

**Sherwood Board of Adjustments
Minutes
January 8, 2013**

The Sherwood Board of Adjustments met for their regularly scheduled meeting on January 8, 2013 at 5:00 p.m. in the City Council Chambers at 2201 E. Kiehl Avenue, Sherwood, AR 72120.

Members Present

Lucien Gillham
Forrest Penny
Andrew Phillips
Albert Harris

Members Absent

Scott Miller

Staff Present

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

Chairman Penny called the meeting to order.

Commissioner Harris made a motion to approve the minutes from the December 11, 2012 meeting. Commissioner Gillham seconded the motion. The roll call vote was unanimous to approve the minutes.

A Variance Request to allow the construction of a 30’x30’ accessory building within the 4’ rear yard and 4’ side yard setbacks at 3 Houston Street. Emil and Teresa White, Owner. Emil White was present to discuss the request. He said when he purchased the property there was a building already on the property that had a variance and he thought the variance extended to this new building after tearing down the old one. He said the building is already built other than the siding. Staff Comments: City Engineer, Ellen Norvell said she wanted to clarify that there are two separate variances being requested, one for the location and one for the size. She said there is not a hardship created by the lot. City Planner, Dwight Pattison said there is an encroachment of the side yard and rear yard setbacks. He said he

has seen aerial photos in the past and there was no building at all on the concrete slab and the building is there now. He said based on the requirements of the ordinance that there be a hardship created by the lot and not by the property owner, Planning Staff would recommend for denial. Commissioner Gillham said he was initially in favor or denying this variance for several reasons, one being the applicant did not apply for a building permit before starting construction. He said he thinks Sherwood did not annex Indianhead Lake soon enough and there are a lot of accessory buildings when it was in the county. He said the applicant's next-door neighbor to the west has a large storage building and possibly two. He said there is another neighbor in the area that has at least three accessory buildings. He said the existing 16'x16' building needs to be torn down and the other smaller building needs to be moved at least 4' from the property line. Mr. White said that he would be tearing down the existing 16'x16' building and relocating the other smaller building to where the 16'x16' building is setting currently. Commissioner Gillham made a motion to approve the requested variance at 3 Houston Street. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the variance request.

A Variance Request of 335sq. ft. to the allowable 565sq. ft. for an accessory building at 3 Houston Street. Emil & Teresa White, Owner. Emil White was present to discuss the request. Commissioner Gillham made a motion to approve the requested variance at 3 Houston Street. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the variance request.

A Variance Request for 8' to the required 25' rear yard setback for a manufactured home at 106 Greenwood Avenue. Bobby & Tauny Chaffin, Owner. Bobby & Tauny Chaffin were present to discuss the request. He said they originally thought they were purchasing two lots but after a misunderstanding with the realtor they were only purchasing one lot. He said they had already ordered the manufactured home and it was ready and waiting to be transported to their lot. Commissioner Gillham made motion to approve the variance request at 106 Greenwood Avenue. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the variance request.

Under New Items, Commissioner Harris asked what the plans were for the undeveloped section of Maryland Avenue. City Engineer Ellen Norvell said streets are typically built by the developer at the time the build the subdivision. She said we do have Maryland under design right now to build that section and bring the existing section up to standards with curb and gutters and storm drains. She said the next step would be to find the money to build it.

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:

Ashley Taylor, Secretary

Forrest Penny, Chairman