



**BOARD OF ADJUSTMENT
AGENDA
May 25, 2016**

I. Call to Order

II. Approval of Minutes

III. New Business:

1. Deliropa, LLC

3808 Southwest Capstone Avenue Southwest

- Front Yard Fence Height

Variance*

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
May 16, 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

New Business:

Item #1

Calcon, Inc.: (16-11000013) Calcon Inc., Minimum District Requirements, 10620 Southwest 2nd Street (Arkansas State Highway 72 West) Zoned A-1, Agricultural.

The applicant has submitted a variance request to the Minimum District Area Requirements for a PUD, Planned Unit Development, for property located at 10620 Southwest 2nd Street. The applicant is requesting a 5 acre parcel be zoned PUD, Planned Unit Development which is a variance of 5 acres from the 10 acres required by ordinance. The applicant states that the 10 acre minimum does not allow the parcel, which is situated between an existing warehouse development to the west and a single family residence to the east to be utilized for infill development. The PUD was recommended by city planning staff for this 5 acre parcel to help facilitate the development, screening and buffering of a mini storage facility. The requirements set forth in the PUD zoning document will result in architecture that is consistent with the City of Bentonville's Design Standards.

Opened Public Hearing

Drew Mayer: 1906 Almond Drive, Calcon Inc. available to answer questions

Opened public hearing: Joe Haynie-The planning commission has looked at this and we are ready to act on it. Closed public hearing-No public comment

If approved the following condition shall apply

1. The approved variance shall be for the existing 5 acre parcel as provided by the applicant within this application

Beau-a little background, in 2009 moved mini storage out of C-2 to PUD. In a C-2 zoning it would require buildings to be bricked. By moving it to a PUD it would be more cost effective to the owner, but the planning would be able to address landscaping, lighting, screening and buffering.

Approved 4-0

Motion by Pearson, seconded by Holland to adjourn

Meeting adjourned

Diane Shastid

BOA STAFF REPORT

16-11000014, Deliropa, LLC, Fence and Wall Requirements (Front Yard Fence Height)

TO: Bentonville Board of Adjustment Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: May 25, 2016

GENERAL INFORMATION:

Representative: Devon Ross

Applicant: Deliropa, LLC

Location: 3808 Southwest Capstone Avenue

Existing Zoning: R-ZL, Zero Lot Line Residential

Existing Land Use: Low Density Residential

REQUEST: Variance

Fence Height Variance along SW 'C' Street		
	Regulation	Request
Article 1400, Sec 1400.15.D.2 Fence Location, Front Yard Height	Maximum Height shall be six (3) feet above grade	Request of: 6' Variance of : 3'

SURROUNDING ZONING:

Direction	Zoning
North	R-1, Single Family Residential
South	R-ZL, Zero Lot Line Residential
East	R-ZL, Zero Lot Line Residential
West	R-ZL, Zero Lot Line Residential

BACKGROUND:

The applicant has submitted a variance request to the maximum fence height requirement for property located at 3808 Southwest Capstone Avenue. The applicant is requesting a 6 feet high wooden privacy fence be allowed in the front along the western property line which is a variance of 3 feet from the 3 feet allowed by ordinance. All measurements shall be from final grade.

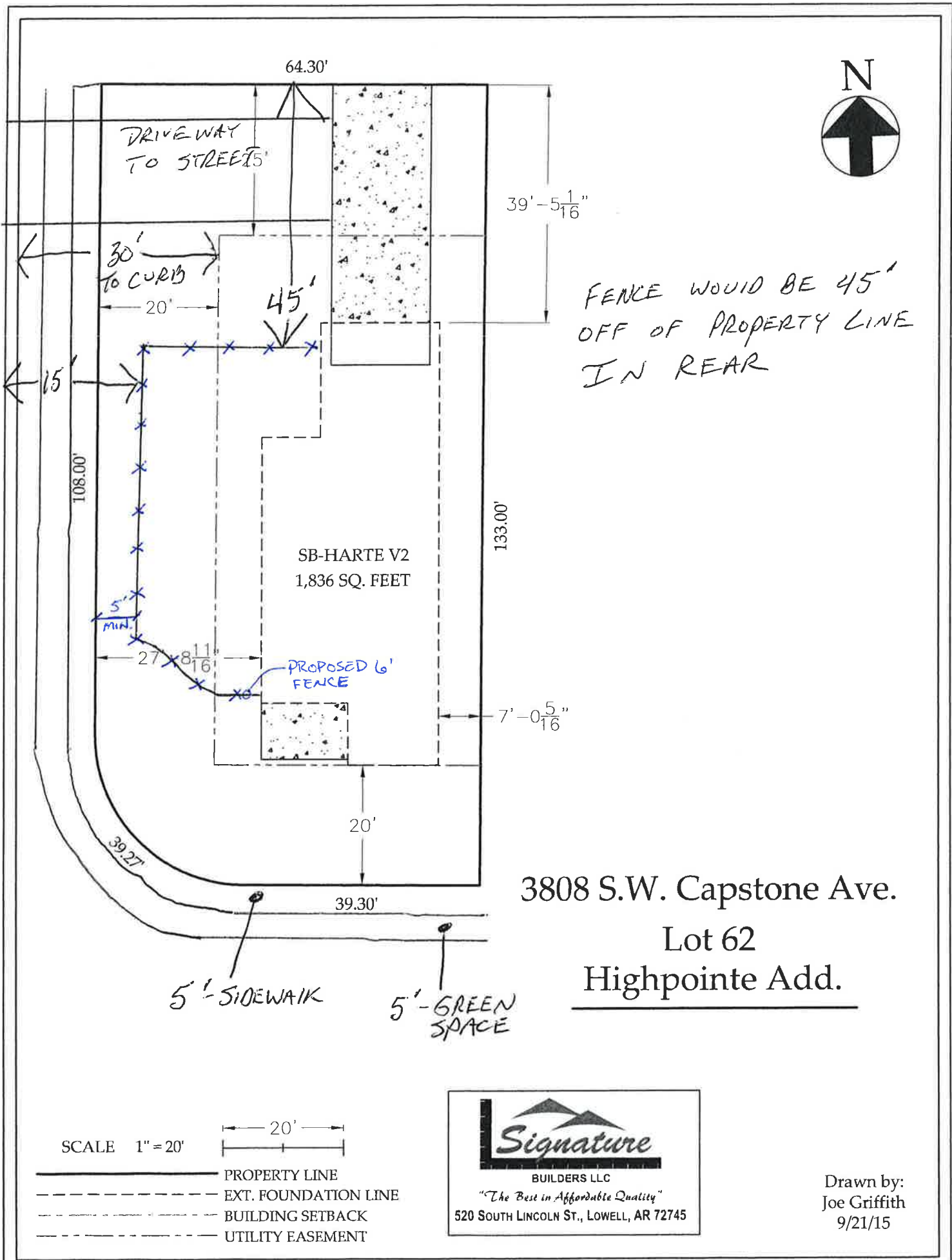
PUBLIC COMMENT:

Staff has **NOT** received public comment regarding this request.

CONDITIONS OF APPROVAL:

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

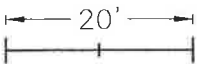
1. The approved variance shall be for the proposed height, location and materials of the fence only, as provided by the applicant within this application.
2. The applicant shall obtain a fence permit prior to constructing the fence.
3. The location of the proposed fence shall be no closer than 5 feet to the adjacent public sidewalk.



FENCE WOULD BE 45'
OFF OF PROPERTY LINE
IN REAR

3808 S.W. Capstone Ave.
Lot 62
Highpointe Add.

SCALE 1" = 20'



- PROPERTY LINE
- - - - - EXT. FOUNDATION LINE
- - - - - BUILDING SETBACK
- - - - - UTILITY EASEMENT

Signature
BUILDERS LLC
"The Best in Affordable Quality"
520 SOUTH LINCOLN ST., LOWELL, AR 72745

Drawn by:
Joe Griffith
9/21/15

Request for Fence Variance 3808 SW Capstone Ave. Lot 62 Highpointe

The current ordinance reads that any house backing up to a front facing house can only have a 3 foot fence because the fence would be considered a fence in the front yard of the house it was backing up to (example below.) We are asking for a 6 foot high fence to be allowed in this situation because the fence will be 45 feet away from the property line and will not obstruct vision of the house it is backing up to.

