



**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
AGENDA
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
JULY 12, 2016**

I. ROLL CALL

II. APPROVAL OF MINUTES FROM MAY 10, 2016

III. STAFF COMMENTS AND PROCEDURES

1. Preliminary Plat – The Providence – Lots 1-68 – Crafton Tull
2. Final Plat – Stonebrook at Chaffee Crossing – Phase II – Brixey Engineering
3. Rezoning #14-7-16; A request by Linsey Yates and Brian Means for a zone change from Residential Single Family Duplex Low/Medium Density (RSD-2) and Transitional (T) to Residential Single Family Medium/High Density (RS-3) by Classification located at 1216, 1220, 1314, 1402, 1404, 1414, 1510, 1514, 1516 and 1528 Hendricks Boulevard and 1531 South 37th Street and a zone change from Residential Single Family Duplex Low/Medium Density (RSD-2) to Residential Single Family High Density (RS-4) by Extension located at 1535 South 37th Street; 1532, 1523, 1519, 1515, 1511, 1509, 1507, 1503, 1415 and 1411 Hendricks Boulevard; 3909, 3911 and 3915 South “N” Street and 1404, 1405, 1408, 1409, 1414, 1415, 1500, 1505, 1508, 1510, 1515, 1516, 1517, 1520, 1521, 1525, 1529, 1530, 1531, 1532 and 1533 South 40th Street.
4. Rezoning #15-7-16; A request by J. D. Sagely, agent for John D. Sagely, Jr., Judy R. Sagely and Williams & Nancy Edwards, for a zone change from Commercial Heavy (C-5) to Transitional (T) by Extension located at 1208 & 1216 Mesa Drive.

623 GARRISON AVENUE
P.O. BOX 1908
FORT SMITH, ARKANSAS 72902
(479) 784-2216
FAX (479) 784-2462

5. Rezoning #16-7-16; A request by Joshua Carson, agent for Sam Glenn Properties, LLC, for a zone change from Commercial Heavy (C-5) to Residential Single Family Medium Density (RS-2) by Extension located at 5900 South 92nd Street.
6. Conditional Use #12-7-16; A request by Wesley Hooks, agent for University of Arkansas-Fort Smith, for a day care home with one (1) employee located at 442 North 49th Street.

**RECESS PLANNING COMMISSION
CONVENE BOARD OF ZONING ADJUSTMENT**

7. Variance #19-7-16; A request by Quincy & Jennifer Bell for a variance from 25 feet to 16.1 feet front yard setback located at 7324 Texas Road.
8. Variance #20-7-16; A request by Ivan L. Hoffman, Jr., agent for Richard & Loyce Goodrum, for a variance from 20 feet to 0 feet front yard setback; from 5 feet to 0 feet exterior side yard setback; from 5 feet to 1.1 feet interior side yard setback and from 5,000 square feet to 4,907 square feet minimum lot area located at 1916 South "J" Street and from 15 feet to 13.0 feet exterior side yard setback and from 5 feet to 4.5 feet rear yard setback located at 1100 South 20th Street.
9. Variance #21-7-16; A request by Scott Hathaway, agent for Don & Nancy Castling, for a variance from 25 feet to 20 feet front yard setback and from 20 feet to 10.9 feet interior side yard setback located at 2902 McKinley Avenue.
10. Variance #22-7-16; A request by Cary Smallwood for a variance from 24 square feet to 32 square feet maximum size of a sign located at 7350 Massard Road.

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
JUNE 14, 2016**

On roll call, the following Commissioners were present: Marshall Sharpe, Vicki Newton, Sarah Howe, Josh Carson, Bob Cooper, Jr., Rett Howard, Talicia Richardson, Don Keesee and Joshua Kilgore.

Motion was made by Commissioner Howard, seconded by Commissioner Newton and carried unanimously to approve the minutes as written.

Mr. Wally Bailey spoke on the procedures.

1. Preliminary Plat – Oak Crest Estates – Lots 1-16 – Hawkins-Weir Engineers

Ms. Brenda Andrews read the staff report indicating that the purpose of this request is to allow for single family dwellings.

Mr. Kyle Salyer representing Hawkins-Weir Engineers?, was present to speak on behalf of this preliminary plat.

No one was present to speak in opposition to this plat.

Chairman Sharpe then called for the vote on the preliminary plat. The plat was approved by a vote of 9 in favor 0 opposed subject to the following:

- The developer agrees to meet all franchise and City utility easement requirements.
- Compliance with the City's Subdivision Design and Improvement Standards Specifications for Public Works Construction.

- 2. Rezoning #12-6-16; A request by Ron Brixey, agent for William B. Lovvorn III Living Trust, William B. Lovvorn, Trustee, for a zone change from Industrial Light (I-1) to Industrial Moderate (I-2) by Extension located at 400 Phoenix Avenue. (companion item to items #3 & #4)**
- 3. A request by Ron Brixey, agent for William B. Lovvorn III Living Trust, William B. Lovvorn, Trustee, for development plan approval for a building addition located at 400 Phoenix Avenue. (companion item to items #2 & #4)**
- 4. Variance #17-6-16; A request by Ron Brixey, agent for William B. Lovvorn III Living Trust, William B. Lovvorn, Trustee, for a variance from the required street**

**access for an Industrial Moderate (I-2) zone located at 400 Phoenix Avenue.
(companion item to items #2 & #3)**

Ms. Maggie Rice read the staff reports indicating that the purpose of these requests is to bring the current use of the property into compliance with the zoning requirements and to facilitate an expansion of an existing pallet making business with an approximate 22,000 square foot addition. Ms. Rice noted that the purpose of the variance request is to waive the requirement of a major arterial street classification for the proposed Industrial Moderate zone. Ms. Rice stated that the existing street classification for Phoenix Avenue is major collector.

Mr. Ron Brixey was present to speak on behalf of these requests.

No one was present to speak in opposition to these requests.

Following a discussion by the Commission, Chairman Sharpe called for the vote on these applications.

- 2. Rezoning #12-6-16; A request by Ron Brixey, agent for William B. Lovvorn III Living Trust, William B. Lovvorn, Trustee, for a zone change from Industrial Light (I-1) to Industrial Moderate (I-2) by Extension located at 400 Phoenix Avenue. (companion item to items #3 & #4)**

Chairman Sharpe called for the vote on the rezoning request. The vote was 9 in favor and 0 opposed to approve the rezoning request contingent upon approval of the companion variance application.

- 3. A request by Ron Brixey, agent for William B. Lovvorn III Living Trust, William B. Lovvorn, Trustee, for development plan approval for a building addition located at 400 Phoenix Avenue. (companion item to items #2 & #4)**

Chairman Sharpe called for the vote on the development plan. The vote was 9 in favor and 0 opposed to approve the development plan subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- All exterior and building lighting shall comply with Section 27-602-5 of the UDO.

**RECESS PLANNING COMMISSION
CONVENE BOARD OF ZONING ADJUSTMENT**

- 4. Variance #17-6-16; A request by Ron Brixey, agent for William B. Lovvorn III Living Trust, William B. Lovvorn, Trustee, for a variance from the required street**

**access for an Industrial Moderate (I-2) zone located at 400 Phoenix Avenue.
(companion item to items #2 & #3)**

Chairman Sharpe called for the vote on the variance request. The vote was 9 in favor and 0 opposed.

**RECESS BOARD OF ZONING ADJUSTMENT
RECONVENE PLANNING COMMISSION**

- 5. A request by Nick Griffin, Mickle-Wagner-Coleman, agent for Ronnie Keener, Chairman of Building Committee for Rye Hill Baptist Church, for a Master Land Use Plan Amendment from Unclassified and Extra Territorial Jurisdiction Commercial Neighborhood to General Commercial located at 11512 Old Highway 71 South. (companion item to items #6, #7 & #8)**
- 6. Rezoning #13-6-16; A request by Nick Griffin, Mickle-Wagner-Coleman, agent for Ronnie Keener, Chairman of Building Committee for Rye Hill Baptist Church, for a zone change from Not Zoned (NZ) and Extra Territorial Jurisdiction Open-1 (ETJ O-1) to Commercial Moderate (C-3) by Classification located at 11512 Old Highway 71 South. (companion item to items #5, #7 & #8)**
- 7. Conditional Use #8-6-16; A request by Nick Griffin, Mickle-Wagner-Coleman, agent for Ronnie Keener, Chairman of Building Committee for Rye Hill Baptist Church, for a church expansion located at 11512 Old Highway 71 South. (companion item to items #5, #6 & #8)**
- 8. Variance #18-6-16; A request by Nick Griffin, Mickle-Wagner-Coleman, agent for Ronnie Keener, Chairman of Building Committee for Rye Hill Baptist Church, for a variance from Section 27-602-4 (C) (8)-6 ft. screening fence, wall or landscape buffer adjacent to property zoned for residential purposes located at 11512 Old Highway 71 South. (companion item to items #5, #6 & #7)**

Ms. Brenda Andrews read the staff reports indicating that the purpose of these requests is to allow for the annexation of 2.68 acres and an expansion of the existing Rye Hill Baptist Church sanctuary addition along with additional parking and landscaping.

Mr. Nick Griffin and Mr. Frank Hug were present to speak on behalf of these requests.

No one was present to speak in opposition to these requests.

Following a discussion by the Commission, Chairman Sharpe called for the vote on these requests.

- 5. A request by Nick Griffin, Mickle-Wagner-Coleman, agent for Ronnie Keener, Chairman of Building Committee for Rye Hill Baptist Church, for a Master Land**

Use Plan Amendment from Unclassified and Extra Territorial Jurisdiction Commercial Neighborhood to General Commercial located at 11512 Old Highway 71 South. (companion item to items #6, #7 & #8)

Chairman Sharpe called for the vote on the Master Land Use Plan Amendment. The Master Land Use Plan Amendment was approved by a vote of 8 in favor and 1 abstention (Carson), subject to the submitted development plan and Board of Directors' approval of the annexation petition.

- 6. Rezoning #13-6-16; A request by Nick Griffin, Mickle-Wagner-Coleman, agent for Ronnie Keener, Chairman of Building Committee for Rye Hill Baptist Church, for a zone change from Not Zoned (NZ) and Extra Territorial Jurisdiction Open-1 (ETJ O-1) to Commercial Moderate (C-3) by Classification located at 11512 Old Highway 71 South. (companion item to items #5, #7 & #8)**

Chairman Sharpe called for the vote on the rezoning request. The rezoning was approved by a vote of 8 in favor and 1 abstention (Carson), subject to the submitted development plan and Board of Directors' approval of the annexation petition.

- 7. Conditional Use #8-6-16; A request by Nick Griffin, Mickle-Wagner-Coleman, agent for Ronnie Keener, Chairman of Building Committee for Rye Hill Baptist Church, for a church expansion located at 11512 Old Highway 71 South. (companion item to items #5, #6 & #8)**

Chairman Sharpe called for the vote on the conditional use request. The conditional use was approved by a vote of 8 in favor and 1 abstention (Carson), subject to the following:

- Approval of the annexation petition by the City Board of Directors.
- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- Signage shall comply with the Unified Development Ordinance for signage permitted in commercial zones. Should any digital face sign be installed, the digital face shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter. Documentation shall be provided to the City at time of permit issuance certifying the digital sign has been set to be incapable of exceeding .3 foot candles above ambient light. Each display on a digital face must have a light sensing device that will adjust the brightness as ambient light conditions change.

**RECESS PLANNING COMMISSION
RECONVENE BOARD OF ZONING ADJUSTMENT**

8. **Variance #18-6-16; A request by Nick Griffin, Mickle-Wagner-Coleman, agent for Ronnie Keener, Chairman of Building Committee for Rye Hill Baptist Church, for a variance from Section 27-602-4 (C)(8)-6 ft. screening fence, wall or landscape buffer adjacent to property zoned for residential purposes located at 11512 Old Highway 71 South. (companion item to items #5, #6 & #7)**

Chairman Sharpe called for the vote on the variance request. The variance was approved by a vote of 8 in favor and 1 abstention (Carson).

**RECESS BOARD OF ZONING ADJUSTMENT
RECONVENE PLANNING COMMISSION**

9. **Conditional Use #9-6-16; A request by Tony Pham, agent for Vasiliki Investments, LLC, for a conditional use for a pool hall located at 1217 South Waldron Road.**

Ms. Maggie Rice read the staff report indicating that the purpose of the conditional use request is to allow the applicant to open a pool hall at this location in an existing space at LaVilla Shopping Center. Ms. Rice stated that a neighborhood meeting was held on Tuesday, May 24, 2016, at 1217 South Waldron Road with no neighboring property owners in attendance. Ms. Rice noted that two (2) phone calls had been received from adjacent property owners concerned about the sale of alcohol at this location. The applicant stated on his application that no alcohol would be served.

Mr. Tony Pham was present to speak on behalf of this request.

Ms. Mariah Watkins and Ms. Linda Mann spoke in opposition to this request citing their concerns relative to alcohol sales.

Following a discussion by the Commission, Chairman Sharpe called for the vote on the conditional use request. The conditional use request was approved by a vote of 8 in favor and 1 opposed (Newton), on the condition that alcohol will not be served or provided. It was also noted that the requirements for the conditional use must begin to be met within one (1) year of the Planning Commission's approval.

10. **Conditional Use #10-6-16; A request by Ron Brixey, agent for Ferguson Childcare, Inc., for a conditional use for a temple located at 5201 Virginia Avenue.**

Ms. Maggie Rice read the staff report indicating that the purpose of the conditional use request is to allow for an existing child care facility to be remodeled for a temple. It was noted that the site would add some additional parking to comply with the minimum number of parking spaces.

Ms. Rice stated that a neighborhood meeting was held on Wednesday, May 25, 2016, at 4611 Rogers Avenue at 4:30 p.m. with two (2) neighboring property owners attending the meeting with concerns relative to noise, hours of operation and traffic generation. Upon further discussion, these concerns were satisfied.

Mr. Ron Brixey was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Following a discussion by the Commission, Chairman Sharpe called for the vote on the conditional use request. The conditional use was approved by a vote of 9 in favor and 0 opposed, subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- The existing off-site sign located on Virginia Avenue is permitted to remain. Face changes shall be permitted. Other changes to the sign shall require Planning Commission and/or Board of Director approval.

11. Conditional Use #11-6-16; A request by Terry Burruss, agent for Joseph Meadows, for a conditional use for the construction of a deck to be utilized as an outdoor dining area located at 8302 Phoenix Avenue.

Ms. Maggie Rice read the staff report indicating that the purpose of the conditional use request is to allow for the construction of a deck on the north side of the existing restaurant building for outdoor dining that will seat thirty-six (36) people.

Mr. Terry Burruss was present to speak on behalf of this request.

No one was present to speak in opposition to the request.

Chairman Sharpe then called for the vote on the conditional use request. The conditional use request was approved by a vote of 9 in favor and 0 opposed, subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- Should music be provided, it shall be restricted to recorded music only. Live music is prohibited. The music must comply with the City of Fort Smith Noise Ordinance.

**RECESS PLANNING COMMISSION
RECONVENE BOARD OF ZONING ADJUSTMENT**

12. Variance #13-5-16; A request by Mickle-Wagner-Coleman, Inc., agent for Cuong Phan, Treasure Dairy, for a variance from 15 feet to 0 feet exterior side yard setback and from 45 feet to 53 feet maximum height of structure located at 415 South “C” Street. (tabled from May 10, 2016)

Ms. Brenda Andrews read the staff report indicating that the purpose of this variance request is to allow for the construction of a 30,000 gallon storage tank adjacent to an existing storage tank along South “C” Street. Ms. Andrews stated that the new tank would be 53 feet in height and approximately 9 feet in diameter and would be partially located within the street right-of-way. Ms. Andrews noted that on May 17, 2016, the City Board of Directors approved a temporary revocable license to allow the tank to occupy a portion of the right-of-way. Ms. Andrews also noted that this site is within the warehouse district of the Central Business Improvement and on May 10, 2016, the CBID recommended approval of this variance.

Mr. Nick Griffin was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe called for the vote on the variance request. The vote was 9 in favor and 0 opposed.

13. Variance #16-6-16; A request by Ricky Hill, agent for Connie Johnson, for a variance from 60 feet to 22 feet minimum lot width at building line located at 3415 North 23rd Street.

Ms. Brenda Andrews read the staff report indicating that the purpose of the variance request is to allow an unplatted lot with two (2) single family homes to be platted into two tracts. The proposed Tract 2 would be a “flagpole” lot with a portion of the lot measuring 22 feet in width.

Mr. Ricky Hill was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe called for the vote on the variance request. The variance was approved by a vote of 9 in favor and 0 opposed subject to the existing development and building locations.

14. Variance #19-6-16; A request by Chris Trager, agent for Cary Moore, for a variance from 50 square feet to 162 square feet cumulative total for all free standing signs located at 1600 North 50th Street.

Ms. Maggie Rice read the staff report indicating that the purpose of the variance request is to allow a second church on this site to construct a 64 square foot sign. Ms. Rice noted

that this section of building leased by the church does not front on a street so the signage is needed to direct people to the church.

Mr. Chris Trager was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe then called for the vote on the variance request. The variance was approved by a vote of 9 in favor and 0 opposed, subject to the following:

- A sign permit shall be obtained prior to the installation of the sign.
- The sign location shall be installed in accordance with the submitted site plan.
- The sign area is limited to 64 square feet or smaller.
- The sign shall not be illuminated.
- Signage shall comply with the Unified Development Ordinance for signage permitted in commercial zones. Should any digital face sign be installed, the digital face shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter. Documentation shall be provided to the City at time of permit issuance certifying the digital sign has been set to be incapable of exceeding .3 foot candles above ambient light. Each display on a digital face must have a light sensing device that will adjust the brightness as ambient light conditions change.

Meeting Adjourned!

SUBDIVISION COMMENTS

July 12, 2016

1. Providence Subdivision – Lots 1-68 – Preliminary Plat – Crafton Tull Engineers

Existing Zoning District: Residential Single Family Medium/High Density
(RS-3)

Land Uses: RS-3- to provide for medium-to-high density,
compact single family detached development on
new sites or as infill construction.

Proposed Land Uses: Single-family and duplex dwellings

At the time of preparing the staff report, Crafton-Tull has submitted the revised preliminary plat for the Providence subdivision. However, city staff is still reviewing the plat for compliance with the subdivision regulations. Pending staff review, we will have comments for the planning commission voting meeting.

SUBDIVISION COMMENTS
July 12, 2016

2. Stonebrook at Chaffee Crossing , Phases II – Final Plat - Brixey Engineering

Existing Zoning District:	Residential Single Family Medium/High Density (RS-3)
Land Use:	Provides locations for medium to high density detached development on new sites or as infill.
Proposed Use:	Single family homes.

On April 14, 2015, the planning commission approved the preliminary plat for Phase II on the condition that the perimeter landscaping for Phase I was complete prior to the filing of the plat for Stonebrook at Chaffee Crossing – Phase II.

To date, the entryway landscaping for Phase I is complete, but the perimeter landscaping is incomplete. A 20 foot wide landscaping buffer planted with 1 tree and 10 shrubs every 40 feet of street right-of-way frontage is required in order to comply with the Chaffee Crossing Master Development Guidelines.

Cary Smallwood, Managing Partner, with Carrington Creek Holdings, has requested an extension until August 19, 2016, for completing the perimeter landscaping, so that he can proceed with filing the plat for Phase II.

We recommend approval of the final plat with the following comment:

- 1) After all required approvals of the plat and the affixing of all required signatures on the original tracing and other copies and associated documents, the plat will be filed with the county recorder.
- 2) The perimeter landscaping for Stonebrook at Chaffee Crossing, Phase I shall be completed by August 19, 2016. No future phases will be considered if the landscaping is not completed by this date.



CURVE TABLE	CHORD DIRECTION	CHORD LENGTH	RADIUS
C1	S 88°55'15" W	34.98	25.00
C2	S 04°02'03" E	33.87	25.00
C3	S 36°10'11" W	8.10	525.00
C4	N 26°24'40" W	87.76	225.00
C5	N 193°86' W	189.04	250.00
C6	S 24°28'20" E	151.19	200.00
C7	S 47°15'39" E	35.35	25.00
C8	N 42°44'21" E	35.36	25.00

- NOTES:
- This plat prepared for the purpose of recording lots 18-24 & 31-43.
 - A 1/2" iron pin with a yellow cap stamped LS 988 will be set at each lot center.
 - All dimensions along curves are chord distances.
 - All lot return radii are 250.0' unless otherwise noted.



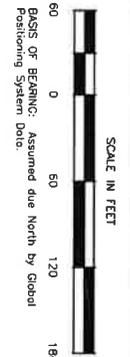
ROBERT ENGINEERING & LAND SURVEYING, INC. 2016
 1800 W. 10th Street, Suite 100, Fort Smith, AR 72916
 479-434-3949

STONEBROOK AT CHAFFEE CROSSING - PHASE II

AN ADDITION TO THE CITY OF FORT SMITH BEING A PART OF GOVERNMENT LOTS 1 & 2 OF THE SW/4 SECTION 6, TOWNSHIP 7 NORTH, RANGE 31 WEST SEBASTIAN COUNTY, ARKANSAS

OWNER & DEVELOPER
 CARRINGTON CREEK HOMES, LLC
 P.O. BOX 10176
 Fort Smith AR 72916
 479-434-3949

JULY 2016
 Bitkey Engineering & Land Surveying, Inc.
 205 West 11th St., Suite 100, Fort Smith, AR 72901



PLANNING COMMISSION APPROVAL
 Chairman _____ Date _____
 Secretary _____

ALLOTTERS:
 Cory Smallwood, Managing Partner

STATE OF ARKANSAS
 COUNTY OF SEBASTIAN
 Sworn to and subscribed before me this day _____
 Notary Public _____
 My Commission Expires _____

FILED FOR RECORD this _____ day of _____
 20____ at _____ o'clock _____ m _____
 Clerk and Ex. Officer Recorder

CERTIFIED CORRECT:



Ronald N. Binney
 Registered Professional Engineer
 Arkansas Reg. No. 4456

Ronald N. Binney
 Registered Land Surveyor
 Arkansas Reg. No. 988

DEDICATION

The right-of-way, as shown on this plat, is hereby dedicated to the City of Fort Smith, Arkansas, for the purpose of utility, drainage, access and other purposes. Any easement designated as a utility easement is dedicated to the City for utility and utilities, including cable TV, operated by utility companies having a franchise agreement with the City. The City and City designated easements for their personnel and equipment at all times for the purpose of performing their duties. The City shall have the right to install, maintain, and operate such utilities. In the event that fencing of individual lots is desired, gates that provide free ingress and egress to, and within, the dedicated easement shall be provided.

SURVEY DESCRIPTION - PAGES 2

Port of Government Lots 1 and 2 of the Southwest Quarter (SW/4) of Section 6, Township 7 North, Range 31 West, Sebastian County, Arkansas, being more particularly described as follows:
 Commencing at an existing iron pin being the Northeast corner of said Government Lot 1 of the SW/4; thence N 87°24'19" W, 2016.10 feet along the North line of said Government Lot 1; thence S 02°15'25" E, 819.80 feet to the Point of Beginning; thence N 87°44'35" E, 100.00 feet; thence S 46°40'48" E, 305.58 feet to the Northeast corner of Lot 30; thence S 44°31'17" W, 125.55 feet; thence along said right-of-way 36.75 feet along the Arc of a curve to the right being a chord bearing S 09°02'03" E, 33.87 feet and radius of 25.00 feet; thence S 42°22'22" W, 50.01 feet; thence 37.22 feet along the Arc of a curve to the right being a chord bearing S 04°02'03" E, 33.87 feet and radius of 25.00 feet; thence S 37°24'40" W, 107.58 feet to the Northeast corner of Lot 30; thence along said right-of-way line S 37°24'40" W, 107.58 feet to the Northeast corner of Lot 30; thence along the center of Lot 25 Stonerbrook at Chaffee Crossing Phase I; thence N 48°41'43" W, 430.21 feet to the Northern most corner of Lot 25 Stonerbrook at Chaffee Crossing Phase I; thence S 43°18'17" W, 151.19 feet along the center of Lot 25 Stonerbrook at Chaffee Crossing Phase I; thence along said right-of-way line S 43°18'17" W, 151.19 feet to the Northeast corner of Lot 17 Stonerbrook at Chaffee Crossing Phase I; thence N 02°15'25" W, 280.00 feet to the point of Beginning, containing approximately 61 acres.



Carrington Creek

P.O. Box 10176, Fort Smith, Arkansas 72917

479.434.3949 fax 479.434.5442

Brenda Andrews
City Of Fort Smith
Planning Division
479-784-2219

7/8/2016

Brenda,

Carrington Creek is requesting an extension for completion of the perimeter landscaping at the entrance to the StoneBrook Subdivision. We will be installing irrigation, trees, and shrubs the week of July 11, 2016 and will most likely be done by the week of July 22, 2016. Please extend our construction time to August 19, 2016 just in case there are delays with the construction. We do not anticipate delays but it is always possible.

Regards,

Cary Smallwood
Arkansas General Contractor
Lic# 018815

Managing Partner

20



GRAPHIC SCALE IN FEET



LOT NO.	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENTAGE OF TOTAL AREA
1	12,345	282	0.03
2	12,345	282	0.03
3	12,345	282	0.03
4	12,345	282	0.03
5	12,345	282	0.03
6	12,345	282	0.03
7	12,345	282	0.03
8	12,345	282	0.03
9	12,345	282	0.03
10	12,345	282	0.03
11	12,345	282	0.03
12	12,345	282	0.03
13	12,345	282	0.03
14	12,345	282	0.03
15	12,345	282	0.03
16	12,345	282	0.03
17	12,345	282	0.03
18	12,345	282	0.03
19	12,345	282	0.03
20	12,345	282	0.03
21	12,345	282	0.03
22	12,345	282	0.03
23	12,345	282	0.03
24	12,345	282	0.03
25	12,345	282	0.03
26	12,345	282	0.03
27	12,345	282	0.03
28	12,345	282	0.03
29	12,345	282	0.03
30	12,345	282	0.03
31	12,345	282	0.03
32	12,345	282	0.03
33	12,345	282	0.03
34	12,345	282	0.03
35	12,345	282	0.03
36	12,345	282	0.03
37	12,345	282	0.03
38	12,345	282	0.03
39	12,345	282	0.03
40	12,345	282	0.03
41	12,345	282	0.03
42	12,345	282	0.03
43	12,345	282	0.03
44	12,345	282	0.03
45	12,345	282	0.03
46	12,345	282	0.03
47	12,345	282	0.03
48	12,345	282	0.03
49	12,345	282	0.03
50	12,345	282	0.03
51	12,345	282	0.03
52	12,345	282	0.03
53	12,345	282	0.03
54	12,345	282	0.03
55	12,345	282	0.03
56	12,345	282	0.03
57	12,345	282	0.03
58	12,345	282	0.03
59	12,345	282	0.03
60	12,345	282	0.03
61	12,345	282	0.03
62	12,345	282	0.03
63	12,345	282	0.03
64	12,345	282	0.03
65	12,345	282	0.03
66	12,345	282	0.03
67	12,345	282	0.03
68	12,345	282	0.03
69	12,345	282	0.03
70	12,345	282	0.03
71	12,345	282	0.03
72	12,345	282	0.03
73	12,345	282	0.03
74	12,345	282	0.03
75	12,345	282	0.03
76	12,345	282	0.03
77	12,345	282	0.03
78	12,345	282	0.03
79	12,345	282	0.03
80	12,345	282	0.03

PHASE II

LOT NO.	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENTAGE OF TOTAL AREA
71	12,345	282	0.03
72	12,345	282	0.03
73	12,345	282	0.03
74	12,345	282	0.03
75	12,345	282	0.03
76	12,345	282	0.03
77	12,345	282	0.03
78	12,345	282	0.03
79	12,345	282	0.03
80	12,345	282	0.03

LOT NO.	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENTAGE OF TOTAL AREA
1	12,345	282	0.03
2	12,345	282	0.03
3	12,345	282	0.03
4	12,345	282	0.03
5	12,345	282	0.03
6	12,345	282	0.03
7	12,345	282	0.03
8	12,345	282	0.03
9	12,345	282	0.03
10	12,345	282	0.03
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12	12,345	282	0.03
13	12,345	282	0.03
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15	12,345	282	0.03
16	12,345	282	0.03
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18	12,345	282	0.03
19	12,345	282	0.03
20	12,345	282	0.03
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22	12,345	282	0.03
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27	12,345	282	0.03
28	12,345	282	0.03
29	12,345	282	0.03
30	12,345	282	0.03
31	12,345	282	0.03
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37	12,345	282	0.03
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41	12,345	282	0.03
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44	12,345	282	0.03
45	12,345	282	0.03
46	12,345	282	0.03
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48	12,345	282	0.03
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67	12,345	282	0.03
68	12,345	282	0.03
69	12,345	282	0.03
70	12,345	282	0.03

RELATIONS TABLE

SECTION	PROJECT	DATE	BY	CHKD.	APP.
1	1	1/1/20	J. SPARKS	J. SPARKS	J. SPARKS
2	2	2/1/20	J. SPARKS	J. SPARKS	J. SPARKS
3	3	3/1/20	J. SPARKS	J. SPARKS	J. SPARKS
4	4	4/1/20	J. SPARKS	J. SPARKS	J. SPARKS
5	5	5/1/20	J. SPARKS	J. SPARKS	J. SPARKS
6	6	6/1/20	J. SPARKS	J. SPARKS	J. SPARKS
7	7	7/1/20	J. SPARKS	J. SPARKS	J. SPARKS
8	8	8/1/20	J. SPARKS	J. SPARKS	J. SPARKS
9	9	9/1/20	J. SPARKS	J. SPARKS	J. SPARKS
10	10	10/1/20	J. SPARKS	J. SPARKS	J. SPARKS
11	11	11/1/20	J. SPARKS	J. SPARKS	J. SPARKS
12	12	12/1/20	J. SPARKS	J. SPARKS	J. SPARKS
13	13	1/1/21	J. SPARKS	J. SPARKS	J. SPARKS
14	14	2/1/21	J. SPARKS	J. SPARKS	J. SPARKS
15	15	3/1/21	J. SPARKS	J. SPARKS	J. SPARKS
16	16	4/1/21	J. SPARKS	J. SPARKS	J. SPARKS
17	17	5/1/21	J. SPARKS	J. SPARKS	J. SPARKS
18	18	6/1/21	J. SPARKS	J. SPARKS	J. SPARKS
19	19	7/1/21	J. SPARKS	J. SPARKS	J. SPARKS
20	20	8/1/21	J. SPARKS	J. SPARKS	J. SPARKS
21	21	9/1/21	J. SPARKS	J. SPARKS	J. SPARKS
22	22	10/1/21	J. SPARKS	J. SPARKS	J. SPARKS
23	23	11/1/21	J. SPARKS	J. SPARKS	J. SPARKS
24	24	12/1/21	J. SPARKS	J. SPARKS	J. SPARKS
25	25	1/1/22	J. SPARKS	J. SPARKS	J. SPARKS
26	26	2/1/22	J. SPARKS	J. SPARKS	J. SPARKS
27	27	3/1/22	J. SPARKS	J. SPARKS	J. SPARKS
28	28	4/1/22	J. SPARKS	J. SPARKS	J. SPARKS
29	29	5/1/22	J. SPARKS	J. SPARKS	J. SPARKS
30	30	6/1/22	J. SPARKS	J. SPARKS	J. SPARKS
31	31	7/1/22	J. SPARKS	J. SPARKS	J. SPARKS
32	32	8/1/22	J. SPARKS	J. SPARKS	J. SPARKS
33	33	9/1/22	J. SPARKS	J. SPARKS	J. SPARKS
34	34	10/1/22	J. SPARKS	J. SPARKS	J. SPARKS
35	35	11/1/22	J. SPARKS	J. SPARKS	J. SPARKS
36	36	12/1/22	J. SPARKS	J. SPARKS	J. SPARKS
37	37	1/1/23	J. SPARKS	J. SPARKS	J. SPARKS
38	38	2/1/23	J. SPARKS	J. SPARKS	J. SPARKS
39	39	3/1/23	J. SPARKS	J. SPARKS	J. SPARKS
40	40	4/1/23	J. SPARKS	J. SPARKS	J. SPARKS
41	41	5/1/23	J. SPARKS	J. SPARKS	J. SPARKS
42	42	6/1/23	J. SPARKS	J. SPARKS	J. SPARKS
43	43	7/1/23	J. SPARKS	J. SPARKS	J. SPARKS
44	44	8/1/23	J. SPARKS	J. SPARKS	J. SPARKS
45	45	9/1/23	J. SPARKS	J. SPARKS	J. SPARKS
46	46	10/1/23	J. SPARKS	J. SPARKS	J. SPARKS
47	47	11/1/23	J. SPARKS	J. SPARKS	J. SPARKS
48	48	12/1/23	J. SPARKS	J. SPARKS	J. SPARKS
49	49	1/1/24	J. SPARKS	J. SPARKS	J. SPARKS
50	50	2/1/24	J. SPARKS	J. SPARKS	J. SPARKS
51	51	3/1/24	J. SPARKS	J. SPARKS	J. SPARKS
52	52	4/1/24	J. SPARKS	J. SPARKS	J. SPARKS
53	53	5/1/24	J. SPARKS	J. SPARKS	J. SPARKS
54	54	6/1/24	J. SPARKS	J. SPARKS	J. SPARKS
55	55	7/1/24	J. SPARKS	J. SPARKS	J. SPARKS
56	56	8/1/24	J. SPARKS	J. SPARKS	J. SPARKS
57	57	9/1/24	J. SPARKS	J. SPARKS	J. SPARKS
58	58	10/1/24	J. SPARKS	J. SPARKS	J. SPARKS
59	59	11/1/24	J. SPARKS	J. SPARKS	J. SPARKS
60	60	12/1/24	J. SPARKS	J. SPARKS	J. SPARKS
61	61	1/1/25	J. SPARKS	J. SPARKS	J. SPARKS
62	62	2/1/25	J. SPARKS	J. SPARKS	J. SPARKS
63	63	3/1/25	J. SPARKS	J. SPARKS	J. SPARKS
64	64	4/1/25	J. SPARKS	J. SPARKS	J. SPARKS
65	65	5/1/25	J. SPARKS	J. SPARKS	J. SPARKS
66	66	6/1/25	J. SPARKS	J. SPARKS	J. SPARKS
67	67	7/1/25	J. SPARKS	J. SPARKS	J. SPARKS
68	68	8/1/25	J. SPARKS	J. SPARKS	J. SPARKS
69	69	9/1/25	J. SPARKS	J. SPARKS	J. SPARKS
70	70	10/1/25	J. SPARKS	J. SPARKS	J. SPARKS
71	71	11/1/25	J. SPARKS	J. SPARKS	J. SPARKS
72	72	12/1/25	J. SPARKS	J. SPARKS	J. SPARKS
73	73	1/1/26	J. SPARKS	J. SPARKS	J. SPARKS
74	74	2/1/26	J. SPARKS	J. SPARKS	J. SPARKS
75	75	3/1/26	J. SPARKS	J. SPARKS	J. SPARKS
76	76	4/1/26	J. SPARKS	J. SPARKS	J. SPARKS
77	77	5/1/26	J.		

Memo

To: City Planning Commission

From: Planning Staff

Date: June 28, 2016

Re: Rezoning #14-7-16 - A request by Linsey Yates/Brian Means, agents, for Planning Commission consideration of a rezoning request from Residential Single Family Duplex Low/Medium Density (RSD-2) and Transitional (T) to Residential Single Family High Density (RS-4) and Residential Single Family Medium/High Density (RS-3) by classification and extension at Block 3, Lots 1-18 and Block 2, Lots 3-7 Hendricks Hill Addition No. 1, Lots 1-4 Hendricks Hills No 3, Block 5 Lots 4-6 and 10-11, Block 2 lots 1-5.5 , Block 3 lots 2-12, and Block 4 1-17 Hendricks Hills. The zoning request location is 1535 South 37th Street; 1532, 1523, 1519, 1515, 1511, 1509, 1507, 1503, 1415 and 1411 Hendricks Boulevard; 3909, 3911, and 3915 South "N" Street and 1404, 1405, 1408, 1409, 1414, 1415, 1500, 1505, 1508, 1510, 1515, 1516, 1517, 1520, 1521, 1525, 1529, 1530, 1531, 1532 and 1533 South 40th Street. Requested by Linsey Yates and Brian Means.

PROPOSED ZONING

The purpose of the rezoning request is to eliminate the possibility of future duplexes in the subdivision by requesting a zoning district that allows single-family residential only. The applicants wish to maintain a single-family atmosphere for the neighborhood.

LOT LOCATION AND SIZE

The subject property is located on the east and west side of Hendricks Boulevard south of Rogers Avenue and North of South O Street, on the east and west sides of South 40th Street between Wicklow Drive and South O Street. Please refer to the attached maps. The tract contains an approximate area 16 acres with frontages along Hendricks Blvd, South O Street, South 40th Street, South N Street, and Wicklow Drive.

REQUESTED ZONING

The proposed zoning on this tract is Residential Single Family High Density (RS-4) and Residential Single Family Medium/High Density (RS-3).

Characteristics of the (RS-4) zone are as follows:

Purpose:

To provide very dense single family detached housing as either new or infill development. The RS-4 zoning district is appropriate in higher density residential areas near the downtown, in mixed use/density areas, and as a transitional buffer zone between lower density residential development and multifamily or commercial uses. The RS-4 zoning district corresponds to the Residential Detached, Mixed Use Residential, and Mixed Use Employment category of the Master Land Use Plan.

Permitted Uses:

Single-family dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 5,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Density – 8.7 Dwelling Units/Acre	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 50 feet	
Minimum Street Frontage – 20 feet	
Front Yard Setback - 20 feet	
Side Yard on Street Side of Corner Lot - 20 feet	
Side Yard Setback – 5 feet	
Rear Yard Setback - 10 feet	
Minimum building separation – 10 feet	

Characteristics of the (RS-3) zone are as follows:

The requested zoning on this tract is Residential Single Family Medium/High Density (RS-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium-to-high density, compact single family detached development on new sites or as infill construction. Adequate public services and facilities shall be available with sufficient capacity to serve the proposed development. This zoning district is intended to serve as a transition between the lower density single family districts and the multifamily of commercial districts. RS-3 zoning as appropriate in urban and suburban areas and primarily applies to the Residential Detached, Mixed Use Residential, and Mixed Use Employment category of the Master Land Use Plan.

Permitted Uses:

Single-family dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 6,500 square feet

Maximum Height - 35 feet (1+1)

Maximum Density – 6.7 Dwelling Units/Acre

Maximum Lot Coverage - 60%

Minimum Lot Width at Building Line – 60 feet

Minimum Street Frontage – 20 feet

Front Yard Setback - 25 feet

Side Yard on Street Side of Corner Lot - 25 feet

Side Yard Setback – 7.5 feet

Rear Yard Setback - 10 feet

Minimum building separation – 10 feet

EXISTING ZONING

The existing zoning on most of the tracts is Residential Single Family – Duplex Low/Medium Density (RSD-2). One small section on the north side of the rezoning is zoned Transitional (T) *Characteristics of the RSD-2 zone are as follows:*

Purpose:

To provide for attached and detached homes in low-to-medium density neighborhoods where adequate public services and facilities are available. The RSD-2 zoning district is appropriate in suburban areas and primarily applies to the Residential Attached, Mixed Use Residential, and Mixed Use Employment category of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 10,500 square feet	Maximum Height - 35 feet (1+1)
Maximum Density – 4 Dwelling Units/Acre	Maximum Lot Coverage - 50%
Minimum Lot Width at Building Line – 75 feet	
Minimum Street Frontage – 50 feet	
Front Yard Setback - 30 feet	
Side Yard on Street Side of Corner Lot - 30 feet	
Side Yard Setback – 7.5 feet	
Rear Yard Setback - 10 feet	
Minimum building separation – 10 feet	

The existing zoning on the small portion of the north tract is Transitional (T).

Characteristics of the T zone are as follows:

Purpose:

To provide small scale areas for limited office, professional service, and medical services designed in scale with surrounding residential uses. The transitional zoning district applies to the Residential Attached, Institutional, Neighborhood Commercial and General Commercial categories of the Master Land Use Plan.

Permitted Uses:

Single family detached, duplexes, family group home, retirement housing, bridal shop, banking establishments and offices are examples of permitted uses.

Conditional Uses:

Assisted living, bed & breakfast inn, utility substation, country club, park or playground, college, library, primary and secondary school, business professional schools, fire and rescue station, emergency response station, police substation, diagnostic laboratory testing facility, hospital, daycare homes, substance abuse treatment facility, senior citizen center and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 5,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Lot Size – 40,000 square feet	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 50 feet	
Minimum Street Frontage – 50 feet	
Front Yard Setback - 20 feet	
Side Yard on Street Side of Corner Lot - 20 feet	
Side Yard Setback – 5 feet	
Rear Yard Setback - 10 feet	
Minimum building separation – 10 feet (residential), non residential to be determined by current City building and fire code.	

SURROUNDING ZONING AND LAND USE

The area to the west is zoned Residential Single Family Medium Density (RS-2) and is developed as single family residences.

The area to the east is zoned Commercial Light (C-2) and is developed as a multifamily developed and light commercial businesses.

The areas to the north are zoned Residential Single Family – Duplex Low/Medium Density (RSD-2) and developed as duplexes, Commercial Light/Transitional and developed as light commercial offices.

The area to the south is zoned Residential Single Family – Duplex Low/Medium Density (RSD-2) and developed as single family residences. Some portion to the south are zoned (RS-4) and are developed as single family residences (Morningside Addition) which was a previous neighborhood rezoning.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Hendricks Boulevard as Residential Collector and all the other streets associated with the rezoning as Local Roads.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Detached. This classification is to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Tuesday June 28, 2016 at 5:30 P.M., at the Fort Smith Public Library. Approximately 16 property owners attended the meeting. The meeting attendees were in support of the rezoning and a copy of the attendance record and meeting summary are enclosed.

STAFF COMMENTS AND RECOMMENDATIONS

This neighborhood is requesting their zoning reflect how the area has developed. There are 46 single family homes included in the proposed rezoning area. The proposed area does not include any duplex or multifamily developments. Of the 46 properties, 35 people signed the authorization of agent forms allowing Ms. Yates and Mr. Means to submit the application on their behalf.

Section 27-330-2 of the Unified Development Ordinances states the following regarding who can initiate a rezoning request: *An application for a conventional rezoning request may be initiated by the Board of Directors, Planning Commission, property owners(s) or the owner's agent, or upon application of any interested property within the area proposed to be rezoned.*

We have also provided a 1978 legal opinion by the city's attorney, Jerry Canfield regarding this matter. In this opinion, Mr. Canfield's opinion is that an "interested property owner" within the area proposed for a change may propose a change. In Mr. Canfield's opinion the interested

property owner does not require actual ownership of the entire area. We have also enclosed an earlier legal opinion dated 1972 in which Mr. Canfield has the same opinion.

Based on the requested rezoning's compliance with the area's land use classification of Residential Detached and the fact that the neighborhood is comprised of single family housing, staff recommends approval of the request.

Miller, Perry

From: bpmeans@aol.com
Sent: Tuesday, June 28, 2016 8:49 PM
To: Miller, Perry; leyates1@aol.com
Subject: Zoning #14-7-16
Attachments: Zoning #14-7-16.pdf

Tyler,
Thanks again for showing up and answering the zoning questions..
Minutes and Sign in sheet attached..Let me know if I need to change anything up.

Thanks Linsey

Brian Means
By All Means Medical
479-883-1256

**Minutes for Neighborhood meeting concerning rezoning #14-7-16 from RSD2 to
RS3/RS4 and T to RS3**

Azalea Room Creekmore Park Community center

June 28, 2016 5:30 pm

Approximately 14-16 people were in attendance. A copy of the sign in sheet is attached.

Linsey Yates and Brian Means initiated Neighborhood Meeting explaining what the letters that were sent from them and the City of Ft Smith meant. Also reviewing the changes to the zoning.

A map of the area effected by the zoning changes was distributed and discussed with no questions or concerns being raised.

The issue of rezoning RSD2 to RS3/RS4 were raised and addressed

- The question of duplex vs garage apartment and the effect that rezoning would have on future building implications
- The actual definitions of RS3 and RS4 as determined by the City of Fort Smith Planning Department were explained.

All parties that were present understood what the changes meant and were in favor for the change in zoning from RSD2 to RS3/4.

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location Azalea Room @ Creeksmore

Meeting Time & Date June 28th 2010 @ 5-30

Meeting Purpose Renovating

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.	JAMES CAMPBELL	1535 So. 37th	479-651-6536
2.	DENNIS RUPP	1601 HENDRICKS	6517465
3.	Paul W. Williams	1404 Hendricks	782-7120
4.	Decky Yates	8310 Rosewood	484 0074
5.	Ronnie Yates	" " "	" "
6.	MICHAEL FARRELL	1523 HENDRICKS Blvd	479-983-4838
7.	Christa Means	1525 S 37th St	479-651-8764
8.	Stacey Grubb / Erin McCarroll	1519 Hendricks Blvd	414-2361
9.	Judy Cowder	1415 So. 36th St.	482-4112
10.	Mary Kay	1507 S. 40th St.	479-783-0342
11.	Tyler Miller	City of Fort Smith	784-2241
12.	Lana Finell	1523 Hendricks Blvd	783-4838
	Plant Shirley Cook	1409 South 40th	783-5846

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

- 1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

SEE ATTACHED

- 2. Address of property:

SEE ATTACHED
Accessor Information

- 3. The above described property is now zoned:

RSD-2 1/2 T

- 4. Application is hereby made to change the zoning classification of the above described property to

RS-3
RS-4

by *Extension of Classification*
(Extension or classification)

- 5. Why is the zoning change requested?

The majority of current Home owners do not wish new duplex to be constructed due to drainage & parking, etc

- 6. Submit any proposed development plans that might help explain the reason for the request.

N/A

Brian Adams

Signed:

[Signature]
Owner

[Signature]
Owner or Agent Name
(please print)

*1516 Hendrick Blvd
Ft Smith AR 72903*
Owner or Agent Mailing Address

*1525 S 37th
Ft Smith AR 72903*

[Signature]
Agent

(479) 883-9370
Owner or Agent Phone Number

AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize Brian Manganlin to act as our agent in the matter.
(Print Name of Agent) YATS

(Type or clearly print)

NAMES OF ALL OWNERS.

1. Kim + Don Brown

2. ↳

3. TARA Nicely

4. Brian Nicely

5. Landy Wedghe

6. James Campbell

7. _____

8. _____

9. _____

10. _____

SIGNATURE OF ALL OWNERS.

Kim + Don Brown

Tara Nicely

Brian Nicely

Landy Wedghe

James Campbell

This form is necessary only when the person representing this request does not own all property.

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize Linsey YATES / Brian Manno to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

NAMES OF ALL OWNERS.

SIGNATURE OF ALL OWNERS.

- | | |
|------------------------------|---------------------------|
| 1. <u>Linsey YATES</u> | <u>Linsey YATES</u> |
| 2. <u>MARIE - Technowst</u> | <u>Marie Technowst</u> |
| 3. <u>Bennie B. Westphal</u> | <u>Bennie B. Westphal</u> |
| 4. <u>BRYAN Dobbins</u> | <u>Bryan Dobbins</u> |
| 5. <u>Ashley Hout</u> | <u>Ashley Hout</u> |
| 6. <u>Lydia Dobbins</u> | <u>Lydia Dobbins</u> |
| 7. <u>Justin E. Hout</u> | <u>Justin E. Hout</u> |
| 8. <u>John W. Mullins</u> | <u>John W. Mullins</u> |
| 9. <u>Sonyal Mullins</u> | <u>Sonyal Mullins</u> |
| 10. <u>John Cook</u> | <u>John Cook</u> |

This form is necessary only when the person representing this request does not own all property.

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize Brian Means/Lindsey Yates to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

NAMES OF ALL OWNERS.

SIGNATURE OF ALL OWNERS.

1. Shirley Cook
2. Phillip S. Core
3. MARY CORE
4. MARTHA JEAN MASK
5. Carey Thompson
6. GROVER R. HARPER
7. Janet D Harper
8. Angela Rains
9. Sud + Leslie Martin
10. Caroline K. Whitby

- SHIRLEY Cook
- Phillip S. Core
- Mary Core
- Martha Jean Mask
- Carey Thompson
- Grover R. Harper
- Janet D Harper
- Angela Rains
- Leslie Martin Sud Martin
- Caroline K. Whitby

This form is necessary only when the person representing this request does not own all property.

3M

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize Linsay Yates / Brian Moore to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

NAMES OF ALL OWNERS.

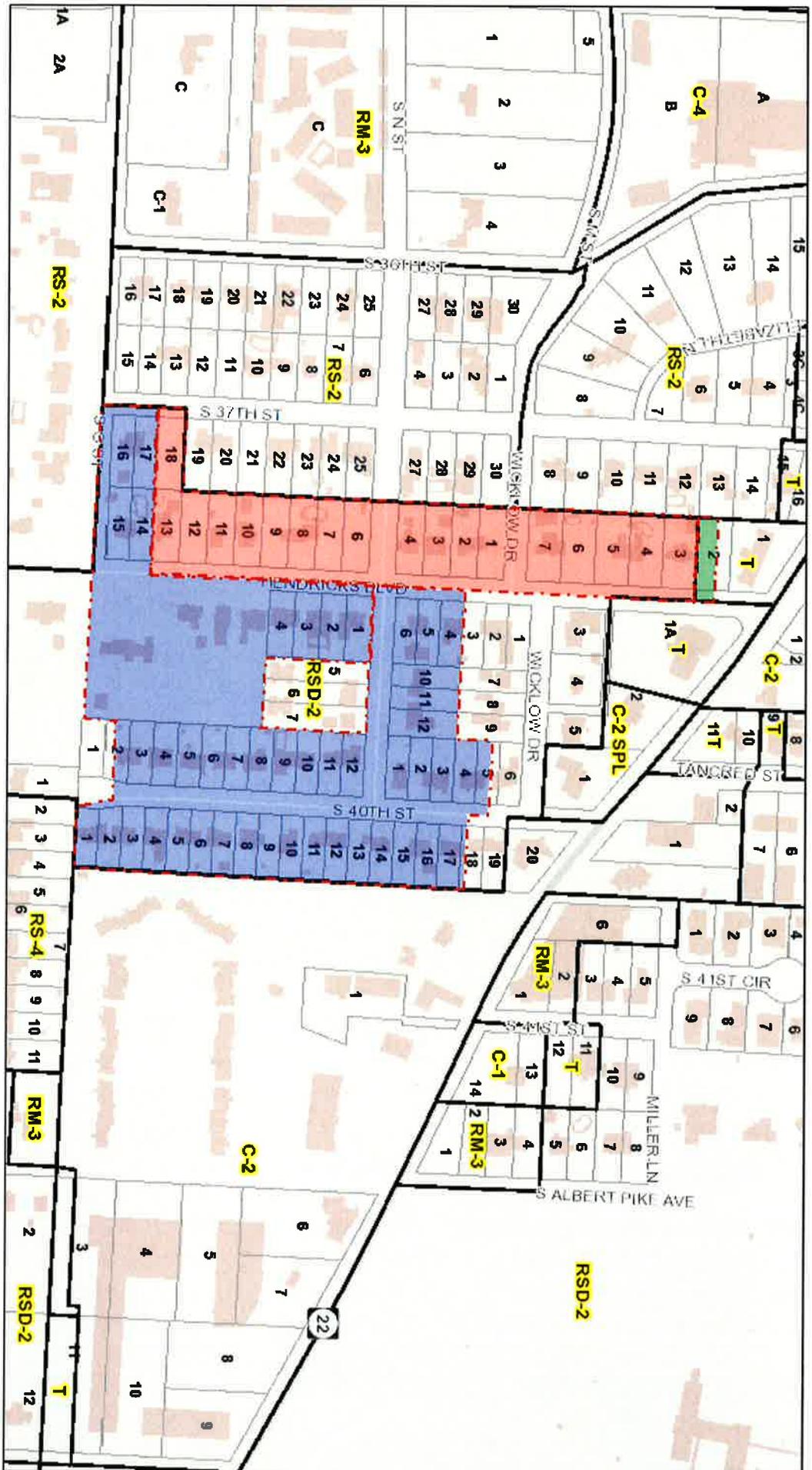
SIGNATURE OF ALL OWNERS.

1. STACEY GRUBB
2. Erin McCarroll
3. GARRY PEEVY
4. Toby Ross
5. Jennifer Ross
6. Stephen Ware
7. Julian E. Castro
8. Clarissa McGrew
9. Sam McGrew
10. [Signature]

1. [Signature]
2. [Signature]
3. [Signature]
4. [Signature]
5. [Signature]
6. [Signature]
7. [Signature]
8. [Signature]
9. [Signature]
10. [Signature]

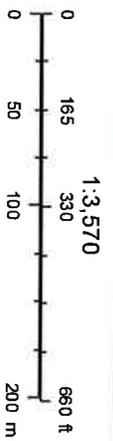
This form is necessary only when the person representing this request does not own all property.

Rezoning #14-7-16: from RSD-2 to RS-3 (red), from RSD-2 to RS-4 (blue) & from T to RS-3 (green)



June 23, 2016

- Fort Smith City Limits
- Building Footprints
- Parks
- Zoning
- Subdivisions

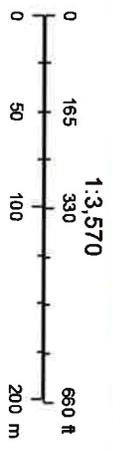


Rezoning #14-7-16: from RSD-2 to RS-3 (red), from RSD-2 to RS-4 (blue) & from T to RS-3 (green)



June 23, 2016

- Fort Smith City Limits
- Parks
- Zoning
- Subdivisions



Memo

To: City Planning Commission

From: Planning Staff

Date: June 27, 2016

Re: Rezoning #15-7-16 - A request by J.D. Sagely, owner, for Planning Commission consideration of a zone request from Commercial Heavy (C-5) to Transitional (T) by extension at 1208 & 1216 Mesa Drive

PROPOSED ZONING

The approval of this rezoning will allow for the sale of these properties and the development of a duplex on each lot.

LOT LOCATION AND SIZE

The subject property is on the south side of Mesa Drive just east of US Highway 271. The tract contains an area of 0.67 acres with approximately 194 feet of street frontage along Mesa Drive.

REQUESTED ZONING

The requested zoning on this tract is Transitional (T).
Characteristics of this zone are as follows:

Purpose:

To provide small scale areas for limited office, professional service, and medical services designed in scale with surrounding residential uses. The transitional zoning district applies to the Residential Attached, Institutional, Neighborhood Commercial and General Commercial categories of the Master Land Use Plan.

Permitted Uses:

Single family detached, duplexes, family group home, retirement housing, bridal shop, banking establishments and offices are examples of permitted uses.

Conditional Uses:

Assisted living, bed & breakfast inn, utility substation, country club, park or playground, college, library, primary and secondary school, business professional schools, fire and rescue station, emergency response station, police substation, diagnostic laboratory testing facility, hospital,

daycare homes, substance abuse treatment facility, senior citizen center and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 5,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Lot Size – 40,000 square feet	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 50 feet	
Minimum Street Frontage – 50 feet	
Front Yard Setback - 20 feet	
Side Yard on Street Side of Corner Lot - 20 feet	
Side Yard Setback – 5 feet	
Rear Yard Setback - 10 feet	
Minimum building separation – 10 feet (residential), non residential to be determined by current City building and fire code.	

EXISTING ZONING

The existing zoning on this tract is Commercial Heavy (C-5). Characteristics of this zone are as follows:

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 14,000 square feet	Maximum Height - 45 feet (1+1)
	Maximum Lot Coverage - 75%
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres	
	Existing District (By Extension) – 14,000 square feet
Minimum Lot Width – 100 feet	
Front Yard Setback - 25 feet	

4B

Side Yard on Street Side of Corner Lot - 15 feet
Side Yard Setback – 20 feet
Rear Yard Setback - 20 feet
Side/Rear (adjoining SF Residential District/Development) – 30 feet
Minimum building separation – to be determined by current City building and fire code.
Required street access – Minor Arterial or higher

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Commercial Heavy (C-5) and is developed as apartments.
The area to the east is zoned Commercial Heavy (C-5) and is developed as a duplex.
The area to the south is zoned Commercial Heavy (C-5) and Transitional (T) and is developed as a retail business and a duplex.
The area to the west is zoned Commercial Heavy (C-5) and is developed as a convenience store.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Mesa Drive as a Local Road.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as General Commercial and Residential Attached. This classification is to provide opportunities for business transactions and activities, and meet the consumer needs of the community and to provide for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Monday, June 27, 2016 at 4611 Rogers Avenue.
There were no neighboring property owners in attendance.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the application.

4C

Petition For Change in Zoning Map

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owners(s) or agent for the owners(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

- 1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows:

Lots 2 & 3, South Haven No. 2 Annex, an addition to the City of Fort Smith, arkansas

- 2. Address of properties: **1208 & 1216 Mesa Drive.**
- 3. The above described property is now zoned: **C-5**
- 4. Application is hereby made to change the zoning classification of the above described property to **T-1, Transitional.**
- 5. Why is the zoning change requested? **To allow for the construction of duplexs. This is in conformity with the neighborhood.**
- 6. Submit any proposed development plans that might help explain the reason for the request.

William H. Edwards

Owner (Print)

Nancy S. Edwards

Owner (Print)

1908 Massard Road

Fort Smith, AR 72903

Owner Mailing Address

479-452-3217

Owner PhoneNumber

(Signed)

William H. Edwards
Nancy S. Edwards

John D. Sagely, Jr.

Owner (Print)

Judy R. Sagely

Owner (Print)

1102 Wofford Lake Road

Fort Smith, AR 72916

Owner Mailing Address

479-650-2751

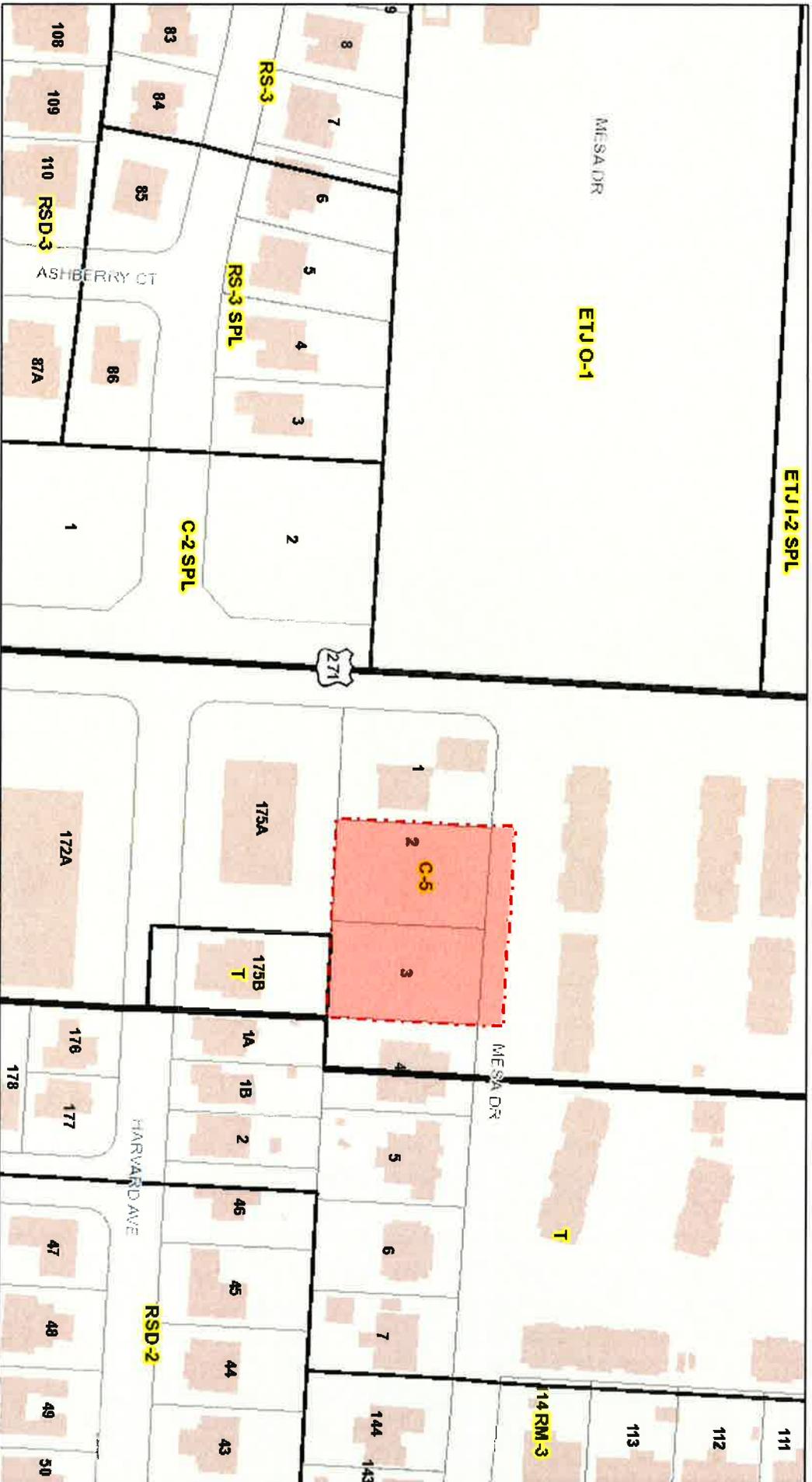
Owner Phone Number

(Signed)

John D. Sagely, Jr.
Judy R. Sagely

Rezoning #15-7-16: From Commercial Heavy (C-5) to Transitional (T) 1208 & 1216 Mesa Drive

4
5



June 21, 2016

- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions



Memo

To: City Planning Commission

From: Planning Staff

Date: June 28, 2016

Re: Rezoning #16-7-16 - A request by Joshua Carson, agent for Sam Glen Properties, for Planning Commission consideration of a rezoning request from Commercial Heavy (C-5) to Residential Single Family Medium Density (RS-2) by extension at 5900 South 92nd Street

PROPOSED ZONING

Approval of the rezoning will allow the property owner to convert the existing building and property into a residential single family dwelling unit.

LOT LOCATION AND SIZE

The subject property is on the west side of South 92nd Street between South Zero Street and Canopy Oaks Drive. The tract contains an area of 1.84 acres with approximately 400 feet of street frontage along South 92nd Street.

REQUESTED ZONING

The requested zoning on this tract is Residential Single Family Medium Density (RS-2). Characteristics of this zone are as follows:

Purpose:

To provide for detached homes in low-to-medium density single family neighborhoods where adequate public services and facilities are available. The RS-2 zoning district is appropriate in suburban areas and primarily applies to the Residential Detached, Mixed Use Residential, and Mixed Use Employment category of the Master Land Use Plan.

Permitted Uses:

Single-family dwellings and family group homes are examples of permitted uses.

5A

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 10,500 square feet

Maximum Height - 35 feet (1+1)

Maximum Density – 4 Dwelling Units/Acre

Maximum Lot Coverage - 50%

Minimum Lot Width at Building Line – 75 feet

Minimum Street Frontage – 50 feet

Front Yard Setback - 30 feet

Side Yard on Street Side of Corner Lot - 30 feet

Side Yard Setback – 7.5 feet

Rear Yard Setback - 10 feet

Minimum building separation – 10 feet

EXISTING ZONING

The existing zoning on this tract is Commercial Heavy (C-5). Characteristics of this zone are as follows:

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 14,000 square feet
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
Existing District (By Extension) – 14,000 square feet
Minimum Lot Width – 100 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 15 feet
Side Yard Setback – 20 feet
Rear Yard Setback - 20 feet
Side/Rear (adjoining SF Residential District/Development) – 30 feet
Minimum building separation – to be determined by current City building and fire code.
Required street access – Minor Arterial or higher

Maximum Height - 45 feet (1+1)
Maximum Lot Coverage - 75%

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Single Family Medium Density (RS-2) and developed as single family residences. A railroad right-of-way is also located to the north.

The area to the east is zoned Industrial Light and is undeveloped.

The area to the south is zoned Commercial Heavy (C-5) and developed as a contractor shop and storage yard.

The area to the west is zoned Commercial Heavy (C-5) and is undeveloped.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South 92nd Street as a local road.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Wednesday June 15, 2016, at 5:30 p.m. at the site. Five (5) neighboring property owners attended the meeting and had no objections. The attendance record and meeting summary are enclosed.

STAFF COMMENTS AND RECOMMENDATIONS

The RS-2 zoning district zone line is currently along the center line of the railroad right-of-way located to the north of the applicant’s property. Approval of the rezoning will result in an extension of the RS-2 zoning district. Staff recommends approval of the application.

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

- 1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

Lct 1 B, Big "D" Addition

2. Address of property: 5900 S 92nd St

3. The above described property is now zoned: Comm Heavy CS

4. Application is hereby made to change the zoning classification of the above described property to RS2 by extension.
(Extension or classification)

5. Why is the zoning change requested?

Owner intends to use as private residence

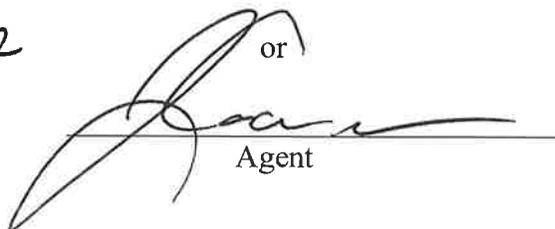
6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

Joshua T. Carson
Owner or Agent Name
(please print)

Owner

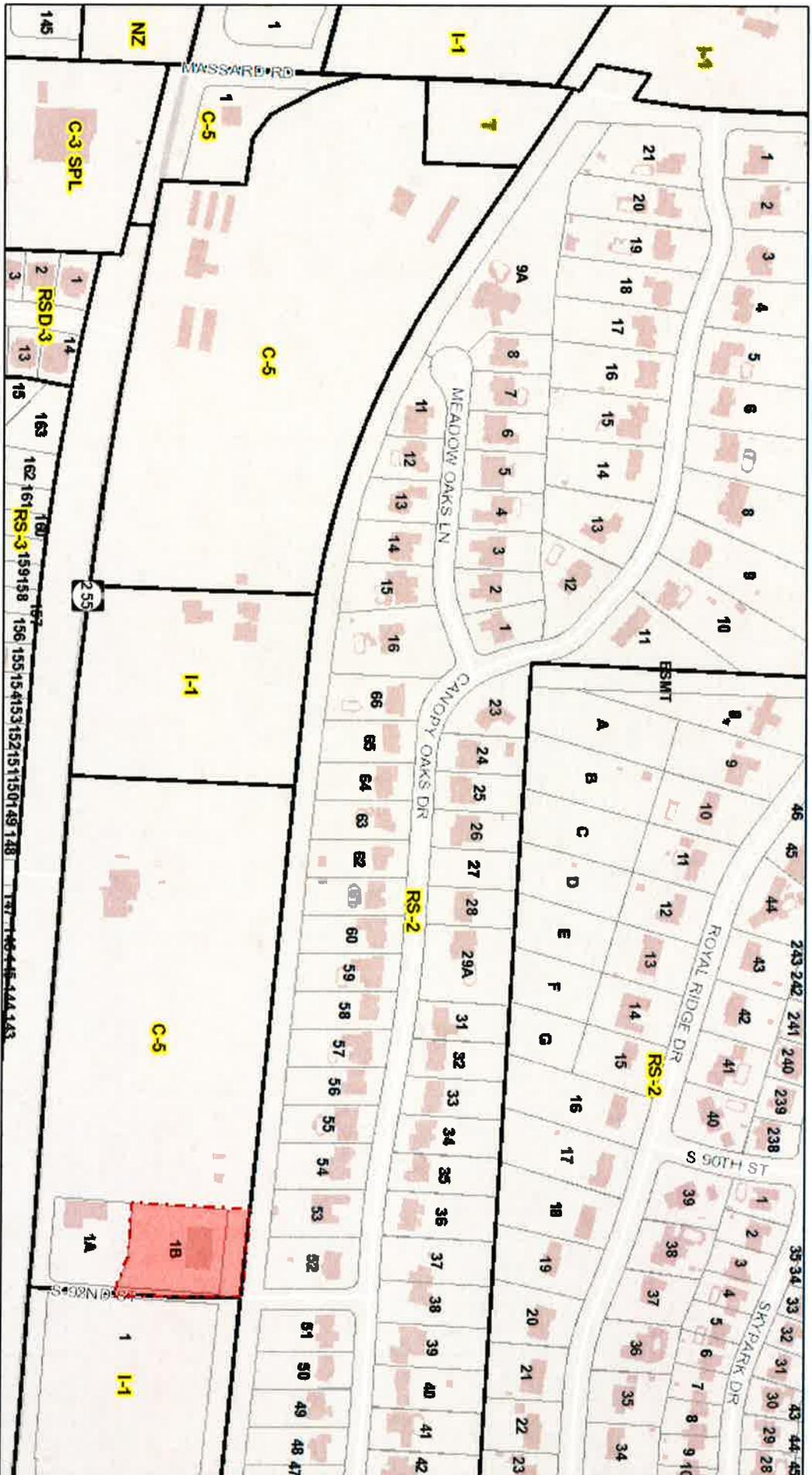
PO Box 2023, FSM, AR 72902
Owner or Agent Mailing Address

or

Agent

782-7203
Owner or Agent Phone Number

Rezoning #16-7-16: From Commercial Heavy (C-5) to Residential Single Family Medium Density (RS-2) 5900 South 92nd Street

5E

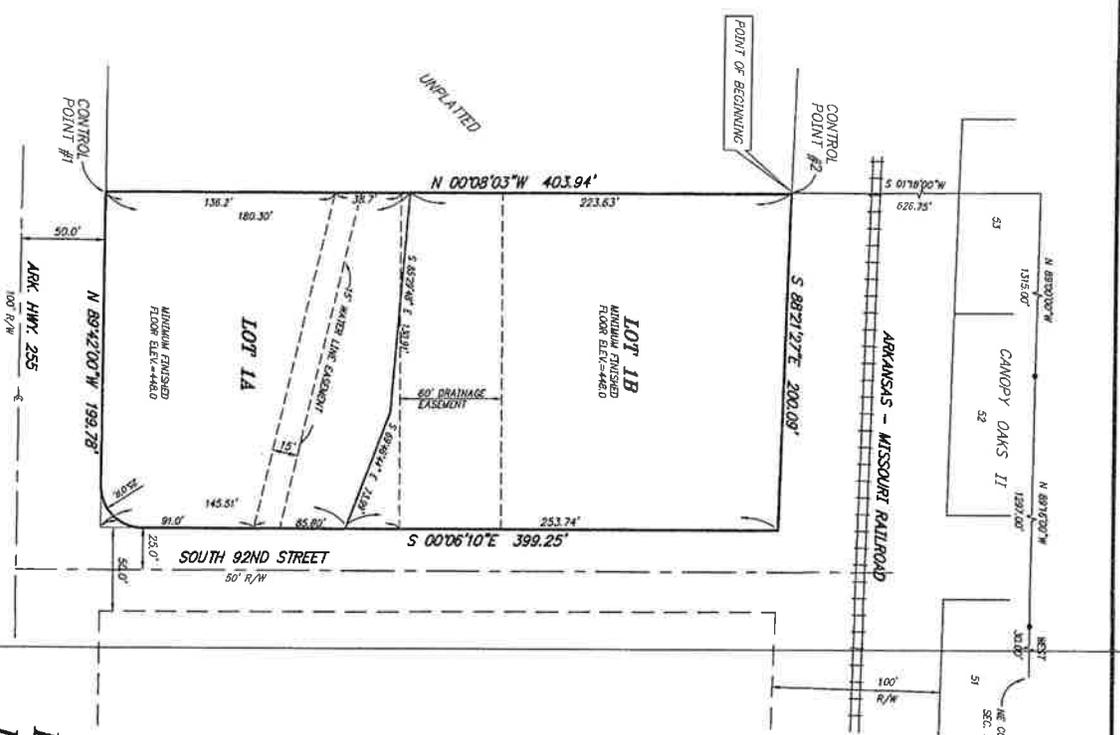


July 8, 2016

- Fort Smith City Limits
- Building Footprints
- Parks
- Zoning
- Subdivisions



5F



City of Fort Smith
 Planning Department
 Big "D" Addition, Lots 1A & 1B
 Code #: 4106-201-0101

Geo-	referenced to the City of Fort Smith's Control System
Control Point	Marking
1	369333.66
2	369333.66
	616628.81

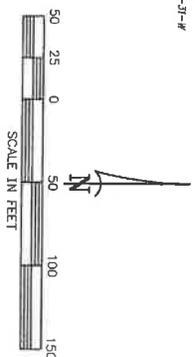


HAWKINS-WEIR ENGINEERS, INC.
 Engineers • Surveyors • Consultants
 110 South 7th Street
 Van Buren, AR 72957-0848
 (479) 474-1227
 FAX (479) 474-6534
 www.hawkins-weir.com

BIG "D" ADDITION
Lots 1A & 1B
 BEING A REPLAT OF LOT 1, BIG "D" ADDITION AS FILED
 FEBRUARY 28, 1997, TO THE CITY OF FORT SMITH, SEBASTIAN
 COUNTY, ARKANSAS
 DATE: DECEMBER, 2006
 SCALE: 1" = 50'

Property Description
 Lot 1 of Big "D" Addition (filed February 28, 1997) to the City
 of Fort Smith, Sebastian County, Arkansas.

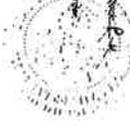
- Notes:
1. Bearing system assumed, well line assumed S 00°06'10"E, based on previous plat of Lot 1, Big "D" Addition.
 2. Property corners are 3"x18" steel rebar set with yellow plastic cap stamped TMS 905.
 3. Public sanitary sewer is not available to Lots 1A and 1B. Development of these lots will require a separate department approval and permitting for a private sanitary sewer system and such time as a public sanitary sewer system is available to these lots.



FILED FOR RECORD

PLANNING COMMISSION APPROVAL:
 City of Fort Smith
 December 14, 2006

The undersigned, Clerk and Ex-Officio Secretary of the Planning Commission, do hereby certify that the foregoing plat was filed for record on this day, December 14, 2006, at 10:00 AM.



ALLOTTEE:
 Elizabeth A. Dooley
 5500 So. 92nd Street
 Fort Smith, AR
 Elizabeth A. Dooley

State and recorded before me this day, December 14, 2006

Notary Public: Jonathan E. Patton

By commission expires: March 31, 2008



The right-of-way as shown on this plat is hereby dedicated to the City of Fort Smith ("City") for public use. The easements shown on this plat are hereby dedicated to the City for utility, drainage, access and other purposes. Any easement designated as a "utility easement" is dedicated to the City for the installation, operation, and maintenance of City owned utilities and utilities, including cable TV. The City of Fort Smith hereby authorizes the City to enter into an agreement with the City of Fort Smith and any franchised utility companies that have access through and above dedicated utility easements. The City of Fort Smith, through its duly authorized representatives, does hereby authorize the City to acquire, through purchase or otherwise, all lines with the authority to cut down and remove equipment from the dedicated easements (trees, hedges, and shrubs) that may interfere with or endanger such utilities. In the event that fencing of individual lots is desired, gates that provide free ingress and egress to, and within, the dedicated easement shall be provided.



FILED
 DEC 14 2006
 CLERK OF THE
 CITY OF FORT SMITH

Job No. 06217
 P1773b

JONES, JACKSON & MOLL, PLC

ATTORNEYS AT LAW
401 North 7th Street
Post Office Box 2023
Fort Smith, Arkansas 72902-2023

ROBERT L. JONES, JR. (1922-2004)
RANDOLPH C. JACKSON*
MARK A. MOLL
J. RANDALL MCGINNIS
KATHRYN A. STOCKS*
MICHAEL T. NEWMAN**
JOSHUA T. CARSON

June 16, 2016

TELEPHONE (479) 782-7203
FACSIMILE (479) 782-9460

Sender's e-mail:
jcarson@jjmlaw.com

*Also licensed in Oklahoma
** Also licensed in Oklahoma
and Missouri

bandrews@FortSmithAR.gov

Brenda Andrews
County of Sebastian
35 S. 6th Street
Fort Smith, AR 72901

Re: 5900 South 92nd Street – Rezoning – Neighborhood Meeting Summary

Dear Brenda:

A Neighborhood Meeting was held for the rezoning application of 5900 South 92nd Street on Wednesday, June 15, 2016 at 5:30 p.m. at the property located at 5900 South 92nd Street. The attendance list for the Neighborhood Meeting is attached. Wally Bailey and I were present to answer and address questions of the attendees. The nature of the rezoning application was explained. There were no objections/opposition to the application.

Please let me know if you have any questions.

Sincerely,

JONES, JACKSON & MOLL, PLC

By:

Joshua T. Carson

JTC/lm
Enclosure
cc w/encl: Glenn Yaffe

5H

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location 5900 S. 92nd

Meeting Time & Date 5:30 6/15/12

Meeting Purpose Neighborhood Meeting for Re-zone

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.	<u>Josh Carson</u>	<u>401 N. 7th</u>	<u>782 7203</u>
2.	<u>GLENN YATTE</u>	<u>1900 St. Francis Crest</u>	<u>926-9789</u>
3.	<u>Curt Koehnke</u>	<u>9108 Canopy Oaks Dr</u>	<u>926-6970</u>
4.	<u>Jim Barber</u>	<u>9004 " " "</u>	<u>452-1057</u>
5.	<u>Pet Barber</u>	<u>9004 Canopy Oaks Dr</u>	<u>452-1057</u>
6.	<u>Debt Bob Verney</u>	<u>9104 Canopy Oaks Dr</u>	<u>452-2277</u>
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____
11.	_____	_____	_____

Memo

To: City Planning Commission

From: Planning Staff

Date: June 27, 2016

Re: Conditional Use #12-7-16 - A request by Wesley Hooks, agent, for Planning Commission consideration of a Conditional Use request to operate a daycare home with one employee at 442 North 49th Street

PROPOSED CONDITIONAL USE

The applicants would like to open a daycare home for twelve children from 6:00 a.m. to 6:00 p.m. Monday through Friday. They are proposing to have one employee.

LOT LOCATION AND SIZE

The subject property is on the east side of North 49th Street south of Kinkead Avenue. The tract contains an area of 0.38 acres with approximately 88 feet of street frontage along North 49th Street.

EXISTING ZONING

The existing zoning on this tract is Residential Single Family – Duplex Low/Medium Density (RSD-2).

Characteristics of this zone are as follows:

Purpose:

To provide for attached and detached homes in low-to-medium density neighborhoods where adequate public services and facilities are available. The RSD-2 zoning district is appropriate in suburban areas and primarily applies to the Residential Attached, Mixed Use Residential, and Mixed Use Employment category of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery

schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 10,500 square feet	Maximum Height - 35 feet (1+1)
Maximum Density – 4 Dwelling Units/Acre	Maximum Lot Coverage - 50%
Minimum Lot Width at Building Line – 75 feet	
Minimum Street Frontage – 50 feet	
Front Yard Setback - 30 feet	
Side Yard on Street Side of Corner Lot - 30 feet	
Side Yard Setback – 7.5 feet	
Rear Yard Setback - 10 feet	
Minimum building separation – 10 feet	

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Single Family – Duplex Low/Medium Density (RSD-2) and is developed as single family residences.

The area to the east is zoned Residential Multifamily High Density and is developed as offices for the U of A Fort Smith.

The area to the south is zoned Residential Single Family – Duplex Low/Medium Density (RSD-2) and is developed as single family residences.

The area to the west is zoned Residential Single Family – Duplex Low/Medium Density (RSD-2) and is developed as single family residences.

PURPOSE OF CONDITIONAL USE

Certain uses are defined as conditional uses because of the potential harmful effects the use can cause to nearby properties and because the requirements to eliminate harmful effects vary from site to site. In considering conditional uses, the Planning Commission will review the overall compatibility of the planned use with the surrounding property as well as specific items such as screening, parking, and landscaping to make sure that no harmful effects occur to nearby properties.

CONDITIONS FOR A CONDITIONAL USE

All requirements for a Conditional Use must be met before any part of the use may be utilized. If any specific condition is not met, the Conditional Use authorization may be revoked by the City of Fort Smith pursuant to Section 27-314.

Requirements for a Conditional Use must begin to be met within one (1) year of the authorization unless a special time limit has been imposed by the Planning Commission. An extension of time beyond one (1) year or that imposed by the Planning Commission may be granted by the Director one (1) time for up to ninety (90) days.

6B

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies North 49th Street as a Local Road.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Detached. This classification is to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Tuesday, June 14, 2016 onsite. Three neighboring property owners were in attendance at the neighborhood meeting and did not have any objections to the request. A copy of the attendance record and meeting summary are enclosed.

STAFF COMMENTS AND RECOMMENDATIONS

The applicants are proposing to operate a daycare home for twelve children Monday–Friday from 6:00 a.m. until 6:00 p.m. They are proposing one employee who will park in the existing driveway. Pick-up and drop off will occur in the driveway and the children will play in the existing fenced in backyard.

Staff recommends approval of the application contingent upon compliance with Section 27-706 of the Unified Development Ordinance which is enclosed.

6C

Day care home, six (6) to twelve (12) children, shall mean a child care service, licensed by the State, in a single family home that is the full time residence of the caregiver, which cares for a limited number of children who are apart from their own family during a part of the day.

These regulations shall apply to all day care homes:

1. Day Care Homes are limited to the zoning districts specified in this chapter.
2. Day Care Homes require a conditional use permit in accordance with Section 27-332.
3. Day Care Homes shall be operated in a manner that will not change the character of the residence.
4. Day Care Homes are permitted to have no more than one (1) employee who does not reside at the home.
5. All vehicles including the employee parking space must be parked on the property and on a paved parking space. All parking and paving must comply with section 14-52 of this Code.
6. All pick-up and drop-off of children shall be on the property's driveway and not on the public right-of-way unless otherwise approved by the planning commission.

Conditional Use # 12-7-16

APPLICATION FOR CONDITIONAL USE

Name of Property Owner: University of Arkansas - Fort Smith

Name of Authorized Agent (if applicable) Wesley Hooks

Legal Description of property included in the conditional use request:

Lot 8, Sherwood Forest

Street Address of Property:

442 N. 49th Fort Smith AR 72901

Existing Zoning Classification:

RSD-2

Proposed Zoning Classification (if applicable):

N/A

Describe Proposed Conditional Use Request, including the development of any construction proposed of the property:

We are proposing to operate a child care center that will employ 1 employee and they will park in driveway of address

What amenities are proposed such as landscaping and screening?

Fenced in backyard

Wesley Hooks
Owner or Agent Name (please print)

3100 S. 105th Fort Smith, AR 72903
Owner or Agent Mailing Address

479-420-3721
Owner or Agent Phone Number

Signed:


Owner

Or

Agent

6E

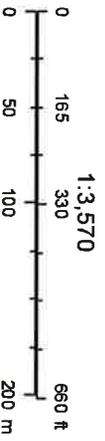
Conditional Use #12-7-16: Daycare Home with one employee 442 North 49th Street

11
6



June 21, 2016

- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions



ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location 442 N. 49th

Meeting Time & Date 5:30 pm - 6-14-16

Meeting Purpose Conditional Use Permit

NAME

ADDRESS

PHONE #

- | | | | |
|-----|---------------|-----------------|----------|
| 1. | Jane Runner | 443 No. 48th St | 806-0899 |
| 2. | Susan Abbott | 412 N. 49 | 452-5882 |
| 3. | Jerry Abbott | 412 no 49 | 452-5882 |
| 4. | Bill Striplin | COFS | 784-2211 |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |

To the Planning Commission,

On Tuesday June 14, 2016, we had an informational conditional use permit meeting with the members of the neighborhood surrounding 442 N. 49th. There were 5 people in attendance and there was no opposition as to the intended use and purpose of the address in question. The citizens were informed that the hours of operation of the daycare would be from 6am – 6pm Monday through Friday. They were also told that there would be two employees there and that they would park under the carport of the residence. We let them know that the kids would be playing in the fenced backyard of the residence. We also shared in this meeting that the traffic would not be an issue because of the intermediate drop - off and pick - up times of the children. The meeting started at 5:30pm and was adjourned at 5:45pm with no further questions or opposition to the request. They were receptive and welcomed us to the neighborhood and community.



Wesley Hooks

6H

Memo

To: City Planning Commission

From: Planning Staff

Date: June 27, 2016

Re: Variance #19-7-16 - A request by Quincy Bell, owner, for Board of Zoning Adjustment consideration of a zoning variance request from 25' to 16.1' front yard setback at 7324 Texas Road

REQUESTED VARIANCE

The owner constructed a carport addition to the front of the house that encroaches the setback. The approval of the variance request will allow the owner to keep the carport in the same location and complete the project.

LOT LOCATION AND SIZE

The subject property is on the west side of Texas Road just north of Cavanaugh Road. The tract contains an area of 0.35 acres with approximately 132 feet of street frontage along Texas Road.

EXISTING ZONING

The existing zoning on this tract is Residential Multifamily Medium Density (RM-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium density attached homes, including multi-unit residential buildings in areas where such development already exists or is planned for the future. The RM-3 zoning district is appropriate in urban areas within the Residential Attached, Mixed Use Residential, Mixed Use Employment, Commercial Neighborhood, and General Commercial Land use categories of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings, multifamily (apartment and condominiums), community residential facility, family and neighborhood group homes and retirement housing are examples of permitted uses.

7A

Conditional Uses:

Assisted living, bed and breakfast inn, dormitory, sorority, fraternity, rooming or boarding house, commercial communication towers, amateur radio transmitting towers, community recreation center, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes, senior citizen center, churches and rectory, convent, monastery are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 6,500 square feet
- Maximum Density – 20 Dwelling Units/Acre
- Minimum Lot Width at Building Line – 60 feet
- Minimum Street Frontage – 20 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 7.5 feet
- Rear Yard Setback - 10 feet
- Side/Rear adjacent to RS district/development – 30 feet
- Minimum building separation – 10 feet
- Maximum Height - 40 feet (1+1)
- Maximum Lot Coverage - 65%

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Multifamily Medium Density (RM-3) and is developed as duplexes.

The area to the east is zoned Residential Multifamily Medium Density (RM-3) and is developed as single family residences.

The area to the south is zoned Residential Multifamily Medium Density (RM-3) and is developed as single family residences.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and is developed as a duplex.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Texas Road as Major Collector.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Detached. This classification is to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

APPLICANT HARDSHIP

The applicant states the way the house is constructed prohibits a carport without encroaching the setbacks.

7B

NEIGHBORHOOD MEETING

A neighborhood meeting was held Wednesday, June 29, 2016 onsite. There were three neighboring property owners in attendance and none had any objections. A copy of the attendance record and meeting summary are enclosed.

GRANTING OF A VARIANCE

If the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

STAFF COMMENTS AND RECOMMENDATIONS

Staff has received two phone calls regarding the request – one was in support and one was in opposition. The person voicing objections was concerned that Texas Road would be widened and the carport would be removed. At this time, there are no plans to widen Texas Road. An email regarding each phone call is enclosed.

The owner constructed the carport without obtaining a building permit. Approval of the variance will allow him to keep the existing construction and complete the project.

70

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location 7324 Texas Rd,

Meeting Time & Date 5:30 PM ON WEDNESDAY JUNE 29, 2014

Meeting Purpose VARIANCE

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.	<u>TOM MORAN</u>	<u>CITY</u>	<u>784-2218</u>
2.	<u>Jennifer Bell</u>	<u>7324 Texas Rd.</u>	<u>883-5804</u>
3.	<u>Lec Bell</u>	<u>" "</u>	<u>561-7358</u>
4.	<u>Jim Bell</u>	<u>7321 Texas</u>	<u>883-2555</u>
5.	<u>Bobbie Janway</u>	<u>7321 Texas Rd.</u>	<u>883-2455</u>
6.	<u>Randy Khounisay</u>	<u>7408 Texas Rd</u>	<u>252-2691</u>
7.			
8.			
9.			
10.			
11.			

Monaco, Tom

From: Monaco, Tom
Sent: Thursday, June 30, 2016 9:13 AM
To: Planning Email Group
Subject: 7324 Texas Road - Variance

Bobby Goodwin called in opposition to the carport variance.

Tom Monaco
City Planner
City of Fort Smith
P.O. Box 1908
623 Garrison Avenue Suite 331
Fort Smith, AR 72902
O - (479) 784-2218
F - (479) 784-2462
tmonaco@fortsmithar.gov

Monaco, Tom

From: Monaco, Tom
Sent: Wednesday, June 29, 2016 1:36 PM
To: Planning Email Group
Subject: Variance at 7324 Texas Road

I had a call from a neighboring property owner (Donna Sims) stating she will not be able to attend the neighborhood meeting and she has no objections to the carport. She also thinks it looks nice.

Tom Monaco
City Planner
City of Fort Smith
P.O. Box 1908
623 Garrison Avenue Suite 331
Fort Smith, AR 72902
O - (479) 784-2218
F - (479) 784-2462
tmonaco@fortsmithar.gov

June 29, 2016

Summary of meeting

Tonight we had two neighbors attend. They were all happy with the carport that was built. They felt it was an improvement to the area & home.

Lee and Jennifer Bell

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ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location 7324 Texas Rd,

Meeting Time & Date 5:30 PM on Wednesday June 29, 2011

Meeting Purpose VARIANCE

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.	<u>TOM MORAN</u>	<u>CITY</u>	<u>784-2218</u>
2.	<u>Jennifer Bell</u>	<u>7324 Texas Rd.</u>	<u>883-5804</u>
3.	<u>Lec Bell</u>	<u>" "</u>	<u>561-7338</u>
4.	<u>Jim Bell Smith</u>	<u>7321 Texas</u>	<u>883-2556</u>
5.	<u>Bobbie Janway</u>	<u>7321 Texas Rd.</u>	<u>883-2455</u>
6.	<u>Randy Khounisay</u>	<u>7408 Texas Rd</u>	<u>252-2691</u>
7.			
8.			
9.			
10.			
11.			

7H

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

Address of property 7324 Texas Rd., Existing or Proposed

Zoning Classification RM-3, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

<u>Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship</u>

FROM

TO

- 25' - 16.1' Front Yard Setback or Minimum Distance from Right-of-Way
- _____ - _____ Exterior Side Yard Setback
- _____ - _____ Interior Side Yard Setback
- _____ - _____ Rear Yard Setback
- _____ - _____ Maximum Height of Structure
- _____ - _____ Minimum Distance Between Structures on the Same Lot
- _____ - _____ Minimum Lot Area (Square Feet)
- _____ - _____ Minimum Lot Frontage
- _____ - _____ Maximum Size of a Sign
- _____ - _____ Other: _____

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20____.

Signed:

Quincy Bell

Owner or Agent Name (please print)

Jennifer Bell

Owner

479-883-5804

or

479-561-7338

Owner or Agent Phone Number

Agent

7324 Texas Rd. 72908

Owner or Agent Mailing Address

Variance # _____

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VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

<u>Yes</u>	<u>No</u>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is this variance needed because of previous actions taken by yourself?
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Is this variance needed because of previous actions taken by a prior owner?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot of an odd or unusual shape?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the lot contain required easements other than those that might be located on its perimeter?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is any part of the lot in a flood plain or flood way?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot developed with structures in violation of current zoning requirements?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

JK

Explanation of question #4 (if applicable)

2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

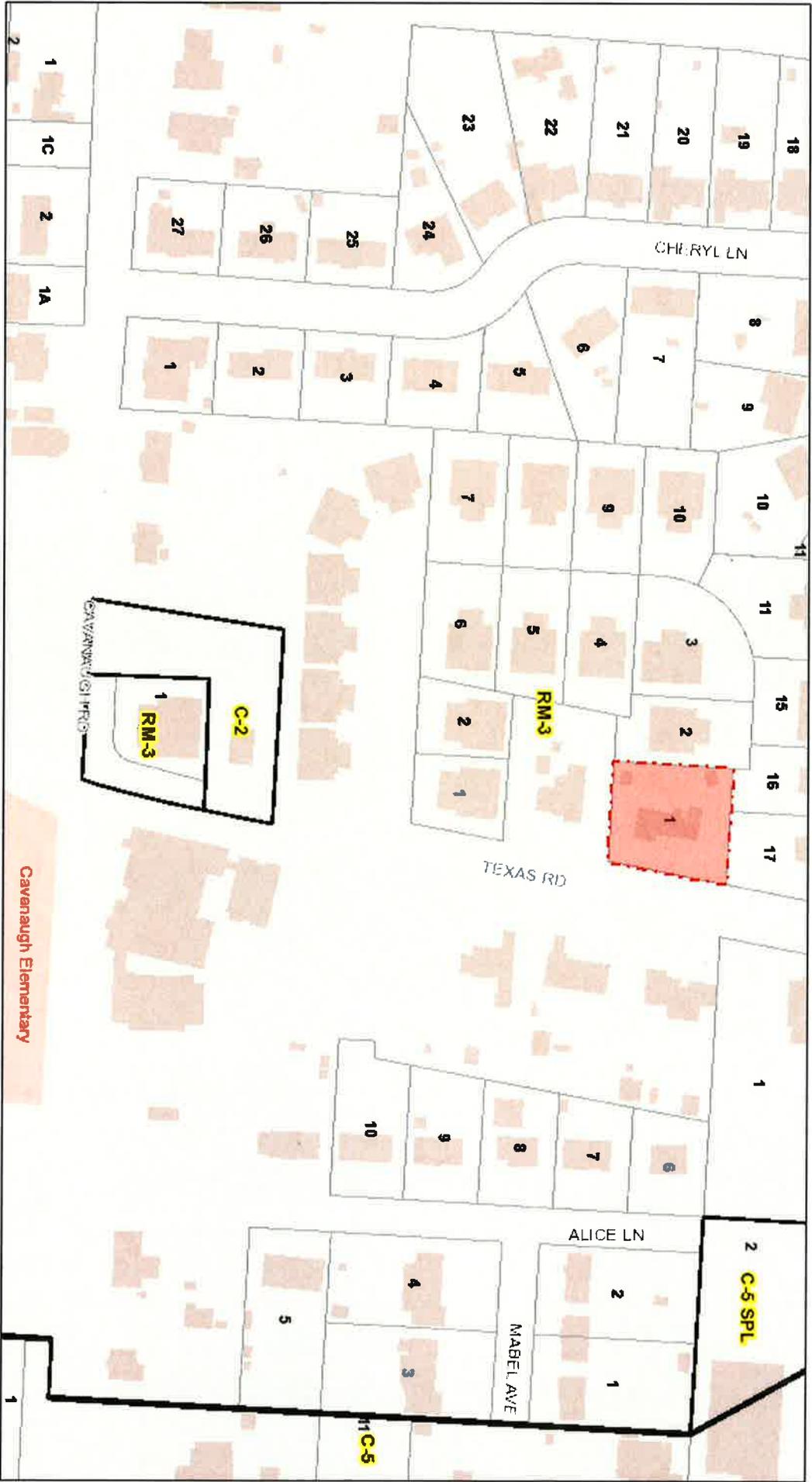
We have no protection for our vehicles.
We ~~needed~~ ~~the~~ carport to cover car.

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

The way the House is built there
is no way to put in a carport unless
we are in the setback

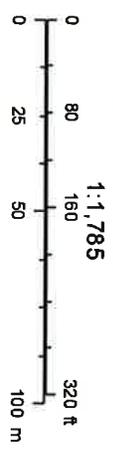
Variance #19-7-16: From 25' to 16.1' front yard setback
7324 Texas Road

ML

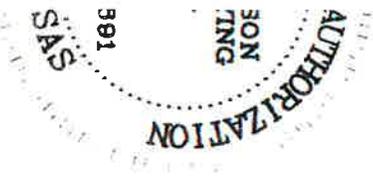


June 21, 2016

- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions



SECTION 15,
THE CITY OF FORT SMITH,
TY, ARKANSAS



- LEGEND**
- SET RAILROAD SPIKE
 - SET 1/2" REBAR
 - EXISTING IRON PIN
 - EXISTING MAG NAIL
 - FENCE POST

SURVEYORS CERTIFICATION

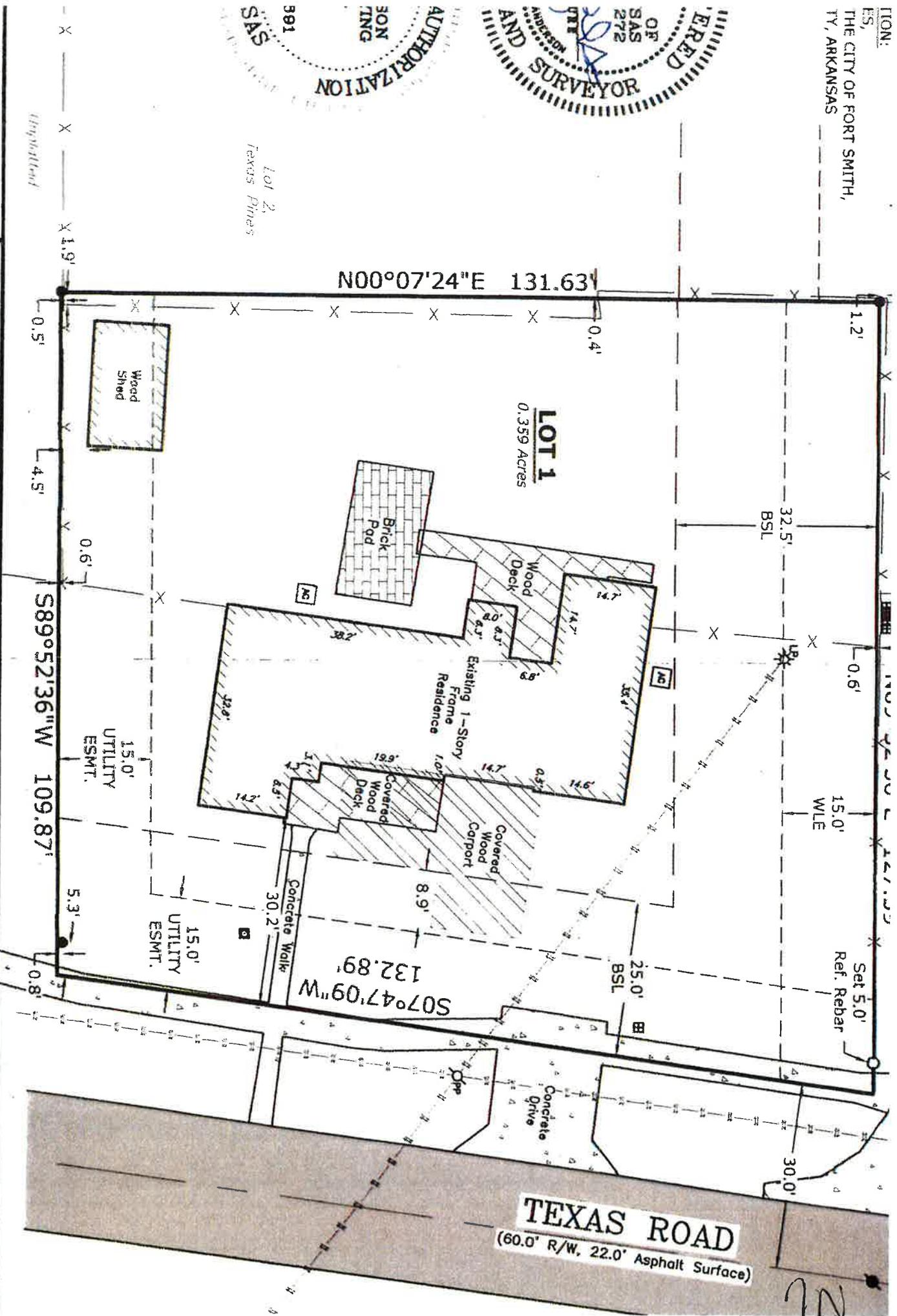
I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION ON THE 20th DAY OF May, 2018.

TO THE BEST OF MY KNOWLEDGE AND ABILITY, THESE DIMENSIONS MAKE END THE ENCLICATIVE USE AS PER

FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

SURVEY OF LOT 1, TEXAS PINES

ANT



Set 5.0' Ref. Rebar

TEXAS ROAD
(60.0' R/W, 22.0' Asphalt Surface)

22

Memo

To: City Planning Commission

From: Planning Staff

Date: June 28, 2016

Re: Variance #20-7-16 - A request by Ivan L. Hoffman Jr., agent for Richard and Loyce Goodrum, for Board of Zoning Adjustment consideration of a zoning variance request from 20 feet to 0 feet front yard setback; from 5 feet to 0 feet exterior side yard setback; from 5 feet to 1.1 feet interior side yard setback and from 5,000 s.f. to 4,907 s.f. minimum lot area located at 1916 South "J" Street and from 15 feet to 13 feet exterior side yard setback and from 5 feet to 4.5 feet rear yard setback located at 1100 South 20th Street.

REQUESTED VARIANCE

Approval of the variances will allow the properties to be platted into two lots so that the two existing houses can be on separate lots and sold separately.

LOT LOCATION AND SIZE

The subject property is on the southwest intersection of South J Street and South 20th Street. The tract contains an area of 0.3 acres with approximately 140 feet of street frontage along South J Street and 84 feet of street frontage along South 20th Street.

EXISTING ZONING

The existing zoning on this tract is Residential Multifamily High Density (RM-4). Characteristics of this zone are as follows:

Purpose:

To provide high density attached homes, including multi-story residential buildings in those areas where such building types already exist, or where such buildings would be consistent with an area's established development pattern and character. The RM-4 zoning district is appropriate in urban areas in the Residential Attached, Mixed Use Residential, Mixed Use Employment, Commercial Neighborhood, and General Commercial categories of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings, multifamily (apartment and condominiums), community residential facility, family and neighborhood group homes and retirement housing are examples of permitted uses.

Conditional Uses:

Assisted living, bed and breakfast inn, dormitory, sorority, fraternity, rooming or boarding house, commercial communication towers, amateur radio transmitting towers, community recreation center, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes, senior citizen center, churches and rectory, convent, monastery are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- | | |
|---|--------------------------------|
| Minimum Lot Size – 5,000 square feet | Maximum Height - 40 feet (1+1) |
| Maximum Density – 30 Dwelling Units/Acre | Maximum Lot Coverage - 70% |
| Minimum Lot Width at Building Line – 50 feet | |
| Minimum Street Frontage – 20 feet | |
| Front Yard Setback - 20 feet | |
| Side Yard on Street Side of Corner Lot - 15 feet | |
| Side Yard Setback – 5 feet | |
| Rear Yard Setback - 5 feet | |
| Side/Rear adjacent to RS district/development – 40 feet | |
| Minimum building separation – 10 feet | |

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Multifamily High Density (RM-4) and developed as duplexes.

The area to the east is zoned Residential Multifamily High Density (RM-4) and developed as a duplex and a single family residence.

The areas to the south and west are zoned Residential Multifamily High Density (RM-4) and developed as single family residences.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South J Street and South 20th Street as local roads.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Detached. This classification is intended to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

APPLICANT HARDSHIP

The applicant states that the current buildings are not in compliance with the UDO. The variances are necessary to facilitate the replatting of the properties so that the two houses can be sold.

NEIGHBORHOOD MEETING

The applicant requested and received a waiver of the neighborhood meeting based on the criteria of Section 27-337-5(B). The Director may waive the requirement for a neighborhood meeting where:

- 1) The proposed variance shall allow development in compliance with surrounding land uses.
- 2) The variance request represents a minor change in the development requirements that shall have little or no effect on surrounding properties.

GRANTING OF VARIANCES

If the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

STAFF COMMENTS AND RECOMMENDATION

In staff's opinion, the requested variance will have no negative effects on surrounding properties. The variance will allow the properties to be platted into two lots so that each single family home is on a separate lot. No new construction is proposed.

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

Proposed Fitzgerald's Addition of Block 107, Lot 13A being a part of Lot 11 and all of Lots 12 and 13 out of a subdivision of Lots 8, 9, 10, 11, 12 and 13 of Block 107 of Fitzgerald's Addition to the City of Fort Smith, Arkansas as filed for record February 12, 1912.

Address of property 1916 South "J" Street, Existing or Proposed
Residential Multifamily High Density

Zoning Classification RM-4, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

<u>Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship</u>

<u>FROM</u>		<u>TO</u>	
<u>20'</u>	-	<u>0.0'</u>	Front Yard Setback or Minimum Distance from Right-of-Way
<u>5'</u>	-	<u>0.0'</u>	Exterior Side Yard Setback
<u>5'</u>	-	<u>1.1'</u>	Interior Side Yard Setback
_____	-	_____	Rear Yard Setback
_____	-	_____	Maximum Height of Structure
_____	-	_____	Minimum Distance Between Structures on the Same Lot
<u>5,000</u>	-	<u>4,907</u>	Minimum Lot Area (Square Feet)
_____	-	_____	Minimum Lot Frontage
_____	-	_____	Maximum Size of a Sign
_____	-	_____	Other: _____

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

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APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

Proposed Fitzgerald's Addition of Block 107, Lot 13B being a part of Lot 11 and all of Lots 12 and 13 out of a subdivision of Lots 8,9, 10, 11, 12 and 13 of Block 107 of Fitzgerald's Addition to the City of Fort Smith, Arkansas as filed for record February 12, 1912.

Address of property 1100 South 20th Street, Existing or Proposed
Residential Multifamily High Density

Zoning Classification RM-4, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

<u>Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship</u>	

<u>FROM</u>		<u>TO</u>	
_____	-	_____	Front Yard Setback or Minimum Distance from Right-of-Way
<u>15'</u>	-	<u>13.0'</u>	Exterior Side Yard Setback
_____	-	_____	Interior Side Yard Setback
<u>5'</u>	-	<u>4.5'</u>	Rear Yard Setback
_____	-	_____	Maximum Height of Structure
_____	-	_____	Minimum Distance Between Structures on the Same Lot
_____	-	_____	Minimum Lot Area (Square Feet)
_____	-	_____	Minimum Lot Frontage
_____	-	_____	Maximum Size of a Sign
_____	-	_____	Other: _____

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

8E

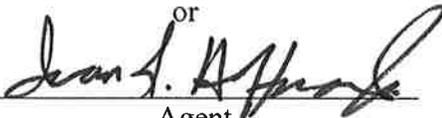
said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20____.

Signed:

Ivan L. Hoffman, Jr.
~~Owner~~ or Agent Name *(please print)*

Owner

(479) 474-7916
~~Owner~~ or Agent Phone Number

^{or}

Agent

320 O'Bryan Lane, Van Buren, AR 72596
~~Owner~~ or Agent Mailing Address

Variance # _____

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

<u>Yes</u>	<u>No</u>	APPLIES TO BOTH PROPOSED LOTS 13A and 13B EXCEPT AS NOTED
<u> </u>	<u> X </u>	Is this variance needed because of previous actions taken by yourself?
<u> X </u>	<u> </u>	Is this variance needed because of previous actions taken by a prior owner?
<u> X </u>	<u> </u>	A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?
<u> X </u>	<u> </u>	Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.
<u> </u>	<u> X </u>	Is the lot of an odd or unusual shape?
<u> </u>	<u> X </u>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<u> </u>	<u> X </u>	Does the lot contain required easements other than those that might be located on its perimeter?
<u> </u>	<u> X </u>	Is any part of the lot in a flood plain or flood way?
<u>X (13A)</u>	<u> </u>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<u> X </u>	<u> </u>	Is the lot developed with structures in violation of current zoning requirements?
<u> </u>	<u> X </u>	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

Explanation of question #4 (if applicable)

A house facing South "J" Street (Proposed Lot 13A) and a house facing South 20th Street (Proposed Lot 13B) and a house facing were constructed by a previous owner. The 2 houses are in violation of the current zoning setbacks and the current owner has each of the houses sold pending creating a 2 lot Minor Subdivision Plat, a lot for each house.

2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

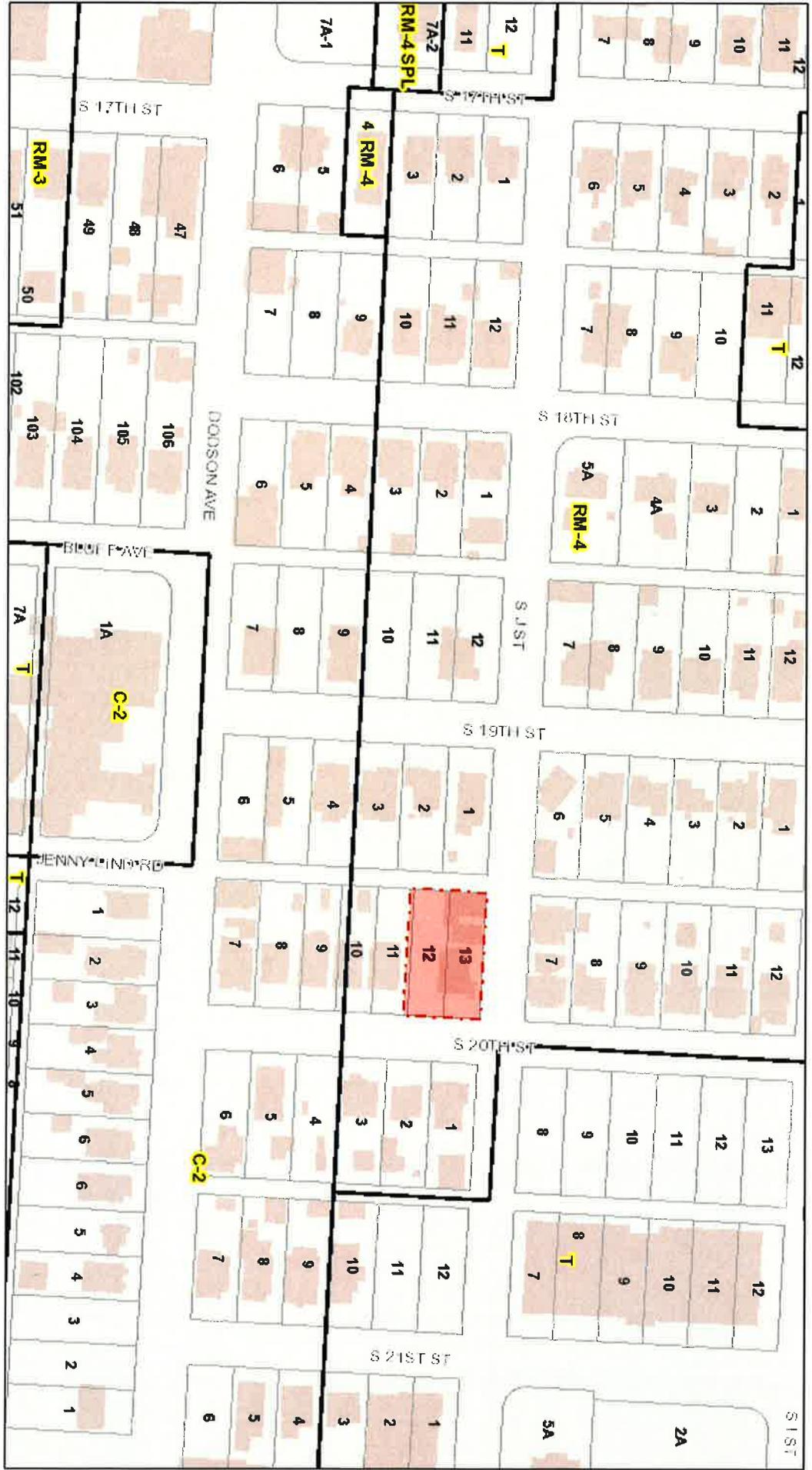
The houses are currently rented by the owner and the owner needs to sell the houses separately and cannot sell the houses as each house is in violation of the current building setback zoning requirements.

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

None

Variance #20-7-16: From 20' to 0' front yard setback, 5' to 0' exterior side yard setback, 5' to 1.1' interior side yard setback and 5,000 to 4,907 square feet minimum lot area at 1916 South "J" Street

Handwritten signature/initials



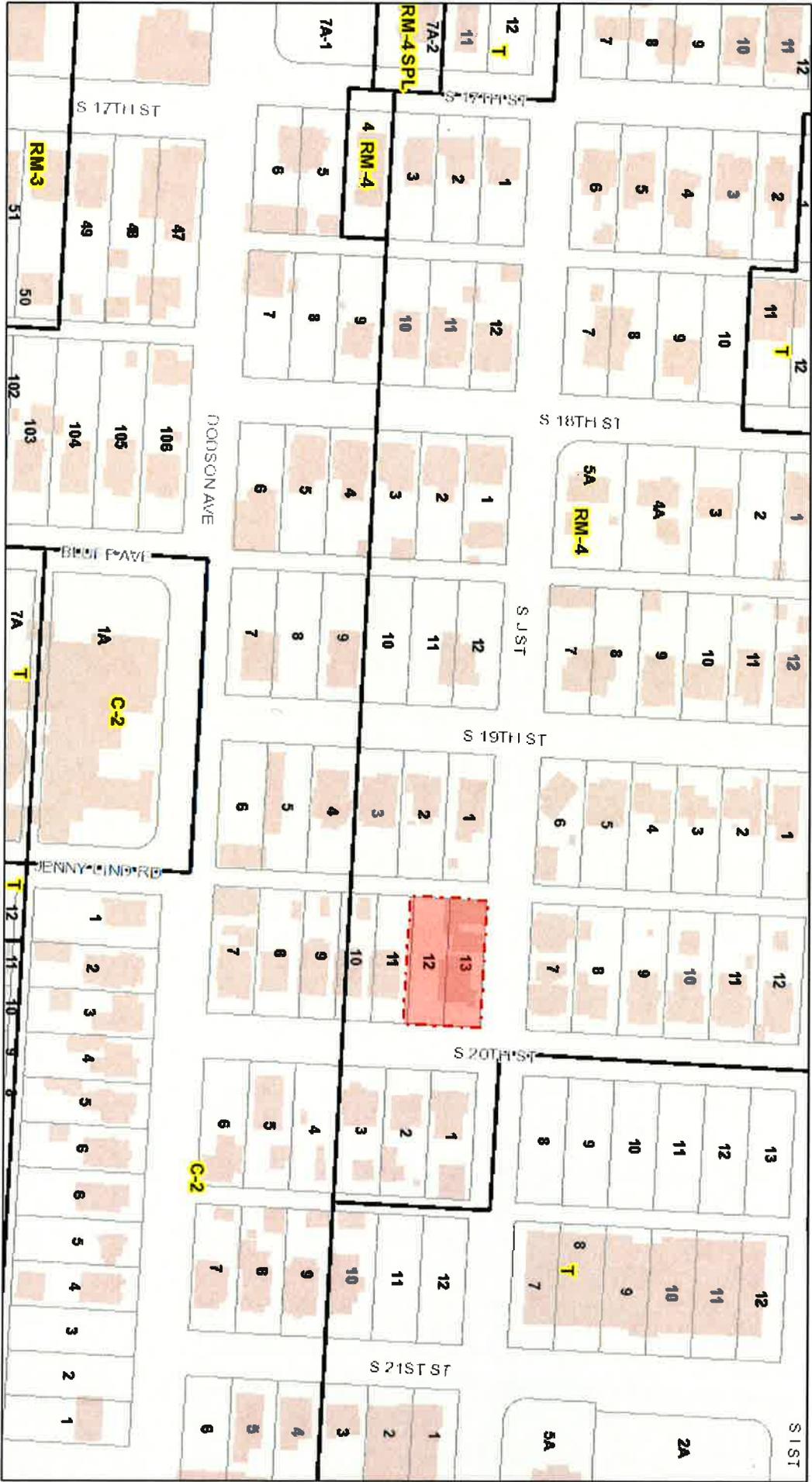
June 21, 2016

- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions



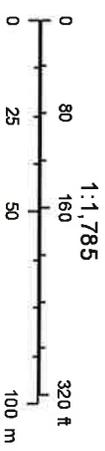
Variance #20-7-16: From 15' to 13' exterior side yard setback and from 5' to 4.5' rear yard setback 1100 South 20th Street

B



June 21, 2016

-  Fort Smith City Limits
-  Building Footprints
-  Zoning
-  Subdivisions



Memo

To: City Planning Commission

From: Planning Staff

Date: June 28, 2016

Re: Variance #21-7-16 - A request by Scott Hathaway, agent for Don & Nancy Castling, for Board of Zoning Adjustment consideration of a zoning variance request from 25 feet to 20 feet front yard setback and from 20 feet to 10.9 feet interior side yard setback located at 2902 McKinley Avenue.

REQUESTED VARIANCE

The variance will allow the existing business (AAA Rent-It) to add a building addition to the front and rear of the building.

LOT LOCATION AND SIZE

The subject property is on the south side of McKinley Avenue between South 29th Street and South 31st Street. The tract contains an area of 1.96 acres with approximately 200 feet of street frontage along McKinley Avenue.

EXISTING ZONING

The existing zoning on this tract is Commercial Heavy (C-5).
Characteristics of this zone are as follows:

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

9A

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 14,000 square feet
- Maximum Height - 45 feet (1+1)
- Maximum Lot Coverage - 75%
- Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
- Existing District (By Extension) – 14,000 square feet
- Minimum Lot Width – 100 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 20 feet
- Rear Yard Setback - 20 feet
- Side/Rear (adjoining SF Residential District/Development) – 30 feet
- Minimum building separation – to be determined by current City building and fire code.
- Required street access – Minor Arterial or higher

SURROUNDING ZONING AND LAND USE

The areas to the south and east are zoned Commercial Heavy (C-5) and are undeveloped.

The area to the west is zoned Industrial Light (I-1) and is developed as Heavy equipment leasing and maintenance facility.

The area to the north is zoned Industrial Light (I-1) and Commercial Heavy (C-5) and is developed as retail.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies McKinley Avenue as a Major Collector.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as General Commercial. This classification is intended to provide opportunities for business transactions and activities, and meet the consumer needs of the community.

APPLICANT HARDSHIP

The existing building encroaches the interior side yard setback.

NEIGHBORHOOD MEETING

A neighborhood meeting was waived for this development. It was determined that no neighboring property owners were affected by the variance.

9B

GRANTING OF A VARIANCE

If the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

STAFF COMMENTS

The applicant proposes to construct two additions to an existing building that encroaches the side yard setback and is a legal non-conforming use. The proposed additions will better match the building if meeting the existing exterior wall line of the structure. As a legal non-conforming use, additions are not permitted that will increase any zoning violations. Approval of the side yard setback variance will allow the existing building to conform as well as the additions at the front and rear of the structure.

The front yard setback along McKinley Avenue from 25 feet to 20 feet is not a non-conforming structure issue. The applicant did not specify a hardship for this variance request.

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

LOT 36A, JOHNNYCAKE COMMERCIAL PARK

Address of property 2902 McKinley Avenue, Existing or Proposed

Zoning Classification C-5, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

<u>Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship</u>	

- | <u>FROM</u> | | <u>TO</u> | |
|-------------|---|------------|--|
| <u>25'</u> | - | <u>20'</u> | Front Yard Setback or Minimum Distance from Right-of-Way |
| <u>20'</u> | - | <u>10'</u> | Exterior Side Yard Setback |
| <u>20'</u> | - | <u>10'</u> | Interior Side Yard Setback |
| _____ | - | _____ | Rear Yard Setback |
| _____ | - | _____ | Maximum Height of Structure |
| _____ | - | _____ | Minimum Distance Between Structures on the Same Lot |
| _____ | - | _____ | Minimum Lot Area (Square Feet) |
| _____ | - | _____ | Minimum Lot Frontage |
| _____ | - | _____ | Maximum Size of a Sign |
| _____ | - | _____ | Other: _____ |

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on **9.0**

said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20____.

Signed:

SCOTT HATHAWAY

Owner or Agent Name (please print)

Owner

479-782-4085

Owner or Agent Phone Number

Scott Hathaway
or
Agent

1120 GARISON SUITE 1A
FORT SMITH, AR 72901

Owner or Agent Mailing Address

Variance # _____

9E

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

<u>Yes</u>	<u>No</u>	
_____	<u>X</u>	Is this variance needed because of previous actions taken by yourself?
<u>X</u>	_____	Is this variance needed because of previous actions taken by a prior owner?
<u>X</u>	_____	A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?
_____	<u>X</u>	Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.
_____	<u>X</u>	Is the lot of an odd or unusual shape?
_____	<u>X</u>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<u>X</u>	_____	Does the lot contain required easements other than those that might be located on its perimeter?
_____	<u>X</u>	Is any part of the lot in a flood plain or flood way?
_____	<u>X</u>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<u>X</u>	_____	Is the lot developed with structures in violation of current zoning requirements?
<u>X</u>	_____	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

9F

Explanation of question #4 (if applicable)

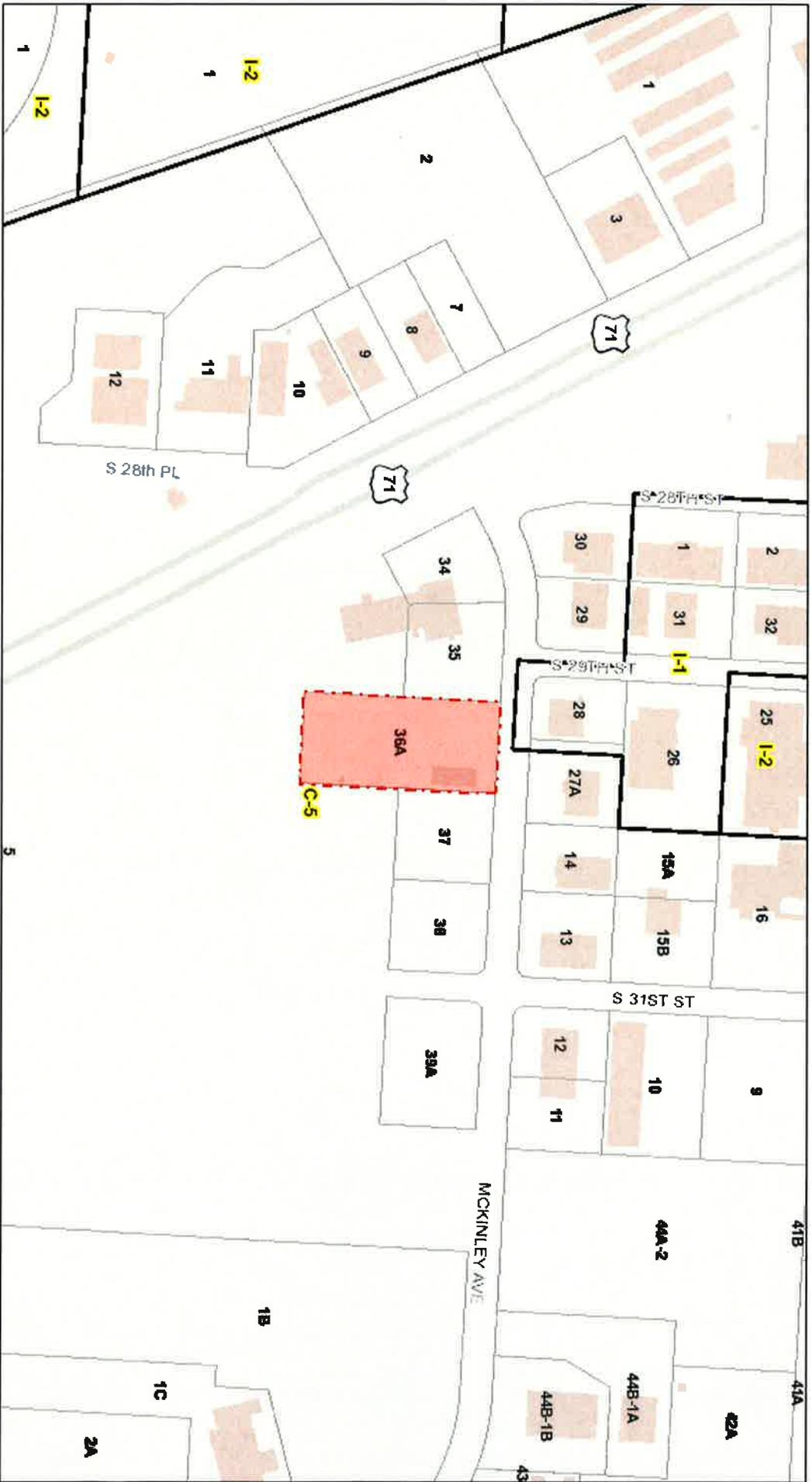
2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

N/A

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

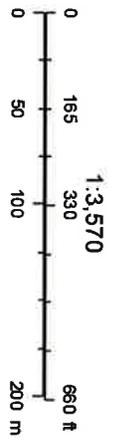
N/A

Variance #21-7-16: From 25' to 20' front yard setback and from 20' to 10.9' interior side yard setback
 2902 McKinley Avenue



June 21, 2016

- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions

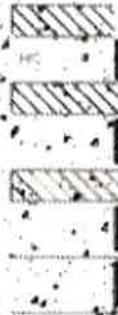


EXISTING
CONCRETE DRIVE
APRON

EXISTING
GATE

PARKING CALCULATIONS
RETAIL 2891sf / 300 = 10
WAREHOUSE 1453sf / 1000 = 2
TOTAL REQUIRED 12
TOTAL PROVIDED 12

EXISTING PARKING



25' 0"

PROPOSED
ADDITION

EXISTING
BUILDING

PROPOSED
ADDITION

CHAIN LINK
FENCE

EXISTING CONCRETE
PAVING

6' 0"

PARKING
BARRIERS

12 SPACES @ 10' 0"

915

Memo

To: City Planning Commission

From: Planning Staff

Date: June 27, 2016

Re: Variance #22-7-16 - A request by Cary Smallwood, owner, for Board of Zoning Adjustment consideration of a zoning variance request from 24 square feet to 32 square feet maximum size of three subdivision entry signs at 7350 Massard Road

REQUESTED VARIANCE

Approval of the variance will allow three subdivision entry signs with sign areas of 32 square feet each. The entry signs are for the Stonewood at Chaffee Crossing subdivision and have been installed.

LOT LOCATION AND SIZE

The subject property is on the west side of Massard Road just south of General Darby's Landing.

EXISTING ZONING

The existing zoning on this tract is Residential Single Family Medium/High Density (RS-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium-to-high density, compact single family detached development on new sites or as infill construction. Adequate public services and facilities shall be available with sufficient capacity to serve the proposed development. This zoning district is intended to serve as a transition between the lower density single family districts and the multifamily of commercial districts. RS-3 zoning as appropriate in urban and suburban areas and primarily applies to the Residential Detached, Mixed Use Residential, and Mixed Use Employment category of the Master Land Use Plan.

Permitted Uses:

Single-family dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 6,500 square feet
Maximum Density – 6.7 Dwelling Units/Acre
Minimum Lot Width at Building Line – 60 feet
Minimum Street Frontage – 20 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 25 feet
Side Yard Setback – 7.5 feet
Rear Yard Setback - 10 feet
Minimum building separation – 10 feet

Maximum Height - 35 feet (1+1)
Maximum Lot Coverage - 60%

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Single Family Rowhouse and Zero Lot Line (RS-5) and developed as single family residences.

The area to the east is not zoned and is undeveloped.

The area to the south is not zoned and is undeveloped.

The area to the west is zoned Residential Single Family Medium/High Density (RS-3) and developed as single family residences.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Massard Road as a Boulevard.

MASTER LAND USE PLAN COMPLIANCE

The Chaffee Crossing Redevelopment Plan classifies the subdivision as Single Family Residential. This land use promotes standard residential lots or zero lot line lots in attractive, interconnected neighborhoods.

APPLICANT HARDSHIP

The owner states that he constructed the new signs without permits, believing they would meet all zoning requirements.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Tuesday, July 5, 2016 at 7226 Stonebrook Drive. No adjacent property owners attended the meeting.

10B

GRANT OF A VARIANCE

If the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

STAFF COMMENTS AND RECOMMENDATIONS

For comparison purposes, the entryway signage for the adjacent Cisterna Subdivision is 16' (width) x 7-6" (height).

In addition to the variance from the City UDO requirements, a variance from the Chaffee Crossing Design Review Committee will be required.

Staff recommends approval of the variance contingent upon the Chaffee Crossing Design Review Committee granting a variance for the size requirements of these signs also. No building permit can be issued without the approval of the DRC and approval of this variance.

Var. # 22-7-16

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

7350 Massard Road

MASARD & SUNEBROOK DRIVE

Address of property MASARD & GENERAL DAVIS, Existing or Proposed

Zoning Classification R-3, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

<u>Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship</u>

FROM

TO

- _____ - _____ Front Yard Setback or Minimum Distance from Right-of-Way
- _____ - _____ Exterior Side Yard Setback
- _____ - _____ Interior Side Yard Setback
- _____ - _____ Rear Yard Setback
- _____ - _____ Maximum Height of Structure
- _____ - _____ Minimum Distance Between Structures on the Same Lot
- _____ - _____ Minimum Lot Area (Square Feet)
- _____ - _____ Minimum Lot Frontage
- _____ - 9'6" x 3'4" Maximum Size of a Sign
- _____ - _____ Other: _____

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

100

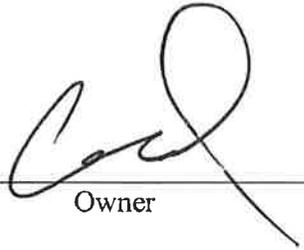
said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20____.

Cary Swallow
Owner or Agent Name (please print)

479-806-7474
Owner or Agent Phone Number

P.O. box 60176 FM 72917
Owner or Agent Mailing Address

Signed:


Owner

or

Agent

Variance # _____

10B

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

<u>Yes</u>	<u>No</u>	
<u>X</u>	<u> </u>	Is this variance needed because of previous actions taken by yourself?
<u> </u>	<u>X</u>	Is this variance needed because of previous actions taken by a prior owner?
<u> </u>	<u>X</u>	A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?
<u>X</u>	<u> </u>	Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.
<u>X</u>	<u> </u>	Is the lot of an odd or unusual shape?
<u> </u>	<u>X</u>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<u>P</u>	<u> </u>	Does the lot contain required easements other than those that might be located on its perimeter?
<u> </u>	<u>X</u>	Is any part of the lot in a flood plain or flood way?
<u> </u>	<u>X</u>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<u>X</u>	<u> </u>	Is the lot developed with structures in violation of current zoning requirements?
<u>X</u>	<u> </u>	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

Explanation of question #4 (if applicable)

THIS VARIANCE IS FOR SIGNAGE ALREADY CONSTRUCTED.
THE SIZE OF SIGNS IS TOO LARGE ACCORDING TO CITY
REGULATION.

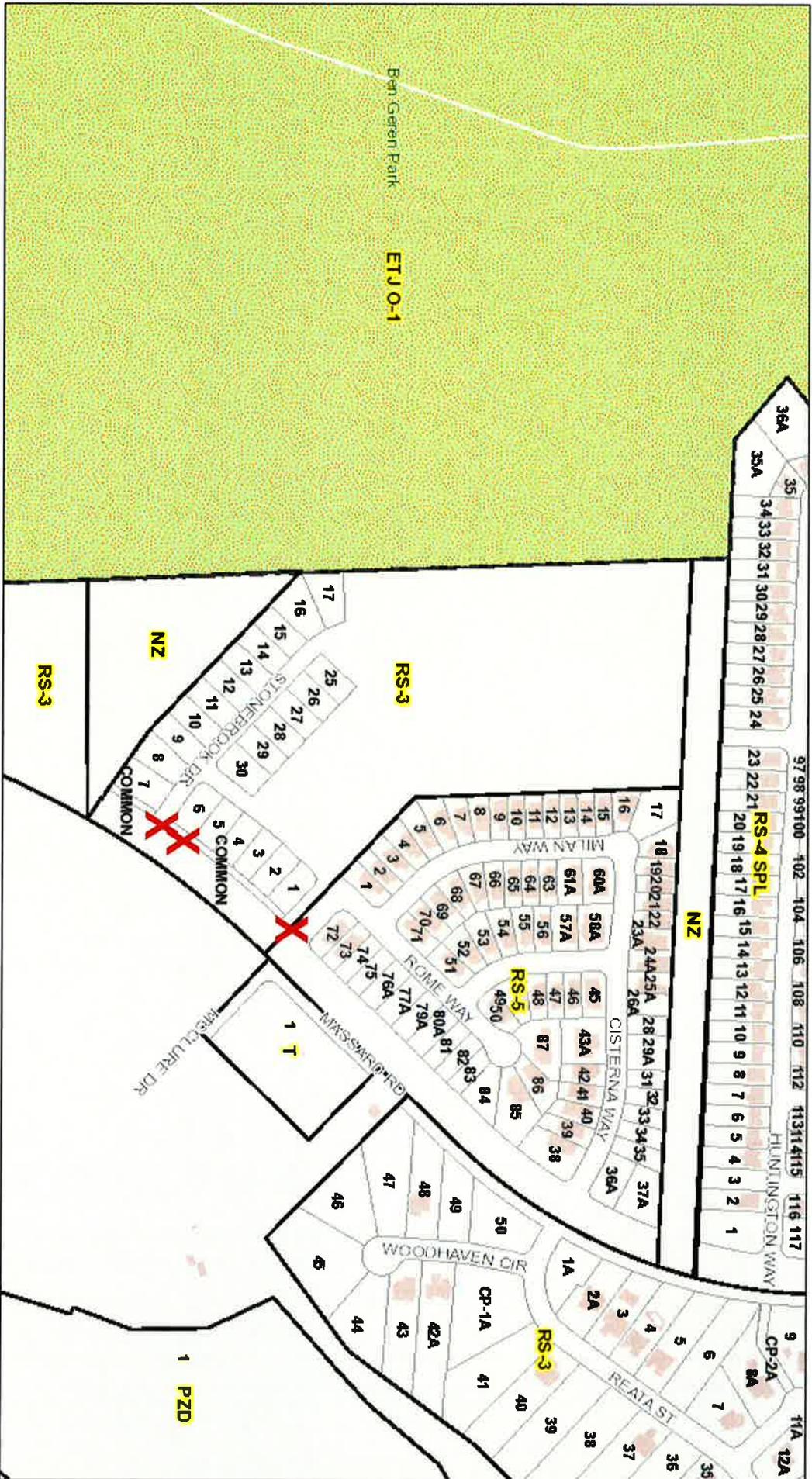
2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

THE SIGNS ARE CONSTRUCTED. IT IS VERY EXPENSIVE TO
CHANGE. WE BELIEVED WE WERE DOING
RIGHT

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

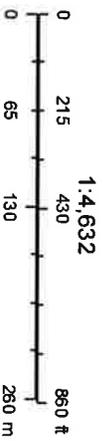
Variance #22-7-16: From 24 square feet to 32 square feet in area 7350 Massard Road

FOI



June 23, 2016

- Fort Smith City Limits
- Zoning
- Subdivisions
- Building Footprints
- Parks



STONEE (PHAS

P.08
P.145
E. 3
E. 6

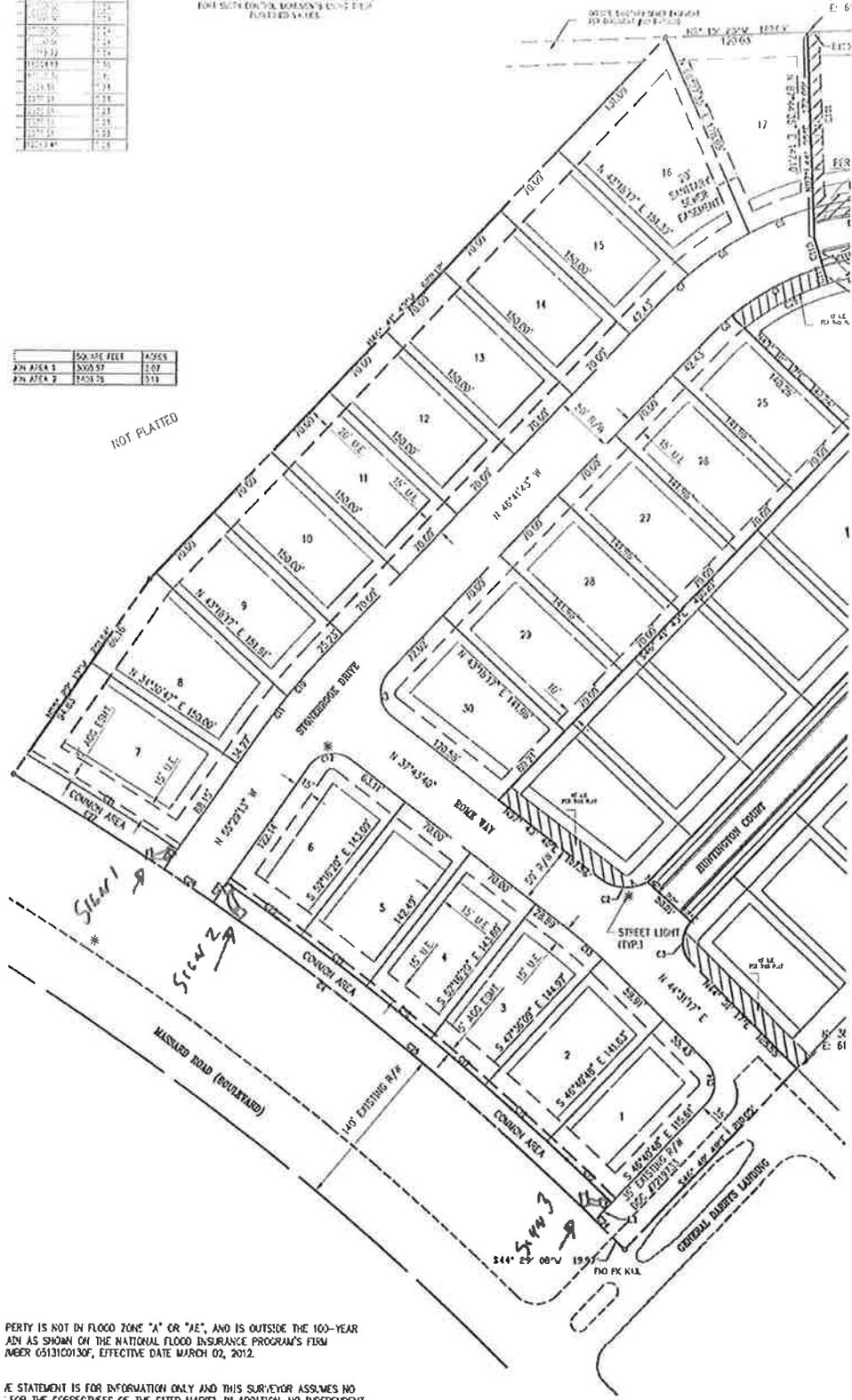
SECTION	SQUARE FEET	ACRES
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BASED ON DEASING ARKANSAS STATE PLANS
COORDINATE TO NORTH 22E, R4D 8E
SECTION 24, T4N AND R2E 2E, W10E, E1/4
RETURNED BY THE OPERATOR ON THE DATE OF
FIRST SURVEY CONTROL MEASUREMENTS USING THE
PLATTED VALUES.

SECTION	SQUARE FEET	ACRES
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100	10,000	0.23

NOT PLATTED



PROPERTY IS NOT IN FLOOD ZONE "A" OR "AE", AND IS OUTSIDE THE 100-YEAR
FLOOD AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FIRM
NUMBER 05131C0130F, EFFECTIVE DATE MARCH 02, 2012.

THIS STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO
RESPONSIBILITY FOR THE CORRECTNESS OF THE CITED MAPS. IN ADDITION, NO INDEPENDENT
SURVEY OF THE LIKELIHOOD OF FLOODING OF THE SURVEYED PROPERTY HAS BEEN DONE.
NO SURVEYOR AND NO OPINION OF FLOOD HAZARDS IS INCLUDED IN THIS SURVEY.
NO HAZARD ZONE BOUNDARIES SHOWN HEREON WERE SCALED FROM THE MAPS
AND ARE NOT THE RESULT OF INDEPENDENT COMPUTATION OR ANALYSIS.

1015