

BZA Meeting Tuesday March 17th, 2026

1. Call to order

2. Roll Call

Present (4): Kevin Bailey, Doug Gilmore, Rick Miles, Matthew Millerd

Absent (1): Casey Caples

3. Approval of minutes

MIN-26:024 MINUTES February 17th, 2026 BZA

A motion was made by, seconded by, that the minutes be approved, the motion was PASSED with the following vote:

Aye (4): Kevin Bailey, Doug Gilmore, Rick Miles, Matthew Millerd

Nay (0)

Absent (1): Casey Caples

4. Appeal Cases

VR-26-06 **VARIANCE: Damron Drive**

The applicant Horizon Land Surveying LLC is requesting a variance for the right of way at Damron Drive.

Doug Gilmore (Chair): Alright, Horizon Land Surveying, come on up and tell us what's going on.

Danny Burns (Proponent): I'm Danny Burns with Horizon Land Surveying, and I'm here to represent Mr. Clayton on this one. It's kind of a unique situation we have a piece of property, it's preexisting. We're just trying to get a minor plat so he can get approval for a building permit and the right of way would be on Damron Drive, but it's my understanding after talking with different folks, we don't know if Damron Drive is public right of way or kind of what's going on with that situation. I've talked to some people in the area and they say that it was probably paid with the MATA Project back in the late 1990s or early 2000s, but we don't know where the city stands on that as far as that road goes being public right of way.

Doug Gilmore: Are you just going to have an entrance onto this property?

Danny Burns: Yes, Damron Drive, and this will be the third structure, I believe, it may be the fourth that have access off of that road.

Doug Gilmore: Is it in a flood zone?

Danny Burns: Yes, it's going to be in a flood zone, we're going to try and do adequate dirt work to get it removed.

Doug Gilmore: It's not going to be too close to the property lines or anything like that?

Danny Burns: No, sir.

Doug Gilmore: Do you know the status of Damron Drive?

Derrel Smith (City Planner): We know that it was paved with the MATA funding of the late 90s. It was probably, never dedicated to right of way. But when it came into the city, of course, we accepted what was there. Of course, we all know that unless a judge, declares it the right a way, is not actually there. So, we really don't have a lot of information on it. We don't figure it's a public street, but it's being used for a public street.

Doug Gilmore: Are there any driveways off of it?

Danny Burns: We have 4116 and then we also have a driveway at the, it dead ends into a driveway for 4121 and then 3129 on the corner has access off of it. I don't have the records, but Derrel do you know if it was signed in under a petition back when they did a petitioning for all the county roads that got annexed in?

Derrel Smith: I don't.

Danny Burns: Alright.

Kevin Bailey (Board): Was that '98 when it was petitioned?

Danny Burns: That's just, kind of our guess.

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Danny Burns: And all the surveys and work that we found in the area, they're showing that it's dedicated at 20 foot. Is what the right of way is right now with all the survey records.

Board: You said that this was going on at 4115?

Danny Burns: Yes, sir.

Doug Gilmore: Is there anybody here who objects to this variance?

Kevin Bailey: Derrel, can we give a variance on a right of way that the city didn't have?

Derrel Smith: You can give a variance on having to have the required right of way, to get a building permit. They are dedicating right of way, along their frontage, basically you have a prescriptive right of way out there right now.

Doug Gilmore: Utilities coming down?

Danny Burns: Yes, CWL has a waterline that runs down, and dead ends at a fire hydrant at the end of the road and then they have overhead electric all the way down the road.

Doug Gilmore: This is going to pretty much kill of the end of the street anyway, correct?

Danny Burns: Yeah, the street right now turns into 4121's driveway at the property line. There's a ditch that runs along the west side of our property and then, the road pretty much crosses that ditch and you're on 4121's driveway. But yeah this will be the last structure on that road, I think, 3133 has its frontage off of Strawfloor.

Kevin Bailey: Derrel, the city has no?

Derrel Smith: I mean, as far as I know, there's nobody from Engineering here and they were the ones with most of the questions, so I figure that Michael has worked something out with Danny or he would've been here.

Danny Burns: I mean, he's talked a little bit to Travis, my partner, and my understanding is that he thinks it's been prescriptively, or however you want to say it, just because the city paved it back in the day, but he's like Derrel, there's no records that he could find of where it's been, you know, formally dedicated or anything like that. But he didn't act like he had any problem with it when we spoke with him.

Rick Miles (Board): Chairman, I move that we grant the variance.

Doug Gilmore: Do I have a second?

Matthew Millerd (Board): Second.

A motion was made by Rick Miles, seconded by Matthew Millerd, that the matter be approved, and the motion was PASSED with the following vote:

Aye (3): Kevin Bailey, Rick Miles, Matthew Millerd

Nay (0)

Absent (1): Casey Caples

VR-26-07 VARIANCE: 706 Sequoia Dr

The applicant Moss Fencing is requesting a variance to repair an existing 8 ft tall privacy fence.

Doug Gilmore (Chair): Alright, Mr. Moss.

Josh Moss (Proponent): I'm Josh Moss, here representing Mr. Mark Panic, 706 Sequoia Drive, Jonesboro. As you can see from the diagram there, there's a portion of an existing 8 foot fence that's about to fall over and we need to remedy that, before it falls completely over. Currently, it's held up with ratchet straps.

Doug Gilmore: It drops off pretty hard doesn't it? Off the back, those lots on Sequoia.

Josh Moss: Along the backside? The backside is level earth, where that Jonesboro High School property is on the backside.

Doug Gilmore: Okay, this is further up, I gotcha.

Josh Moss: We're on the east side there, next to 2113 Indian Trails. That stretch of fence right there. There's a section, 64 feet or so in the middle of the fence. That is as I said, the posts are rotting away, and starting to fall over. So, the whole fence is being held up currently with various types of ratchet straps. We wanna be able to go in and remedy that.

Rick Miles (Board): That 64 feet is the only area that you're going to have to, do something with Josh?

Josh Moss: Right now, the rest of the fence is in good shape.

Rick Miles: Okay.

Kevin Bailey (Board): Mr. Chair, I move that we grant the variance for the fence repair.

Doug Gilmore: Second?

Matthew Millerd (Board): Second.

A motion was made by Kevin Bailey, seconded by Matthew Millerd, that the matter be approved, and the motion was PASSED with the following vote:

Aye (3): Kevin Bailey, Matthew Millerd, Rick Miles

Nay (0)

Absent (1): Casey Caples

VR-26-08 VARIANCE: 4104 Mount Carmel Rd

The applicant Joshua Neely- Ridge Surveying is requesting a variance for the minimum lot width for a R-1 zoning at the public road ROW.

Doug Gilmore (Chair): Alright, Joshua Neely.

Josh Neely (Proponent): Josh Neely, Ridge Surveying and Consulting, here representing Mr. Randy Lloyd and Mr. James Cook, on the property at 4104 Mount Carmel Road, requesting a variance for the required width for access to the public road right of way in R-1 zoning. So, what we have here, looking at this, Tract A, Mr. Lloyd purchased Tract A, this year. Tract A has historically been a trailer park with up to nine trailers in there at one point in time. And it was accessed by an ingress, egress easement, the dashed line, and all that jumbled up stuff right there by the road. Well, going for a building permit, does not have road frontage. So, therefore, no building permit. Mr. Cook who is the owner of Tract B, has agreed to sell him approximately a 40 foot strip of ground right there, to give him road frontage. We can't go any further because if we do, it's going to get too close to Mr. Cook's house, and make it non-conforming for R-1 zoning. All utilities are on the lot, even though CWL says the water meter does not exist down there. The previous trailers had water and all available utilities. There's no sewer in this area but the electricity is already there, water's there. But then everything will actually be in the road access. So, where you see the trailer there, that is now gone. Mr. Lloyd plans on building one single-family residence on that piece of property and the gravel drive that you see, will be what has been the main access in an ingress, egress easement to that piece of property and now, will actually fall in the strip, mainly in the strip that Mr. Lloyd will obtain from Mr. Cook if all of this goes through.

Matthew Millerd (Board): Where is the strip? Is it on the property line?

Josh Neely: So, the 4106 Mt. Carmel Rd that shows right there, it will be just 40 foot north of that. Those green lines are actually, slightly, too far south. If you see the, there's a pad mounted transformer in that image and if you see just on the west side of L-3 on that plat, that is the PMT that shows up on that image, the little red spot just west of L-3 and so, that is the south, that is the division line between Mr. Cook that is on Mt. Carmel there and the house to the south, and so he'll sell the 40 foot strip right there that will take the road frontage of the existing gravel drive that goes in there.

Matthew Millerd: So, it ends basically right after the gravel drive?

Josh Neely: Yes.

Kevin Bailey (Board): Josh, if the variance is granted, will Tract A and Tract B, be re-platted into one piece?

Josh Neely: Correct. We'll have to replat it anyway to get a building permit and so, Mr. Cook just hasn't sold the property yet, and if the variance doesn't go through, then, we're gonna back up and find some other way.

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Doug Gilmore: Questions gentlemen? Any opposition?

Kevin Bailey: Mr. Chair with the hardship presented on this one, I make a motion that we grant this variance.

Doug Gilmore: Second?

Rick Miles (Board): Second.

A motion was made by Kevin Bailey, seconded by Rick Miles, that the matter be approved, and the motion was PASSED with the following vote:

Aye (3): Rick Miles, Matthew Millerd, Kevin Bailey

Nay (0)

Absent (1): Casey Caples

5. Staff Comments

6. Adjournment

Meeting was Adjourned.