

**Sherwood Board of Adjustments**  
**Minutes**  
**August 13, 2013**

The Sherwood Board of Adjustments met for their regularly scheduled meeting on August 13, 2013 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  
Scott Miller  
Albert Harris  
Andrew Phillips

**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 Gillham made a motion to approve the minutes from the July 9, 2013 meeting. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the minutes.

**A Variance of 3.5-feet to the required 25-foot backyard setback to allow the Owner to enclose the existing patio at 8702 Cayuga Lane. Richard L. McEwen, Owner.** Mr. McEwen was present to discuss the request. Chairman Penny swore in Mr. McEwen. Staff Comments: City Planner, Dwight Pattison said there is nothing in the request that would indicate a hardship created by the lot as required by the ordinance. He said 20' x 14.5' addition is what would conform to the setback requirements. He said since there is no hardship Planning Staff cannot recommend for approval. City Engineer, Ellen Norvell said Engineering Staff agrees there is no hardship created by the lot so Engineering Staff cannot recommend for approval. There was no public comment. Commissioner Gillham made a motion to approve the variance request of 3.5-feet to the required 25-foot backyard

setback to enclose the patio. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the variance.

**A Variance of 6.5-feet to the required 25-foot backyard setback to allow the Owner to construct a sunroom at 2409 Gap Creek Drive. Earlie Windham, Owner.** Mr. & Mrs. Windham along with their builder was present to discuss the request. Commissioner Penny swore in Mr. & Mrs. Windham and their builder. They said it is a solid roof glass enclosure and they have crossed the building line by about 6-feet. Chairman Penny asked if they have contacted their Property Owner's Association. Mrs. Windham said they were not aware that there was a Property Owner's Association. Dr. Arthur G. Howe was present to dispute the variance request. He expressed concerns regarding the elevation of the sunroom and said it would invade his privacy by his neighbors being able to see straight into his house. He also expressed concerns regarding flooding issues that already exist and he is concerned they will only get worse with the structure being built closer to his property. He is also concerned about the type of material being used to construct the sunroom. Attorney Cobb recommended that the Commission table the request until next month's meeting to give the owners time to review the Bill of Assurance or get a letter from the Architectural Committee if one exists. Commissioner Harris made a motion to table the request until next month's meeting. Commissioner Gillham seconded the request. The roll call vote was unanimous to table the variance request.

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