This property is significantly impacted by two constraints:

- Topography: The rear of the lot contains steep hillsides and mature trees, making construction difficult and environmentally disruptive.
- Shared Access Easement: The City of Bentonville required a shared driveway and single curb cut, limiting circulation and rear yard access.

Due to these conditions, placing the accessory structure in the rear or side yards is impractical. The front yard is the only feasible location that allows safe access, efficient use of the lot, and protection of the existing trees and hillside.

#### 3. Variance Criteria (per the 2025 Submittal Guide, p. 17)

##### a) Exceptional Conditions Exist

The combination of steep rear slopes and a city-required shared curb cut is an uncommon constraint, reducing usable area on the lot.

##### b) Hardship Not Self-Created

These site limitations existed prior to our development. They were shaped by the lot's natural features and city-imposed infrastructure standards.

##### c) No Harm to Public Welfare or Adjacent Properties

The proposed accessory structure:

- Meets the 20-foot front setback requirement,
- Will be designed to match the architectural character of the home,
- Will be maintained to a high standard and visually softened with appropriate landscaping.

d) Minimum Variance Necessary

We are not seeking any dimensional exceptions—only permission to locate the accessory structure in front of the primary residence due to unique site conditions.

e) Consistent with Zoning Intent

The variance supports practical development while preserving the neighborhood's natural features, and it aligns with the broader goals of orderly, context-sensitive planning.

4. Broader Context

At the time this property was rezoned, Cottage Court zoning was not available. As part of our commitment to improving this area, we funded and built a major sewer extension, helping bring utilities to adjacent parcels and supporting future development.

Preserving the trees and hillside behind the home remains a priority. Keeping this area untouched supports the visual and ecological connection to nearby public trails and enhances the character of the neighborhood.

5. Attachments

- Site plan showing structure location
- Property photos
- Structure elevations

6. Conclusion

Due to the unique topographic constraints, City-imposed access requirements, and our commitment to preserving the natural landscape and contributing to area infrastructure, we respectfully request a variance to:

- Allow a 510-square-foot accessory structure to be placed in the front yard.

The proposed design meets all dimensional requirements, including the 20-foot front setback, and reflects a thoughtful approach to responsible development.

Thank you for your time and consideration.

Sincerely,

Cole Reeves & Luke Jenkins





