

**Sherwood Board of Adjustments  
Minutes  
August 14, 2012**

The Sherwood Board of Adjustments met for their regularly scheduled meeting on August 14, 2012 at 5:00 p.m. in the City Council Chambers at 2201 E. Kiehl Avenue, Sherwood, AR 72120.

**Members Present**

Lucien Gillham  
Scott Miller  
Forrest Penny  
Andrew Phillips  
Albert Harris

**Staff Present**

Ellen Norvell – City Engineer  
Steve Cobb – City Attorney  
Ashley Taylor - Secretary

Chairman Penny called the meeting to order.

Commissioner Gillham made a motion to approve the minutes from the July 10, 2012 meeting. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the minutes.

**A Variance Request for 442.75 sq. ft. to the allowable 25% of the square footage of the house for a storage building at 3 Houston Street. Emil and Teresa White, Owner.** No one was in attendance to represent the request. Commissioner Gillham made a motion to table the request until the September 11, 2012 meeting. Commissioner Harris seconded the motion. The roll call vote was unanimous to table the request.

**A Variance Request for 4' from the required 10' separation requirement between a swimming pool and house at 704 Indian Bay Drive. Arkansas Windows and Siding, Agent.** Randy Fields of Arkansas Windows and Siding was present to discuss the request. He said they had a representative working for them that had told him that a variance had already been applied for so they had started construction for the room addition. He said he then found out that there had not been a variance

granted. Staff Comments: City Engineer, Ellen Norvell said there is not a hardship created by the lot. She said however there is a 15' easement in the rear of the property that would not have allowed the pool to be farther back on the lot and the pool now exists. She said she doesn't think there would be a problem for them to have a 6' separation. Commissioner Gillham made a motion to approve the 4' variance. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the variance.

**A request for an Expansion of a Non-Conforming Use to allow an extension of the roofline at 9819 Highway 107. JWJ Investments, LLC, Owner.** Steve Jenkins was present to discuss the request. He said he owns the property where there is Arkansas Best Wings which is a small former Dairy Bar which was built in 1954 when Highway 107 was still a 2-lane highway. He said since then they have widened Highway 107 and it is too close to the restaurant now. He said the tenant there would like to extend the roofline north of his building to provide a shade cover for the patio tables that he has out there. He said because the building was built long ago and is now too close to the highway and would require approval to expand the non-conforming use to extend the roof. Staff Comments: City Engineer, Ellen Norvell said she understands this building is a landmark in Sherwood and she does not see how it could cause any problems. She said Engineering Staff recommends for approval. Commissioner Gillham made a motion to approve the expansion of the non-conforming use. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the request.

**A Variance Request to allow a larger storage building than is currently allowed at 9021 Barber Street. Robert Woods, Owner.** Robert Woods was present to discuss the request. He said he wants to build a bigger building than was there previously. He said the old building was demolished and the slab that is still there is a 40'x20' and he would like to build a 40'x30'. Staff Comments: City Engineer, Ellen Norvell said there is not a hardship created by the lot. She said from what she understands there was a large shop that needed to be torn down. She said she doesn't think she can recommend building a larger shop but she could recommend that he be allowed to construct back what was taken down. Commissioner Gillham said considering the lot is 200' deep and there is undeveloped land behind it and was originally built before the land was in the city he made a motion for approval of the 40'x30' building. Commissioner Harris seconded the

motion. The roll call vote was unanimous to approve the variance. The roll call vote was unanimous to approve the variance.

**A Variance Request for 15' to the required 25' front yard setback for construction of a single-family residential house at Lot 8 Apple Creek Addition. Patsy Keathley, Owner.** Patsy Keathley of Eco-Residential Builders was present to discuss the request. She said she purchased a residential lot on Apple Valley Drive and in trying to configure a single-family residence on that lot she is finding the topography of the lot is very challenging and the level space in which she has to construct the residence is very small. She said the lot falls quickly and steeply toward the rear with a creek at the bottom and a floodplain on down the hill. She said in order for her to include a two car garage she doesn't have enough build-able space unless she pulls it a little closer to the street than the normal building line setback. She said if the variance is not approved she will be constricted and will have to build a residence without a two-car garage. Staff Comments: City Engineer, Ellen Norvell said this lot does qualify for a hardship due to the terrain and the hammerhead street taking away part of the lot. She said Engineering Staff recommends for approval. Commissioner Gillham made a motion to approve the variance as requested. Commissioner Harris seconded the motion

There being no further business Commissioner Gillham made a motion to adjourn. Commissioner Harris seconded the motion. The roll call vote was unanimous to adjourn.

ATTEST:

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Ashley Taylor, Secretary

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Forrest Penny, Chairman