



## Board of Zoning Adjustment Meeting Agenda

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**Date:** Monday, February 9, 2026  
**Time:** 4:30 PM

**Location:** Bella Vista District Court  
2483 Forest Hills Blvd

Board of Zoning Adjustment regular meetings are live streamed and archived for your convenience. View the meeting at its scheduled time or after at: <https://bit.ly/bvmeetingslive>.

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### I. Call to Order

### II. Roll Call

Members: Daniel Ellis, PE, Chairman; Doug Farner, Vice-Chairman; Gail Klesen, Secretary; Clayton Sedberry, JB Portillo; Jack Wagnon, and Linda Lloyd.

### III. Consideration of Minutes

A. Regular Meeting Minutes - January 12, 2026

### IV. Unfinished Business

### V. New Business

A. **Public Hearing ZVR-2026-62869:** A variance request on the front building setback for a proposed house at 5 Tanfield Lane; Parcel 16-27014-000; Applicant Aaron Jensen; Presented by Planner LaRue

### VI. Open Discussion

### VII. Announcements

A. The Planning Commission Regular Meeting will start immediately after this meeting.

### VIII. Adjournment



**Board of Zoning Adjustment  
Meeting Minutes**  
January 12, 2026  
2483 Forest Hills Blvd

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**I. CALL TO ORDER**

Chairman Ellis called the meeting to order at 4:30 PM.

**II. ROLL CALL**

Members: Daniel Ellis, PE, Chairman; Doug Farner, Vice-Chairman; Gail Klesen, Secretary; Clayton Sedberry, JB Portillo, Jack Wagnon, and Linda Lloyd.

Member(s) Absent: None.

**III. CONSIDERATION OF MINUTES**

A. *Board of Zoning Adjustment Meeting Minutes – December 8, 2025*

On a motion by Mr. Farner and a second by Mrs. Klesen, the December 8, 2025 minutes were approved by voice vote.

**IV. UNFINISHED BUSINESS**

**V. NEW BUSINESS**

A. **Public Hearing: ZVR-2025-62691: A variance request on parking lot surfacing and landscape requirements for a proposed parking lot expansion for the Police Department located at 2483 Forest Hills Blvd; Parcel 16-70311-000; Applicant CEI Engineering; Presented by Senior Planner Hyatt.**

1. Senior Planner Hyatt presented the staff report in the packet.
2. Staff recommended approval of the surfacing variance with the condition the site be brought into compliance by January 12, 2031.
3. Staff recommended approval of the landscaping variance as long as the pre-existing trees planted by the street department to the north are not disturbed.
4. A discussion was held regarding the request.
5. John Stanley, representing CEI Engineering was present to reiterate intent and answer questions.
6. Chairman Ellis opened the public hearing.
7. Chairman Ellis closed the public hearing.
8. A motion to approve the variance with staff recommendations was made by Mrs. Portillo and a second was made by Mr. Farner.

Jack Wagnon - Y  
Linda Lloyd - Y  
Gail Klesen - Y  
Clayton Sedberry – Y  
Doug Farner - Y  
JB Portillo - Y  
Daniel Ellis - Y

**Motion approved with seven yes votes (7-0)**

**VI. OPEN DISCUSSION**

A. Director Robertson gave an overview of variance requests and approvals from 2025.

**VII. ANNOUNCEMENTS**

A summary of upcoming meetings was announced.

**VIII. ADJOURNMENT**

Chairman Ellis adjourned the meeting at 4:40 pm.

SUBMITTED BY:

\_\_\_\_\_  
Sarah Costa, Office Manager  
City of Bella Vista

APPROVED AND ACCEPTED THIS 9<sup>TH</sup> DAY OF FEBRUARY, 2026:

\_\_\_\_\_  
Daniel Ellis, P.E., Chairman  
Bella Vista Board of Zoning Adjustment

\_\_\_\_\_  
Gail Klesen, Secretary  
Bella Vista Board of Zoning Adjustment



**Meeting Information:**

2483 Forest Hills Blvd  
February 9<sup>th</sup>, 2026 at 4:30 pm

**Reviewer:**

Conner LaRue,  
Planner

**Property Description**

This property is located in the southcentral area of Bella Vista City Limits near Blowing Springs Park, located on Parcel #16-27014-000. Lot 3, Block 3 Rugby Subdivision.

**Regulation**

Zoning Code Sec. 109-014 establishes minimum setback requirements in the R-1 zone.

**Request**

The applicant is requesting a 15' front setback in lieu of the required 20' in order to accommodate a septic system.

**Background**

The applicant is requesting a variance of the front building setback from 20' to 15'; at 5 Tanfield Lane to accommodate an approved septic design. Locating the house along the platted setback would otherwise not allow for minimum septic separation requirements (10'). Though, the site would allow for a setback of 17.5' and still meet septic requirements. Tanfield Lane is a dead-end cul-de-sac labeled as a residential street per the Master Street Plan, and is within a low-density residential area. If the request were approved, no hazardous parking conditions would be created. Staff finds that the lot's limited size and configuration of the septic system is not of the applicant's actions, and strict enforcement would cause undue hardship. A variance to reduce the front setback would otherwise meets the spirit and intent of the R-1 district.

**Public Comment**

None at the time of this report.

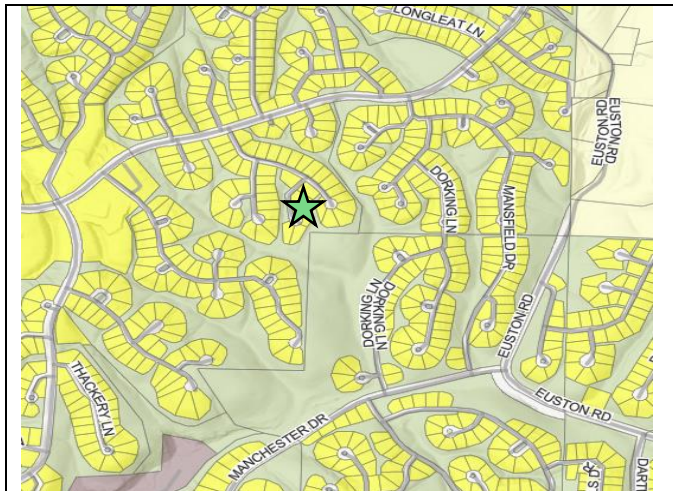
**Legal Notifications**

Staff published a legal ad notifying the public of this hearing in the *Weekly Vista* on Wednesday, January 21, 2026, and posted the public hearing sign on the subject property on Friday, January 30, 2026.

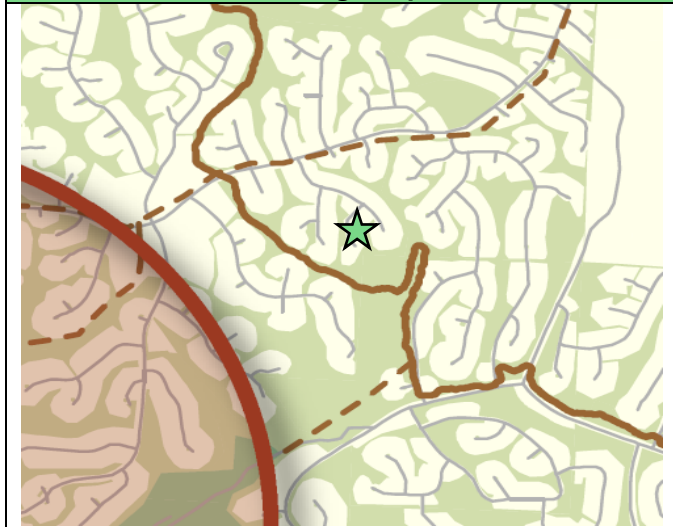
**Recommendation**

Staff recommends approval of the front setback variance, contingent upon the setback not exceed the minimum setback(s) required by the septic permit.

Project Number	ZVR-2026-62869
Applicant	Aaron Jenson
Address/Location	5 Tanfield Lane
Current Zoning	R-1 Low Density Residential
Site Area	.27 acres
Nature of Request	Seeking a variance on Sec. 109-014



**Zoning Map**



**Future Land Use Plan**

**Sec. 109-144(f) Variances: Standards for Approval**

1. **Findings.** A variance from the terms of this zoning ordinance shall not be granted by the Board of Zoning Adjustment unless and until the applicant demonstrates that:
  - a. Strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration;
  - b. The unique circumstances of the subject property do not result from the applicant's actions; and
  - c. The applicant demonstrates that the granting of the variance will be in keeping with the spirit and intent of the zoning ordinance
2. **Grounds.** Non-conforming use of neighboring lands, structures, or buildings in the same district, nor permitted or non-conforming uses in other districts shall be considered grounds for the issuance of a variance.
3. **Conditions.** In granting any variance, the board of zoning adjustment may prescribe additional appropriate conditions and safeguards that it deems necessary or desirable.
4. **Violations.** Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this zoning ordinance.
5. **Uses.** Under no circumstances shall the board of zoning adjustment grant a variance to allow a use that is not permissible under the terms of this section in the district involved, or any use expressly or by implication prohibited by the terms of this zoning ordinance in said district.

## Re: Variance Request – 5 Tanfield Lane

Dear Members of the Board of Zoning Adjustment,

I am writing to formally request a variance related to the required plat line setback for the property located at **5 Tanfield Lane**. This request is submitted in accordance with the applicable zoning ordinance and is based on the specific site conditions and state regulatory requirements affecting the property.

### Interpretation Claimed

The applicant respectfully interprets that strict enforcement of the current **20-foot plat line setback** creates a practical hardship when applied to this property due to its limited size and configuration. Compliance with the full setback requirement restricts the ability to locate the onsite wastewater system in a manner that meets **Arkansas Department of Health (ADH) Rules Pertaining to Onsite Wastewater Systems**, specifically **Section 6.2.6**, which requires septic facilities to be located a minimum of **10 feet from any dwelling or building**.

### Use for Which the Permit Is Sought

The variance is requested to allow for the construction of a **single-family residential dwelling** and the associated placement of an onsite wastewater system that complies with all applicable state health regulations.

### Details of the Variance Requested

The applicant is requesting approval to reduce the front setback from **20 feet to 15 feet from the plat line**. This adjustment would allow the septic tank to be relocated to a compliant position relative to the proposed dwelling. With the requested variance, the septic tank would be located approximately **12 feet 5 inches from the structure**, exceeding the ADH minimum setback requirement. Without this adjustment, the septic tank would remain approximately **7 feet 5 inches from the dwelling**, which does not meet state requirements.

### Grounds for Granting the Variance

The hardship necessitating this request is due solely to the **lot size (0.27 acres)** and existing **plat line restrictions**, which are unique to the property. The proposed residence has been intentionally designed to be modest in scale, measuring **54 feet in length by 39 feet in width**, and is not excessive for the lot or inconsistent with surrounding development.

Granting this variance would be consistent with the **spirit and intent of the zoning ordinance** by enabling reasonable use of the property while maintaining compliance with state health and safety standards. The request is minimal in scope, does not increase density, and will not negatively impact adjacent properties or the surrounding neighborhood. Rather, approval would allow the project to proceed in a manner that protects public health and adheres to the regulatory framework governing onsite wastewater systems.

For these reasons, the applicant respectfully requests approval of the variance as submitted.

Thank you for your time and consideration. Please do not hesitate to contact me should additional information be required.

Regards,

**Aaron C. Jensen**  
Christopher Hayes Homes, LLC

## **VARIANCE REVIEW CRITERIA**

- 1. Strict enforcement of the zoning ordinance would result in an undue hardship due to circumstances unique to the subject property;**

Pursuant to **Arkansas Department of Health (ADH) Rules Pertaining to Onsite Wastewater Systems, Section 6.2 – Minimum Horizontal Distances**, specifically **Section 6.2.6**, facilities used for the collection, treatment, and renovation of wastewater are required to be located a minimum of **10 feet from any dwelling or building**.

Due to this ADH requirement, approval is respectfully requested to reduce the front setback from the existing **20-foot plat line to 15 feet** in order to accommodate the septic system while maintaining compliance with state health regulations. Under the proposed adjustment, the septic tank would be located **12 feet 5 inches from the dwelling**, exceeding the ADH minimum setback requirement. The septic tank's current location is approximately **7 feet 5 inches from the structure**, which necessitates this adjustment to achieve compliance.

- 2. The unique circumstances of the subject property do not result from the applicant's actions; and**

The circumstances presented are attributable solely to the **limited lot size (0.27 acres)** and the existing **plat line setback restrictions**. The proposed structure for **5 Tanfield Lane** is modest in scale, with overall dimensions of **54 feet in length by 39 feet in width**, and has been intentionally designed to remain proportional to the lot while complying with applicable building and health regulations.

- 3. The applicant demonstrates that the granting of the variance will be keeping with the spirit and intent of the zoning ordinance.**

Granting the requested variance would remain consistent with the spirit and intent of the zoning ordinance by allowing reasonable use of the property while maintaining compliance with all applicable health and safety regulations. The requested adjustment is limited in scope and is necessitated by the unique constraints of the lot size (0.27 acres) and existing plat line restrictions, not by overdevelopment or an increase in density.

The proposed structure is modest in scale, measuring **54 feet by 39 feet**, and the variance would allow proper placement of the septic system in accordance with **Arkansas Department of Health Section 6.2.6**, which requires a minimum separation of 10 feet from a dwelling. With the variance, the septic tank would be located **12 feet 5 inches from the structure**, exceeding the minimum state requirement while preserving the overall character of the neighborhood and protecting public health.

Approval of this variance would enable compliance with state regulations without undermining the purpose of the zoning ordinance and would not create adverse impacts to adjacent properties or the surrounding area.

**As-provided Description (Inst. L202538490):** Tract "A": Lot 3, Block 3, Rugby Subdivision, a subdivision to the City of Bella Vista (formerly Bella Vista Village), Benton County, Arkansas, as shown on Plat Record J Page 24, in the office of the Circuit Clerk and Ex-Officio Recorder of Benton County, Arkansas.

**Surveyor's Notes :**

- SN1.** Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements which were visible at the time of making this survey, building setback line, restrictive covenants, subdivision restrictions, zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- SN2.** Basis of bearings: Arkansas State Plane Coordinate System, North Zone. Vertical Datum: North American Vertical Datum of 1988 (NAVD88).
- SN3.** This plat represents a boundary and topographic survey of Parcel No. 16-27014-000.
- SN4.** Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.
- SN5.** This survey is valid only if the drawing includes the seal and signature of the surveyor.
- SN6.** The locations of underground utilities as shown hereon are based on such above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
- SN7.** Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor. No abstract of title or title commitment were furnished the surveyor. There may exist other documents which may affect this parcel.
- SN8.** By graphic scaling only, the surveyed tract lies entirely within Zone "X", areas determined to be outside the 0.2% annual chance floodplain, as established by the Flood Insurance Rate Map Number 05007C0080J, effective date September 28, 2007.
- SN9.** The location and/or existence of utility service lines to the property surveyed are shown hereon or unknown.
- SN10.** Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership, title evidence, or any other facts which an accurate and current title commitment may disclose.
- SN11.** All building, surface and subsurface, improvements on and adjacent to the site are not necessarily shown.
- SN12.** No investigation concerning environmental and subsurface conditions, or the existence of underground or overhead containers or facilities which may affect the use of development of this property was made as a part of this survey.

**Record Documents used in this survey:**

- RD1.** Record Plat of Rugby Subdivision, Blocks 1-13 by James F. Gore, R.L.S. No. 93, dated June 11, 1969, recorded in Benton County Plat Record J, Page 24, July 25, 1969.
- RD2.** Warranty Deed recorded in Benton County Inst. L202538490, 07/14/2025, Grantee: Tocoma Holdings, LLC.
- RD3.** Code of Ordinances City of Bella Vista, Arkansas, Version: Aug 28, 2024.
- RD4.** Bella Vista Village, Unit One Covenants and Restrictions dated May 18, 1965, recorded in Benton County Deed Book 373, Page 08.

**Parcel is Zoned R-1 by City of Bella Vista, AR (RD3)**

**Sec. 109-75, (b) (3)**

**Setback requirements:**

- a. Minimum front setback from all property lines shall be 20 feet, unless otherwise stated on the subdivision plat.
- b. A minimum side setback of 15 feet shall be established parallel to all street right-of-way lines.
- c. A minimum side setback of seven and one-half feet shall be established parallel to side property lines, unless otherwise stated on the subdivision plat.
- d. A minimum rear setback of 15 feet shall be established parallel to rear property lines, unless otherwise stated on the subdivision plat.

**BOUNDARY & TOPOGRAPHIC SURVEY**

Work Performed: November 2025

As-Surveyed Tract=0.273 Acres

Lot 3 Block 3 Rugby Subdivision

PN: 16-27014-000

Tocoma Holdings, LLC

No Buildings Observed

5 Tanfield Ln. Bella Vista, AR 72714

Mailing Address:

PO Box 130 Centerton AR 72719

Inst L202538490 Zone: R-1

Lot 2 Block 3  
PN: 16-27013-000  
Tate Inheritance Trust  
No House  
Mailing Address:  
7105 Chelsea Ln.  
Oklahoma City OK 73132  
Inst. L202361499  
Zone: R-1

(N88°54'49"E 146.603'  
N88°55'16"E 146.60')

N:778600.676'  
E:659580.716'

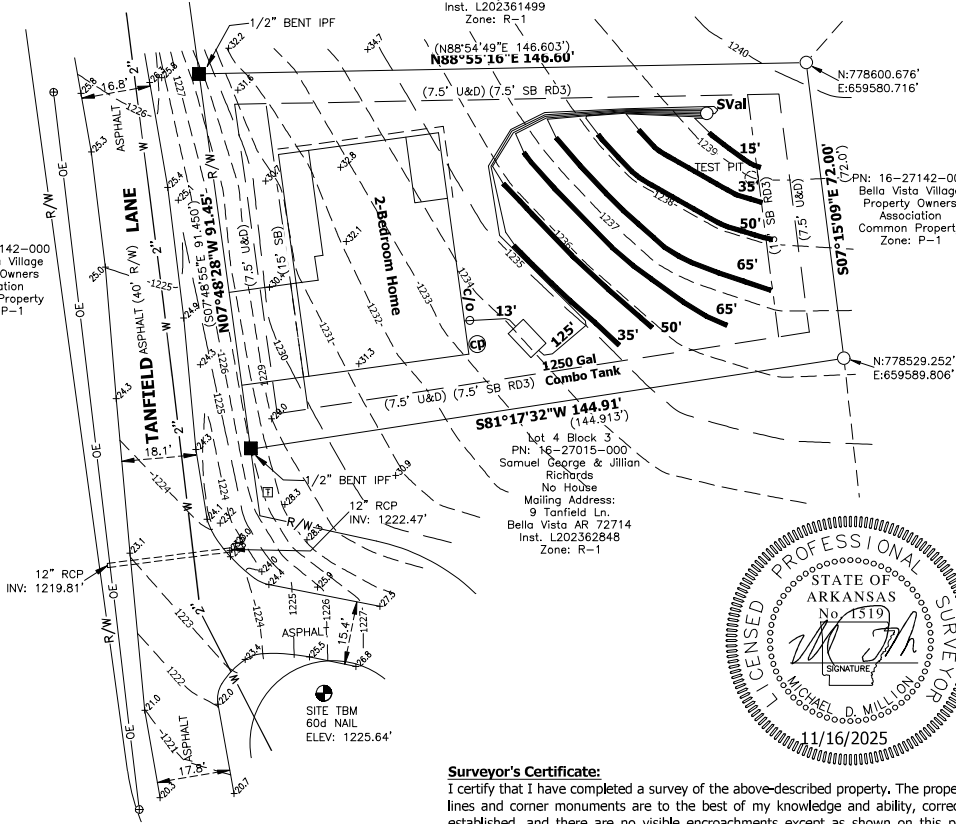
PN: 16-27142-000  
Bella Vista Village  
Property Owners  
Association  
Common Property  
Zone: P-1

N:778529.252'  
E:659589.806'

S81°17'32"W 144.91'  
(144.913')

Lot 4 Block 3  
PN: 16-27015-000  
Samuel George & Jillian  
Richards  
No House  
Mailing Address:  
9 Tanfield Ln.  
Bella Vista AR 72714  
Inst. L202362848  
Zone: R-1

PN: 16-27142-000  
Bella Vista Village  
Property Owners  
Association  
Common Property  
Zone: P-1



**Surveyor's Certificate:**

I certify that I have completed a survey of the above-described property. The property lines and corner monuments are to the best of my knowledge and ability, correctly established, and there are no visible encroachments except as shown on this plat. This survey meets the current "Minimum Standards for Property Boundary Surveys", per the state of Arkansas.

*Michael D. Million*  
Michael D. Million, P.L.S. No.1519, Arkansas

11/16/2025

Date

PLAT CODE: 500-21N-31W-0-36-120-04-1519

#	REVISION	DATE

**Lot 3 Block 3  
Rugby Subdivision  
City of Bella Vista,  
Benton County, Arkansas**

**LEGEND**

- IRON PIN FOUND - IPF
- 1/2" IPF UNLESS NOTED
- 5/8" IRON PIN SET WITH PLS #1519 CAP
- SURVEYED BOUNDARY
- UTILITY & DRAINAGE (U&D) EASEMENT LINE
- - - SETBACK LINE (SB)
- ( ) RECORD INFORMATION RD1 UNLESS NOTED
- OE — OVERHEAD ELECTRIC LINE
- ⊕ UTILITY POLE
- ⊞ TELECOM RISER
- W — WATER LINE (SIZE NOTED)
- ▬ ASPHALT
- R/W RIGHT-OF-WAY
- RCP REINFORCED CONC. PIPE
- TBM TEMPORARY BENCHMARK
- ▲▲ SPOT ELEVATION

**MICHAEL D. MILLION  
LAND SURVEYOR**

12 NEFFWOOD LANE, BELLA VISTA, AR 72715  
PHONE: (479) 571-0654

**BELL CONSTRUCTION SOLUTIONS, LLC.**  
CHUCK BELL: (479) 366-0640

chuck.bell@bellconsultations.com  
P.O. BOX 8  
CAVE SPRINGS, AR 72718  
PHONE: (479) 366-0640

DRAWN BY: MCW	SCALE: 1"=30'
FIELD CREW: STEVE	DWG: 25116.07
CHECKED BY: MDM/CEB	DATE: 11/16/2025

SHEET 1 OF 1