

MINUTES
ZONING BOARD OF ADJUSTMENT/PLANNING BOARD MEETINGS

September 29th, 2022

5:00 pm, Quorum Court Room, New Court House
280 N. College Ave.
Fayetteville, Arkansas 72701

ZONING BOARD OF ADJUSTMENT MEETING

DEVELOPMENT REVIEWED:

ACTION TAKEN:

Tontitown Planning area

a. Melinda Barron Variance – Acreage/Lot Size

Approved

Tontitown Planning area

b. Melinda Barron Variance – Setbacks

Approved

Fayetteville Planning Area

c. Donna Swell Variance – Acreage/Lot Size

Approved

Fayetteville Planning Area

d. Bret Schulte Variance – Acreage/Lot Size

Tabled

1. ROLL CALL: *Roll call was taken. Members present include Philip Humbar, Neil Helm, Jay Percy, Lisa Miller, Kiara Luers, and Loren Shackelford.*

2. APPROVAL OF THE AGENDA: *Philip Humbar made a motion to approve the agenda as presented. All board members present were in favor of approving. Motion passed.*

3. NEW BUSINESS

VARIANCE HEARINGS

Tontitown Planning Area

a. Melinda Barron Variance – Acreage/Lot Size

Variance Request to Deviates from Lot Size/Acreage Requirements

Location: Section 15, Township 17, Range 31

Applicant: Blew & Assoc.

Location Address: 2345 Floyd Road, Springdale, AR 72762

JP District: Lance Johnson, District 1

Approximately: +/- 6.1 acres / 3 parcels

Project #: 2022-318

Washington County Planner, Blake Chapman, presented the staff report for the Board Members. No public comment was made.

Nathan Crouch, with Blew & Associates, representing the applicant for the proposed project, addressed the Board. Mr. Crouch explained the scope of the project to the board, the tech review discussion with the Washington County Road Department, and the importance of obtaining the variance approval to obtain City of Tontitown's final approval for this project. Public comment closed.

Loren Shackelford made a motion to approve the Melinda Barron Variance – Acreage/Lot Size subject to staff recommendations. Lisa Miller seconded. All members present were in favor of approval. Motion was passed unanimously.

Tontitown Planning Area

b. Melinda Barron Variance - Setbacks

Variance Request to Deviates from Building Setbacks Requirements

Location: Section 15, Township 17, Range 31

Applicant: Blew & Assoc.
Location Address: 2345 Floyd Road. Springdale, AR 72762
JP District: Lance Johnson, District 1
Approximately: +/- 6.1 acres / 3 parcels
Project #: 2022-336

Washington County Planner, Blake Chapman, presented the staff report for the Board Members. No public comment was made.

Nathan Crouch, with Blew & Associates, representing the applicant for the proposed project, addressed the Board. Mr. Crouch explained the scope of the project to the board, the tech review discussion with the Washington County Road Department, and the importance of obtaining the variance approval to obtain Tontitown city's final approval for this project. Public comment closed.

Loren Shackelford made a motion to approve the Melinda Barron Variance – Acreage/Lot Size subject to staff recommendations. Lisa Miller seconded. All members present were in favor of approval. Motion was passed unanimously.

Fayetteville Planning Area

c. Donna Sowell Variance

Variance Request to Deviates from Lot Size/Acreage Requirements

Location: Section 20, Township 17, Range 29
Applicant: Blew & Assoc.
Location Address: 4100 Hungate Road. Fayetteville, AR 72703
JP District: Patrick Deakins, District 5
Approximately: +/- 1.83 acres / 1 parcel
Project #: 2022-319

Washington County Planner, Blake Chapman, presented the staff report for the Board Members. No public comment was made.

Nathan Crouch, with Blew & Associates, representing the applicant for the proposed project, addressed the Board. Mr. Crouch explained the scope of the project to the board, the tech review discussion with Fayetteville Water regarding the water service line and water easement on the property, and the importance of obtaining the variance approval to obtain the City of Fayetteville's final approval for this project. Public comment closed.

Kiara Luers made a motion to approve the Donna Sowell Variance subject to staff recommendations. Lisa Miller seconded. All members present were in favor of approval. Motion was passed unanimously.

Fayetteville Planning Area

d. Bret Schulte Variance

Variance Request to Deviates from Lot Size/Acreage Requirements

Location: Section 29, Township 17, Range 29
Applicant: Blew & Assoc.
Location Address: 3871 N Gulley Road. Fayetteville, AR 72703
JP District: Butch Pond, District 15
Approximately: +/- 1.44 acres / 1 parcel
Project #: 2022-322

Washington County Planner, Blake Chapman, presented the staff report for the Board Members. There were public comments in opposition to the project made by Ms. Elizabeth Freeman and Mr. Doug Brooks.

Nathan Crouch, with Blew & Associates, representing the applicant for the proposed project, addressed the Board. Mr. Crouch explained the scope of the project to the board, the tech review discussion with the Washington County Road Department and the concerns that relates to the site distance and the access easement to the property, and the importance of obtaining the variance approval to obtain the City of

Fayetteville's final approval for this project. Public comment closed.

Kiara Luers made a motion to table the Bret Schulte Variance requesting further information regarding the septic field/system, dedicated septic easement, perc test results, and corrected information on the survey/plat. Loren Shackelford seconded. All members present were in favor of approval. Motion was passed unanimously.

4. ADJOURN

Philip Humbarnd moved to adjourn. All Board members were in favor of approving. Motion passed.

Zoning board of adjustment adjourned.

PLANNING BOARD MEETING

DEVELOPMENT REVIEWED:

ACTION TAKEN:

County

a. Lodge at Water’s Edge CUP

Approved

Fayetteville Planning Area

b. Farmington Quarry Expansion High-Intensity CUP

Denied

Fayetteville Planning Area

c. Farmington Quarry Expansion High-Intensity Pre-LSD

Denied

County

d. Replat Lot 211 Wedington Woods Minor Subdivision

Approved

County

e. North Road Minor Subdivision

Approved

County

f. Teen Challenge of Arkansas Pre-LSD

Approved

1. ROLL CALL: *Roll call was taken. Members present include Philip Humbard, Neil Helm, Jay Percy, Lisa Miller, Kiara Luers, and Loren Shackelford.*

2. APPROVAL OF MINUTES: *Lisa Miller made a motion to approve the minutes of September 29th, 2022 as written. Jay Percy seconded. All board members present were in favor of approving. Motion passed.*

3. APPROVAL OF THE AGENDA: *Lisa Miller made a motion to approve the agenda with a slight change to the projects order. Jay Percy seconded. All board members present were in favor of approving. Motion passed.*

4. NEW BUSINESS

PLANNING BOARD MEETING

CONDITIONAL USE PERMIT HEARINGS

County

a. Lodge at Water’s Edge CUP

Conditional Use Permit Request

Location: Section 06, Township 17, Range 28

Applicant: Blew & Associates

Location Address: 18645 Saddle Shop Ln WC 383. Springdale, AR 72764

JP District: Patrick Deakins, District 5

Approximately: +/- 8.4 acres / 8 parcels

Project #: 2022-321

Washington County Planner, Blake Chapman, presented the staff report for the Board Members. No public comment was made.

Nathan Crouch, with Blew & Associates, representing the applicant for the proposed project, addressed the Board. Mr. Crouch explained the scope of the project to the board, the ongoing improvements to the existing buildings, and the tech review discussion with the Washington County Road Department in regards to the project’s road maintenance and improvements. Public comment closed.

Loren Shackelford made a motion to approve the Lodge at Water’s Edge CUP subject to staff recommendations. Jay Percy seconded. All members present were in favor of approval. Motion was

passed unanimously.

Fayetteville Planning Area

b. Farmington Quarry Expansion High-Intensity CUP

High-Intensity Preliminary Conditional Use Permit Request

Location: Section 04, Township 16, Range 31
Applicant: Bates & Associates
Location Address: 15557 Hamestring Rd. Fayetteville, AR 72704
JP District: Sam Duncan, District 7
Approximately: +/- 107-.9 acres / 3 parcels
Project #: 2022-313

Washington County Planner, Blake Chapman, presented the staff report for the Board Members.

Mr. Andrew Effinger, representing the Hunt-Rogers Materials LLC, addressed the neighbor's concerns and explained to the board the purpose and scope of the proposed project and gave a short presentation illustrating the past, current, and proposed quarry operations.

There were public comments in opposition to the project made by Mr. Jim Gallagher, Ms. Terri Davis, Ms. Audre Darling, Ms. Jennifer Baccellieri, Ms. Joni Overton, Mr. Kenneth Webb, Ms. Sherry Main, Mr. Josh Moody, Mr. Ernie Overton, Mr. Eduardo Espejel, Ms. Molly Clinehens, Ms. Diana Gallagher, Ms. Kiki Bernards, Ms. Chelsea Eudy, Ms. Roma Gray, and Mr. Michael Luna. Public comment closed.

Neil Helm made a motion to table the Farmington Quarry Expansion High-Intensity CUP subject to staff recommendations. Kiara Luers seconded. A roll call vote was taken resulted in an evenly 3:3 split vote (3 in favor or approval to 3 in favor of denial), as a result of the vote, the motion to table failed.

Lauren Shackelford made a motion to approve the Farmington Quarry Expansion High-Intensity CUP subject to staff recommendations. Lisa Miller abstained. Jay Percy seconded. A roll call vote was taken resulted in 3:2 vote (3 in favor or approval to 2 in favor of denial), as a result of the vote, the motion to approve failed.

As a result of both votes, the Farmington Quarry Expansion High-Intensity CUP failed to be approved.

LAND DEVELOPMENT HEARINGS

Fayetteville Planning Area

c. Farmington Quarry Expansion High-Intensity Pre-LSD

High-Intensity Preliminary Large Scale Development Request

Location: Section 04, Township 16, Range 31
Applicant: Bates & Associates
Location Address: 15557 Hamestring Rd. Fayetteville, AR 72704
JP District: Sam Duncan, District 7
Approximately: +/- 107-.9 acres / 3 parcels
Project #: 2022-314

As a result of the denial of the Farmington Quarry Expansion High-Intensity CUP project, the Farmington Quarry Expansion High-Intensity Pre-LSD project was not presented to the Board Members.

County

d. Replat Lot 211 Wedington Woods Minor Subdivision

Land Development Request

Location: Section 06, Township 17, Range 28
Applicant: Blew & Associates
Location Address: 13456 Persimmon Ln. Fayetteville, AR 72704
JP District: Sam Duncan, District 7
Approximately: +/- 2.61 acres / 2 parcels
Project #: 2022-286

Washington County Planner, Blake Chapman, presented the staff report for the Board Members. No public comment was made.

Nathan Crouch, with Blew & Associates, representing the applicant for the proposed project, addressed the Board. Mr. Crouch explained to the board the scope of the project. Public comment closed.

Jay Percy made a motion to approve the Replat Lot 211 Wedington Woods Minor Subdivision subject to staff recommendations. Loren Shackelford seconded. All members present were in favor of approval. Motion was passed unanimously.

County

e. North Road Minor Subdivision

Land Development Request

Location: Section 16, Township 15, Range 33

Applicant: Bates & Associates

Location Address: 22296 NORTH WC 678. Summers, AR 72769

JP District: Willie Leming, District 13

Approximately: +/- 8.84 acres / 4 parcels

Project #: 2022-316

Washington County Planner, Blake Chapman, presented the staff report for the Board Members. There were public comments in opposition to the project made by Ms. Deidra Holcomb.

Addie Perez, with Bates & Associates, representing the applicant for the proposed project, addressed the Board. Ms. Perez explained to the board the scope of the project and provided more details about the approved perc tests and the presented project's survey. Public comment closed.

Loren Shackelford made a motion to approve the North Road Minor Subdivision subject to staff recommendations. Lisa Miller seconded. All members present were in favor of approval. Motion was passed unanimously.

County

f. Teen Challenge of Arkansas Pre-LSD

Preliminary Large Scale Development Request

Location: Section 25, Township 14, Range 33

Applicant: Randy Ritchey

Location Address: 19856 Boys Home Road. Morrow, AR 72749

Teen Challenge Adventure Ranch Property

JP District: Willie Leming, District 13

Approximately: +/- 26.78 acres / 1 parcel

Project #: 2022-320

Washington County Planner, Blake Chapman, presented the staff report for the Board Members. No public comment was made.

Randy Ritchey, project engineer with Steadfast Inc., representing the applicant for the proposed project, addressed the Board. Mr. Crouch explained the scope of the project to the board, and the tech review discussion with the Washington County Road Department in regards to the project's road quality and maintenance. Public comment closed.

Loren Shackelford made a motion to approve the Teen Challenge of Arkansas Pre-LSD subject to staff recommendations. Jay Percy seconded. All members present were in favor of approval. Motion was passed unanimously.

5. OTHER BUSINESS

- Discussion of Current Development and Planning Department activities

- Reminder of upcoming regular Planning Board Meetings:
 - November 3rd, 2022
 - December 8th, 2022

6. ADJOURN

Phil Humbard moved to adjourn. Loren Shackelford seconded. All Board members were in favor of approving. Motion passed.

Planning Board adjourned.

Minutes submitted by: Sam Ata

Approved by the Planning Board on:

_____ Date: _____
Joel Kelsey, Planning Board Chairman

[ZBA & Planning Board YouTube Live Stream Archive for September 29, 2022 Meetings](#)