



**BOARD OF ADJUSTMENT  
AGENDA  
January 25, 2017**

**I. Call to Order**

**II. Approval of Minutes**

**1. December 14, 2016 Minutes**

**III. New Business:**

- 1. City of Bentonville Municipal Airport**  
2500 Southwest Aviation Drive
- Side & Rear Setback

**Variance\***

**IV. Other Business**

**V. Adjournment**

Board of Adjustment  
Minutes  
December 14, 2016

Meeting called to order at 5:00 p.m. by Rick Rogers, Vice Chairman

Present: Joe Haynie, Sam Pearson, Jan Holland, and Rick Rogers  
Absent: Rustin Chrisco

Motion by Mr. Haynie, seconded by Mr. Pearson to approve the minutes of November 9, 2016 as written. Approved 4-0

New Business:

Item #1

Fletcher Realty, LLC, Variance request for sign type, maximum sign height, and maximum sign area, 2901 Southeast Moberly Lane, Zoned C-2, General Commercial

Jon Stanley read the staff report.

Opened public hearing

Kevin Yarbrough, representing Arkansas Sign & Banner, states that the sign is identical to the existing sign, but is two feet lower. It is located within a concrete median and if denied, would have to take the structure down.

Closed public hearing

Mr. Stanley stated that the current sign was existing prior to the ordinance. He also stated that the applicant will be removing wall signage on their own will.

Sign Type Variance

Approved 4-0

Maximum Sign Height Variance

Approved 4-0

Maximum Sign Area Variance

Approved 4-0

Item #2

Larry Lundeen, Variance request for rear setback, 68 Stonehenge Drive, Zoned R-1, Single Family Residential

Jon Stanley read the staff report.

Opened public hearing

Larry Lundeen, homeowner at 68 Stonehenge Drive, speaks on his behalf stating that he is enclosing his patio. The wall is two feet past the rear setback.

Mr. Stanley advised the Board that the overhang is allowed, but the wall is not.

Mr. Lundeen states that his hardship is the topography of his backyard, the Stonehenge covenant (which has a setback of 20 feet versus the City at 25 feet), and not wanting to tear up the concrete slab.

Closed public hearing

The Board agreed this was a minor technicality.

Approved 4-0

Item #3

Walker & Alberson, Variance request for front yard fence and gate height, 708 & 710 West Central Avenue, Zoned R-1, Single Family Residential

Jon Stanley read the staff report.

Opened public hearing

Scott Walker of 708 West Central Avenue and Dolly Alberson of 710 West Central Avenue both speak on their behalf. Mr. Walker advises that the gate opens into the property and does have a four inch clearance to grade. He also states that a person wouldn't be able to see a three foot wall when coming in. The area is private property and they are trying to keep people from going in. The gate is wrought iron, so it can be seen through. It is located 43 feet from the center of the road.

Ms. Alberson states that the gate is for the safety and security of their small children, pets, and personal property. The gate on 2<sup>nd</sup> Street is constructed, but not powered yet. The homeowners do not want a three foot fence as they do not want people to drive over it and try to blame the homeowners.

Mr. Walker states that the gate is located within three feet of the back edge of entrance wall. Mr.

Stanley verifies that it is approximately 28 feet from curb to fence location and has enough room to park a vehicle.

Closed public hearing

Approved 4-0

Other Business:

Election of Officers

Motion by Sam Pearson, seconded by Joe Haynie to nominate Rick Rogers for Chairman.

Approved 4-0

Motion by Mr. Rogers, seconded by Mr. Haynie to nominate Mr. Pearson for Vice Chairman.

Approved 4-0

Motion by Mr. Rogers, seconded by Jan Holland to nominate Mr. Haynie for Secretary.

Approved 4-0

Motion to adjourn by Mr. Rogers, seconded by Mr. Haynie

Meeting adjourned

*Ali Worley*

\* Please note there is no recording available.

# BOA STAFF REPORT

17-11000001 –City of Bentonville Municipal Airport – Side & Rear Setback Variance

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**TO:** Bentonville Board of Adjustment Members  
**THRU:** Troy Galloway, AICP, Community Development Director  
**FROM:** Jon Stanley, Planner  
**BOA DATE:** January 25, 2017

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## GENERAL INFORMATION:

**Representative:** Jim Daniels

**Applicant:** City of Bentonville

**Location:** 2500 Southwest Aviation Drive

**Existing Zoning:** A-1, Agricultural

**Existing Land Use:** Public

**REQUEST:** Variance(s)

Side Setback Variance		
	Regulation	Request
<b>Article 401. Sec 401.6.B.3 Minimum Setback Requirements for A-1 Agricultural</b>	30' minimum side setback	Request of: 12' Variance of : 18'

Rear Setback Variance		
	Regulation	Request
<b>Article 401. Sec 401.6.B.3 Minimum Setback Requirements for A-1 Agricultural</b>	30' minimum rear setback	Request of: 0' Variance of : 30'

## SURROUNDING ZONING:

Direction	Zoning
North	A-1, Agricultural
South	A-1, Agricultural
East	A-1, Agricultural
West	A-1, Agricultural

**BACKGROUND:**

The applicant has submitted a variance request to the side setback for property located in the A-1, Agricultural zoning classification to allow for the construction of a mixed-use building at the Bentonville Municipal Airport. The facility will be constructed and operated as a single building, however the western portion of the building will reside on airport property owned by the City of Bentonville and the eastern portion of building will reside on property owned by Lonesome Tree Properties, LLC.

The applicant is requesting a 12' side setback be allowed which is a variance of 18' from the 30' required by ordinance.

In addition, the applicant is also requesting a variance to the rear setback for the above-mentioned mixed-use building. The applicant is requesting a 0' rear setback be allowed which is a variance of 30' from the 30' required in the A-1 zoning district.

The special conditions are a result of the FAA's decisions that require airport property be owned by the City of Bentonville and consistently zoned.

For additional information, please reference the attached documents.

**PUBLIC COMMENT:**

Staff HAS NOT received public comment regarding this request.

**CONDITIONS OF APPROVAL:**

If approved, the following condition(S) shall apply:

1. The approved variances shall be for the proposed structure only, as provided by the applicant within this application.

January 13, 2017

Board of Adjustments  
City of Bentonville  
305 SW A Street  
Bentonville, AR 72712

RE: Narrative for Zoning Variance

Below is a description of a multi-use facility in development at the Bentonville Municipal Airport which required a federal release of land in order for the facility to operate within the bounds of local ordinances:

In 2016, the FAA released land from federal obligation for non-aeronautical use to be sold to a private party (Lonesome Tree LLC). The new owner will build a flying center that will contain a restaurant, retail area, conference spaces, and an “exhibit hangar”. The exhibit hangar, which will host a rotating selection of rare and vintage aircraft and exhibits for public view is certainly aeronautical use, and needs to be located on leased airport land to adhere to the city’s federal airport grant assurances.

The project will require a zoning variance from **Section 401.6.B.3 Minimum Setback Requirements for A-1 Zoning**, which requires a 30ft front, side and rear yard setback. We are requesting a variance to allow for a 0ft side and rear setback.

**Special Conditions peculiar to the land and structure:**

The project, which will be constructed and operated as a single building, occupies two separate but adjacent and adjoining properties, under different ownership. The adjacent properties, owned by the City of Bentonville and Lonesome Tree Properties LLC respectively, will be bound together by a long term ground lease. This effectively renders the two properties as a single property. The adjoining properties will ultimately have different Zoning Classifications. The City of Bentonville owned property is currently zoned A-1, which requires a 30ft setback from the property line. The property owned by Lonesome Tree Properties LLC will be applying for rezoning Lot 2 of the Thaden Addition from A-1 to C-3, which requires a 0ft setback from the property line.

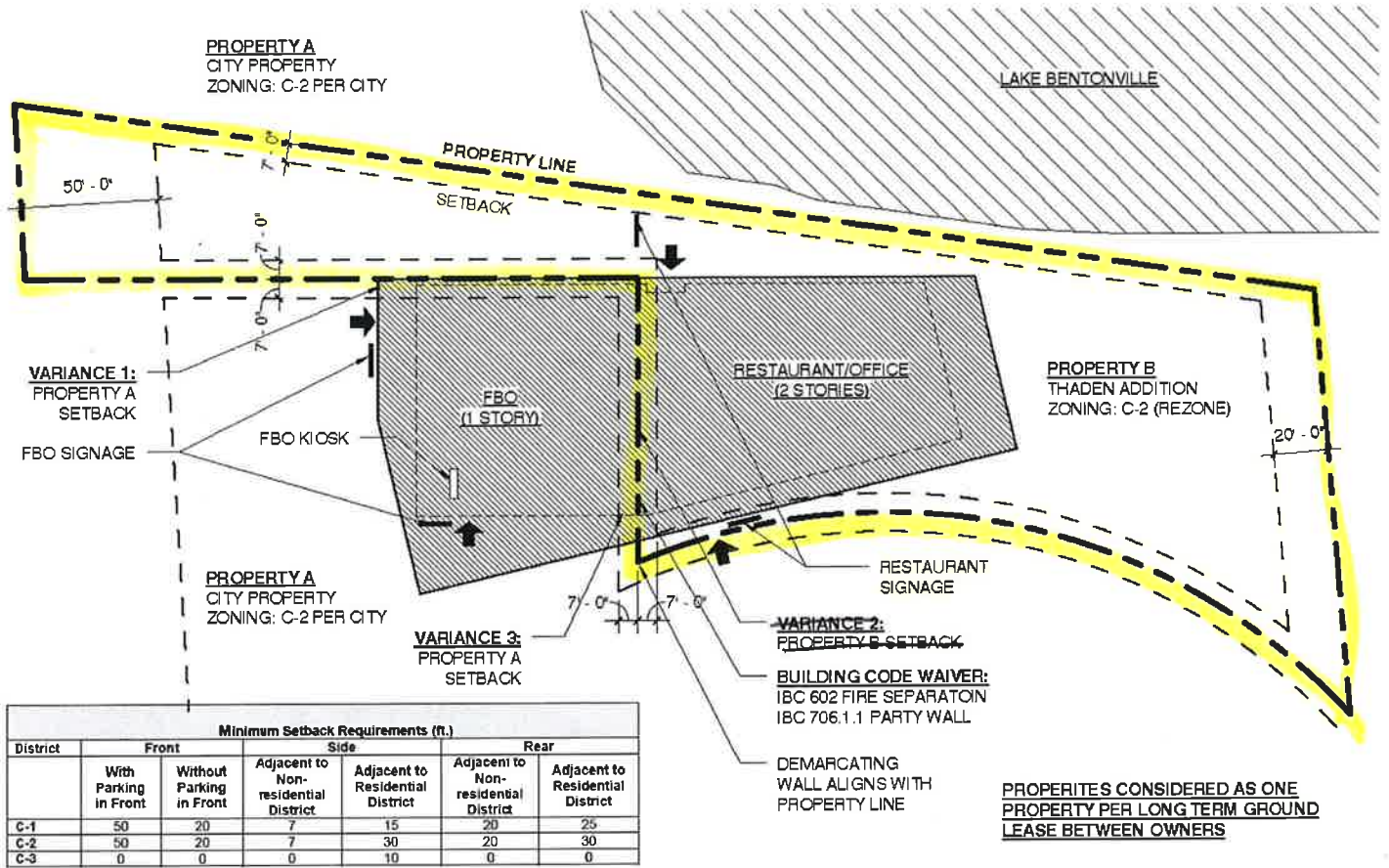
**A literal interpretation of the provisions of this ordinance** would not permit the building to be constructed and operated as a single building.

**The special conditions and circumstances do not result from the actions of the applicant.** Special conditions are a result of an FAA decision that limits the property owned by City of Bentonville to an A-1 zoning.

A variance on the requirement to have a party wall separating the exhibit hangar and retail area is being requested as the hangar and the rest of the facility will act as one building with one owner under the terms of the long term ground lease agreement. The ground lease for the portion on leased airport property (exhibit hangar) will be a long term agreement that complies with the current practice for all hangars built at the Bentonville Municipal Airport (45 years +) plus 3-4 options for extension of 5 years.

Please reference the attached dimensioned survey for all required supplemental information.

**PROPERTY MAP WITH BUILDING OVERLAY**



**ZONING:**

Property A: Current Zoning: A-1 or Municipal Airport District  
Rezoning per city: C-2

Property B: Current Zoning: A-1 or Municipal Airport District  
Proposed Zoning: C-2 General Commercial

**REQUIRED VARIANCES:**

**Variance 1:** Side yard setback variance for Property A  
The building requires a 0ft setback from this property line

**Variance 2:** Side yard setback variance for Property B  
The building requires a 0ft setback from this property line

**Variance 3:** Side yard setback variance for Property A  
The building requires a 0ft setback from this property line



PROJECT INFORMATION  
**FLIGHT CENTER**  
 5505 AVIATION BLVD  
 BENTONVILLE, ARKANSAS

OWNER  
 PRIVATE

ARCHITECT  
**HUFFT PROJECTS**  
 1000 W. Main Street  
 Suite 100  
 Bentonville, AR 72716  
 P. 479.331.0200

STRUCTURAL  
**PMA ENGINEERING**  
 6111 Sherman Avenue Parkway  
 Fayetteville, AR 72704  
 P. 479.781.7288

CGA  
**ECOLOGICAL DESIGN GROUP**  
 241 South Third Street  
 Fayetteville, AR  
 P. 479.338.4828

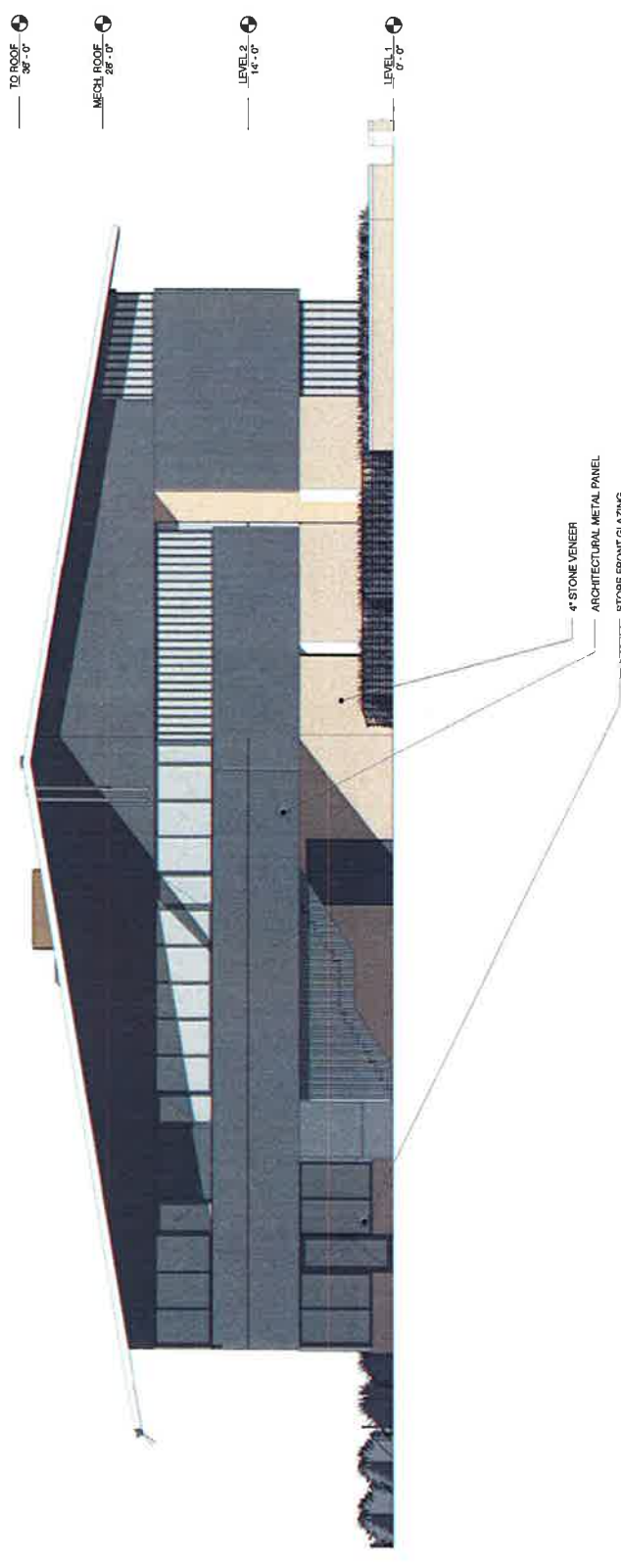
MEP  
**BGR ENGINEERS**  
 600 Peachtree, Suite 200  
 Kansas City, MO  
 P. 816.843.2800

LANDSCAPE ARCHITECT  
**ECOLOGICAL DESIGN GROUP**  
 210 East Main Street  
 Fayetteville, AR  
 P. 479.338.4828

LANDSCAPE ARCHITECT  
**DEREK PORTER / LUMEN ARCH**  
 214 West 20th Street, Suite 1005  
 New York, NY 10011  
 P. 212.564.4444

SET/P&M

2 LARGE SCALE DEVELOPMENT - EAST  
 ELEVATION  
 1/8" = 1'-0"

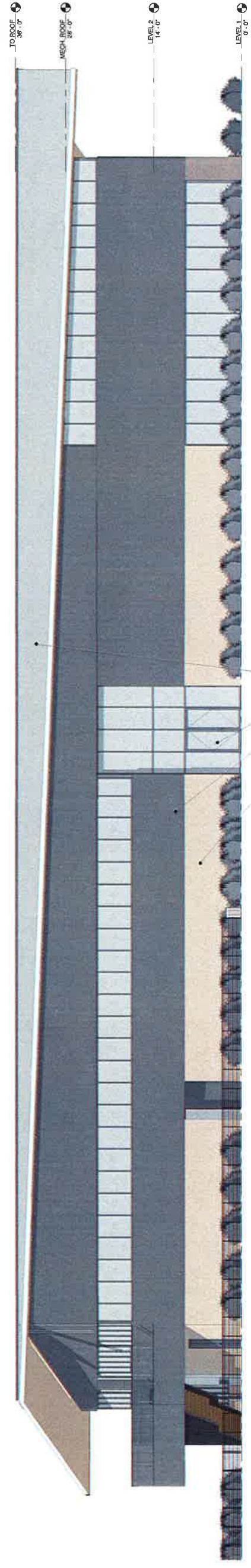


EXTERIOR MATERIALS  
 24% GLAZING  
 55% CORRUGATED METAL WALL PANEL  
 21% STONEMASONRY

DATE  
**PROGRESS SET**  
**JANUARY 6, 2016**

REVISION INFORMATION

NO 2411 000A



EXTERIOR MATERIALS  
 24% GLAZING  
 52% CORRUGATED METAL WALL PANEL  
 24% MASONRY/STONE

1 LARGE SCALE DEVELOPMENT - NORTH  
 ELEVATION  
 1/8" = 1'-0"

NOT FOR CONSTRUCTION  
 DO NOT COPY/DISTRIBUTE

DATE: 01/06/2016  
 Project Number: 203  
 EXTERIOR ELEVATIONS

ZLSD-01





**PROJECT INFORMATION**  
**FLIGHT CENTER**  
 2500 SW AVIATION DRIVE  
 BENTONVILLE, ARKANSAS

**OWNER**  
 PRIVATE

**ARCHITECT**  
**HUFFT PROJECTS**  
 3013 N. Main Street  
 Fayetteville, AR 72701  
 Phone: 479.243.1111  
 www.hufft.com

**STRUCTURAL**  
**PMA ENGINEERING**  
 1000 W. Main Street  
 Fayetteville, AR 72701  
 Phone: 479.243.1100

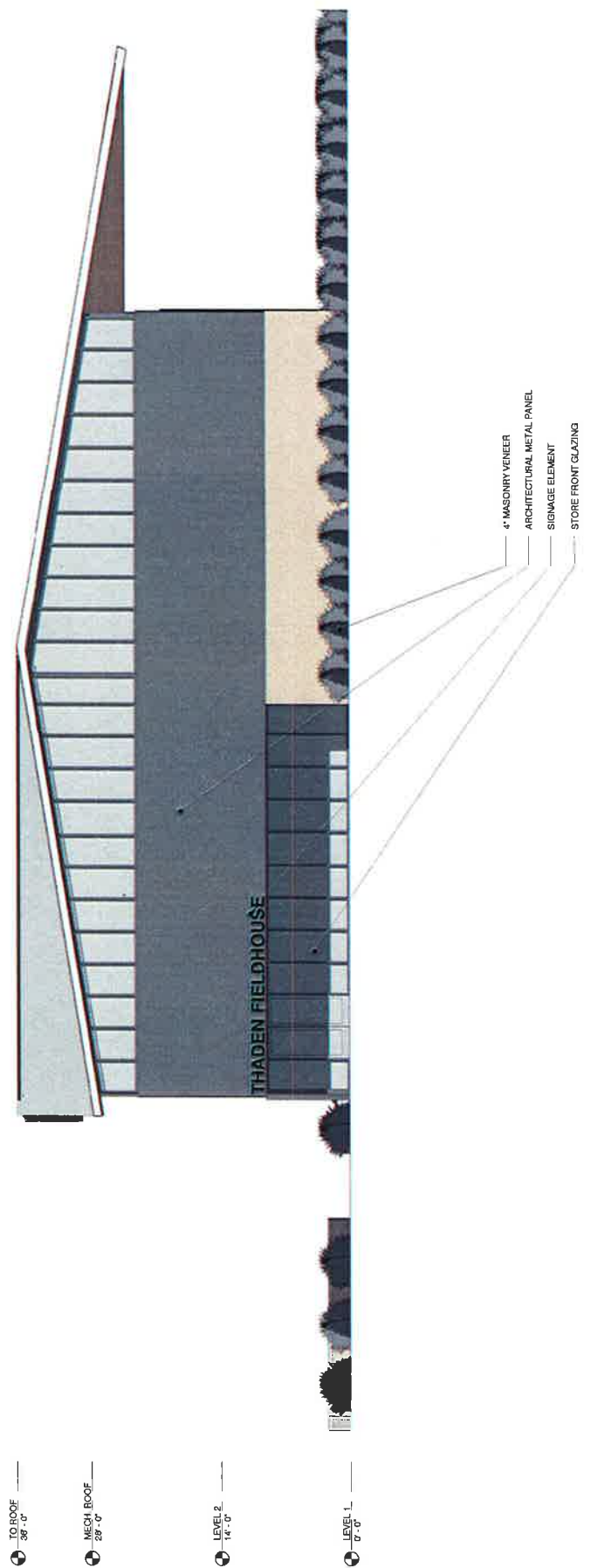
**ENGINEER**  
**ECOLOGICAL DESIGN GROUP**  
 1000 W. Main Street  
 Fayetteville, AR 72701  
 Phone: 479.243.1100

**MEP**  
**BGR ENGINEERS**  
 1000 W. Main Street  
 Fayetteville, AR 72701  
 Phone: 479.243.1100

**LANDSCAPE ARCHITECT**  
**ECOLOGICAL DESIGN GROUP**  
 1000 W. Main Street  
 Fayetteville, AR 72701  
 Phone: 479.243.1100

**LIGHTING**  
**DEREK PORTER / LUMEN ARCH**  
 1000 W. Main Street  
 Fayetteville, AR 72701  
 Phone: 479.243.1100

**2** LARGE SCALE DEVELOPMENT - WEST  
 ELEVATION  
 1/8" = 1'-0"



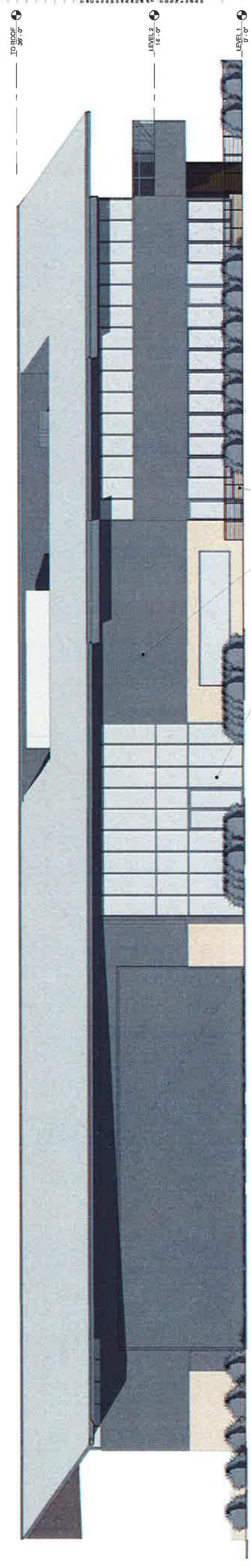
**EXTERIOR MATERIALS**  
 40% GLAZING  
 48% CORRUGATED METAL WALL PANEL  
 12% STONEMASONRY

4" MASONRY VENEER  
 ARCHITECTURAL METAL PANEL  
 SIGNAGE ELEMENT  
 STORE FRONT GLAZING

TO ROOF 36'-0"  
 MESH ROOF 28'-0"  
 LEVEL 2 14'-0"  
 LEVEL 1 0'-0"

**DATE**  
**PROGRESS SET**  
**JANUARY 6, 2016**

**DESIGN SOURCE**  
 HUFFT PROJECTS



**EXTERIOR MATERIALS**  
 28% GLAZING  
 60% CORRUGATED METAL WALL PANEL  
 12% MASONRYSTONE

4" MASONRY VENEER  
 ARCHITECTURAL METAL PANEL  
 STORE FRONT GLAZING

TO ROOF 36'-0"  
 LEVEL 2 14'-0"  
 LEVEL 1 0'-0"

**NOT FOR CONSTRUCTION**  
**DISTRIBUTE**

**EXTERIOR ELEVATIONS**

**1** LARGE SCALE DEVELOPMENT - SOUTH  
 ELEVATION  
 1/8" = 1'-0"

**zLSD-02**