

MINUTES
ZONING BOARD OF ADJUSTMENT/PLANNING BOARD MEETINGS

November 2nd, 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. Leslie & Carol Shadrach Variance – Road Frontage

Approved

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

2. APPROVAL OF THE AGENDA: *Neil Helm made a motion to approve the agenda of November 2nd, 2023 as presented. Joe Maynard seconded. All board members present were in favor of approving. Motion passed.*

3. NEW BUSINESS

VARIANCE HEARINGS

Fayetteville Planning Area

a. Leslie & Carol Shadrach Variance – Road Frontage

Variance Request to Deviate from Road Frontage Requirements

Location: Section 02, Township 16, Range 31

Applicant: Blew & Associates

Location Address: 5419 W Jess Anderson Rd. Fayetteville, AR 72704

Coordinates: 36.089, -94.241

Proposed Use: Residential

JP District: District 7 – Charles Dean

Approximately: +/- 15.4 acre / 2 parcels

Project #: 2023-307

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Mr. Nathan Crouch, with Blew and Associates, represented the applicant, Ms. Carol Shadrach, for the proposed variance project. Mr. Crouch addressed the Board explaining the extent of the project and the importance of obtaining the variance approval to proceed with this project.

No public comment was made. Public comment closed.

Maria Banks made a motion to approve the Leslie & Carol Shadrach Variance – Road Frontage as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.

4. ADJOURN

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

PLANNING BOARD MEETING

DEVELOPMENT REVIEWED:

ACTION TAKEN:

County

a. PSR Excavation CUP

Approved

Fayetteville Planning Area

b. Riverbum Treehouse CUP

Approved

Goshen Planning Area

c. Abandoned Customs CUP

Approved

County

d. Steve Wilson Minor Subdivision - Amended

Approved

County

e. Trammel Mountain Estates Subdivision Replat Lots 34 and 35

Approved

County

f. RGB Acres Subdivision Replat Lot 2

Approved

County

g. Cedar Creek Minor Subdivision

Approved

Fayetteville Planning Area

h. Mally Wagon Self Storage Preliminary Large Scale Development

Approved

Fayetteville Planning Area

i. Wedington Self-Storage Final LSD Phases I & II

Approved

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

2. APPROVAL OF MINUTES: *Philip Humbar made a motion to approve the minutes of September 28th, 2023 as written. Maria Banks seconded. All board members present were in favor of approving. Motion passed.*

3. APPROVAL OF THE AGENDA: *Neil Helm made a motion to approve the agenda of November 2nd, 2023 as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.*

4. NEW BUSINESS

CONDITIONAL USE PERMIT HEARINGS

County

a. PSR Excavation CUP

Conditional Use Permit Request

Location: Section 03, Township 14, Range 31

Applicant: John Sulzen

Location Address: 11839 W HWY 156. West Fork, AR 72774

Coordinates: 35.914, -94.258

Proposed Use: Commercial – Storage Warehouse

JP District: District 14 – Gary Ricker

Approximately: +/- 35.72 acres / 1 parcel (Only 7 acres are being used for this project)

Project #: 2023-302

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Mr. John Sulzen explained the purpose and scope of the CUP project. Mr. Sulzen addressed the Board explaining the extent of the project.

There were public comments in opposition to the project made by Mr. Barry Mason spoken on behalf of another neighbor, Coleen Richardson, requesting that the applicant maintain the road that is a shared drive for the business and her property. Public comment closed.

The board asked Mr. John Sulzen if he would maintain and grade the road while his business is in operation. Mr. John Sulzen agreed to this condition to be added to the planning approvals.

Maria Banks made a motion to approve the PSR Excavation Conditional Use Permit as presented and subject to staff recommendations. Loren Shackelford seconded. All board members present were in favor of approving. Motion passed unanimously.

County

b. Riverbum Treehouse CUP

Conditional Use Permit Request

Location: Section 36, Township 16, Range 31

Applicant: Angela & Daniel Long

Location Address: 3204 S. Archie Watkins Road, Farmington, AR 72730

Coordinates: 36.028 / -94.226

Proposed Use: Commercial - Treehouse/Cabin Rental Properties

JP District: District 10 – Robert Dennis

Approximately: +/- 5 acres / 1 parcel

Project #: 2023-292

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Mrs. Angela Long explained the purpose and scope of the CUP project. Mrs. Long addressed the Board explaining the extent of the project and the possibility of expanding in the distant future.

No public comment was made. Public comment closed.

Philip Humbarnd made a motion to approve the Riverbum Treehouse Conditional Use Permit as presented and subject to staff recommendations. Joe Maynard seconded. All board members present were in favor of approving. Motion passed unanimously.

Goshen Planning Area

c. Abandoned Customs CUP

Conditional Use Permit Request

Location: Section 20, Township 17, Range 28

Applicant: Jesse Gayer

Location Address: 20050 Pug Gayer RD, WC 371. Fayetteville, AR 72703

Coordinates: 36.134, -93.989

Proposed Use: Commercial – Auto Repair Shop

JP District: District 5 – Kyle Lyons

Approximately: +/- 6.04 acres / 1 parcel

Project #: 2023-282

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Jesse Gayer, applicant for the Conditional Use Permit, was absent in the hearing. County planners Laural Scates and Sam Ata explained the scope of the project to the board.

No public comment was made. Public comment closed.

Joe Maynard made a motion to approve the Abandoned Customs Conditional Use Permit as presented. Maria Banks seconded. All board members present were in favor of approving. Motion passed unanimously.

LAND DEVELOPMENT HEARINGS

County

d. Steve Wilson Minor Subdivision - Amended

Preliminary and Final Land Development Request

Location: Section 22, Township 14, Range 30

Applicant: Blew & Associates

Location Address: 15872 S Hwy 71. West Fork, AR 72774

Coordinates: 35.874326, -94.152968

Proposed Use: Residential

JP District: District 14 – Gary Ricker

Approximately: +/- 12.12 acres / 1 parcel

Project #: 2023-319

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Mr. Nathan Crouch, with Blew and Associates, represented the applicant, Mr. Steve Wilson, for the proposed land development project. Mr. Crouch addressed the Board explaining the extent of the project.

There were public comments in opposition to the project made by Janice Stonesifer with concerns of the new road installation that runs along the east side of her property. She had concerns with the water run-off that can collect in her property and cause damage.

Mr. Nathan Crouch explained that the east road is not permanent, that the road is currently being used for the construction into the property during the development. Explaining that this road is easier for the heavy equipment to make it into the back property lots and it will be taken out after the project is completed.

Philip Humbard made a motion to approve the Steve Wilson Minor Subdivision - Amended as presented and subject to staff recommendations. Neil Helm seconded. All board members present were in favor of approving. Motion passed unanimously.

County

e. Trammel Mountain Estates Subdivision Replat Lots 34 and 35

Preliminary and Final Land Development Request

Location: Section 08 Township 16, Range 28

Applicant: James Layout Surveying

Location Address: 14909 Trammel Mountain Rd, WC 2072. Elkins, AR 72727

Coordinates: 36.067, -93,929

Proposed Use: Residential

JP District: District 15 – Butch Pond

Approximately: +/- 14.80 acres / 2 parcels

Project #: 2023-304

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Mr. Matt James, with James Layout Services, represented the applicant, Mr. Michael James Whalen Jr., for the proposed land development project. Mr. James addressed the Board explaining the extent of the

project.

Mr. Shackelford asked the staff why this project is brought to the board for approval and questioned if it could have been approved administratively. Mr. Sam Ata explained to the board that this replat applicant has to be approved through the board because of its location within a platted subdivision.

No public comment was made. Public comment closed.

Maria Banks made a motion to approve the Trammel Mountain Estates Subdivision Replat Lots 34 and 35 as presented. Joe Maynard seconded. All board members present were in favor of approving. Motion passed unanimously.

County

f. RGB Acres Subdivision Replat Lot 2

Preliminary and Final Land Development Request

Location: Section 05, Township 14, Range 31

Applicant: Bates & Associates

Location Address: 13823 Kettle Springs WC 212, Prairie Grove, AR 72753

Coordinates: 35.916, -94.296

Proposed Use: Residential

JP District: District 14 – Gary Ricker

Approximately: +/- 9.49 acres / 1 parcel

Project #: 2023-309

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Mr. Blaine Atchley, with Blew and Associates, represented the applicant, Mr. Steve Smith, for the proposed land development project. Mr. Atchley addressed the Board explaining the extent of the project.

No public comment was made. Public comment closed.

Joe Maynard made a motion to approve the RGB Acres Subdivision Replat Lot 2 as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

County

g. Cedar Creek Minor Subdivision

Preliminary and Final Land Development Request

Location: Section 03, Township 17, Range 28

Applicant: Tim West - Atlas Professional Surveying

Location Address: 20814 Hardwood WC 381 Springdale, AR 72764

Coordinates: 36.176, -93.958

Proposed Use: Residential

JP District: District 5 – Kyle Lyons

Approximately: +/- 16.27 acres / 1 parcel

Project #: 2023-318

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Mr. Tim West, with Atlas Surveying, represented the applicant for the proposed land development project. Mr. West addressed the Board explaining the extent of the project.

No public comment was made. Public comment closed.

Joe Maynard made a motion to approve the Cedar Creek Minor Subdivision as presented. Lisa Miller seconded. Philip Humbard made a motion to abstain is comments and vote from the project hearing due

to personal interest.

Loren Shackelford, Joe Maynard, Maria Banks, Neil Helm and Lisa Miller were in favor of approving. Motion passed.

Fayetteville Planning Area

h. Mally Wagon Self Storage Preliminary Large Scale Development

Preliminary Land Development Request

Location: Section 29, Township 16, Range 29

Applicant: Chris Bakunas - McClelland Consulting Engineers

Location Address: 10806 SE Campbell RD. Fayetteville, AR 72701 (S Mally Wagon Rd)

Coordinates: 36.039, -94.077

Proposed Use: Commercial - Storage Facility

JP District: District 14 – Gary Ricker

Approximately: +/- 9.91 acres / 1 parcel

Project #: 2023-320

Washington County Planner, Laural Scates, presented the staff report for the Board Members.

Mr. Chris Bakunas, with McClelland Consulting Engineers, represented the applicant for the proposed land development project. Mr. Bakunas addressed the Board explaining the extent of the project.

There were public comments in opposition to the project made by Mr. Canon McNair, Mr. Evan House, Mr. Jim Sexon, and Mr. W. H. Taylor. Stating concerns with the road clearance and the influx of traffic into a rural residential area. Concerns with light pollution was brought to the board's attention. Compatibility of the project's location was brought into question due to correspondence with the City of Fayetteville, stating that it was not deemed compatible by the City's Planning Staff.

Mr. Sam Ata explained that the conditional use permit project has already been approved and ratified through the Quorum Court. That all concerns have been modified in the projects scope in order to be granted approval.

Joe Maynard made a motion to approve the Mally Wagon Self Storage Preliminary Large Scale Development as presented. Neil Helm seconded. Maria Banks voted to deny the approval of the project due to the concerns raised by the public of the road conditions. Joe Maynard, Neil Helm, Lisa Miller, Phillip Humbar, and Loren Shackelford were in favor of approving. Motion passed.

Fayetteville Planning Area

i. Wedington Self-Storage Final LSD Phases I & II

Final Land Development Request

Location: Section 22, Township 14, Range 30

Applicant: Engineering Services Inc, ESI

Location Address: 5242 W Wedington Dr. Fayetteville, AR 72704

Coordinates: 35.874326, -94.152968

Proposed Use: Commercial - Storage Facility

JP District: District 7 – Charles Dean

Approximately: +/- 20.00 acres / 2 parcels

Project #: 2023-044

Washington County Planner, Sam Ata, presented the staff report for the Board Members.

Mr. Jeff Wieser, with ESI - Engineering Services Inc., represented the applicant, Planer Storage, for the proposed land development project. Mr. Wieser addressed the Board explaining the extent of the project.

No public comment was made. Public comment closed.

Joe Maynard made a motion to approve the Wedington Self-Storage Final LSD Phases I & II as presented and subject to staff recommendations. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

5. OTHER BUSINESS

- Discussion of Current Development and Planning Department activities
- Reminder of upcoming regular Planning Board Meetings:
 - December 7th, 2023
 - January 11th, 2024

6. ADJOURN

Neil Helm moved to adjourn, Lisa Miller seconded. All Board members present 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 November 02, 2023 Meetings**](#)

Minutes submitted by: Kiera Southern