

MINUTES
ZONING BOARD OF ADJUSTMENT/PLANNING BOARD MEETINGS
August 22nd, 2024
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:

Fayetteville Planning Area

a. Andreas Espinoza Variance - Acreage

Approved

Tontitown Planning Area

b. Denver Holdings LLC Variance – Acreage

Approved

County

c. Kylee Kidder Variance – Acreage

Approved

County

d. Derrick Thomas Variance – Setbacks

Approved

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

2. APPROVAL OF THE AGENDA: *Philip Humbar made a motion to approve the agenda of August 22nd, 2024 as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.*

3. NEW BUSINESS

VARIANCE HEARINGS

Fayetteville Planning Area

a. Andreas Espinoza Variance - Acreage

Variance Request to Deviate from Acreage/Lot Size Requirements

Location: Section 03, Township 16, Range 31

Applicant: Andreas Espinoza

Location Address: 1884 N Double Springs Rd WC 881. Fayetteville, AR 72704

Proposed Use: Single-Family Residential

JP District: District 7 – Charles Dean

Approximately: +/- 1.57 acre / 1 parcel

Project #: 2024-187

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

Andreas Espinoza, applicant for the proposed project, addressed the board for the proposed project about the importance of obtaining the variance approval to proceed with this project.

No public comment was made. Public comment closed.

Philip Humbard made a motion to approve the Andreas Espinoza Variance – Acreage as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

Tontitown Planning Area

b. Denver Holdings LLC Variance - Acreage

Variance Request to Deviate from Acreage/Lot Size Requirements

Location: Section 22, Township 17, Range 31

Applicant: Rhonda Scott

Location Address: 18582 Columbine Rd WC 864. Fayetteville, AR 72704

Proposed Use: Single-Family Residential

JP District: District 1 – Coleman Taylor

Approximately: +/- 0.69 acre / 1 parcel

Project #: 2024-223

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

Rhonda Scott, applicant for the proposed project, addressed the board for the proposed project about 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 Denver Holdings LLC Variance – Acreage as presented. Jay Percy seconded. All board members present were in favor of approving. Motion passed unanimously.

County

c. Kylee Kidder Variance - Acreage

Variance Request to Deviate from Acreage/Lot Size Requirements

Location: Section 13, Township 13, Range 30

Applicant: Atlas Professional Surveying

Location Address: 419 Center Street. Winslow, AR 72959

Proposed Use: Single-Family Residential

JP District: District 14 – Gary Ricker

Approximately: +/- 1.53 acre / 1 parcel

Project #: 2024-236

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

Tim West, from Atlas Professional Surveying, addressed the board for the proposed project about 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 Kylee Kidder Variance – Acreage as presented. Loren Shackelford seconded. All board members present were in favor of approving. Motion passed unanimously.

County

d. Derrick Thomas Variance - Setbacks

Variance Request to Deviate from Setbacks Requirements

Location: Section 19, Township 18, Range 28

Applicant: Bates & Associates

Location Address: 22874 Raymond WC 508. Springdale, AR 72764

Proposed Use: Single-Family Residential

JP District: District 5 – Kyle Lyons

Approximately: +/- 0.47 acre / 1 parcel

Project #: 2024-238

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

Blaine Atchley, from Bates & Associates representing the applicant for the proposed project, addressed the board for the proposed project about the importance of obtaining the variance approval to proceed with this project.

No public comment was made. Public comment closed.

Loren Shackelford made a motion to approve the Derrick Thomas Variance – Setbacks as presented. Joe Maynard seconded. All board members present were in favor of approving. Motion passed unanimously.

4. ADJOURN

Philip Humbarb moved to adjourn, Joe Maynard seconded. All Board members present were in favor of approving. Motion passed.

PLANNING BOARD MEETING

DEVELOPMENT REVIEWED:

ACTION TAKEN:

Greenland Planning Area

a. Red Hawk CUP

Denied

County

b. Shamrock Acres Minor Subdivision

Approved

County

c. Shop Solutions Final LSD

Approved

Springdale Planning Area

d. Custom Lawn Care & Landscaping Final LSD Phase I

Approved

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

2. APPROVAL OF MINUTES: *Jay Percy made a motion to approve the minutes of July 11th, 2024 as written. Joe Maynard 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 August 22nd, 2024 as presented. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.*

4. NEW BUSINESS

CONDITIONAL USE PERMIT HEARINGS

Greenland Planning Area

a. Red Hawk CUP

Conditional Use Permit Request

Location: Section 17, Township 15, Range 30

Applicant: John Ogle (owner: Lori Devecsery)

Location Address: 10637 SE Campbell RD WC 63. Fayetteville, AR, 72701

Proposed Use: Commercial – Mobile Storage Containers (HogBox)

JP District: District 14 – Gary Ricker

Approximately: +/- 61.77 / 1 (6 - 14 acres will be used)

Project #: 2024-192

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

John Ogle, lawyer representing the applicant for the Conditional Use Permit, addressed the Board explaining the extent of the project.

Before opening the panel up for public comment Loren Shackelford requested any representative of the City of Greenland's planning commission to speak on the matter. Brenda Reynolds

expressed to the board of the City of Greenland's denial on the project. Mrs. Reynolds stated that she had confirmed with the Mayor that the city is considering the previously recommended truck route that goes before the Hog Valley RV Park will be seen as a non-valid truck route. In regards of Hanna's Candle Company and the multiple concrete companies Mrs. Reynolds expressed that the City of Greenland recommended a denial of those Conditional Use Permits in order to preserve the area zoned as residential. Mrs. Reynolds informed the board that the City of Greenland completed annexation and how the current administration could have reviewed this Conditional Use Permit request however due to the size of the property as well as for the infrastructure they decided to continue with the County's review and process.

Evan Johnson, Blake Haney, and Adam Frankenburger spoke before the board on this Conditional Use Permit request. All members of the public cited road and safety concerns, noise pollution, dust pollution from the heavy machinery, how the residential road has signage stating that no heavy equipment/trucks are permitted from traveling on the road, the landowner knowingly worked out of compliance with the County (after landowners received a Cease and Desist Letter), and unsightly views that lower property value. Public comment closed.

Loren Shackelford moved for roll call to be called for the final motion on the approval or disapproval for the Conditional Use Permit request. Board members in favor of passing the Red Hawk CUP included Joe Maynard and Jay Percy. Board members in denial of passing the Red Hawk CUP included Loren Shackelford, Philip Humbard, Anthony McNutt and Lisa Miller. Motion denied.

LAND DEVELOPMENT HEARINGS

County

b. Shamrock Acres Minor Subdivision

Preliminary and Final Land Development Request

Location: Section 31, Township 16, Range 31

Applicant: Bates & Associates

Location Address: 12391 Shamrock Rd. Farmington, AR 72730

Proposed Use: Single-Family Residential

JP District: District 7 – Charles Dean

Approximately: +/- 2.58 acres / 1 parcel

Project #: 2024-237

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

Blaine Atchley, from Bates & Associates representing the applicant, addressed the Board explaining the extent of the project.

No public comment was made. Public comment closed.

Jay Percy made a motion to approve the Shamrock Acres Minor Subdivision as presented and subject to staff and the Planning Board's recommendations. Joe Maynard seconded. All board members present were in favor of approving. Motion passed unanimously.

County

c. Shop Solutions Final LSD

Final Land Development Request

Location: Section 11, Township 17, Range 29

Applicant: Blew & Associates

Location Address: 20221 Sonora Rd. WC 93. Springdale, AR 72764

Proposed Use: Commercial – Multi-Use Warehouse

JP District: District 5 – Kyle Lyons

Approximately: +/- 3.10 / 1

Project #: 2024-230

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

Brian Jesse, applicant for the project, addressed the Board explaining the extent of the project.

No public comment was made. Public comment closed.

Jay Percy made a motion to approve the Shop Solutions Final LSD as presented and subject to staff and the Planning Board's recommendations. Joe Maynard seconded. All board members present were in favor of approving. Motion passed unanimously.

Springdale Planning Area

d. Custom Lawn Care & Landscaping Final LSD Phase I

Final Land Development Request

Location: Section 28, Township 18, Range 29

Applicant: Earthplan Design Alternatives

Location Address: 4551 E Monitor Rd. WC 91. Springdale, AR 72764

Proposed Use: Commercial - Landscaping

JP District: District 5 – Kyle Lyons

Approximately: +/- 6.30 acres / 1 parcel

Project #: 2024-235

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

Daryl Ottaviano, with Earthplan Design Alternatives, 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 Custom Lawn Care & Landscaping final land development request as presented and subject to staff recommendations. Jay Percy 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 the Special Planning Board Meeting:
 - August 28th, 2024
- Reminder of upcoming regular Planning Board Meetings:

- September 26th, 2024
- October 31st, 2024

6. ADJOURN

Loren Shackelford 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 August 22, 2024 Meetings**](#)