

MINUTES
ZONING BOARD OF ADJUSTMENT/PLANNING BOARD MEETINGS
September 26th, 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. Shelly Miller Variance - Setbacks

Tabled by the Board

Fayetteville Planning Area

b. James Holmes Variance – Acreage

Approved

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

2. APPROVAL OF THE AGENDA: *Philip Humbar made a motion to approve the agenda of September 26th, 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. Shelly Miller Variance - Setbacks

Variance Request to Deviate from Setback Requirements

Location: Section 29, Township 17, Range 29

Applicant: Shelly Miller

Location Address: 4206 E Bridgewater LN. Fayetteville, AR 72703

Proposed Use: Single-Family Residential

JP District: District 15 – Butch Pond

Approximately: +/- 1.44 acres / 1 parcel

Project #: 2024-280

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

Shelly Miller, applicant for the proposed project, was not present for the meeting.

John Taylor and Cindy Mix stated drainage concerns for the proposed variance. Cindy Mix sited damage to her property in the past for water runoff into her property that she had to install a French drain to correct this issue. Both John Taylor and Cindy Mix stated that if the Planning Board were to approve this project they would prefer an engineer to oversee the pool installation for reassurance that there will be no more property damage due to the water runoff. Public comment closed.

Philip Humbar made a motion to table the Shelly Miller Variance – Setbacks as presented. Anthony McNutt seconded. All board members present were in favor of tabling. The Shelly Miller

Variance – Setbacks was tabled to be heard at the October 31st, 2024 Zoning Board of Adjustments meeting. Motion passed unanimously.

Fayetteville Planning Area

b. James Holmes Variance - Acreage

Variance Request to Deviate from Acreage/Lot Size Requirements

Location: Section 02, Township 16, Range 31

Applicant: James Holmes

Location Address: 5314 W Yellow Brick RD. Fayetteville, AR 72704

Proposed Use: Single-Family Residential

JP District: District 7 – Charles Dean

Approximately: +/- 0.76 acre / 1 parcel

Project #: 2024-243

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

James Holmes, 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 James Holmes Variance – Acreage as presented. Anthony McNutt 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 present were in favor of approving. Motion passed.

PLANNING BOARD MEETING

DEVELOPMENT REVIEWED:

ACTION TAKEN:

County

a. Unity Freewill Baptist Church CUP

Approved

County

b. Pleasure Heights Church CUP

Tabled by the Applicant

County

c. NWA Flex Space CUP

Approved

County

d. Replat Tract 37A Trammel Mountain Estates Subdivision

Approved

County

e. Saddle Shop Property Minor Subdivision

Approved

County

f. Chefke Minor Subdivision

Approved

County

g. Kinion Minor Subdivision

Approved

Tontitown Planning Area

h. Strawberry Plant Preliminary Subdivision

Approved

Fayetteville Planning Area

i. Blackberry Ridge Final Subdivision Phase III

Approved

Fayetteville Planning Area

j. Wedington Dollar General Final LSD

Approved

County

k. Blue Springs RV Park 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 Pearcy.*

2. APPROVAL OF MINUTES: *Philip Humbar made a motion to approve the minutes of August 22nd, 2024 and the Special Meeting minutes of August 28th, 2024 as written. Jay Pearcy 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 amended agenda of September 26th, 2024 as presented. Jay Pearcy seconded. All board members present were in favor of approving. Motion passed.*

4. NEW BUSINESS

CONDITIONAL USE PERMIT HEARINGS

County

a. Unity Freewill Baptist Church CUP

Conditional Use Permit Request

Location: Section 07, Township 13, Range 40

Applicant: Aaron Thornbrugh

Location Address: 14680 Union Star WC 224. West Fork, AR, 72774

Proposed Use: Church Expansion

JP District: District 14 – Gary Ricker

Approximately: +/- 10 acres / 1 parcel

Project #: 2024-274

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

Levi Thornbrugh, applicant for the Conditional Use Permit, addressed the Board explaining the extent of the project.

No public comment was made. Public comment closed.

Lisa Miller made a motion to approve the Unity Freewill Baptist Church CUP 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

b. Pleasure Heights Church CUP

Conditional Use Permit Request

Location: Section 26, Township 18, Range 29

Applicant: Earthplan Design Alternatives-EDA (James Geurtz, PE)

Location Address: 17405 Pleasure Heights Rd. Springdale, AR, 72764

Proposed Use: Church

JP District: District 5 – Kyle Lyons

Approximately: +/- 3.75 acres / 1 parcel

Project #: 2024-282

Project was tabled by the applicant. Hearing for the project has been moved to the October 31st, 2024 Planning Board meeting.

County

c. NWA Flex Space CUP

Conditional Use Permit Request

Location: Section 32, Township 18, Range 28

Applicant: Titus Sommers

Location Address: 20323 E Hwy 412 Springdale, AR 72764

Proposed Use: Commercial – Offices & Warehouse

JP District: District 5 – Kyle Lyons

Approximately: +/- 5.00 acres / 1 parcel

Project #: 2024-285

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

James Helper, applicant for the Conditional Use Permit, addressed the Board explaining the extent of the project.

Bart Salizar stated concerns to the board regarding strict operational hours and noise pollution after operating hours have ceased. Public comment closed.

Joe Maynard made a motion to approve the NWA Flex Space CUP as presented and subject to staff and the Planning Board's recommendations. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

LAND DEVELOPMENT HEARINGS

County

d. Replat Tract 37A Trammel Mountain Estates Subdivision

Preliminary and Final Land Development Request

Location: Section 08, Township 16, Range 28

Applicant: Daryl V Doyal, PS

Location Address: 14825 Trammel Mountain Rd WC 303. Goshen, AR 72727

Proposed Use: Single-Family Residential

JP District: District 15 – Butch Ponds

Approximately: +/- 3.63 acres / 2 parcels

Project #: 2024-242

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

Daryl Doyal, with Daryl V. Doyal P.S. representing the applicant, 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 Replat Tract 37A Trammel Mountain Estates Subdivision as presented and subject to staff and the Planning Board's recommendations. Jay Pearcy seconded. All board members present were in favor of approving. Motion passed unanimously.

County

e. Saddle Shop Property Minor Subdivision

Preliminary and Final Land Development Request

Location: Section 01, Township 17, Range 29

Applicant: Blew & Associates

Location Address: 18664 Saddle Shop Ln. Springdale, AR 72764

Proposed Use: Commercial and a Non-Buildable Lot

JP District: District 5 – Kyle Lyons

Approximately: +/- 4.82 acres / 2 parcels

Project #: 2024-277

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

Nikki Littrell, with Blew & Associates representing the applicant for the project, 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 Saddle Shop Property Minor Subdivision as presented and subject to staff and the Planning Board's recommendations. Anthony McNutt seconded. All board members present were in favor of approving. Motion passed unanimously.

County

f. Chefke Minor Subdivision

Preliminary and Final Land Development Request

Location: Section 27, Township 17, Range 31

Applicant: Atlas Professional Surveying (Tim West, PS)

Location Address: 22541 E Monitor Rd. Springdale, AR 72764

Proposed Use: Single-Family Residential

JP District: District 5 – Kyle Lyons

Approximately: +/- 6.53 acres / 3 parcels

Project #: 2024-289

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

Tim West, with Atlas Professional Land Surveying, was not present for the meeting.

No public comment was made. Public comment closed.

Philip Humbarnd made a motion to approve the Chefke Minor Subdivision as presented and subject to staff recommendations. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

County

g. Kinion Minor Subdivision

Preliminary and Final Land Development Request

Location: Section 33, Township 17, Range 31

Applicant: Atlas Professional Surveying (Tim West, PS)

Location Address: 16435 Hamstrings Rd. Fayetteville, AR 72704

Proposed Use: Single-Family Residential

JP District: District 7 – Charles Dean

Approximately: +/- 6.46 acres / 3 parcels

Project #: 2024-291

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

Tim West, with Atlas Professional Land Surveying, was not present for the meeting.

No public comment was made. Public comment closed.

Lisa Miller made a motion to approve the Kinion Minor Subdivision as presented and subject to staff recommendations. Joe Maynard seconded. All board members present were in favor of approving. Motion passed unanimously.

Tontitown Planning Area

h. Strawberry Plant Preliminary Subdivision

Preliminary Land Development Request

Location: Section 15, Township 17, Range 31
Applicant: Crafton Tull (Caroline Gardner, PE)
Location Address: 19091 Harmon Rd WC 31. Springdale, AR 72762
Proposed Use: Single-Family Residential
JP District: District 1 – Coleman Taylor
Approximately: +/- 60.09 acres / 46 parcels
Project #: 2024-186

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

Caroline Gardner, with Crafton Tull, 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 Strawberry Plant Preliminary Subdivision request as presented and subject to staff recommendations. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

Fayetteville Planning Area

i. Blackberry Ridge Final Subdivision Phase III

Final Land Development Request

Location: Section 26, Township 17, Range 31
Applicant: Crafton Tull (Caroline Gardner, PE)
Location Address: 3442 N Sweet Osage Lane. Fayetteville, AR 72704 / Weir Rd WC94
Proposed Use: Single-Family Residential
JP District: District 7 – Charles Dean
Approximately: +/- 27.52 acres / 27 parcels
Project #: 2024-284

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

Caroline Gardner, with Crafton Tull, addressed the Board explaining the extent of the project.

No public comment was made. Public comment closed.

Lisa Miller made a motion to approve the Blackberry Ridge Final Subdivision Phase III request as presented and subject to staff recommendations. Lisa Miller seconded. All board members present were in favor of approving. Motion passed unanimously.

Fayetteville Planning Area

j. Wedington Dollar General Final LSD

Final Land Development Request

Location: 08, Township 16, Range 31
Applicant: Blew & Associates (Cody Sexton, PE)
Location Address: 13443 W. Hwy 16. Fayetteville, AR 72704
Proposed Use: Commercial – Convenience/Retail Store

JP District: District 7 – Charles Dean
Approximately: +/- 3.21 acres / 2 parcels
Project #: 2024-276

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

Cody Sexton, with Blew & Associates, 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 Wedington Dollar General final land development request as presented and subject to staff recommendations. Anthony McNutt seconded. All board members present were in favor of approving. Motion passed unanimously.

County

k. Blue Springs RV Park Final LSD Phase I

Final Land Development Request

Location: Section 07, Township 17, Range 28

Applicant: Blew & Associates (Cody Sexton, PE)

Location Address: 20540 Blue Springs Rd WC70. Springdale, AR 72764

Proposed Use: Commercial –RV Park

JP District: District 5 – Kyle Lyons

Approximately: +/- 32.13 acres / 1 parcel

Project #: 2024-287

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

Cody Sexton, with Blew & Associates, 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 Blue Springs RV Final LSD Phase I as presented and subject to staff recommendations. Loren Shackelford seconded. All board members present were in favor of approving. Motion passed unanimously.

Prior to ending the meeting Joe Maynard expressed his concerns and ideas moving forward with the proposed Planning and Zoning Ordinance that was heard at the Special Meeting held on August 28th, 2024. Joe Maynard stated that landowners that are interested in applying for a Conditional Use Permit should be able to sit down with the Planning Staff prior to applying for the permitting. In order to see if the use of the property will be compatible with the surrounding area.

Director Sam Ata responded to this statement stating that this is currently already in effect. Landowners who are interested in installing commercial businesses or developing land are able to come in and speak with the Planning Staff for a concept meeting.

Joe Maynard stated that they should be able to have a pre-approval before applying for the Conditional Use Permitting. This way the property owners will know if their project will be approved prior to making expenses moving forward with the project.

Director Sam Ata responded, stating that since these projects vary against the current zoning of the property, they have to be heard and ratified by the Quorum Court. Applicants must go through this process in order to go before the Quorum Court.

5. OTHER BUSINESS

- Discussion of Current Development and Planning Department activities.
- Reminder of upcoming regular Planning Board Meetings:
 - October 31st, 2024
 - December 5th, 2024

6. ADJOURN

Jay Pearcy 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 September 26, 2024 Meetings](#)