

MINUTES
WASHINGTON COUNTY PLANNING BOARD
&
ZONING BOARD OF ADJUSTMENTS
June 25, 2015

5:00 pm, Quorum Court Room, New Court House
280 N. College Ave.
Fayetteville, Arkansas 72701

DEVELOPMENTS REVIEWED:

ACTION TAKEN:

LAND DEVELOPMENT HEARINGS

County

a: Variance for Replat Lot 45 and Lot 35 Tony Mountain Subdivision and Private Road Development **Approved**

County

b: Replat Lot 45 and Lot 35 Tony Mountain Subdivision and Private Road Development **Approved**

County

c: Replat Tract 1 Sims Subdivision **Approved**

County

d: Norma Harrelson Minor Subdivision **Approved**

Fayetteville Planning Area

e: Eastern Park Minor Subdivision Preliminary Subdivision **Tabled**

CONDITIONAL USE PERMIT HEARING

County

f: Summers Missionary Baptist Church CUP Youth Center/Gymnasium **Tabled**
(To be tabled due to lack of resumbittal)

LAND DEVELOPMENT HEARINGS

County

g: Summers Missionary Baptist Church LSD Youth Center/Gymnasium **Tabled**
(To be tabled due to lack of resumbittal)

1. ROLL CALL:

Roll call was taken. Members present include, Daryl Yerton, Randy Laney, Chuck Browning, Robert Daugherty, Walter Jennings, and Kenley Haley. Cheryl West were not present.

2. APPROVAL OF MINUTES: *Robert Daugherty made a motion to approve the agenda. Walter Jennings seconded. All board members present were in favor of approving. Motion passed.*

3. APPROVAL OF THE AGENDA: *Daryl Yerton made a motion to approve the agenda. Walter Jennings seconded. All board members present were in favor of approving. Motion passed.*

4. NEW BUSINESS

LAND DEVELOPMENT HEARINGS

County

a. Variance for Replat Lot 45 and Lot 35 Tony Mountain Subdivision and Private Road Development

Variance Approval Request

Location: Section 24, Township 15 North, Range 31 West

Owners: Floyd & Muriel Anderson / Lan and Jessica Brandon Rev. Trust

Applicant: Blew & Associates

Location Address: across from 11462 Tony Mountain Road

Coordinates: Latitude: 35.95779845, Longitude: -94.21703672

Project #: 2015-137 Planner: Nathan Crouch email: NCrouch@co.washington.ar.us

REQUEST: Blew & Associates is requesting Variance and Replat Approval of Minor Subdivision Preliminary and Final Replat approval to divide one lot into two lots. The existing lot has no residential structures. Additionally, Blew & Associates is requesting approval to vacate the existing platted private road right-of-way and dedicate the private road right-of-way in the location as constructed.

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre). The current proposal meets minimum zoning requirements.

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 14, Ann Harbison.

FIRE SERVICE AREA: **West Fork Rural-** no comments were received from West Fork Rural Fire Department, and Dennis Ledbetter, Washington County Fire Marshal, does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: **West Fork**

INFRASTRUCTURE: **Water-** Washington Water Authority **Electric-** Ozarks Electric **Natural Gas-** N/A
Telephone- Windstream Communications **Cable-** N/A

BACKGROUND/ PROJECT SYNOPSIS:

The property owners of Lot 45 are Floyd and Muriel Anderson (deceased).

Due to the property owners of record being deceased, a legal agent authorized to sign as the owner of Lot 45 for this replat application is needed (or signatures of all heirs to the estate). The document or signatures provided must be approved by the county attorney. A representative of the estate is currently working on getting signatures to achieve the needed permissions. Staff is recommending that the Planning Board move ahead with the replat approval contingent upon receipt of proper documentation.

The property owners of Lot 35 are Lan and Jessica Brandon Rev Trust.

The applicant/surveyor is Blew & Associates.

The applicants are requesting to divide existing Lot 45 (a 7.33 acre parcel) into two tracts, and Replat the existing private road right-of-way for Sunbeam Lane (on both Lots 45 and 35) to match the location of Sunbeam Lane as constructed. There are no residential structures on either parcel.

The parent parcel of Lot 45 (parcel # 496-02341-000) is located across from 11461 Tony Mountain Road, WC 2071. West Fork's Planning Area is approximately 1.1 miles to the East of the parent parcel. (**See Vicinity Map attachment, A&B-7, and Site Map attachment, A&B-8**)

Lot 35: This lot is being included to vacate existing private road right-of-way and realign private road right-of-way along the private road as constructed. (See Plat & Legal description attachments, A&B-9 &10)

Lot 45: The applicant is requesting Preliminary and Final Minor Subdivision Replat approval to divide one existing lot into two tracts. The existing lot has no structures.

Parent tract:

- Parcel # 496-02341-000 (lot 45), 7.33 acres

Proposed Tracts:

- Tract 1: 6.19 acres
- Tract 2: 1.14 acres

Lot 45 is part of the Tony Mountain platted subdivision, so the requested split must therefore process as a minor subdivision replat. This Minor Subdivision replat will create two tracts from one.

Sunbeam Lane (Private Road): An existing private road, platted as Sunbeam Lane, provides access to lots 34-45 of the original Tony Mountain Subdivision (platted in 1980) (See attachment, A&B-14). The number of lots allowed to access off a Private Road has been exceeded, according to our current ordinance (section 11-95, See attachment, A&B-12&13). The applicant has requested a variance from that ordinance (See attachment, A&B-11) which is scheduled to be heard at the June 25, 2015, Planning Board meeting, project # 2015-137, Agenda item A.

At the time of the original plat (1980), the Sunbeam Lane 60' Right-of-Way was dedicated (but not accepted by the County as a public road; therefore making it a private road), extending due east from its connection to Tony Mountain Road. IT appears that before Sunbeam Lane was constructed, the pond was expanded (encompassing a portion of the platted ROW for Sunbeam Lane). It appears that the portion of Sunbeam Lane (through lots 34, 35, 44, and 45) was later constructed with the curve going around the pond as seen in the current plat. The originally platted Right-of-Way still exists, but extends through the pond on these lots.

In order to realign the Right-of-Way with Sunbeam Lane (as constructed), the existing Right-of-Way is to be vacated, and portions of the realigned Right-of-Way to be rededicated (on lots 35 and 45), via this replat.

The Right-of-Way to be dedicated via this proposed replat is as follows:

- 60' Right-of-Way straddling the centerline of Sunbeam Lane, on Lot 45, along the boundary line between proposed Tracts 1 and 2.
- 30' Right-of-Way extending south from the centerline of Sunbeam Lane, on Lot 35.
 - 30' Right-of-Way extending north from the centerline of Sunbeam Lane, on Lot 44 (directly to the north of Lot 35), to be dedicated via separate instrument.

The main issues with this project are the location of the Private Road Right-of-Way, the number of lots served by the private road, and the lack of a legally authorized agent to the owners of Lot 45.

TECHNICAL CONCERNS:

Sewer/Septic

The proposed Lot 45, Tract 2, is declared non-buildable for residential purposes via this plat. Melissa Wonnacott of the Arkansas Department of Health, has exempted Tract 2 from providing soil work for a septic system based on the plat note indicating Tract 2 as unbuildable for residential purposes. Soil work has been submitted for Lot 45, Tract 1, and is adequate. Soil work was not required for Lot 35 as it is only included for the sake of ROW vacation and dedication (there are no changes to the configuration of the lot lines of this lot).

Electric/Phone/Gas

No comments received.

Water

No comments.

Addressing

No comments received.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Road

No comments.

SITE VISIT:

A site visit was conducted by planning staff on March 23, 2015. No concerns were noted at that time.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

One neighbor has returned the neighbor comment form "In Favor" of the proposal.

Staff will update the Planning Board at the meeting if any additional comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues			✓
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions		✓	
Proposed Improvements			✓
Info to supplement plat			✓

VARIANCE SUMMARY:

Planning Conditions:

Regulation is requested to be varied in the following manner:

To allow more than 10 lots on a Private Road without requiring that the road be brought up to County standard for a public road.

Reasons variance of regulation is requested:

Tract 2 is designated as non-buildable for residential purposes.

This tract (Tract 2) is being purchased by an adjoining land owner. The land owner is unable to do a lot line adjustment due to mortgage restrictions. Planning Staff has no issue with creating the lot separately as long as it is declared on the plat to be "non-buildable for residential purposes", as this therefore creates the same impact that would be generated due to a lot line adjustment.

Staff feels that the creation of Tract 2 should not put additional traffic on the roads involved in this Subdivision.

If approved, this variance and its conditions should be listed as a note on the final Replat document.

STAFF RECOMMENDATION FOR VARIANCE:

Staff recommends Variance approval of Variance of Replat of Lot 45 & pt. Lot 35, Tony Mountain Minor Subdivision and Private Road Development with the following conditions

Planning Conditions:

1. The following note shall be listed as a note on the final Replat document:
Variance no. 2015-137 was granted at the June 25, 2015 Washington County Planning Board and Zoning Board of Adjustments Meeting. This variance allows more than 10 lots on a Private Road without requiring that the road be brought up to County standard for a public road. (*Chapter 11, Sec. 11-95, Requirements for improving off-site roads*).
2. Pay the \$50 Variance review fee.
3. Tract 2 must be designated on the plat as non-buildable for residential purposes.

Washington County Planner, Nathan Crouch, presented the staff report for the board members.

No Public comments.

Public Comments Closed.

*Walter Jennings made a motion to approve the **Variance for Replat Lot 45 and Lot 35 Tony Mountain Subdivision and Private Road Development** subject to staff recommendations. Daryl Yerton seconded. Cheryl West was not present. Board Members Randy Laney, Daryl Yerton, Robert Daugherty, Chuck Browning, Walter Jennings, and Kenley Haley were in favor of approving. Motion passed.*

County

b. Replat Lot 45 and Lot 35 Tony Mountain Subdivision and Private Road Development

Preliminary and Final Subdivision Replat Approval Request

Location: Section 24, Township 15 North, Range 31 West

Owners: Floyd & Muriel Anderson / Lan and Jessica Brandon Rev. Trust

Applicant: Blew & Associates

Location Address: across from 11462 Tony Mountain Road

Approximately 13.24 acres/ 3 lots. Proposed Land Use: Single Family Residential

Coordinates: Latitude: 35.95779845, Longitude: -94.21703672

Project #: 2015-101 Planner: Nathan Crouch email: NCrouch@co.washington.ar.us

REQUEST: Blew & Associates is requesting Variance and Replat Approval of Minor Subdivision Preliminary and Final Replat approval to divide one lot into two lots. The existing lot has no residential structures. Additionally, Blew & Associates is requesting approval to vacate the existing platted private road right-of-way and dedicate the private road right-of-way in the location as constructed.

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre). The current proposal meets minimum zoning requirements.

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's

jurisdiction.

QUORUM COURT DISTRICT: District 14, Ann Harbison.

FIRE SERVICE AREA: West Fork Rural- no comments were received from West Fork Rural Fire Department, and Dennis Ledbetter, Washington County Fire Marshal, does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: West Fork

INFRASTRUCTURE: Water– Washington Water Authority **Electric-** Ozarks Electric **Natural Gas–** N/A
Telephone- Windstream Communications **Cable-** N/A

BACKGROUND/ PROJECT SYNOPSIS:

The property owners of Lot 45 are Floyd and Muriel Anderson (deceased). Due to the property owners of record being deceased, a legal agent authorized to sign as the owner of Lot 45 for this replat application is needed (or signatures of all heirs to the estate). The document or signatures provided must be approved by the county attorney. A representative of the estate is currently working on getting signatures to achieve the needed permissions. Staff is recommending that the Planning Board move ahead with the replat approval contingent upon receipt of proper documentation.

The property owners of Lot 35 are Lan and Jessica Brandon Rev Trust.

The applicant/surveyor is Blew & Associates.

The applicants are requesting to divide existing Lot 45 (a 7.33 acre parcel) into two tracts, and Replat the existing private road right-of-way for Sunbeam Lane (on both Lots 45 and 35) to match the location of Sunbeam Lane as constructed. There are no residential structures on either parcel.

The parent parcel of Lot 45 (parcel # 496-02341-000) is located across from 11461 Tony Mountain Road, WC 2071. West Fork's Planning Area is approximately 1.1 miles to the East of the parent parcel. (**See Vicinity Map attachment, A&B-7, and Site Map attachment, A&B-8**)

Lot 35: This lot is being included to vacate existing private road right-of-way and realign private road right-of-way along the private road as constructed. (**See Plat & Legal description attachments, A&B-9 &10**)

Lot 45: The applicant is requesting Preliminary and Final Minor Subdivision Replat approval to divide one existing lot into two tracts. The existing lot has no structures.

Parent tract:

- Parcel # 496-02341-000 (lot 45), 7.33 acres

Proposed Tracts:

- Tract 1: 6.19 acres
- Tract 2: 1.14 acres

Lot 45 is part of the Tony Mountain platted subdivision, so the requested split must therefore process as a minor subdivision replat. This Minor Subdivision replat will create two tracts from one.

Sunbeam Lane (Private Road): An existing private road, platted as Sunbeam Lane, provides access to lots 34-45 of the original Tony Mountain Subdivision (platted in 1980) (**See attachment, A&B-14**). The number of lots allowed to access off a Private Road has been exceeded, according to our current ordinance (section 11-95, **See attachment, A&B-12&13**). The applicant has requested a variance from that ordinance (**See attachment, A&B-11**) which is scheduled to be heard at the June 25, 2015, Planning Board meeting, project # 2015-137, Agenda item A.

At the time of the original plat (1980), the Sunbeam Lane 60' Right-of-Way was dedicated (but not accepted by the County as a public road; therefore making it a private road), extending due east from its connection to Tony Mountain Road. IT appears that before Sunbeam Lane was constructed, the pond was expanded (encompassing a portion of the platted ROW for Sunbeam Lane). It appears that the portion of Sunbeam Lane (through lots 34, 35, 44, and 45) was later constructed with the curve going around the pond as seen in the current plat. The originally platted Right-of-Way still exists, but extends through the pond on these lots.

In order to realign the Right-of-Way with Sunbeam Lane (as constructed), the existing Right-of-Way is to be vacated, and portions of the realigned Right-of-Way to be rededicated (on lots 35 and 45), via this replat.

The Right-of-Way to be dedicated via this proposed replat is as follows:

- 60' Right-of-Way straddling the centerline of Sunbeam Lane, on Lot 45, along the boundary line between proposed Tracts 1 and 2.
- 30' Right-of-Way extending south from the centerline of Sunbeam Lane, on Lot 35.
 - 30' Right-of-Way extending north from the centerline of Sunbeam Lane, on Lot 44 (directly to the north of Lot 35), to be dedicated via separate instrument.

The main issues with this project are the location of the Private Road Right-of-Way, the number of lots served by the private road, and the lack of a legally authorized agent to the owners of Lot 45.

TECHNICAL CONCERNS:

Sewer/Septic

The proposed Lot 45, Tract 2, is declared non-buildable for residential purposes via this plat. Melissa Wonnacott of the Arkansas Department of Health, has exempted Tract 2 from providing soil work for a septic system based on the plat note indicating Tract 2 as unbuildable for residential purposes. Soil work has been submitted for Lot 45, Tract 1, and is adequate. Soil work was not required for Lot 35 as it is only included for the sake of ROW vacation and dedication (there are no changes to the configuration of the lot lines of this lot).

Electric/Phone/Gas

No comments received.

Water

No comments.

Addressing

No comments received.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Road

No comments.

SITE VISIT:

A site visit was conducted by planning staff on March 23, 2015. No concerns were noted at that time.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

One neighbor has returned the neighbor comment form "In Favor" of the proposal.

Staff will update the Planning Board at the meeting if any additional comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues			✓
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions		✓	
Proposed Improvements			✓
Info to supplement plat			✓

VARIANCE SUMMARY:

Planning Conditions:

Regulation is requested to be varied in the following manner:

To allow more than 10 lots on a Private Road without requiring that the road be brought up to County standard for a public road.

Reasons variance of regulation is requested:

Tract 2 is designated as non-buildable for residential purposes.

This tract (Tract 2) is being purchased by an adjoining land owner. The land owner is unable to do a lot line adjustment due to mortgage restrictions. Planning Staff has no issue with creating the lot separately as long as it is declared on the plat to be “non-buildable for residential purposes”, as this therefore creates the same impact that would be generated due to a lot line adjustment.

Staff feels that the creation of Tract 2 should not put additional traffic on the roads involved in this Subdivision.

If approved, this variance and its conditions should be listed as a note on the final Replat document.

STAFF RECOMMENDATION FOR REPLAT:

Staff recommends Preliminary and Final Minor Subdivision Replat approval of Replat of Lot 45 and pt. Lot 35, Tony Mountain Minor Subdivision and Private Road Development with the following conditions:

Planning Conditions:

1. Due to the property owners of record being deceased, a legal agent authorized to sign as the owner of Lot 45 for this replat application is needed (or signatures of all heirs to the estate). The document or signatures provided must be approved by the County Attorney.
2. Variance project number 2015-137 must be approved.

3. 30' Right-of-Way extending north from the centerline of Sunbeam Lane, on Lot 44, to be dedicated via separate instrument, or the entire 60' ROW to be realigned south to Lot 35 & Lot 45, via the final plat.

Road Conditions:

1. The Private Road Standards shown in bold text below from Section 11-95 of the Washington County code will apply:
 - (b) *Existing private roads: When a proposed land development has direct access to or fronts on an existing private road, the developer shall be responsible for the following:*
 - (5) *In cases 1 and 2 above, **the plat shall note, in a noticeable fashion, the following, "NOTICE: THIS ROAD IS NOT CONSTRUCTED TO THE COUNTY STANDARD. THE MAINTENANCE OF THE ROAD IS THE RESPONSIBILITY OF THE CURRENT AND FUTURE PROPERTY OWNERS. THE ROAD WILL NOT BE ACCEPTED FOR MAINTENANCE BY THE COUNTY UNTIL IT IS CONSTRUCTED TO THE COUNTY STANDARD AT THE EXPENSE OF THE PROPERTY OWNERS."***
 - (6) *In cases where the private road easement serves at least three (3) homes and is at least five hundred (500) feet in length (measured from the intersection of the County/Public Road ROW to the furthest existing or proposed residential structure), the following shall be applicable:*
 - a. ***The developer shall be responsible for paying the county road department for the purchase and installation of a sign indicating that the road is maintained by the property owners.***
 - b. ***The developer shall file for public record a "Private Road Maintenance Disclosure Statement" (provided in Part II, Technical Provisions, Appendix C).***
 - c. *All new private road land developments must have their proposed private roads named according to 9-1-1 procedure (submittal and approval of the proper paperwork through the 9-1-1 Operations Office) prior to the final plat approval. **The private road developer or Applicant shall be responsible for erecting the street sign stating the name of the private road prior to final plat approval. The sign placement must be inspected by the 9-1-1 Operations Office or the County Planning Office, and be in accordance with U. S. Department of Transportation Manual on Uniform Traffic Control Devices.***

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Septic Conditions:

1. The septic system must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence (Lot 45, Tract 1).

Standard Conditions:

1. Pay neighbor notification mailing fees (\$28.63) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was emailed to applicant on (6/16/15).

2. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. Lots that are over one-half acre in size will need to be addressed after the home location is known.
5. All general plat checklist items must be corrected.
6. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
7. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. *The Circuit Clerk is not accepting plats over 18" x 24" in size.*

Washington County Planner, Nathan Crouch, presented the staff report for the board members

No Public comments.

Chuck Browning, Planning Board Member, asked, "Why could they not combine lot 34?"

Courtney McNair, Washington County Senior Planner, responded, "That it was for financial reason. The applicant has his mortgage on lot 34 and the bank did not want to adjust it. He wants to purchase the piece but does not want to do a lot line adjustment at this time. The lot is going to be non-buildable."

Daryl Yerton, Planning Board Member, asked "Who owns lot 44?"

Nathan Couch, Washington County Planner, replied, "The Cossey family. They would be the one that will need to dedicate the right-of-way along the property."

Public Comments Closed.

Chuck Browning made a motion to approve the **Replat Lot 45 and Lot 35 Tony Mountain Subdivision and Private Road Development** subject to staff recommendations. Daryl Yerton seconded. Cheryl West was not present. Board Members Randy Laney, Daryl Yerton, Robert Daugherty, Chuck Browning, Walter Jennings, and Kenley Haley were in favor of approving. Motion passed.

County

c. Replat Tract 1 Sims Subdivision

Preliminary and Final Subdivision Approval Request

Location: Section 32, Township 16 North, Range 32 West

Owners: Melissa Sims

Applicant: Blew & Associates

Location Address: 13472 Bethel Blacktop Rd.

Approximately 32.05 / 3 lots. Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.02710992, Longitude: -94.29298779

Project #: 2015-120 Planner: Nathan Crouch email: Ncrouch@co.washington.ar.us

REQUEST: Tom Sims is requesting Preliminary and Final Subdivision replat approval to divide one existing tract into three tracts. The existing tract has one residential structure and barn, both under construction, and one barn marked for removal.

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre). The current proposal meets the minimum zoning requirements.

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 7, Rick Cochran.

FIRE SERVICE AREA: **Prairie Grove** - no comments were received from Prairie Grove Fire Department. Dennis Ledbetter, Washington County Fire Marshal, requires the applicant to state the gallons-per-minute (GPM) fire flow on the new fire hydrant.

SCHOOL DISTRICT: **Farmington**

INFRASTRUCTURE: **Water**– Washington Water Authority **Electric**- Ozarks Electric
Natural Gas– Source Gas **Telephone**- Prairie Grove Telephone **Cable**- Cox

BACKGROUND/ PROJECT SYNOPSIS:

The property owners are Tom and Melissa Sims. The applicant and surveyor are Blew & Associates Civil Engineers and Land Surveyors.

The parent parcel, # 001-12418-000 is located between Bethel Blacktop Road, WC 62 and Jack McClure Road, WC 625. Farmington's Planning Area is located directly to the East, within 200 feet of the subdivision. **(See Vicinity Map attachment, C-5, and Site Map attachment, C-6)**

The Planning Board approved the Sims Minor Subdivision, project # 2015-048, at the April 2, 2015 meeting, where the property was designated as a Minor Subdivision with three (3) tracts after the applicant removed a fourth tract from the proposal due to inadequate soil work.

- Parent Parcel- 32.05 acres
 - 1) Tract 1 – 28.28 acres
 - 2) Tract 2 – 2.00 acres
 - 3) Tract 3 – 1.77 acres

The **current proposed subdivision** will result in three (3) new tracts from existing Tract 1 (**see Sims Subdivision Plat attachment, C-7**).

- Parent Parcel (Tract 1) - 28.28 acres
 - 1) Tract 1A- 2.0 acres
 - 2) Tract 1B- 18.24 acres
 - 3) Tract 1C- 8.04

The above listed tracts all have adequate road frontage, meeting subdivision requirements of 75' minimum road frontage.

The main issue with this project is the number of previous splits on the property, which require the current proposal to go through full Subdivision review.

TECHNICAL CONCERNS:

Health Dept.

Staff is still waiting for State Health Dept Engineering approval of a water line extension and fire hydrant installation. The water line extension and fire hydrant installation are a cost-share project between Tom Sims and Washington Water Authority. Tom Sims has completed his obligation. Soil work has been submitted for all tracts and is found to be adequate.

Utility Comments

Ozarks Electric

Any damage or relocation of existing facilities will be at owner's expense. Any extension of line that has to be built specifically to feed this property will be at full cost to the owner.

Prairie Grove Telephone

No Comment

Washington Water Authority

An email from Josh Moore states Mr. Sims has fulfilled his obligations with Washington Water Authority, regarding the water line extension (**see attachment, C-X**).

Addressing

Please include the address for the residence on Tract 1B, either on the plat or in the notes.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Road

All tracts have adequate road frontage. Washington County Road Dept had no further comments.

Drainage

The Drainage letter was reviewed and found adequate by the County Engineer

SITE VISIT:

A site visit was conducted by planning staff on May 21, 2015. No concerns were noted at that time.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

At the time of this Staff Report, no neighbor comments have been received by Planning Staff.

Staff will update the Planning Board at the meeting if any comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues		✓	
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements		✓	
Info to supplement plat			✓

STAFF RECOMMENDATION:

Staff recommends Preliminary and Final Subdivision Replat approval, of Replat of Tract 1, Sims Subdivision, with the following conditions:

Planning Conditions

1. State Health Department approval of the water line extension must be received.

Utility Conditions/Road Conditions:

1. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Septic Conditions:

1. The septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence(s).
2. Submit ADH Engineering approval for subdivision (prior to signing of the plat).

Standard Conditions:

1. Pay neighbor notification mailing fees for Project #2015-100 (\$74.52) within 30 days of project hearing (6/4/15). Any extension must be approved by the Planning Office (invoice was emailed to applicant on (5/27/15).
2. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
3. Once all plat corrections have been completed, submit 2 hard copies and a digital copy of the corrected plat for review prior to obtaining signatures.
4. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. *The Circuit Clerk is not accepting plats over 18" x 24" in size.*

Washington County Planner, Nathan Crouch, presented the staff report for the board members

No Public comments.

Public Comments Closed.

*Walter Jennings made a motion to approve the **Replat Tract 1 Sims Subdivision** subject to staff recommendations. Daryl Yerton seconded. Cheryl West was not present. Board Members Randy Laney, Daryl Yerton, Robert Daugherty, Chuck Browning, Walter Jennings, and Kenley Haley were in favor of approving. Motion passed.*

County

d. Norma Harrelson Minor Subdivision

Preliminary and Final Minor Subdivision Approval Request

Location: Section 16, Township 16 North, Range 29 West

Owners: Wilma Forbis and Norma Harrelson

Applicant: Alan Reid & Associates

Location Address: 17043 Lake Sequoyah Drive, Fayetteville, AR

Approximately 17.02 acres / 2 lots. Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.05893447, -94.05676063

Project #: 2015-121 Planner: Courtney McNair email: cmcnair@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision plat approval to allow the division of a 17.02 acre parcel into two tracts. The existing parcel has no residential

structures.

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre). The current proposal meet the minimum zoning requirements.

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 15, Butch Pond.

FIRE SERVICE AREA: **Round Mountain-** no comments were received from Round Mountain Fire Department, and Dennis Ledbetter, Washington County Fire Marshal, does not normally review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: Fayetteville

INFRASTRUCTURE: **Water–** Fayetteville Water **Electric-** Ozarks Electric **Gas–** Source Gas
Telephone- AT&T **Cable-** Cox

BACKGROUND/ PROJECT SYNOPSIS:

The property owner and applicant is Norma Harrelson. The surveyor is Alan Reid & Associates. The property is located east of Fayetteville off Lake Sequoyah Road, WC 50 (**see Vicinity Map, D-5, and Site map attachment, D-6**).

The applicant is requesting to divide a 17.02 acre parcel (**see Plat attachment, D-7**) into two tracts as follows:

- Tract 1 – 3.75 acres
- Tract 2 – 13.27 acres

The property consists predominantly of open pasture land, wooded areas, and a pond. There are no existing residential structures on the property.

Both tracts have adequate frontage onto Lake Sequoyah Road, WC #50.

The primary issue with this project is that the parent parcel has already had a split of less than 5 acres, and therefore, must process as a minor subdivision.

TECHNICAL CONCERNS:

Sewer/Septic

Tract 1 requires soil work. Designated Representative, Jimmy Richardson, confirmed that the soil is adequate.

According to Melissa Wonnacott, Health Department, Tract 2 will not require soil work based on its large size.

Electric

Ozarks Electric services this area. They commented that any damage or relocation of existing facilities will be at owner's expense. Any extension of line that has to be built specifically to feed this property will be at full cost to the owner. They request that the applicant contact Greg McGee at (479) 684-4634 or gmcgee@ozarksecc.com with any questions.

Water

City of Fayetteville Water services this area. They provided no comments. It is the applicant's responsibility to contact when service is needed.

Addressing

There are no addresses assigned to this parcel at this time. Addresses will be assigned once home locations are known.

Environmental

No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Road Dept.

Both proposed tracts have adequate road frontage onto a County maintained road, WC 50, Lake Sequoyah Road. Any work done in the county road right-of-way will require a permit from the road department.

If any driveway tile is needed, they must be sized by the road department or an engineer. Size and location must be approved by the Road Department.

SITE VISIT:

A site visit to an adjacent property was conducted by planning staff on February 25, 2015. No concerns were noted at that time.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

One neighbor has contacted Staff in favor of this project.

Staff will update the Board at the meeting if any additional comments are received.

Checklist:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

Important Information Checklist			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues			✓
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements			✓
Info to supplement plat			✓

STAFF RECOMMENDATION:

Staff recommends Preliminary and Final Minor Subdivision Plat approval of Norma Harrelson Minor Subdivision with the following conditions:

Planning Conditions:

- All general plat checklist items must be corrected.

- Names of adjacent land developments and ownership of adjacent property including corresponding deed book and page number. *Include parcel numbers.*
Parcel 186-10002-003 is listed as McIntosh instead of Harrelson.
- **2. CERTIFICATE OF ACCURACY OF SURVEY:**
I certify that the plat shown and described hereon is a true and correct survey and that the monuments have been placed as shown hereon as required by "Regulations, Standards and Specifications for the Division, Development and Improvement of Unincorporated Land in Washington County".
Date: _____ Surveyor: _____
Use the above signature block.
- **3. CERTIFICATE OF OWNERSHIP & DEDICATION:**
I hereon certify that I am the owner of the property described hereon and I do hereby dedicate all street, access, utility, & drainage easements to public or private use as indicated.
Date: _____ Owner: _____
Use the above signature block.
- **4. STATE HEALTH DEPARTMENT APPROVAL:**
The **plan** and specifications as shown on the plat were approved by the Arkansas State Health Department by letter.
Dated: _____ Signed By: _____
Minor correction to wording.

Utility Conditions:

1. **Ozarks Electric:** Any damage or relocation of existing facilities will be at owner's expense. Any extension of line that has to be built specifically to feed this property will be at full cost to the owner. Please contact Greg McGee at (479) 684-4634 or gmcgee@ozarksecc.com if you have any questions.
2. **Fayetteville Water:** May need water main extension to service all lots. Contact Fayetteville Water to obtain service.
3. This development must be reviewed for waterline construction. Submit full construction drawings to engineering@fayetteville-ar.gov for review. (New Condition- 6/25/15)

Health Department Conditions:

1. The septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence(s).

Road Department Conditions:

1. If a driveway tile is needed, it must be sized and its placement must be approved by the Washington County Road Department.

Environmental Conditions:

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Standard Conditions:

1. Pay mailing fees (\$49.08, emailed invoice to Alan Reid and Associates 6/16/15) within 30 days of the project hearing.
2. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.

4. Lots that are over one-half acre in size will need to be addressed after the home location is known.
5. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
6. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. *The Circuit Clerk is not accepting plats over 18" x 24" in size.*

Washington County Planner, Nathan Crouch, presented the staff report for the board members

Alan Reid, Surveyor for the project, stated, "This is the first time I heard about the comment from Fayetteville. Why would they need to have constructions plans when the water line is already there?"

Courtney McNair, Senior Planner, replied, "You should contact Fayetteville Planning."

Alan Reid, stated, "That water line serves all the property along the road."

No Public comments.

Public Comments Closed.

*Daryl Yerton made a motion to approve the **Norma Harrelson Minor Subdivision** subject to staff recommendations. Walter Jennings seconded. Cheryl West was not present. Board Members Randy Laney, Daryl Yerton, Robert Daugherty, Chuck Browning, Walter Jennings, and Kenley Haley were in favor of approving. Motion passed.*

Fayetteville Planning Area

e. Eastern Park Subdivision Preliminary Subdivision **(Tabled at the request of the applicant)**

Preliminary Subdivision Approval Request

Location: Section 32, Township 17 North, Range 29 West

Owner: L&F Construction, LLC

Engineer: USI Consulting Engineers, Ferdinand Fourie

Location Address: 4436 E. Mission Blvd

Approximately 7.66 acres / 16 lots. Proposed Land Use: 15 Single Family Residential (1 other lot for septic and detention)

Coordinates: Latitude: 36.097785, Longitude: -94.097156

Project #: 2015-122 Planner: Courtney McNair e-mail at cmcnair@co.washington.ar.us

Robert Daugherty made a motion to approve the agenda. Walter Jennings seconded. All board members present were in favor of approving. Motion passed

CONDITIONAL USE PERMIT HEARING

County

f. Summers Missionary Baptist Church CUP Youth Center/Gymnasium **(To be tabled at the request of the applicant)**

Conditional Use Permit Approval Request

Location: Section 16, Township 15 North, Range 33 West

Owner: Summers Missionary Baptist Church c/o Roland Bailey

Applicant: Dax Morton

Location Address: 22055 US HWY 62 West

Approximately 13 acres. Proposed Land Use: Church multi-use building/gymnasium/youth center

Coordinates: Latitude: 35.97703229, Longitude: -94.48436066

Project #: 2015-045 Planner: Juliet Richey email: JRichev@co.washington.ar.us

Robert Daugherty made a motion to approve the agenda. Walter Jennings seconded. All board members

present were in favor of approving. Motion passed

LAND DEVELOPMENT HEARING

County

g. Summers Missionary Baptist Church LSD Youth Center/Gymnasium **(To be tabled at the request of the applicant)**

Preliminary Large Scale Development Approval Request

Location: Section 16, Township 15 North, Range 33 West

Owner: Summers Missionary Baptist Church c/o Roland Bailey

Applicant: Dax Morton

Location Address: 22055 US HWY 62 West

Approximately 13 acres. Proposed Land Use: Church multi-use building/gymnasium/youth center

Coordinates: Latitude: 35.97703229, Longitude: -94.48436066

Project #: 2015-046 Planner: Juliet Richey email: JRichey@co.washington.ar.us

Robert Daugherty made a motion to approve the agenda. Walter Jennings seconded. All board members present were in favor of approving. Motion passed

5. Other Business

- Discussion of Current Development and Planning Department Activities.
- Reminder of upcoming regular Planning Board meetings **July 30, 2015 and August 27, 2015.**
- Updates on appeal projects:
 - Fritchie Farms CUP
 - (Appeal dates Scheduled before the Quorum Court) July 9, July 16, July 27 (all meetings at 6:00 pm)
- Any other Planning Department or Planning Board business.

6. Old Business

7. Adjourn

Daryl Yerton moved to adjourn. Robert Daugherty seconded. Motion passed.

All Board members were in favor of approving.

Planning Board adjourned.

Minutes submitted by: Phuong Pham

Approved by the Planning Board on:

_____ Date: _____
Randy Laney, Planning Board Chairman