

MINUTES
ZONING BOARD OF ADJUSTMENT/PLANNING BOARD MEETINGS

January 12th, 2023

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:

County

a. Ron Johnson Variance – Acreage/Lot Size

Approved

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

2. APPROVAL OF THE AGENDA: *Philip Humbar made a motion to approve the agenda of January 12th, 2023 as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.*

3. NEW BUSINESS

VARIANCE HEARINGS

County

a. Ron Johnson Variance – Acreage/Lot Size

Variance Request to Deviates from Lot Size/Acreage Requirements

Location: Section 33, Township 18, Range 28

Applicant: Blew & Associates

Location Address: 2718 & 2640 Dead Horse Mountain. Fayetteville, AR 72701

Coordinates: 36.18010004, -93.97349436

JP District: District #5 – Kyle Lyons

Approximately: +/- 1.43 acres / 2 parcels

Project #: 2022-431

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

Nathan Crouch, with Blew and Associates, representing the applicant for the proposed project, addressed the Board. Mr. Crouch explained the scope of the project to the board and the importance of obtaining the variance approval to proceed with this project.

No public comment was made. Public comment closed.

Joe Maynard made a motion to approve the Ron Johnson Variance – Acreage/Lot Size subject to staff recommendations. Lisa Miller seconded. A roll call vote was taken resulted in 4:3 vote (4 in favor of approval to 3 against approval), as a result of the vote, the motion to approve passed.

4. ADJOURN

PLANNING BOARD MEETING

DEVELOPMENT REVIEWED:

ACTION TAKEN:

CONDITIONAL USE PERMIT HEARINGS

Fayetteville Planning Area

a. Mally Wagnon Self Storage CUP

Approved

County

b. EagleCrest Recovery CUP

Denied

LAND DEVELOPMENT HEARINGS

County

c. Jim Garlock Minor Subdivision

Approved

Fayetteville Planning Area

d. Farmington Quarry Expansion High-Intensity Pre-LSD

Approved

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

2. APPROVAL OF MINUTES: *Lisa Miller made a motion to approve the minutes of December 8th, 2023 as written. Jay Percy seconded. All board members present were in favor of approving. Motion passed.*

3. APPROVAL OF THE AGENDA: *Philip Humbar made a motion to approve the agenda of January 12th, 2023 as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.*

4. NEW BUSINESS

PLANNING BOARD MEETING

CONDITIONAL USE PERMIT HEARINGS

Fayetteville Planning Area

a. Mally Wagnon Self Storage CUP

Conditional Use Permit Request

Location: Section 29, Township 16, Range 29

Applicant: McClelland Consulting Engineers

Location Address: 2100 Block of S Mally Wagnon, Fayetteville, AR 72701

Coordinates: 36.03879302, -94.07693038

Proposed Use: Commercial

JP District: District 14 - Jim Wilson

Approximately: +/- 10.09 acres / 1 parcel

Project #: 2022-426

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

Nathan Streett, engineer with McClelland Consulting Engineers, accompanied by Nathan and Judy Harris, the project applicants, addressed the board and explained the scope of the proposed project. The applicants also addressed the neighbors' concerns and comments and expressed their commitment to provide any necessary improvements to proceed with the project.

There were public comments in opposition to the project made by Peter Reagan, Evan House, Larry Nixon, Tonya Patrick, Kent Burnett, Jason Gallant, Ally Mrachek, Mike Valdez, Don Cox, Calvin Tackett, and Jim Sexson. Mike Walling spoke in support of the project. Public comment closed.

Joe Maynard made a motion to approve the Mally Wagnon Self Storage CUP subject to staff recommendations. Jay Percy seconded. A roll call vote was taken resulted in 6:1 vote (6 in favor of approval to 1 against approval), as a result of the vote, the motion to approve passed.

County

b. EagleCrest Recovery CUP

Conditional Use Permit Request

Location: Section 29, Township 18, Range 28
Applicant: Chris Conway
Location Address: 19965 Lakeview RD. Springdale, AR 72764
Coordinates: 36.20743861, -93.98642538
Proposed Use: Residential Treatment Center
JP District: District 5 - Patrick Deakins
Approximately: +/- 3.48 acres / 1 parcel
Project #: 2022-425

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

Larry McReady, lawyer representing the project's applicants, accompanied by John Hernandez and Chris Conway, the project applicants, addressed the board and explained the scope of the proposed facility. The applicants also addressed the neighbors' concerns and comments and expressed their commitment to provide any necessary improvements and accommodations to proceed with the project.

There were public comments in opposition to the project made by Stacey Bennett, William Monk, Jim Burtner, Jim Barnes, Mary McKinney, John Farthing, Bonnie Cameron, Jeff Neil, Norma Farthing, Thomas Gill, and Tina Lockwood. Sarah Moore spoke in support of the project. Public comment closed.

Lisa Miller made a motion to deny the EagleCrest Recovery Conditional Use Permit as presented. Neil Helm seconded. A roll call vote was taken resulted in 5:2 vote (5 in favor of denial to 2 against denial), as a result of the vote, the motion to deny passed.

LAND DEVELOPMENT HEARINGS

County

c. Jim Garlock Minor Subdivision

Preliminary and Final Land Development Request

Location: Section 24, Township 15, Range 31
Applicant: Atlas Professional Surveying
Location Address: 10816 S HWY 265. Prairie Grove, AR 72753
Coordinates: 35.96800062, -94.22850473
Proposed Use: Residential
JP District: District 14 - Gary Riker
Approximately: +/- 22.08 acres / 4 parcels
Project #: 2022-460

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

Mr. Jim Garlock, the applicant for the proposed project, explained the scope of the project to the board members. No public comment was made. Public comment closed.

Philip Humbarb made a motion to approve the Jim Garlock Minor Subdivision subject to staff recommendations. Jay Percy seconded. All members present were in favor of approval. Motion was passed unanimously.

Fayetteville Planning Area

d. 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: District 7 – Charles T Dean

Approximately: +/- 107.9 acres / 3 parcels

Project #: 2022-314

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

Mr. Andrew Effinger, Attorney representing the Rogers Group and Hunt-Rogers Materials LLC, accompanied by Dwayne Gabbard, quarry production manager, addressed the neighbor's concerns and explained to the board the purpose and scope of the proposed project and the overall quarry operations.

There were public comments in opposition to the project made by Kenneth Webb, Roma Kenneth, Terri Davis Beaupreaux, Jennifer Baccellieri, Walter Ward, Don Austin, Micheal Luna, and Jennifer Bruner. Public comment closed.

Jay Percy made a motion to approve the Farmington Quarry Expansion High-Intensity Preliminary Large Scale Development as presented. Joe Maynard seconded. A roll call vote was taken resulted in 5:2 vote (5 in favor of approval to 2 against approval), as a result of the vote, the motion to approve passed.

5. OTHER BUSINESS

- Discussion of Current Development and Planning Department activities
- Reminder of upcoming regular Planning Board Meetings:
 - February 23rd, 2023
 - March 30th, 2023

6. ADJOURN

Loren Shackelford moved to adjourn, Maria Banks seconded. All Board members were in favor of approving. Motion passed.

Planning Board adjourned.

Approved by the Planning Board on:

_____ Date: _____
Loren Shackelford, Planning Board Chairman

[ZBA & Planning Board YouTube Live Stream Archive for January 12, 2023 Meetings](#)