

**Sherwood Board of Adjustments
Minutes
December 09, 2014**

The Sherwood Board of Adjustments met for their regularly scheduled meeting on December 09, 2014 at 5:00 p.m. in the City Council Chambers at 2201 E. Kiehl Avenue, Sherwood, AR 72120.

Members Present

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

Members Absent

Ellen Norvell – City Engineer

Staff Present

Paul Brown – Building Official
Dwight Pattison – City Planner
Stephanie Timaná – Secretary
Steve Cobb – City Attorney

Chairman Penny called the meeting to order.

Commissioner Gillham made a motion to approve the minutes from the November 12, 2014 meeting. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the minutes.

A Request for an Expansion of Non-Conforming Use at 117 W. Maryland Ave. Sylvan Hills Church of Christ. Kyle McNeese, Treasurer Austin Chatelain the project manager and Kyle McNeese were both present to discuss this request. Mr. Chatelain shared that their proposal was to basically add additional parking spaces by tearing down an old home next to their existing parking lot and to renovate the inside of the existing church facility. Staff Comments: Building Official, Paul Brown stated that the need for the expansion of non-forming use is because the existing structure doesn't conform to our current rules and regulations. Mr. Brown also added that Staff would recommend for approval. City Planner, Dwight Pattison

stated that mostly everything along Hwy 107 is already zoned C-3 and if the church was zoned C-3, their request would be permitted by right. Mr. Pattison also said that he would recommend for approval. Let the record reflect that there was a letter submitted by Mr. Kevin Horn of 117 Robin Glen Dr. stating his concerns about the added traffic flow onto his residential street. The Commissioners opened discussion regarding the letter. Commissioner Gillham gave some background on the property. He stated that he was on the commission during the original proposal and that the original plans never showed a driveway but that it was paved as a mistake by the concrete contractor. The commission at that time had the church install a gate to block the traffic onto Robin Glen Dr because it was never approved. Mr. Brown stated that years back they were told to allow the church to open the gate by other city officials. Mr. Chatelain stated that the proposed added number of parking spots would be 41. Mr. McNeese stated that the bulk of their parking was on the other side of Maryland Ave, across the intersection. He said that one of the things they were trying to accomplish would be to eliminate this dangerous situation for their members crossing the street and the added traffic congestion that this causes because they have police out to direct traffic during their service times to help people across the intersection. Commissioner Harris made a motion to approve the request as written. The motion died for lack of a second. Commissioner Phillips made a motion to reconsider the request. Commissioner Penny seconded the motion. The roll call vote was four ayes (Commissioner Harris, Commissioner Phillips, Commissioner Penny, Commissioner Miller) and one nay (Commissioner Gillham). Commissioner Gillham made a motion to approve the request for an expansion of non-conforming use at 117 W. Maryland Drive, subject to the gate being closed to prevent traffic from flowing onto Robin Glen Dr. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the request. Mr. Pattison suggested that they could put a curb over the drive to prevent people from driving through or they could maintain it only as an emergency type of access. Mr. McNeese stated that without knowing all of the history on the property he was under the impression that they had been instructed from the Fire Department to enter on the Maryland side and exit onto Robin Glen. He also stated that's why they specifically re-stripped their parking lot. He said he was not aware of the validity of that but that's the impression the church had been operating under. Commissioner Gillham stated that after all the discussion he could see the problem of not using Robin Glen Dr. Commissioner Gillham made a motion to recall the vote on the motion to approve the request for an expansion of non-conforming use at 117 W. Maryland Drive, subject to the

gate being closed to prevent traffic from flowing onto Robin Glen Dr. Commissioner Phillips seconded the request. The roll call vote was unanimous to recall the previous motion. City Attorney, Steve Cobb suggested for the Commissioner's to consider tabling the item for a month to get input from the Fire Department and let the Planning Department research the questions regarding the access onto Robin Glen Dr. Commissioner Gillham made a motion to table the request for an expansion of non-conforming use at 117 W. Maryland Ave. so that the City Engineer can meet with the Fire Department and Police Department to research the safety and traffic issues regarding the property. Commissioner Harris seconded the motion. The roll call vote was unanimous to table the item.

A Variance request to waive the requirement for a paved parking lot at 2146 Hatcher Rd. Duplexes. Kenny Meckfessel, Owner. Let the record reflect that there was no additional submittal made by Mr. Meckfessel, nor was he present at this meeting. Mr. Meckfessel did not send out notifications to the surrounding property owners and no Variance signs were posted on his property. Commissioner Gillham made a motion to dismiss the Variance request to waive the requirement for a paved parking lot at 2146 Hatcher Rd. Duplexes, until a resubmittal is made. Commissioner Miller seconded the motion. The roll call vote was unanimous to dismiss the request.

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

ATTEST:



Stéphanie Timaná, Secretary



Forrest Penny, Chairman