

**Sherwood Board of Adjustments  
Minutes  
August 9, 2016**

The Sherwood Board of Adjustments met for their regularly scheduled meeting on August 9, 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  
Ashley Taylor - Secretary

Chairman Penny called the meeting to order.

Commissioner Gillham made a motion to approve the minutes from the July 12, 2016 meeting. Commissioner Harris seconded the motion. The roll call vote was unanimous to approve the minutes.

**A Variance request of 4’ to the required 8’ side yard setback and 7’ to the required 25’ rear yard setback for an attached garage at 502 Cordelia. Robert Jackson, Owner.** No one present to discuss this request. Commissioner Gillham made a motion to table this request. Commissioner Harris seconded the motion. The roll call vote was unanimous to table this request.

**A Variance request of 10’ to the required 25’ side yard setback for a fence at 2700 Highline Drive. Sabra Wilson, Owner.** Ms. Wilson called Andy Wilson, Building Inspector, he wanted to provide clarity on this request. He informed that the Commissioners previously approved a request of placing the fence parallel to the house which, in fact, cut off some of the rear part of the yard that she was entitled to fence without a variance. Ms. Wilson came in and asked to make a new request. Mr. Wilson highlighted

the area in which the request for a fence is being sought. What she is seeking is a 10' variance at the front to place a double gate. Commissioner Harris asked where the pin was located. Mr. Wilson stated that both back pins are going to be following the back property line, you can see where it connects. The property pins are about 11 ½' from the corner. With the request, she would be 15' from the pin. Commissioner Harris asked where the trailer would be located. Mr. Wilson informed him that it is parked beside the house and the fence should conceal it completely. Commissioner Penny asked if there was anyone in the audience that wished to speak. Mr. Riggins, 8901 Trail Creek, owns a \$375,000 house in that area. He is not disputing any property line. There are 33 streets and 503 homes and not one home has an 8' fence that is allowed to go all the way out that comes to the setback and block the front of another home. He created a mock fence to show the Commissioners what it would look like. All 8' fences are back to back not back to side he stated. Mr. Wilson stated that the new portion that is in the variance will be 6'. We do not have any restrictions, aside from the 8' that the City allows. Mr. Riggins, the squabble is not about a fence it's about the height. He stated the trailer is no longer at the house. Last time the signs were not properly posted, this time they were. He received notice at the allotted time this round. It's about having homes like this and allowing someone to put up a fence that depreciates the home. Ms. Wilson stated that she was not here for a variance on the back fence, it has already been approved. Mr. Riggins stated that was his issue that he came in this morning and told him that it was already approved. City Engineer, Ellen Norvell stated that the rear fence meets requirements and does not require a variance. Ms. Wilson explained that the 8' fence would drop down to 6' and look nice. She stated that she was also concerned about resell value and wanted to make it look nice. Commissioner Gillam commented that the line between 2700 Highline and 8901 Trail Creek was put in the wrong place. 2700 has a trapezoid shaped lot. He stated that his main objection is the 50' setback is about 10 or 12' in front of the corner of 8901. In the first meeting, Planning Commission gave permission to build a fence that did not stick out in front of the fence. He thought that what was approved was fair and stated that he will not vote for this. Mr. Wilson stated that he provided a drawing that was voted in last time. He understands the point but he thinks that the variance should be weighed on its own merit. She is allowed to put the fence across the back. Mr. Wilson said that it appears that it is being said we will give you some space to the side by relinquishing some of the back. Commissioner Gillham stated that was correct. City Engineer, Ellen Norvell commented that that was fair when asking for a variance. Commissioner Gillham drew

out a new line and passed it down the line. Mr. Wilson clarified that what Commissioner Gillham is proposing that if Ms. Wilson will move the corner post, they will approve the side yard setback variance. Mr. Riggins stated that he has no problem with that. Ms. Wilson clarified that the 8' was never going to go in front of his house. Commissioner Gillham moved that a variance be allowed on 2700 Highline Drive with a 10' variance at the front and we allow a 6' fence to be built directly towards the Southeast corner of Trail Creek Drive. Commissioner Gillham made a motion to approve the request. Commissioner Phillips seconded the motion. The roll call vote was unanimous to approve the 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:

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Candi Ussery, Secretary

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Forrest Penny, Chairman