



Board of Zoning Adjustment Meeting Agenda

Date: Monday, April 13, 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>.

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 - March 9, 2026

IV. Unfinished Business

V. New Business

A. **Public Hearing ZVR-2026-63992:** A variance request on retaining wall placement requirements for an unpermitted wall at 85 Rountree Drive; Parcel 16-26689-000; Applicant Laurah Funes; 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

March 9, 2026
2483 Forest Hills Blvd

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: Gail Klesen, JB Portillo.

III. CONSIDERATION OF MINUTES

A. *Board of Zoning Adjustment Meeting Minutes – February 9, 2026*

On a motion by Mr. Farner and a second by Ms. Lloyd, the February 9, 2026 minutes were approved by voice vote.

IV. UNFINISHED BUSINESS

V. NEW BUSINESS

A. Annual Election of Officers; Director Robertson

1. A discussion was held regarding the election.
2. A motion to retain all three previously elected officers was made by Ms. Lloyd and a second was made by Mr. Wagnon.

Jack Wagnon - Y

Linda Lloyd - Y

Gail Klesen -

Clayton Sedberry – Y

Doug Farner - Y

JB Portillo -

Daniel Ellis - Y

Motion approved with five yes votes (5-0)

B. Public Hearing: ZVR-2026-63349: An appeal request on the staff interpretation of what an electric meter is for a house under construction at 30 Sandhurst Drive; Parcel 16-04255-000; Applicant Erica Roughton; Presented by Director Robertson.

1. Attorney Kelley announced this is not a variance but a rare circumstance in which the commission will provide a final interpretation of the meaning of the zoning ordinance. This is an appeal of the zoning administrator's determination.
2. Director Robertson presented the staff report in the packet.
3. A discussion was held regarding the request.
4. The applicant, Erica Roughton was present to reiterate the request and hardship.
5. Two exhibits, herein labelled A and B, were presented to the commission by Ms. Roughton.
6. A discussion was held regarding the request.
7. Chairman Ellis opened the public hearing.
8. Wendi Nickel, 3 Aveton Ln, spoke in support of allowing service to be provided to any existing pedestals.
9. Travis Harp, 10 Kendal Dr, spoke in support of allowing service to be provided to any existing pedestals.
10. Chairman Ellis closed the public hearing.
11. A discussion was held regarding the request.
12. Attorney Kelley clarified the appeal is for the determination of the definition of meter as it relates to the circumstances presented at 30 Sandhurst...The intent is to reverse the decision of the zoning administrator to say that the base and pedestal, along with the measuring devise, makeup the meter.
13. Ms. Lloyd motioned to approve the reversal of the zoning administrator's interpretation of electric meter and a second was made by Mr. Sedberry.

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

Motion approved with five yes votes (5-0)

VI. OPEN DISCUSSION

A. None.

VII. ANNOUNCEMENTS

A summary of upcoming meetings was announced.

VIII. ADJOURNMENT

Chairman Ellis adjourned the meeting at 5:15 pm.

SUBMITTED BY:

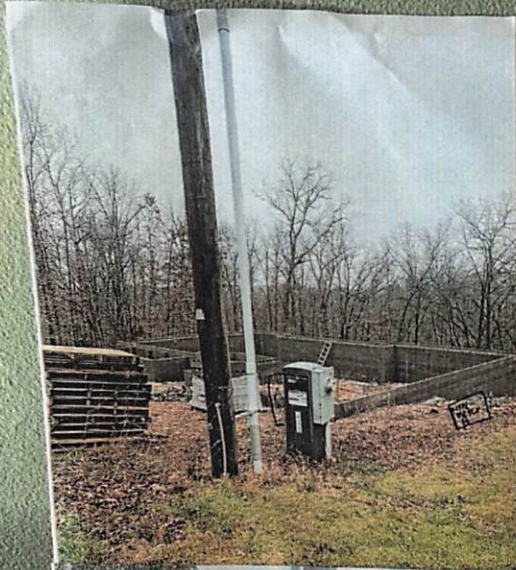
Sarah Costa, Office Manager
City of Bella Vista

APPROVED AND ACCEPTED THIS 13TH DAY OF APRIL, 2026:

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

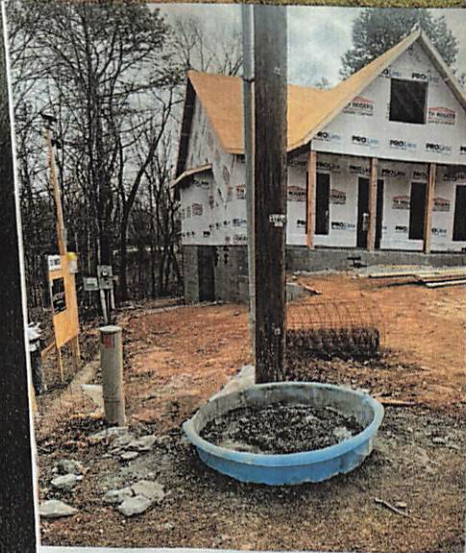
Gail Klesen, Secretary
Bella Vista Board of Zoning Adjustment

EXHIBIT A.



30 Sandhurst Dr

Requesting grandfathered use of existing electric pedestal for placement of new meter vs. an entirely new Pedestal and meter. (ExB)



28 Sandridge Drive

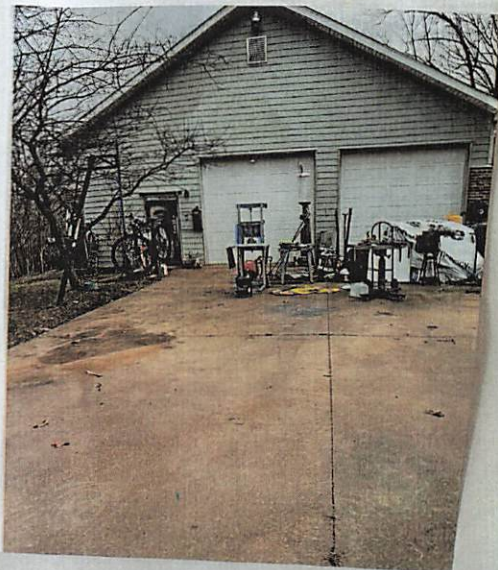
installed new meter behind front plane of house



10 Chatham Drive

Historical electric meter/pedestal approach - work completed Oct. 25

EXHIBIT B.





Meeting Information:

2483 Forest Hills Blvd
 April 13th, 2026 at 4:30 pm

Reviewer:

Conner LaRue,
 Planner

Property Description

This property is located in the southcentral area of Bella Vista City Limits, located on Parcel #16-26689-000. Lot 14, Block 1 Rountree Subdivision.

Regulation

Zoning Code Sec. 109-059 establishes retaining wall placement requirements.

Request

The applicant is requesting a variance of the above code section to allow for two unpermitted retaining walls.

Background

The applicant is requesting a variance to allow for and unpermitted retaining wall within the building setback and easement. While located on 85 Rountree, the wall is contemporary with the construction of neighboring 87 Roundtree in 2023. No Certificate of Occupancy has been issued for the subject property. Code requires a minimum of 7.5', or 1.5 times the height of the wall be maintained from any property line; and a minimum of 1.5 times the height from any structure. The wall measures 4.2' high, and is located 9.5' away from the structure, and 2' from the property line. Rountree Drive is labeled as a residential street per the Master Street Plan, and is within a low-density residential area. The applicant expresses concern that without the walls, the steep nature of the lot would cause significant erosion on neighboring properties. Staff finds that the circumstances are a result of the applicant's actions and does not meet all three findings required for the granting of a zoning variance. However, should the Board approve this, Staff notes that several other items do not meet permitting outside of this variance request. The applicant will also need to seek approval from the Developer. Staff also notes if the wall was under 4', a variance request may not be needed.

Public Comment

None at the time of this report.

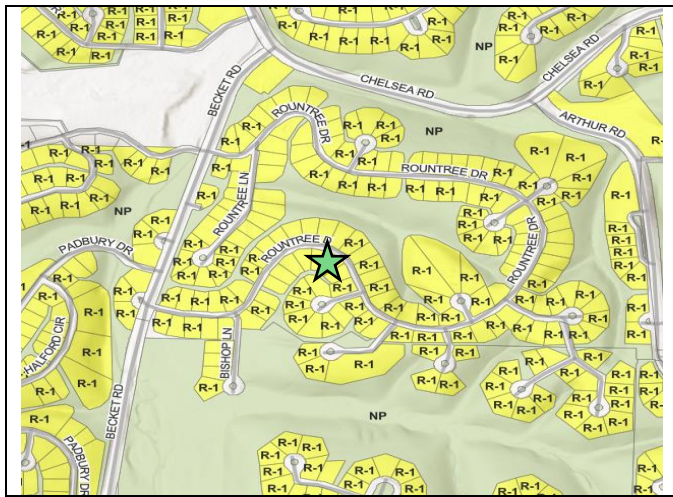
Legal Notifications

Staff published a legal ad notifying the public of this hearing in the *Weekly Vista* on Wed. March 25th, 2026, and posted the public hearing sign on the subject property on Fri. March 27th, 2026.

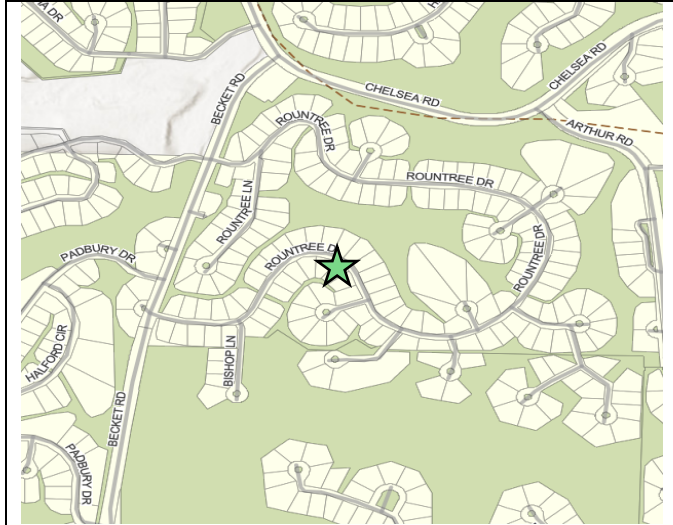
Recommendation

Staff recommends denial as not all review criteria has been met.

Project Number	ZVR-2026-63992
Applicant	Laurah Funes
Address/Location	85 Rountree Dr.
Current Zoning	R-1 Low Density Residential
Site Area	.24 acres
Nature of Request	Seeking a variance on Sec. 109-059



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.

To Whom It May Concern,

My name is Laurah Funes, and I am writing to address a matter of hardship concerning the retaining wall that resides on my property line at 85 Rountree. I would like to respectfully request your consideration regarding this issue.

The wall was built in November of 2023. At that time, we were told we did not need a permit if the wall was less than four feet. However, we now understand that this only pertains to the ACC and not the Planning Division. It is extremely important to keep the retaining wall where it is. If we remove the wall, all of the houses on the street, including 85 Rountree, could be affected by erosion. The street is on a hill that slopes downward, and keeping erosion of the land at a minimum is already difficult even with the retaining wall in place. If the wall is removed, the situation could become catastrophic.

Additionally, the retaining wall is helping keep the water meters and electric meters in place. I will attach photos, and it might be helpful if someone from the city could meet us at the property so we can demonstrate just how important this wall is. We will be removing the back tail that runs through the right of way, and the tallest part of the wall is 46 inches. The neighbor that resides at 87 Rountree is also in agreement that the wall should remain where it is.


Thank you for your time and attention to this matter. I appreciate your consideration and look forward to your response.

Sincerely,

Laurah Funes

479-372-1707

Laurah.ecr@gmail.com


Carlos Cueman
87 Rountree

SEWAGE DISPOSAL SYSTEM NOTES

1. MAXIMUM SOIL ABSORPTION TRENCH DEPTH SHALL BE 18".
2. EACH SOIL ABSORPTION TRENCH MUST BE INSTALLED ON CONTOURS AS DESIGNED AND MUST NOT BE ALTERED TO AVOID EXISTING TREES, PROPOSED LANDSCAPING, STORAGE BUILDINGS, OR OTHER OBSTRUCTIONS WITHOUT CONTACTING THE BELLA VISTA A.C.C. OFFICE AT (479) 855-8080.
3. MINIMUM 6" OF SOIL COVER OVER TRENCH GRAVEL.
4. TOPSOIL AND SEEDING WITH GRASS RECOMMENDED.
5. EACH TRENCH MUST BE EXCAVATED BY BACKHOE TO PREVENT COMPACTION OF TRENCH BOTTOM.
6. FINAL GRADE OVER THE SOIL ABSORPTION AREA SHALL BE SUCH THAT ALL SURFACE WATER WILL DRAIN OFF AND AWAY FROM THE SYSTEM. IMPROPER GRADING MAY CAUSE THE SYSTEM TO NOT FUNCTION PROPERLY.
7. ALL TIGHTLINES ARE TO BE SCHEDULE 40 AND ALL PERFORATED PIPE SHALL BE ASTM 2729 OR F-810.
8. FOUNDATION IS BLOCK AND FILL.

NOTICE: THIS IS ONLY A PLAN AND DOES NOT NECESSARY REFLECT THE ACTUAL SIZE, SHAPE OF LOCATION OF ANY IMPROVEMENTS ON THE LOT.

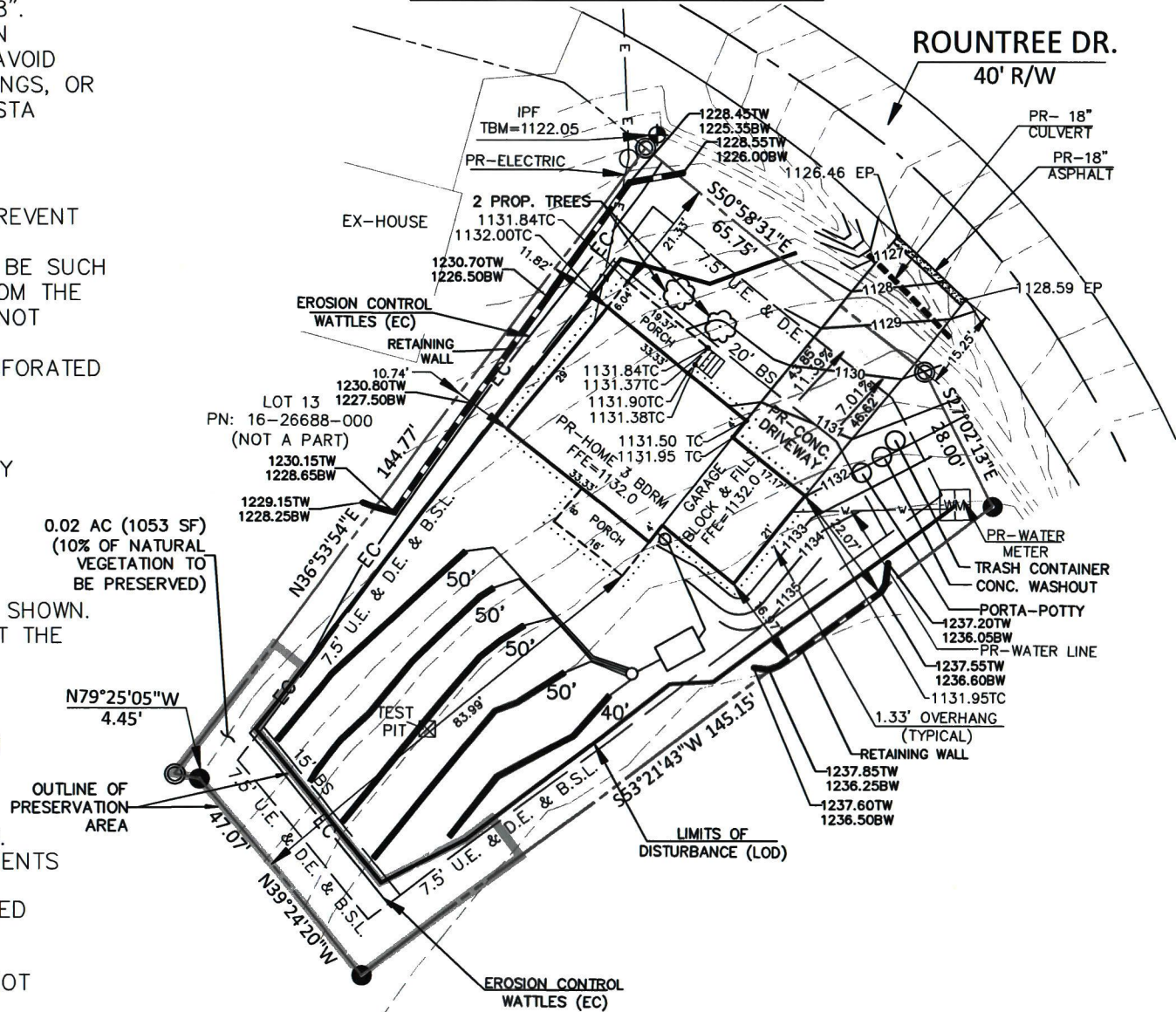
THE INDIVIDUAL SEWAGE DISPOSAL SYSTEM OR SANITARY CONNECTION HAS BEEN APPROVED FOR CONSTRUCTION AS SHOWN. THIS APPROVAL DOES NOT CONSTITUTE A GUARANTEE THAT THE SYSTEM WILL FUNCTION PROPERLY.

DATED: _____ BY: _____
 AUTHORIZED AGENT (HEALTH DEPT.)

NOTES AND AGREEMENTS:

1. DIMENSIONS ARE PERPENDICULAR TO PROPERTY LINES.
2. THIS PLOT DEPICTS FUTURE CONSTRUCTION IMPROVEMENTS AS SHOWN.
3. THIS IS NOT A BOUNDARY SURVEY, IT IS NOT INTENDED FOR TRANSFER OF TITLE.
4. ALL DIMENSIONS MEASURED TO BLOCK LINE.
5. OVERHANG BUILT BEYOND BUILDING SETBACKS MAY NOT MEET NATIONAL FIRE OR BUILDING CODE.
6. ALL INFORMATION AS SHOWN HEREON IS RECORD INFORMATION OR INFORMATION PROVIDED BY THE CLIENT TO BELL CONSTRUCTION SOLUTIONS, LLC.
7. IT IS THE RESPONSIBILITY OF THE BUILDER OR BUILDERS REPRESENTATIVE TO VERIFY ALL DIMENSIONS THAT ARE STAKED OR MARKED.
8. BELL CONSTRUCTION SOLUTIONS, LLC. AND/OR FIELD CREWS ARE NOT RESPONSIBLE FOR MANAGEMENT OF CONSTRUCTION CREWS TO FOLLOW PLANS AND SPECIFICATIONS OR OVERSITE TO ADHERE TO ANY/ALL APPLICABLE BUILDING OR ZONING CODES.
9. BY USING THIS PLOT PLAN THE BUILDER AGREES TO THE NOTES AND NOTICES IN STATEMENTS ABOVE.
10. ALL PROPERTY WITHIN SUBJECT PROPERTY ARE CLEARING AND GRADING AREAS.

GEC PLOT PLAN

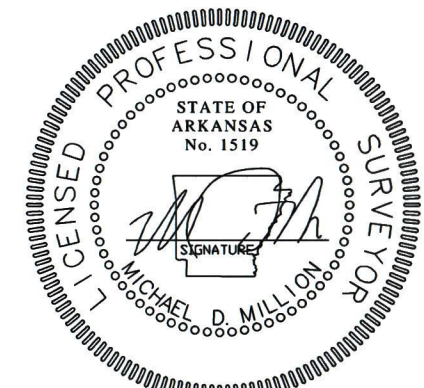


AS SURVEYED DESCRIPTION:
 ALL OF LOT 14, BLOCK 1, ROUNTREE SUBDIVISION, BELLA VISTA, BENTON COUNTY ARKANSAS. SUBJECT TO ALL EASEMENTS, COVENANTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD OR FACT.

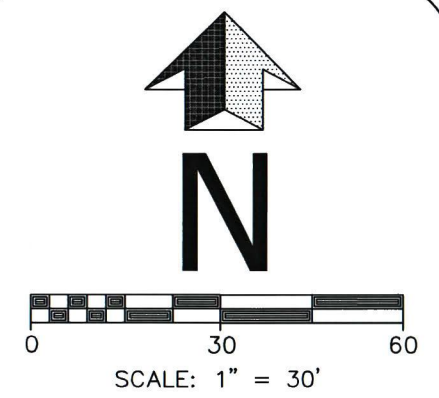
THE BASIS OF BEARING: ON SITE GPS OBSERVATION.
 FIELD WORK: 3-26-24

I, MICHAEL D. MILLION, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME OR UNDER MY SUPERVISION, AND ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE SHOWN CORRECTLY.

Michael D. Million
 MICHAEL D MILLION RPLS 1519 04/01/24
 DATE



PLAT CODE: 500-21N-32W-0-25-300-04-1519



#	REVISION	DATE
1	GRADING AND SEWER	5-6-24
2	CITY COMMENTS AGAIN	7-11-24
3	CITY COMM: GRADING 5' AWAY SEP. TANK	9-13-24
4	CITY COMM: GRADE ON WEST DRWY	9-16-24
5	ADDED RET.WALL & LOD BV RQMTS.	12-19-25

PROPERTY INFORMATION
 OWNERS: NG CONTRACTORS LLC.
 LOT 14, BLK 1
 ROUNTREE SUB
 BELLA VISTA, AR
 PN: 16-26689-000
 0.24 AC M/L
 85 ROUNTREE DR.

LEGEND

- IPS SET IRON PIN
- IPF FOUND IRON PIN
- WM WATER METER
- BUILDING SETBACK
- PROPERTY LINE
- - - EASEMENT
- EDGE OF PAVEMENT
- EC EROSION CONTROL (WATTLES)
- OHE OVER HEAD POWER

BELL CONSTRUCTION SOLUTIONS, LLC.
 P.O. BOX 8
 CAVE SPRINGS, AR 72718
 PHONE: (479) 366-0640
 chuck.bell@bellconsolutions.com

MICHAEL D. MILLION
 LAND SURVEYOR
 12 NEFFWOOD LANE
 BELLA VISTA, AR 72715
 PHONE: (479) 571-0654

DRAWN BY: CEB	SCALE: 30
FIELD CREW: STEVE	DATE: 4/01/2024
CHECKED BY: CEB	DWG: 24129.01











