

**Sherwood Board of Adjustments  
Minutes  
November 10, 2015**

The Sherwood Board of Adjustments met for their regularly scheduled meeting on November 10, 2015 at 5:00 p.m. in the City Council Chambers at 2201 E. Kiehl Avenue, Sherwood, AR 72120.

**Members Present**

Lucien Gillham

Scott Miller

Forrest Penny

Michele Phillips

Albert Harris

**Staff Present**

Ellen Norvell – City Engineer

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 October 13, 2015 meeting. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the minutes.

**A Variance request for 16.2ft to the required 40ft front yard setback and 19ft to the required 25ft side yard setback at 104 Elmwood Avenue. Marlar Engineering Company, Agent.** Jason with Marlar Engineering was present to discuss the request. He said this request was contingent on the zoning request being approved. City Engineer, Ellen Norvell said in order for the property to have been zoned C-3 these variances would have had to be approved so since the zoning wasn't approved then the variance request can just be denied. Commissioner Gillham made a motion to deny the Variance request for 16.2ft to the required 40ft front yard setback and 19ft to the required 25ft side yard setback at 104 Elmwood Avenue. Commissioner Miller seconded the motion. The roll call vote was unanimous to deny the request.

**A request for an Expansion of a Non-Conforming Use to add cell tower antennas at 502 Oakdale Road. SBA Communications, Agent.** Bruce Emge was present to discuss the request. He said they are just upgrading the tower and replacing the antennas to provide better service. Staff Comments: City Engineer, Ellen Norvell said they are not extending the height any or expanding the site at all but it is a Non-Conforming Use because it was in existence when it was annexed into the City. Commissioner Gillham made a motion approve the Expansion on a Non-Conforming Use to add cell tower antennas at 502 Oakdale Road. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the Expansion of a Non-Conforming Use.

**A Variance Request for 800sq. ft. to the required 25% sq. ft. of the principal structure requirement for a storage building at 603 S. Claremont. Johnny Rice, Owner.** Mr. Rice was present to discuss the request. He said he has a small house that is about 1500sq. ft. and sits on a big lot which is about 150'x310'. He said he owns a lot of rental property and has material sitting out on the lot that needs to be put somewhere that it would be safe and keep someone from taking it. He said his garage which he is using to store some of it now is only 16'x18' and he just needs some more room. He said the building would be sitting about 200' off the road and about 18' from the property line. Staff Comments: City Engineer, Ellen Norvell said she would like to clarify that at the time he initially came in no one actually checked his lot size. She said he does have over an acre so he is really allowed 1000sq. ft. so it's not as much of a variance as it initially looked like. There was no public comment. Commissioner Miller made a motion to approve the variance request for 800sq. ft. to the required 25% sq. ft. of the principal structure requirement for a storage building at 603 S. Claremont. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the variance request.

**A Variance Request for 15ft to the required 25ft rear yard setback for a fence at 9616 Oak Heights Drive. E-Co Residential Builders, Agent.** There was no one present to discuss the request. . There was no public comment. Commissioner Gillham said he went by and looked at the property and explained to the builder that the house all line up to the building line on that street and what was going to happen was that this fence was going to stick out 15' in front of those houses on the street. He said the house next door only has an 8' side yard so this fence would be sticking out 15' into his front yard. Commissioner Gillham made a motion to deny the

variance request to for 15ft to the required 25ft rear yard setback for a fence at 9616 Oak Heights Drive. Commissioner Harris seconded the motion. The roll call vote was unanimous to deny the variance request.

There being no further business Commissioner Miller made a motion to adjourn. Commissioner Gillham 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