

**MINUTES
ZONING BOARD OF ADJUSTMENT/PLANNING BOARD MEETINGS**

March 30th, 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. Barnes & Landers Variance - Setbacks

Approved

County

b. Joshua Good Variance – Road Frontage

Approved

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

2. APPROVAL OF THE AGENDA: *Philip Humbar made a motion to approve the agenda of March 30th, 2023 as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.*

3. NEW BUSINESS

VARIANCE HEARINGS

County

a. Barnes & Landers Variance - Setbacks

Variance Request to Deviates from Setbacks Requirements

Location: Section 05, Township 13, Range 31

Applicant: Daryl Doyal

Location Address: 18244 Alpine RD. West Fork, AR 72774

Coordinates: 35.83664695, -94.30249445

Proposed Use: Residential

JP District: District 14 – Gary Ricker

Approximately: +/- 8.12 acres / 1 parcel

Project #: 2023-048

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

Daryl Doyal, surveyor representing the applicant for the proposed project, addressed the Board. Mr. Doyal 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.

Philip Humbar made a motion to approve the Barnes & Landers Variance - Setbacks subject to staff recommendations. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

County

b. Joshua Good Variance – Road Frontage

Variance Request to Deviates from Road Frontage Requirements

Location: Section 34, Township 15, Range 30

Applicant: Blew & Associates

Location Address: 13095 Mineral Springs WC 30. West Fork, AR 72774

Coordinates: 35.93625614, -94.14820274

Proposed Use: Residential
JP District: District 14 – Gary Ricker
Approximately: +/- 3.36 acres / 1 parcel
Project #: 2023-057

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, provided the planning office with an email to address the Board. Due to Mr. Crouch's absence, the message was read by the planning director, Sam Ata. In his message, Mr. Crouch explained the scope of the project to the board and the importance of obtaining the variance approval to proceed with this project.

There were public comments in opposition to the project made by Ms. Carmen Rees and Mr. Robert Staff. In addition, Mr. Joshua Good, addressed the neighbors' concerns and responded to the board's questions and further explained the purpose of the variance request by its importance to be approved. Public comment closed.

Neil Helm made a motion to approve the Joshua Good Variance – Road Frontage subject to staff recommendations. Maria Banks seconded. All board members present were in favor of approving. Motion passed unanimously.

4. ADJOURN

Philip Humbarad moved to adjourn, Lisa Miller seconded. All Board members were in favor of approving. Motion passed.

PLANNING BOARD MEETING

DEVELOPMENT REVIEWED:

ACTION TAKEN:

CONDITIONAL USE PERMIT HEARINGS

Fayetteville

a. Overbeys Automotive CUP

Tabled by Applicant

Springdale

b. Shuler CUP

Approved

County

c. Northwest Construction Office CUP

Approved

County

d. Beaver Lake Tiny Homes CUP

Denied

County

e. The Grand At Willow Springs CUP

Approved

LAND DEVELOPMENT HEARINGS

County

f. The Grand At Willow Springs Pre-LSD

Approved

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

2. APPROVAL OF MINUTES: *Philip Humbar made a motion to approve the minutes of February 23rd, 2023 as written. Maria Banks 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 of March 30th, 2023 as presented. Maria Banks 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. Overbeys Automotive CUP

Conditional Use Permit Request

Location: Section 20, Township 16, Range 29

Applicant: Bron Overbey

Location Address: 1852 S Tallgrass DR. Fayetteville, AR 72701

Coordinates: 36.04309274, -94.08677668

Proposed Use: Commercial/Auto Repair Shop

JP District: District 15 – Butch Pond

Approximately: +/- 0.37 acres / 1 parcel

Project #: 2023-043

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

The applicant, Bron Overbey, requested the project to be tabled for the next scheduled Planning Board meeting. As a result the project was tabled for May 4th, 2023 Planning Board meeting.

Springdale Planning Area

b. Shuler CUP

Conditional Use Permit Request

Location: Section 04, Township 17, Range 29
Applicant: Renee Biby
Location Address: 1078 S Hewitt Springs Rd, Springdale, AR 72764
Coordinates: 36.17550568, -94.08436398
Proposed Use: Commercial
JP District: District 5 – Kyle Lyons
Approximately: +/- 10.1 acres / 1 parcel
Project #: 2023-052

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

Ms. Biby, the applicant for the proposed project, addressed the Board and explained the scope of the CUP project.

No public comment was made. Public comment closed.

Neil Helm made a motion to approve the Shuler CUP subject to staff recommendations. Maria Banks seconded. All board members present were in favor of approving. Motion passed unanimously.

County

c. Northwest Construction Office CUP

Conditional Use Permit Request

Location: Section 32, Township 18, Range 28
Applicant: Titus Sommers
Location Address: 21112 Wade RD WC 390. Springdale, AR 72764
Coordinates: 36.18136652, -93.98742066
Proposed Use: Commercial
JP District: District 5 – Kyle Lyons
Approximately: +/- 3.48 acres / 1 parcel
Project #: 2023-056

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

Mr. Titus Sommers, the applicant for the proposed project, addressed the Board and explained the scope of the CUP project.

No public comment was made. Public comment closed.

Philip Humbarnd made a motion to approve the Shuler Conditional Use Permit subject to staff recommendations. Neil Helm seconded. All board members present were in favor of approving. Motion passed unanimously.

County

d. Beaver Lake Tiny Homes CUP

Conditional Use Permit Request

Location: Section 01, Township 17, Range 29
Applicant: Jonathan McJunkins (Developer: Dave Gallo)
Location Address: 18664 Saddle Shop WC 383. Springdale, AR 72764
Coordinates: 36.17053217, -94.01552134
Proposed Use: Residential/Commercial
JP District: District 5 – Kyle Lyons
Approximately: +/- 4.82 acres / 1 parcel
Project #: 2023-053

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

Mr. Dave Gallo, the applicant for the proposed project, Mr. Jonathan McJunkins, the property owner, and Mr. Gavin Smith, the project engineer, addressed the board and explained the scope of the proposed project. The applicant and property owner also addressed the neighbors' concerns and comments and expressed their commitment to provide any necessary improvements to the septic system and drainage issues to proceed with the project.

There were public comments in opposition to the project made by Mr. Robert Rhoads, Attorney at Law with Hall Estill law firm, represented the nearby properties neighbors objecting to the this project, namely Gregory K. Hawthorne, Rick Whorton, Wayne Arnold, and Erik Smith.

Public comment closed.

Neil Helm made a motion to approve the Beaver Lake Tiny Homes Conditional Use Permit as presented. Loren Shackelford seconded. A roll call vote was taken resulted in 3:2 vote (3 in "favor of approval" to 2 "against approval", 2 members were absent), as a result of the vote, the motion to approve failed and the Conditional Use Permit is denied.

e. The Grand At Willow Springs CUP

Conditional Use Permit Request

Location: Section 24, Township 16, Range 32

Applicant: Dirk Thibodaux

Location Address: 15306 PRAIRIE VIEW WC 655. Prairie Grove, AR 72753

Coordinates: 36.04556887, -94.33251562

Proposed Use: Commercial/Wedding Venue

JP District: District 13 – Willie Leming

Approximately: +/- 31.4 acres / 1 parcel

Project #: 2023-032

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

Mr. Dirk Thibodaux, with HALLF associates Inc., representing the applicant for the proposed project, addressed the board and explained the scope of the CUP project. The applicant also addressed the neighbors' concerns and comments and expressed their commitment to provide any necessary improvements to proceed with the project. In addition, Mr. Larry Walker and Mrs. Be-Ann Walker addressed the neighbors' concerns and comments and spoke in support of this project.

There were public comments in opposition to the project made by Mr. Margo Hale, Mr. Joshua Hale, and Mr. Jared Phillips. Another member of the public, Ms. Suzan McDonald, asked a question concerning the project's septic system. Public comment closed.

Neil Helm made a motion to approve The Grand At Willow Springs Conditional Use Permit as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

LAND DEVELOPMENT HEARINGS

f. The Grand At Willow Springs Pre-LSD

Preliminary Large Scale Development Request

Location: Section 24, Township 16, Range 32

Applicant: Dirk Thibodaux

Location Address: 15306 PRAIRIE VIEW WC 655. Prairie Grove, AR 72753

Coordinates: 36.04556887, -94.33251562

Proposed Use: Commercial / Wedding Venue

JP District: District 13 – Willie Leming

Approximately: +/- 31.4 acres / 1 parcel

Project #: 2023-033

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

Mr. Erik Walker, the proposed project owner, and Mr. Larry Walker addressed the board concerning the septic design and installation, road improvements and the discussion took place with the County's Road department in this regard.

There were public comments in opposition to the project made by Mr. Joshua Hale and Mr. Jared Phillips. Public comment closed.

Philip Humbar made a motion to approve The Grand At Willow Springs Preliminary Large Scale Development as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.

5. OTHER BUSINESS

- Discussion of Current Development and Planning Department activities
- Reminder of upcoming regular Planning Board Meetings:
 - May 4th, 2023
 - June 8th, 2023

6. ADJOURN

Lisa Miller 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 March 30, 2023 Meetings](#)

Minutes submitted by: Sam Ata