

City Engineer – Terry Carpenter  
City Planner – Jeff Hawkins  
City Attorney – Harrington-Miller  
Public Works Director – James Clark  
Code Enforcement Officer – Brett Freeland



**Planning Board**  
Darrell Watts, Chairman  
Rocky Clinton, Vice Chairman  
Gene McCartney, Secretary  
Susan Sedberry, Member  
Jim Miller, Member

**Board of Zoning Adjustments, Public Hearing Agenda**  
**February 28<sup>th</sup>, 2017, 7:00 p.m.**  
**Tontitown City Hall, 235 E Henri de Tonti Blvd, Tontitown AR**

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1. **Board of Zoning Adjustments – Public Hearing - Meeting Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **New Business**

- a. **Variance Request – BCRD, LLC – After Review of Project, meets current setback requirements for this parcel. Does not require public hearing and Variance.**

**Variance Request:** Code 153.047 C-2 Commercial Minimum setback requirements  
**Project Name:** BCRD, LLC **Properties location:** 1078 Florence Ave

- b. **Variance Request – Monty and Tammy Christenberry**

**Variance Request:** Code 153.046 R-1 Single Family Residential Setback Requirements  
**Property Location:** 1893 Pocco Lane

**Narrative:** To the City of Tontitown Planning Commission,

Our clients, Monty and Tammy Christenberry are requesting a variance on the rear building setback on property they own located at 1893 Pocco Lane in Tontitown. The current rear setback is 35', and they are requesting that it be reduced to 22.5' for the purpose of constructing a swimming pool.

Because of the rectangular shape of their lot and the topography of the land, the Christenberry's septic field is located south of their house and occupies a significant portion of their unused lot, which would not allow any structures or improvements on that side of the house. The front of the house sits close to the existing setback on the front. There are existing trees at the rear of the house that would allow for screening for a pool on that side.

The literal interpretation of this ordinance would not allow our clients the right to construct a pool on their property, a right enjoyed by other property owners in this neighborhood. A majority of the houses in this neighborhood with a pool have it installed at the rear of the property.

The location of the septic field, as well as the shape of the lot dictates the house placement location, so therefore where the house sits now is the only viable location for the house, and the rear of the house would be the best location for a proposed pool.

Please see the attached building setback reduction Exhibit for further information regarding this request, and contact Bates & Associates with any questions or concerns.

See Attachment #1

Comments from Citizens – On Variance Request for Monty and Tammy Christenberry

5. **Meeting Adjourned**

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**Board of Zoning Adjustments Agenda  
February 28<sup>th</sup>, 2017, 7:00 p.m.  
Tontitown City Hall, 235 E Henri de Tonti Blvd, Tontitown AR**

- 1. Board of Zoning Adjustments Meeting Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. New Business**
  - a. Approval of Variance request – Monty and Tammy Christenberry**
- 5. Meeting Adjourned**