

Sherwood Board of Adjustments
Minutes
July 12, 2016

The Sherwood Board of Adjustments met for their regularly scheduled meeting on July 12, 2016 at 5:00 p.m. in the City Council Chambers at 2201 E. Kiehl Avenue, Sherwood, AR 72120.

Members Present

Forrest Penny – Chairman
Lucien Gillham
Albert Harris
Scott Miller
Michelle Phillips

Staff Present

Ellen Norvell – City Engineer
Steve Cobb – City Attorney
Candi Ussery - Secretary

Chairman Penny called the meeting to order.

Commissioner Gillham made a motion to approve the minutes from the June 14, 2016 meeting. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the minutes.

A Variance of Subdivision requirements to allow for a rip rap ditch rather than a concrete paved ditch at Bear Paw Addition, Phase 2. Thomas Engineering Company, Agent. Thomas Pownall stated that they are working on the design and on the Northern boundary of that subdivision, and in Phase 1, the drainage ditch was not paved and they are requesting the same for this one. The request is two-fold, they'd like to keep this ditch as natural as possible as requested by the Corp of Engineers, and also it is being relocated. City Engineer, Ellen Norvell brought up that in 1981 the Council passed an ordinance, "Adequate drainage facilities within the proposed subdivision and outside streets rights-of-way may include ground swells, underground piping, and/or open ditches with concrete bottoms and concrete side walls. The proposed location and types of drainage shall be indicated on the development plans." The ordinance was passed as an amendment to our zoning regulations, although I think it got forgotten about. Commissioner

Penny asked for the clarification on the date. Ms. Norvell reiterated it was from 1981. Commissioner Gillham stated that the cross section of this is pretty large and he thinks, looking at the drainage area, the rip rap would do a lot to slow that drainage down. Ms. Norvell agreed and said that it would be tying into another rip rap ditch and from an Engineering standpoint, concrete is going to speed everything up even more. She stated that our Public Works Director is concerned about the maintenance being a bit more difficult because there will be vegetation growing through. Commissioner Penny stated that would make for fuller employment. Commissioner Gillham stated that the existing rip rap is holding up just fine. Commissioner Gillham made a motion to approve the request. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the request.

A Variance request of 50 parking spaces to the required 83 parking spaces and a waiver to the fence requirement at 10200 Johnson Drive. Thomas Engineering Company, Agent. Thomas Pownall explained that according to code they are required to have 83 parking spaces due to the square footage of the library, after discussing with the Central Arkansas Library System and looking at the programs, they feel 50 parking spaces will be more than adequate. Also, leaving more property natural and unpaved will help with their LEED Certification. Commissioner Gillham stated that if that end up not being enough, they could always add more. Mr. Commissioner Gillham made a motion to approve the request. Commissioner Miller seconded the motion to approve the parking space variance.

Mr. Pownall then began to explain the fence variance. One of the requirements is that a fence is required when the property abuts a residential area. There are 14 acres for the library site and the library is only taking up 5. There will be substantial clearance between the residential area, and they will use the existing trees as a buffer. Commissioner Gillham made a motion to approve the waiver to the fence requirement. Commissioner Phillips seconded the motion to approve the waiver to the fence requirement. The roll call vote was unanimous to approve the request.

A Variance request of 25' to the required 25' side yard setback for a fence at 8900 Barber Street. Stephanie Lilly-Palmer, Owner. Ms. Lilly—Palmer stated that traffic has increased since Wal-Mart was built and were non-existent when she bought her house. She has had other dogs bark at her dogs through the fence, a man pulled down his pants on Brice Street and

cursed at her. Children throw rocks at her children. Also, she was recently widowed in January and there is also a safety issue. Commissioner Gillham explained there is an existing chain-link. Ms. Lilly-Palmer stated that she'd like to replace with privacy fence. Her neighbors do not maintain their yard and she'd like that to be blocked as well. Commissioner Gillham asked about the height of the fence she was wanting. Ms. Lilly-Palmer stated that 6' was what she was requesting. Commissioner Gillham made a motion to approve the request. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the request.

A Variance request of 10' to the required 25' side yard setback for a fence at 2700 Highline Drive. Sabra Wilson, Owner. City Engineer, Ellen Norvell, stated that the owner is to send out certified notices at least 5 working days from the meeting date, and the notices were not sent out until July 7th. Ms. Wilson stated that she did it like that last time. City Attorney, Steve Cobb recommended to table this item. Commissioner Gillham stated that this was heard before and thought it was supposed to go to Appeals Court. Mr. Cobb then stated that he spoke with Ms. Wilson and instead of appealing, that she could come back with a different request. But, he suggests tabling. Ms. Wilson stated that she could wait another month. Commissioner Gillham made a motion to table this request. Commissioner Harris seconded the motion. The roll call vote was unanimous to table this request.

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

ATTEST:

Candi Ussery, Secretary

Forrest Penny, Chairman