

City of Arkadelphia  
Board of Zoning Adjustment and  
Planning Commission Meeting  
**May 13, 2021 at 5:30 p.m.**  
City Hall Boardroom, 700 Clay Street  
Arkadelphia, Arkansas 71923

AGENDA

1. Call the Board of Zoning Adjustment to order.
2. Staff Report for WSB Properties, LLC's request
3. Public Hearing to consider a request by WSB Properties, LLC to reduce rear yard setback from the minimum requirement of 20 feet to 10 feet at 507 S. 7<sup>th</sup> Street.
4. Adjourn Board of Zoning Adjustment
5. Call the Planning Commission to order.
6. Elect a chairman and vice-chairman
7. Consider the April 8, 2021 Planning Commission minutes.
8. Building Department Report, DeAnna Graves
9. Other business
10. Adjourn Planning Commission



Building Department Manager  
DeAnna Graves  
700 Clay St.  
Arkadelphia, AR 77923  
Ph: (870) 246-1818  
deanna.graves@arkadelphia.gov

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Date: May 7, 2021  
To: Board of Zoning Adjustment  
Cc: Gary Brinkley, City Manager; City Board of Directors; and Ed McCorkle, City Attorney  
From: DeAnna Graves, Building Department Manager *dg*  
Re: Public Hearing to consider WSB Properties, LLC's variance request to reduce the rear yard setback at 507 S. 7<sup>th</sup> Street.

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WSB Properties, LLC is proposing to construct a 16' x 18' pavilion in an Office Commercial District (C-4) at the rear of their property located at 507 S. 7<sup>th</sup> Street

They are requesting a variance to reduce the rear yard setback from the required 20 feet to 10 feet. The proposed plan meets all the remaining setback requirements including the building separation distance.

As required, a legal notice was published in The Southern Standard on May 6, 2021. The adjacent property owners have been notified by certified return receipt mail. No objections have been received to date.

Land Use Ordinance B-425, Art. 7-4, *Variance*

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

**Staff recommends approving the variance request to reduce the rear yard setback from 20 feet to 10 feet at 507 S 7<sup>th</sup> Street as long as all the other setbacks are met.**

CITY OF ARKADELPHIA  
APPLICATION FOR HEARING

TO THE ARKADELPHIA BOARD OF ZONING ADJUSTMENT:

Application is hereby made to the Arkadelphia Board of Zoning Adjustment pursuant to the Arkansas laws, Act of 186 of 1957, Acts of Arkansas, as amended, requesting a hearing related to the following described property:

1) Please attach legal description: A PARCEL OF LAND BEING LOCATED IN LOT II OF HARDY & BARKMAN'S ADDITION: COMMENCING AT THE SE CORNER OF SAID LOT II THENCE NORTH ALONG THE WEST LINE OF SEVENTH STREET 71.50 FT TO THE POB: THENCE N 89° 41' 58" WEST, A DISTANCE OF 120.21 FT; THENCE N 00° 13' 27" WEST, A DISTANCE OF 50.00 FT; THENCE S 89° 55' 26" EAST, A DISTANCE OF 120.40 FT TO THE WESTERN LINE OF SEVENTH STREET; THENCE S 00° 00' 00" WEST ALONG THE WEST LINE OF SEVENTH STREET, A DISTANCE OF 50.47 FT TO THE POB.

2) Street address or approximation thereof: 507 S 7<sup>th</sup> Street

3) Title of this property is vested in WSB PROPERTIES LLC

Address: 431 Manor Prescott, AR 71857

There are no deed restrictions pertaining to the variance or appeal requested herein. Any restrictions are described \_\_\_\_\_

4) The hearing is requested for the following reason:

( ) Appeal from a decision of the City Engineer concerning his interpretation of the zoning regulations.

Explain: \_\_\_\_\_

Zoning Article #

(X) Request for a variance from the zoning regulations due to unique characteristics of the property.

Explain: Requesting to reduce the rear setback from the minimum requirement of 20 feet to 10 feet.

Zoning Article # 14.04.03 Office Commercial District Section C item 3.

5) A map of the subject property is enclosed herewith as a means of illustrating the problem of concern. Where applicable, the map shows (1) the approximate dimensions of property lines and adjoining rights-of-way, (2) approximate outline location of buildings with appropriate dimensions, and (3) land uses and owners' names of adjacent properties.

6) It is understood that the Notice of Public Hearing will be published at least 7 days prior to said hearing in a newspaper of general circulation in the City. A publication fee of fifty dollars (\$50.00) and a filing fee of five dollars (\$5.00) will be paid to the Building Department. Total fees \$55.00.

\$55.00 received on 4/28/2021  
Receipt # 8559

Check # 0150  
Rec'd by: Debra Brown

- 8) It is understood by the applicant that the Board of Zoning Adjustment may request that additional notice of said public hearing be given to certain interested persons and organizations.
- 9) Submit original with attachments to the City Engineer at least **ten working days prior to hearing date**. Use Additional sheets if above spaces are inadequate.
- 10) Under penalties of perjury, I declare that I have examined this petition, including accompanying materials and statements, and to the best of my knowledge and belief, it is true, correct and complete.

Respectfully submitted,

Signature of applicant W. Herman Brown  
 Address 431 Manor Rd Prescott AR 71857  
 Telephone (870) 703-3737

(Do not write below this line)

CITY OFFICIAL:

Date 4/27/2021

Filing Date 4/28/2021

Are all ten points of application in order? yes

Required number of copies mailed? yes

Time and date of public hearing 5:30 pm May 13, 2021

Notice published (newspaper and date) The Southern Standard May 6, 2021

Copy attached? \_\_\_\_\_

Application approved by the Board of Zoning Adjustment? \_\_\_\_\_

Date: \_\_\_\_\_ Reasons: \_\_\_\_\_

Board's action was ( ) was not ( ) appealed to a court of record:

Date appealed \_\_\_\_\_

Court of record action on appeal \_\_\_\_\_

Signature of City Official \_\_\_\_\_

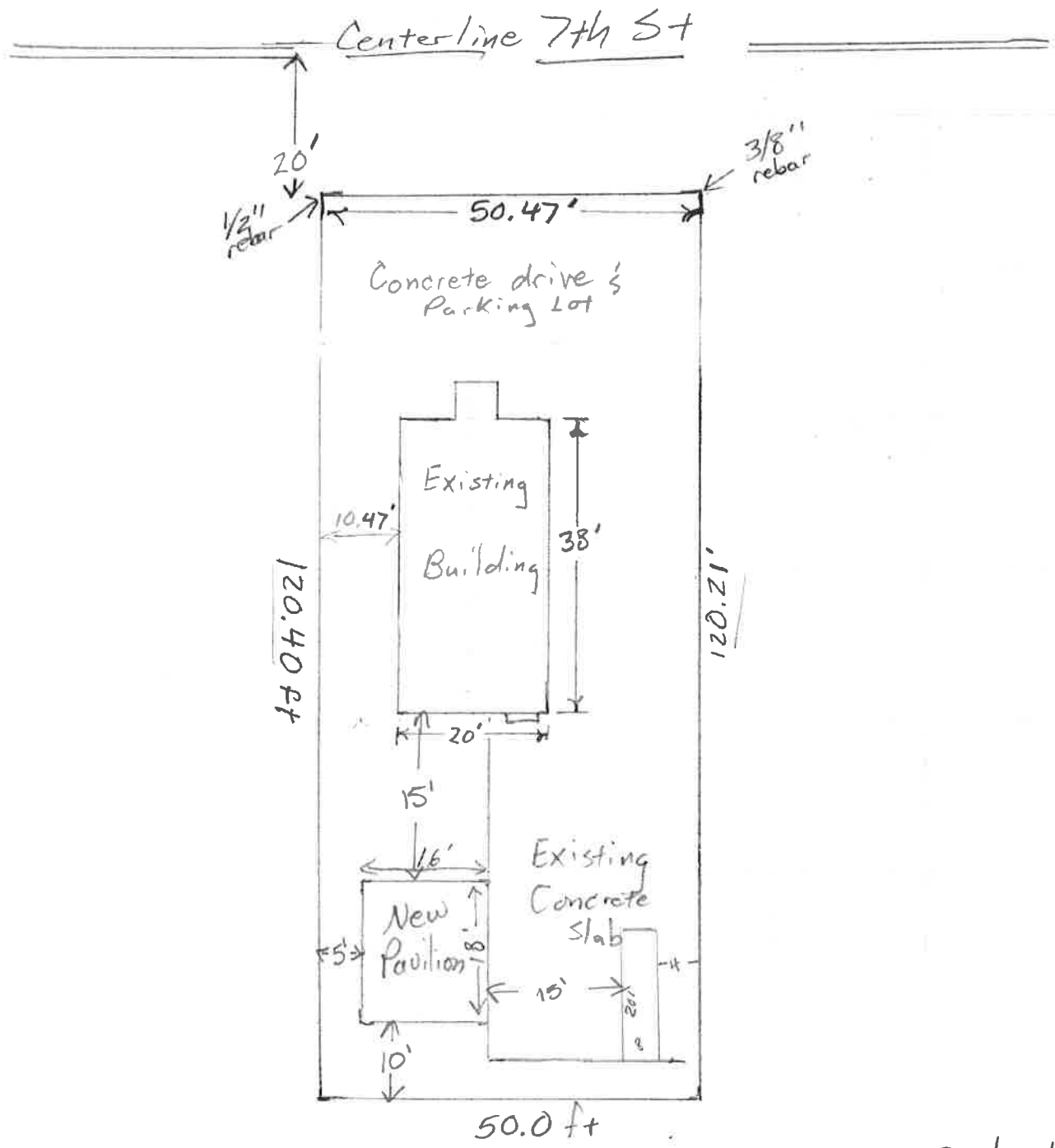
Date \_\_\_\_\_

# Site Plan

April 2021

Samantha's Bakery  
507 South 7th St  
Arkadelphia, AR 71923

Property owner - WSB Properties, Inc



Scale - 1" = 20 ft



507 S. 7<sup>th</sup> Street – Samantha's Bakery and Café  
Construct (1) 16' X 18' Pavilion marked on map in gray





Building Department Manager  
DeAnna Graves  
700 Clay St.  
Arkadelphia, AR 77923  
Ph: (870) 246-1818  
deanna.graves@arkadelphia.gov

---

Date: April 27, 2021

Postal Enterprises of Arkansas  
108 West Maple Street  
Nicholsville, KY 40356

Dear Property Owner:

This letter is to notify you that WSB Properties, LLC, neighboring property owner, have requested a rear yard setback variance to construct a pavilion at the rear of their business located at 507 S. 7<sup>th</sup> Street. This property is adjacent to property you own at 615 Crittenden.

The property is located in C-4 Office Commercial District. The minimum required rear yard setback is 20 feet from the property line. They are requesting to reduce the minimum required rear yard setback from 20 feet to 10 feet from the property line.

#### LEGAL NOTICE

The Board of Zoning Adjustment will hold a public hearing on May 13, 2021 at 5:30 p.m. in the Boardroom, 700 Clay Street, Arkadelphia, Arkansas to consider WSB Properties, LLC's request for a rear yard setback variance to construct a pavilion at 507 S 7<sup>th</sup> Street. All interested parties may be heard at said time and place or may notify the Board of Zoning Adjustment by letter of their views on this matter. The application is on file for public inspection in the Building Department at 700 Clay Street. Dated this 27<sup>th</sup> day of April 2021. By: Jessica Davis, City Clerk.

Please feel free to call the Building Department for additional information.

Sincerely,

A handwritten signature in blue ink that reads 'DeAnna Graves'.

DeAnna Graves

Encl. (2)



Building Department Manager  
DeAnna Graves  
700 Clay St.  
Arkadelphia, AR 77923  
Ph: (870) 246-1818  
deanna.graves@arkadelphia.gov

---

Date: April 27, 2021

Chad E. & Kristin Kesterson  
715 N 15<sup>th</sup> Street  
Arkadelphia, Arkansas 71923

Dear Property Owner:

This letter is to notify you that WSB Properties, LLC, neighboring property owner, has requested a rear yard setback variance to construct a pavilion at the rear of the property located at 7 S. 7<sup>th</sup> Street. This property is adjacent to property you own at 503 S 7<sup>th</sup> Street.

The property is located in C-4 Office Commercial District. The minimum required rear yard setback is 20 feet from the property line. They are requesting to reduce the minimum required rear yard setback from 20 feet to 10 feet from the property line.

#### LEGAL NOTICE

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DeAnna Graves

Encl. (2)





Building Department Manager  
DeAnna Graves  
700 Clay St.  
Arkadelphia, AR 77923  
Ph: (870) 246-1818  
deanna.graves@arkadelphia.gov

---

Date: April 27, 2021

Jerry T & Kristy L Simmons  
320 Clay Street  
Arkadelphia, Arkansas 71923

Dear Property Owner:

This letter is to notify you that WSB Properties, LLC, neighboring property owner, has requested a rear yard setback variance to construct a pavilion at the rear of their business located at 507 S. 7<sup>th</sup> Street. This property is adjacent to property you own at 723 Crittenden Street.

The property is located in C-4 Office Commercial District. The minimum required rear yard setback is 20 feet from the property line. They are requesting to reduce the minimum required rear yard setback from 20 feet to 10 feet from the property line.

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Encl. (2)



Building Department Manager  
DeAnna Graves  
700 Clay St.  
Arkadelphia, AR 77923  
Ph: (870) 246-1818  
deanna.graves@arkadelphia.gov

---

Date: April 27, 2021

Jackie Mitchell Battle  
P. O. Box 6  
Arkadelphia, Arkansas 71923

Dear Property Owner:

This letter is to notify you that WSB Properties, LLC, neighboring property owner, has requested a rear yard setback variance to construct a pavilion at the rear of their business located at 507 S. 7<sup>th</sup> Street. This property is adjacent to property you own at 504 S 8<sup>th</sup> Street.

The property is located in C-4 Office Commercial District. The minimum required rear yard setback is 20 feet from the property line. They are requesting to reduce the minimum required rear yard setback from 20 feet to 10 feet from the property line.

#### LEGAL NOTICE

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Sincerely,

A handwritten signature in blue ink that reads 'DeAnna Graves'.

DeAnna Graves

Encl. (2)



Building Department Manager  
DeAnna Graves  
700 Clay St.  
Arkadelphia, AR 77923  
Ph: (870) 246-1818  
deanna.graves@arkadelphia.gov

---

Date: April 27, 2021

J R Ventures, Inc.  
511 S 7<sup>th</sup> Street  
Arkadelphia, Arkansas 71923

Dear Property Owner:

This letter is to notify you that WSB Properties, LLC, neighboring property owner, has requested a rear yard setback variance to construct a pavilion at the rear of their property located at 507 S. 7<sup>th</sup> Street. This property is adjacent to property you own at 511 S 7<sup>th</sup> Street.

The property is located in C-4 Office Commercial District. The minimum required rear yard setback is 20 feet from the property line. They are requesting to reduce the minimum required rear yard setback from 20 feet to 10 feet from the property line.

#### LEGAL NOTICE

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A handwritten signature in blue ink that reads 'DeAnna Graves'.

DeAnna Graves

Encl. (2)



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Postal Enterprises  
108 West Maple Street  
Nicholsville, KY 40356



9590 9402 5327 9154 2060 68

2. Article Number (Transfer from service label)  
7019 1120 0000 1300 6676

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION**

A. Signature  
X *DWC*

B. Received by (Print Name)

D. Is delivery address correct? If YES, enter delivery point

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
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 Certified Mail Restricted Delivery  
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\$ 3.60 \$2.85

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 Return Receipt (hardcopy) \$2.85  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55  
\$ .55 \$0.55

Total Postage and Fees \$7.00  
\$ 7.00 \$7.00

Sent To: Postal Enterprises of Arkansas  
Street and Apt. No., or PO Box No. 108 West Maple Street  
City, State, ZIP+4® Nicholsville, KY 40356

Postmark Here  
04/28/2021

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chad E. Kesterson  
Kristin Kesterson  
715 N 15<sup>th</sup> Street  
Arkadelphia, AR 71923



9590 9402 5327 9154 2061 36

2. Article Number (Transfer from service label)  
7019 1120 0000 1300 6720

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION**

A. Signature  
X *[Signature]*

B. Received by (Print Name)

D. Is delivery address correct? If YES, enter delivery point

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
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 Insured Mail Restricted (over \$500)

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 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55  
\$ .55 \$0.55

Total Postage and Fees \$7.00  
\$ 7.00 \$7.00

Sent To: Chad E + Kristin Kesterson  
Street and Apt. No., or PO Box No. 715 N 15<sup>th</sup> St  
City, State, ZIP+4® Arkadelphia, AR 71923

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04/28/2021

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Domestic Return Receipt

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

J R Ventures, Inc.  
511 S. 7<sup>th</sup> Street  
Arkadelphia, AR 71923



9590 9402 5327 9154 2060 75

2. Article Number (Transfer from service label)  
7019 1120 0000 1300 6706

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION**

A. Signature  
X *[Signature]*

B. Received by (Print Name)

D. Is delivery address correct? If YES, enter delivery point

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
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 Return Receipt (hardcopy) \$2.85  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55  
\$ .55 \$0.55

Total Postage and Fees \$7.00  
\$ 7.00 \$7.00

Sent To: Jerry T + Kristy L Simmons  
Street and Apt. No., or PO Box No. 326 Clay St  
City, State, ZIP+4® Arkadelphia, AR 71923

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04/28/2021

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions


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1. Article Addressed to:

Jackie Mitchell Battle  
P. O. Box 6  
Arkadelphia, AR 71923



9590 9402 5327 9154 2061 29

2. Article Number (Transfer from service label)  
7019 1120 0000 1300 6713

PS Form 3811, July 2015 PSN 7530-02-000-9053

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Arkadelphia, AR 71923

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<b>\$ 3.60</b>		
Extra Services & Fees (check box, add fee as appropriate)		
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.85	
<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00	
<input type="checkbox"/> Adult Signature Required	\$ 0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00	
Postage	\$0.55	
<b>\$ .55</b>		
<b>Total Postage and Fees</b>	<b>\$ 7.00</b>	

Postmark Here  
0924 07  
04/28/2021

Sent To Jackie Mitchell Battles  
Street and Apt. No., or PO Box No.  
P.O. Box 6  
City, State, ZIP+4®  
Arkadelphia, AR 71923

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Insured Mail Restricted Delivery  Signature Confirmation Restricted Delivery

Domestic Return Receipt

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Arkadelphia, AR 71923

**OFFICIAL USE**

Certified Mail Fee	\$3.60	\$2.85
<b>\$ 3.60</b>		
Extra Services & Fees (check box, add fee as appropriate)		
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.85	
<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00	
<input type="checkbox"/> Adult Signature Required	\$ 0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00	
Postage	\$0.55	
<b>\$ .55</b>		
<b>Total Postage and Fees</b>	<b>\$ 7.00</b>	

Postmark Here  
0924 07  
04/28/2021

Sent To JB Venture, Inc.  
Street and Apt. No., or PO Box No.  
511 S 7th Street  
City, State, ZIP+4®  
Arkadelphia, AR 71923

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

City of Arkadelphia  
 Board of Zoning Adjustment and  
 Planning Commission Meeting  
 April 8, 2021 at 5:30 p.m.  
 City Hall Boardroom, 700 Clay Street  
 Arkadelphia, Arkansas 71923

MINUTES

Attending Members	Attending Members	Attending Citizens
Terry Roberts	Gracie Neal	Amanda Haynes
Gracie Neal	Llewellyn Terry	Phil Shuffield
Bill Phelps, Vice Chairman	Lawrence Phillips	DeAnna Graves, City Recorder

Bill Phelps called the Board of Zoning Adjustment to order at 5:31 p.m.

A public hearing was held to consider David B. Haynes Estates variance request to waive the installation of the sidewalks at 1310 N. 10<sup>th</sup> Street.

Amanda Haynes addressed the Board on behalf of David B Haynes Estate concerning the variance request.

Legal notice was published and all property owners affected by the request to waive the sidewalk requirements were notified as required. There were no objections to the request.

After some discussion, *Lawrence Phillips moved, seconded by Terry Roberts, to grant the request to waive the installation of the sidewalks due to the circumstances unique to David B Haynes Estate's property located at 1318 N 10<sup>th</sup> Street.* The motion passed unanimously on a roll call vote as follows:

Llewellyn Terry	“Yes”	Gracie Neal	“Yes”
Lawrence Phillips	“Yes”	Terry Roberts	“Yes”
Bill Phelps	“Yes”		

With no further business, *Lawrence Phillips moved, seconded by Gracie Neal, to adjourn the Board of Zoning Adjustment.* The motion passed unanimously. The Board of Zoning Adjustment adjourned at 5:38 p.m.

Bill Phelps called the Planning Commission to order at 5:38 p.m.

The March 18, 2021 minutes were considered. *Gracie Neal moved, seconded by Llewellyn Terry, to approve the minutes as submitted.* The motion passed unanimously.

DeAnna gave an update to the staff report on the ongoing and potential development for the city.

Other business discussed:

- DeAnna mentioned the City employee cleanup day
- Bill Phelps mentioned wrecked vehicles being parted on a lot by Beene's Towing & Recovery not screened as required.

With no other business, *Lawrence Phillips moved, seconded by Terry Roberts, to adjourn the Planning Commission.* The motion passed unanimously. Planning Commission adjourned at 5:49 p.m.

---

Tom Tobin, Chairman

---

DeAnna Graves, Recorder



## PLANNING COMMISSION PROCEDURAL RULES 2021

- OFFICERS:** Choose annually in May. Duties are those as set forth in city and state regulations.
- CHAIRMAN:** To be elected annually by the Commission and is also a member of the Board of Zoning Adjustment.
- VICE-CHAIRMAN:** To be elected annually by the Commission and is also a member of the Board of Zoning Adjustment.
- REGULAR MEETING:** Second Thursday of the month at 5:30 p.m. in the City Hall Boardroom. Additional meetings may be held for particular purposes as determined by the Planning Commission or the Chairman. (Per Arkansas Code of 1987 Annotated, at least one (1) regular meeting is to be held in each quarter of each calendar year.)
- QUORUM:** A quorum shall be (5) five members for a full Planning Commission.
- ATTENDANCE:** Shall be accordance with O-97-9. All appointees shall attend a minimum of seventy-five (75%) of the regular meetings as determined on an annual basis and shall not be absent for three consecutive regular meetings, without just cause, or the Board of Directors may declare a vacancy to exist and appoint a replacement.
- AGENDA:** Regular meeting business will usually be limited to items placed on the agenda by the Chairman or Planning Director. Agenda items are to be listed on or before the Monday just prior to the applicable meeting. Called meetings have an agenda limited by terms of the call. The Planning Commission may add items as it chooses in accordance with legal notification requirements.
- ROBERTS RULES OF ORDER:** Will apply to the conducting of business in meetings.
- PUBLIC NOTICE:** All meetings are to be open to the public which is to be notified as required per ordinances in effect.
- VOTING:** Plan adoption and recommendation of proposed ordinances and regulations are by a majority vote of the entire commission (Per Arkansas Code of 1987 Annotated 14-56-422).



## **\*BUILDING DEPARTMENT STAFF REPORT**

May 7, 2021

### **DEVELOPMENT IN PROCESS:**

- Williams Funeral Home –Interior work being done
- 1 SFD at 806 S 13<sup>th</sup> Street – Finish trim out – needs final inspection
- 1 SFD addition at 2327 Clinton Street. – needs to install windows and do interior work
- Brookshire’s remodel – ongoing.
- Streetscapes on 6<sup>th</sup> Street –need to do some sidewalks and crossovers
- Entergy Service Center 2803 Pine Street – issued permit on 4/27/2021
- The Salt and Grain Meat market at 1318 Pine Street is needs interior work
- Walgreen - 131 N 26<sup>th</sup> Street – needs to obtain a permit to remodel the pharmacy area.
- Big Red Convenience Store at 3005 Pine Street – Permit issued 5/3/2021
- Drainage Improvements @ Feaster Trail and 10<sup>th</sup> Street area

### **FUTURE DEVELOPMENTS**

- Walmart – remodel to replace sprinkler heads and add additional heads, remodel vision center and take out most of the checkouts and change to self-checkout.
- Tate Temple COGIC – Wanting to obtain permit – need to review plans to insure corrections have been made.
- The Gardens Phase III – Preliminary Plans have been submitted for review and will be on next month’s agenda for approval
- Regions Bank – remodel – they are still awaiting plans.