

BOARD OF ZONING ADJUSTMENT
MINUTES
FOR MEETING HELD ARIL 28, 2009

MEETING: Shown herein is a summary of action taken at the Pine Bluff Board of Zoning Adjustment Meeting held April 28, 2009 at 4:00 p.m. in the City Hall Chambers.

QUORUM: Those members present included: Lou Taylor, Joe Clement, Frank Hartwick, David Lausten, Evelyn Blunt, Don Scott, Gordon Reese and Jesse Kearny.

OTHERS

PRESENT: Others present include: Jerre George, Regional Planner, Lakishia Hill, Zoning Official, and other concerned citizens.

CALL TO

ORDER: Chairman Taylor called to order the Pine Bluff Board of Zoning Adjustment meeting for April 28, 2009.

**CONSIDERATION
OF MINUTES:**

NONE

OLD BUSINESS:

NONE

NEW BUSINESS:

Item 1: Variance request by James Davis to build on a lot smaller than required by ordinance, located at 1013 Dakota in an R-1 zone.

Commission Chair Taylor asked if there was anyone present to speak in favor of the request. Since there were none he asked if there was anyone present to speak against the request.

Mr. Lorenza Simmons of Monticello, AR stepped forward to speak against the request.

Mr. Simmons stated that he owns the adjacent lot to Mr. Davis' property. He stated that his lot is for sale and he is concerned the variance will hinder the sale of his property.

Commission Chair Taylor informed Mr. Simmons that if he were to build on his lot he would need a variance.

Mr. Simmons stated that he has no intentions of building on the lot. His concern is not allowing anything to hinder his ability to sale his lot.

Commissioner Reese asked if he owned the corner lot or the inside lot.

Mr. Simmons stated he owns the corner lot.

Commissioner Kearney asked Mr. Simmons how he believed the variance would hinder the sale of his lot.

Mr. Simmons stated that he does not know what the buyer's plan might be.

Commission Chair Taylor stated the area is residential. If a home was constructed on the same sized lot next door, it would indicate to the buyer that the lot is buildable.

Commissioner Clement stated that if the lot in question is deemed unbuildable that would mean no one else on the street with the same lot size could build. That would render Mr. Simmons lot unusable.

Commission Chair Taylor stated that the variance request might enhance the buyers for Mr. Simmons' lot.

Commission Chair Taylor asked if there were more speakers against the request. Since there were none he asked for staff recommendation.

Regional Planner Jerre George stated that staff recommends in favor of the variance. Most lots in the area between 11th and 8th Avenue and Ohio and Utah are the same sized lots. There are a lot of vacant lots. The area should have been zoned so that the 50 foot lots could be used. The zone is R-3 residential but the R-4 residential zone would have allowed the lots to be used. There is plenty of area for him to place a house on the lot. He could move the house farther back onto the lot to place the parking in front or place a driveway down the side of the property to place the parking in back. Therefore staff recommends approval of the request subject to the applicant providing parking.

Commission Chair Taylor asked if commissioners had question of staff. Since there were none, he asked for a motion on staff's recommendation.

Commissioner Scott started the motion in favor of staff recommendation.

Commissioner Kearney seconded the motion.

Commission Chair Taylor asked all in favor of the motion to signify by saying "Aye". Then all opposed to signify with the same sign. The item was approved unanimously subject to the applicant providing parking.

ADJOURNMENT:

Commission Chair Taylor entertained a motion to adjourn.

The motion was made and seconded.

Commission Chair Taylor adjourned the meeting.

THESE MINUTES ARE ADOPTED THIS 26TH DAY OF MAY 2009.

CHAIRMAN

SECRETARY