

**Sherwood Board of Adjustments
Minutes
September 10, 2013**

The Sherwood Board of Adjustments met for their regularly scheduled meeting on September 10, 2013 at 5:00 p.m. in the City Council Chambers at 2201 E. Kiehl Avenue, Sherwood, AR 72120.

Members Present

Forrest Penny - Chairman
Scott Miller
Albert Harris
Andrew Phillips

Members Absent

Lucien Gillham

Staff Present

Ellen Norvell – City Engineer
Dwight Pattison – City Planner
Steve Cobb – City Attorney
Ashley Taylor - Secretary
Stephanie Timaná – Permits, Zoning, & Records Clerk

Chairman Penny called the meeting to order.

Commissioner Harris made a motion to approve the minutes from the August 13, 2013 meeting. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the minutes.

A Variance for 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 were present to discuss the request. Commissioner Penny swore in Mr. & Mrs. Windham. They said it is a solid roof glass enclosure that will cross the building line by about 6-feet but the enclosed structure will not be any further than their current uncovered patio. Mr. Windham stated that he had contacted Metropolitan Realty and verified that there was no Property Owner's Association governing his property. Staff Comments: City Planner, Dwight Pattison said that Planning Staff cannot recommend for approval

because the property does not meet the requirements for a hardship. City Engineer, Ellen Norvell stated that the Engineering Staff had no additional comments. 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. Mr. Paul Leonard was also present to dispute the variance request. He shared his concern that allowing the variance for the sunroom to be built would effect the property values in the subdivision and cause his home value to decrease. Ms. Windham stated that the cost of construction on the structure was \$40000.00 therefore she did not see how building it would decrease property values to any of the surrounding homes. Commissioner Harris made a motion to approve the Variance Request for 6.5' to the required 25' rear yard setback for a sunroom at 2409 Gap Creek Drive. The motion died for lack of a second.

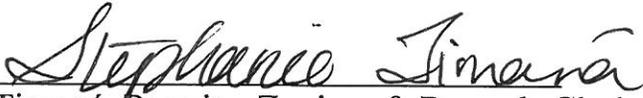
A Variance Request for 2.4' to the required 25' rear yard setback for a covered patio at 8825 Trail Creek Drive. Roy Dellinger Construction, Owner. Roy Dellinger was present to discuss the request. He stated that it was not his intention for the covered patio to go into the 25' setback but, while he was away his framing crew extended it. It would now be costly to him to cut the covering back. Staff Comments: City Planner, Dwight Pattison stated that there was no hardship created by the lot, only by the framers. City Engineer, Ellen Norvell stated that she had no additional comments. Commissioner Harris made a motion to approve the Variance Request for 2.4' to the required 25' rear yard setback for a covered patio at 8825 Trail Creek Drive. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the Variance Request.

A Variance Request for 5' to the required 10' separation between a proposed addition to the house and an existing storage building at 117 Carnelian. Richard Mack was present to discuss the request. Mr. Mack stated that he had a room added onto the back of his home and he would like the request to be honored so that he would not have to tear down his shed that was existing prior to the addition. Staff Comments: City Engineer, Ellen Norvell stated that her comments were the same. Ms. Norvell did add that the reason for the 10' required separation was due to fire safety issues. City Planner, Dwight Pattison stated that there was no hardship created by the lot and that it would also be a safety issue as well. Commissioner Harris

made a motion to approve the Variance Request for 5' to the required 10' separation between a proposed addition to the house and an existing storage building at 117 Carnelian. Commissioner Miller seconded the motion. The roll call vote was unanimous to approve the Variance Request

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

ATTEST:


Stephanie Timaná, Permits, Zoning, & Records Clerk


Forrest Penny, Chairman