



Board of Zoning Adjustment Meeting Agenda

Date: Monday, September 14, 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, Nathan Forst and Linda Lloyd.

III. Consideration of Minutes

A. Regular Meeting Minutes - August 10, 2026

IV. Unfinished Business

V. New Business

- A. **Public Hearing ZVR-2026-66703:** A variance request on placement requirements for a nonresidential, detached structure located at 19 Cheviot Place; Parcel 16-08319-000; Applicant Bruce Kerr; Presented by Planner Grady
- B. **Public Hearing ZVR-2026-66708:** A variance request on the side building setback for a proposed single-family home located at 1 Riding Lane; Parcel 16-11444-000; Applicant Kevin Nembhard; Presented by Planner LaRue
- C. **Public Hearing ZVR-2026-66460:** A variance request on placement requirements for a proposed retaining wall located at 16 Tibberton Circle Drive; Parcel 16-12949-000; Applicant Wayson Hokama; Presented by Planner LaRue

- D. **Public Hearing ZVR-2026-66892**: A variance request on the maximum number of access drives proposed for a detached nonresidential structure located at 27 Queensferry Lane; Parcel 16-37582-000; Applicant Kyel Russell; Presented by Planner Hyatt
- E. **Public Hearing ZVR-2026-66865**: A variance request on the maximum driveway grade requirement for a single-family home located at 60 Lambeth Drive; Parcel 16-18351-000; Applicant Pavel Onishenko; Presented by Planner Hyatt
- F. **Public Hearing ZVR-2026-66678**: A variance request on the maximum driveway grade requirements for a single-family home located at 7 Embleton Drive; Parcel 16-11747-000; Applicant Cody Burnett; Presented by Planner Hyatt

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

August 10, 2026
2483 Forest Hills Blvd

I. CALL TO ORDER

Vice-Chairman Farner 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, Nathan Forst and Linda Lloyd.

Member(s) Absent: Daniel Ellis, Gail Klesen

III. CONSIDERATION OF MINUTES

A. *Board of Zoning Adjustment Meeting Minutes – July 13, 2026*

On a motion by Ms. Portillo and a second by Mr. Sedberry, the July 13, 2026 minutes were approved by voice vote.

IV. UNFINISHED BUSINESS

A. ZVR-2026-65626: A variance request on Nature Preservation setback requirements for a proposed carport; Located at 41 Walter Drive; Parcel 16-35231-000; Applicant Thomas Thomas; Presented by Planner Hyatt. This tabled item has been withdrawn by the applicant. No action required.

V. NEW BUSINESS

A. Public Hearing: ZVR-2026-66104: A variance request on the retaining wall placement requirements; Located at 40 Kintyre Drive; Parcel 16-38005-000; Applicant Shawn Singleterry; Presented by Planner LaRue.

1. Planner LaRue presented the staff report in the packet.
2. Shawn Singleterry, 40 Kintyre Drive, was present to take questions and reiterate intent.
3. A discussion was held regarding the request.
4. Commissioner Farner opened the public hearing.
5. Commissioner Farner closed the public hearing.
6. Ms. Lloyd motioned for the approval of the zoning variance and a second was made by Mr. Forst.

Gail Klesen -

Clayton Sedberry – Y
Doug Farner – Y
Nathan Forst – Y
JB Portillo – Y
Linda Lloyd - Y
Daniel Ellis -
Motion approved with five yes votes (5-0)

B. Public Hearing: ZVR-2026-66150: A variance on the side building setback for a proposed single-family home; Located at 22 Allison Drive; Parcel 16-17149-000; Applicant Kevin Nembhard; Presented by Planner Hyatt.

1. Planner Hyatt presented the staff report in the packet.
2. A discussion was held regarding the request.
3. Kevin Nembhard, 1204 SW Westbury Pl. Bentonville, was present to answer questions.
4. Commissioner Farner opened the public hearing.
5. Commissioner Farner closed the public hearing.
6. Mr. Forst motioned for the approval of the zoning variance and a second was made by Ms. Lloyd.

Doug Farner – Y
Nathan Forst - Y
JB Portillo - Y
Linda Lloyd – Y
Gail Klesen –
Clayton Sedberry - N
Daniel Ellis -
Motion approved with four yes votes and one no vote (4-1)

VI. OPEN DISCUSSION

A. None.

VII. ANNOUNCEMENTS

A summary of upcoming meetings was announced.

VIII. ADJOURNMENT

Vice-Chairman Farner adjourned the meeting at 4:42 pm.

SUBMITTED BY:

Sarah Costa, Office Manager
City of Bella Vista

APPROVED AND ACCEPTED THIS 14TH DAY OF SEPTEMBER, 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
September 14th, 2026, at
4:30 pm

Reviewer:

Jessica Grady, CNU-A
Planner

Project Number	ZVR-2026-66703
Applicant	Bruce Kerr
Address/Location	19 Cheviot Place
Current Zoning	R-1 Low Density Residential
Site Area	.70 acres
Nature of Request	Seeking a variance on Sec. 109-014

**Zoning Map****Future Land Use Plan****Property Description**

This property is located in the southcentral area of Bella Vista City Limits along Loch Lomond, on a cul-de-sac at the end of Cheviot Place, located on Parcel #16-08319-000. Lot 10, Block 4 in the Cheviot Subdivision.

Regulation

Zoning Code Sec. 109-037(f) for accessory building use specific regulations. As well as 109-046(c)(2)(a) for front yard regulations.

Request

The applicant is requesting a variance for the location of a proposed shop building on an adjacent lot.

Background

The main dwelling was constructed in 2015 by the previous owners. In 2018, the previous owners purchased the adjacent lot. In 2021, a building permit was issued for a proposed 10'x16' shed on the adjacent lot and was removed before the current owners purchased the property in April of 2026. The current owners received a building permit in July of 2026 for the proposed shop, on the adjacent lot, for the same location as the previous shed.

Section 109-046(c)(2)(a) establishes the front yard must remain open and unobstructed from 40" above the general ground level of the graded lot. Due to the unique configuration of the property, the main dwelling is positioned perpendicular to the adjacent lot where the proposed shop would be located. As a result, strict application of the front yard requirement would effectively prevent the adjacent lot from being developed with a permanent structure. The proposed shop location adheres to all setback requirements for the lot it will be placed on.

Section 109-037(f), for accessory building regulations, states accessory buildings are intended to remain subordinate to the principal use and structure of the property. The proposed shop would serve as an accessory structure and would remain subordinate to the primary residential use and structure, consistent with the general intent of the provision. Although the orientation and placement of the existing dwelling were established by the previous property owners and were not the result of the current applicants' actions, the applicants are requesting to place an accessory structure on the adjacent lot.

Staff recognize that this creates a unique circumstance in which strict enforcement of the front yard requirement would substantially limit the reasonable use of the adjacent lot. The proposed shop would remain accessory to residential use and would be consistent with the spirit and intent of the low-density residential zoning 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, August 26, 2026, and posted the public hearing sign on the subject property on Friday, September 4, 2026.

Recommendation

Given the properties' unique circumstances, and based on the above information, staff recommends consideration and approval of the request.

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.

(Answers to the three criteria after the main points)

1. Strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration...

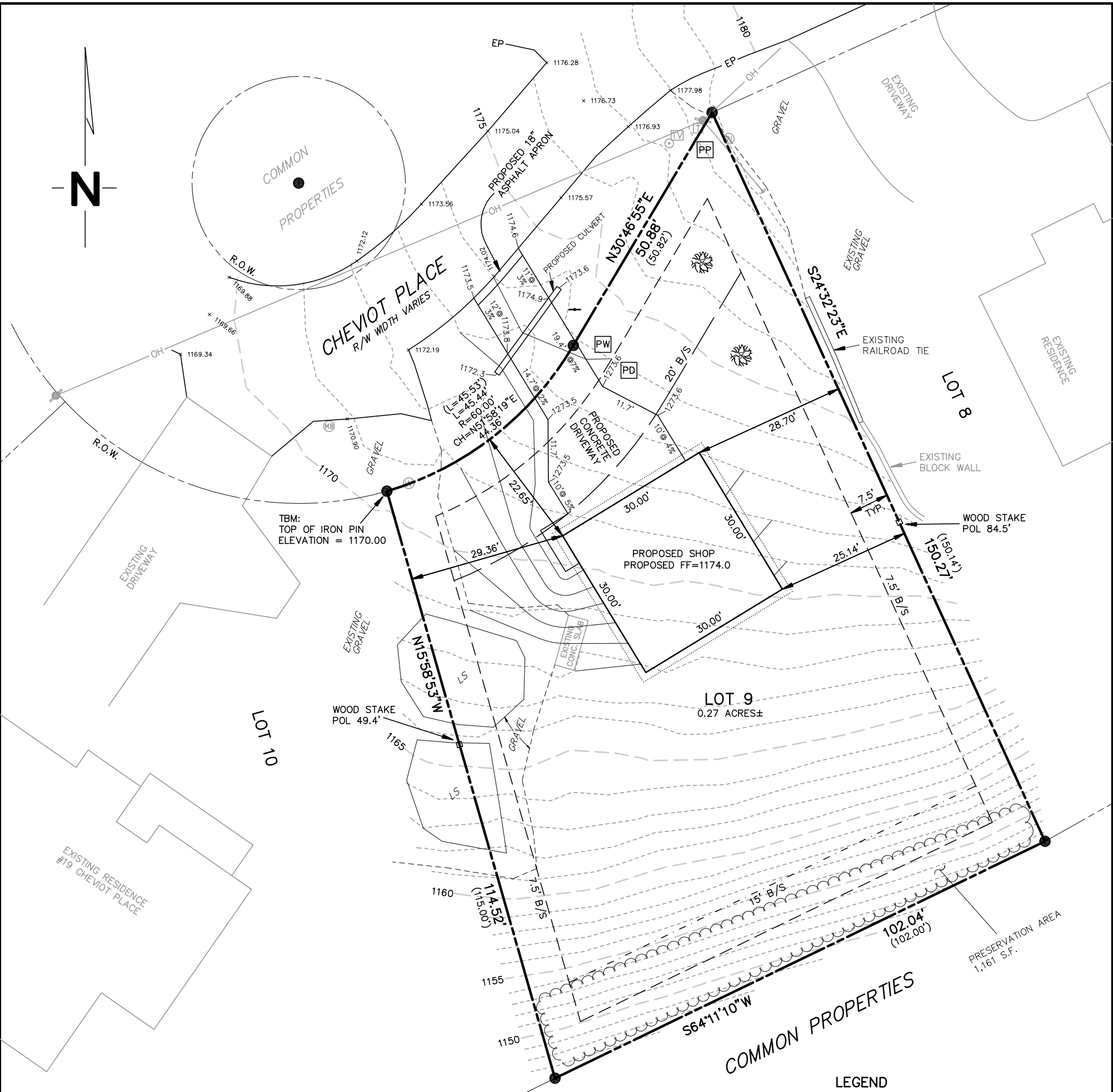
This property is on a cul-de-sac. As a result, each property around it has a circular front lot line. It would be impossible to have the detached garage in front of the main home because of the circular nature of the street around the property.

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

The main home was built several years ago on Loch Lomond. Being a lake lot, the back of the home was placed parallel to the lake. To try to put a detached shop behind the home or the front plane of the main home would be impossible due to the lake and the septic.

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

The garage will fit in nicely with the neighborhood because it will be set back further from the street than the setbacks require. The street edge is unusually far from the front property line. It meets all setbacks for the lot and an easement release will not be necessary. There is an existing home to the left of the proposed garage. If it were being added by them it would meet the criteria for that home to be behind the front plane of the home as well. The proposed garage is going to be 25' to 28' from the neighbor's property line and my customer wants to keep all trees between them. It is fully wooded now. This will keep a buffer between buildings.



NOTE: THIS IS ONLY A PLAN AND DOES NOT NECESSARILY REFLECT THE ACTUAL SIZE, SHAPE, OR LOCATION OF ANY IMPROVEMENTS WHICH MAY BE CONSTRUCTED.

NOTE: THIS DRAWING IS A PROPOSED PLAN ONLY. BUILDER TO VERIFY ALL IMPROVEMENTS AND GRADING COMPLY WITH CITY PLANNING, ZONING, & BUILDING CODES, THE STATE APPROVED SEPTIC SYSTEM REQUIREMENTS, AND THE BELLA VISTA P.O.A. COVENANTS.

NOTES:

ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NOT EXAMINED AS A PART OF THIS DRAWING.

NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, TITLE EVIDENCE, ZONING RESTRICTIONS, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THERE MAY EXIST EASEMENTS, RIGHTS-OF-WAY OR COVENANTS NOT SHOWN OR NOTED HEREON.

THIS DRAWING IS MADE TO THE ORIGINAL PURCHASER AND IS NOT TRANSFERABLE.

BASIS OF BEARINGS: ARKANSAS COORDINATE SYSTEM 1983 NORTH ZONE.

ELEVATIONS SHOWN HEREON ARE BASED OFF AN ASSUMED ELEVATION.

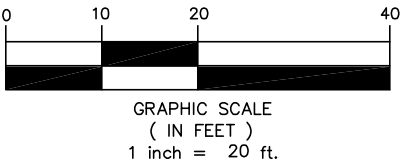
COUNTY JUDGMENT/COURT RECORDS WERE NOT EXAMINED AS A PART OF THIS DRAWING.

ONLY ABOVE GROUND OBSERVED UTILITIES WERE LOCATED. OTHER UTILITIES MAY EXIST NOT SHOWN HEREON.

REFER TO THE RECORDED PLAT OF CHEVIOT SUBDIVISION FOR RECORD BEARINGS.

SURVEYORS SEAL IF SHOWN HEREON CERTIFIES ONLY THAT THIS LOT WAS SURVEYED BY THE SURVEYOR AT ONE TIME. SURVEYORS SEAL DOES NOT CERTIFY TO ANY OF THE PLANNED IMPROVEMENTS, PROPOSED GRADING, SEPTIC DESIGN OR WORK PERFORMED OR MARKINGS ADDED TO THIS DRAWING BY OTHER COMPANIES/INDIVIDUALS.

BUILDER TO VERIFY HOUSE DIMENSIONS WITH FINAL HOUSE PLAN BEFORE CONSTRUCTION.



LEGEND	
	FOUND 1/2" REBAR OR AS NOTED PROPERTY LINE
	BUILDING SETBACK LINE (PLATTED)
	7.5' UTILITY & DRAINAGE EASEMENT
	BUILDING SETBACK LINE (CITY IMPOSED)
	RECORD DIMENSION WHEN MEASURES DIFFERS
	EXISTING UTILITY POLE W/GUY ANCHOR
	EXISTING OVERHEAD UTILITY LINE
	EXISTING TELEPHONE RISER
	EXISTING WATER METER
	EXISTING BROADBAND RISER
	EXISTING MAILBOX
	EXISTING SEWER BOX
	EXISTING UNDERGROUND TELEPHONE SIGN
	BUILDING SETBACK
	EDGE OF PAVEMENT
	EXISTING LANDSCAPED AREA
	POINT ON LINE (DIST. FROM FRONT LOT CORNER)
	PROPOSED PRESERVATION AREA
	PROPOSED DUMPSTER LOCATION
	PROPOSED PORTA POTTY LOCATION
	PROPOSED WASH OUT LOCATION
	APPROX. LOC. PROPOSED NEW OR SAVED TREE

PARCEL #16-08318-000 ZONED R-1 19 CHEVIOT PLACE

PLOT PLAN
for DAVID & LISA NORRIS
LOT 9, BLOCK 4
CHEVIOT SUBDIVISION
BELLA VISTA, BENTON COUNTY, ARKANSAS



Costello Land Surveying
4342 E. STATE HIGHWAY 90
PINEVILLE, MO. 64856
(417) 226-4524

500-21N-31W-0-30-220-04-1286

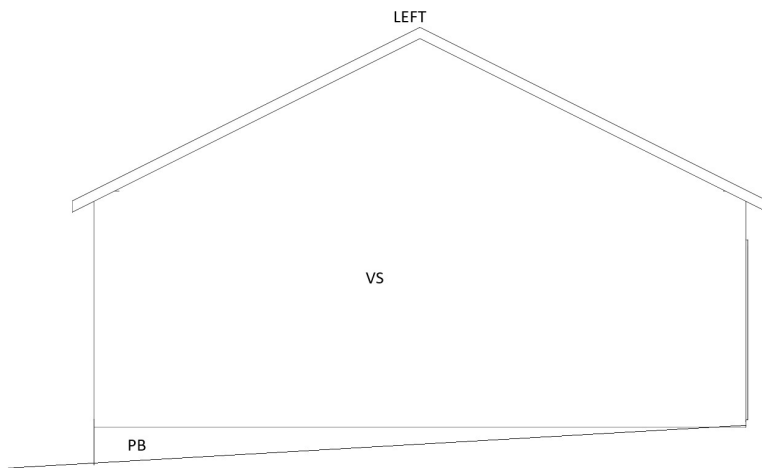
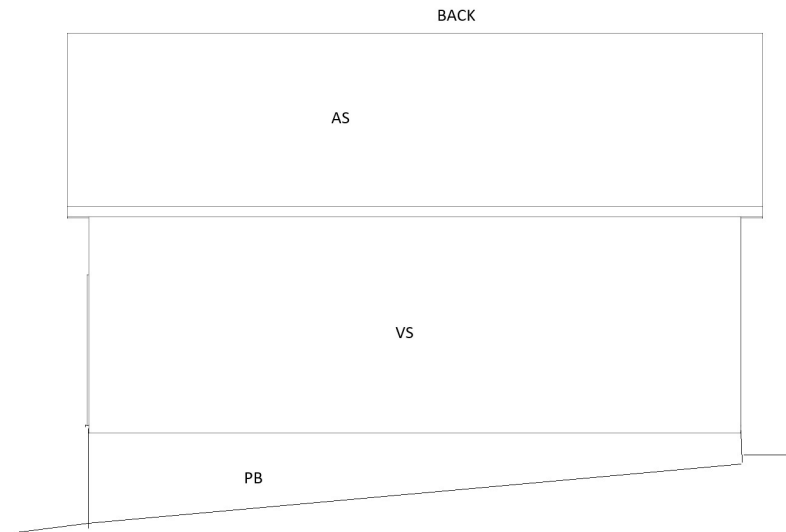
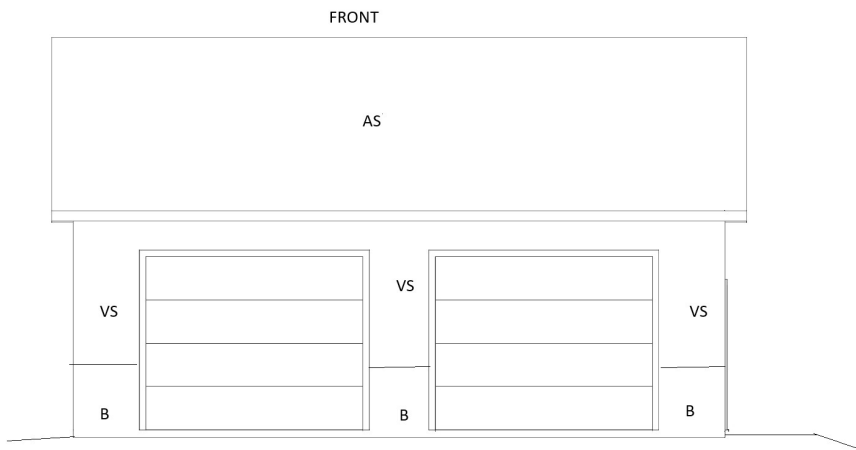
SHEET 1 OF 1

DRAWING: LOT9

FIELD DATE: 05-12-26

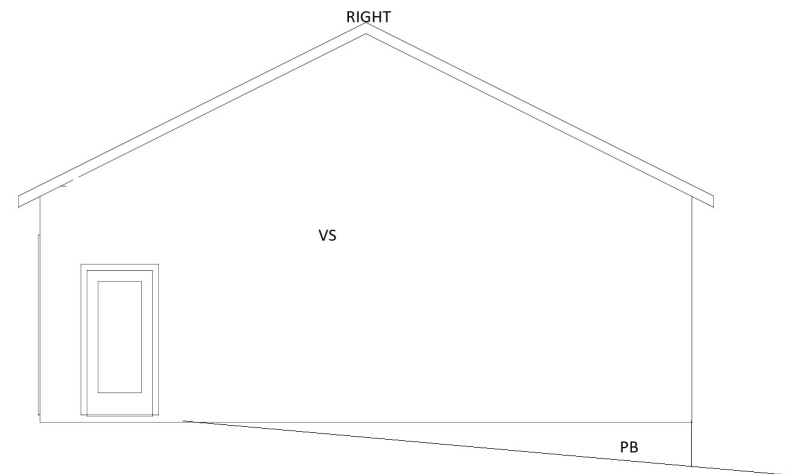
JOB NO. 26056





AS= ASPHALT SHINGLES
 VS= VINYL SIDING
 PB= PAINTED BLOCK
 B= BRICK

ROOF PITCH IS 6/12







**Meeting Information:**

2483 Forest Hills Blvd
September 14th, 2026 at
4:30 pm

Reviewer:

Conner LaRue,
Planner

Property Description

This property is located in east Bella Vista city limits, located on Parcel #16-11444-000. Lot 17, Block 8 of the East Riding Subdivision.

Regulation

Zoning Code Sec. 109-014(c) establishes minimum setback requirements in the R-1 District.

Request

The applicant is requesting a variance of the above code section to construct a single-family home.

Background

The subject parcel is a double frontage lot with platted building setbacks of 15' along Settle and Riding Lanes. Another side setback of 10' is platted adjacent to the neighboring residential lot, and a 20' protective screening easement is found at the rear. As proposed, the house footprint occupies the full width of the lot, and places a portion of the garage inside the 10' side building setback. The garage however still remains outside of the drainage and utility easement. Staff finds the additional setbacks/easements are not of the applicant's actions, and the parcel's unique shape and occurrence of more restrictive setbacks would cause undue hardship. The granting of a variance would otherwise not conflict with the intent of the residential district. The parcel is in a low-density residential area per the Future Land Use Map and both Settle and Riding Lanes are unclassified residential streets per the Master Street Plan that experience low to minimal traffic.

Public Comment

None at the time of this report.

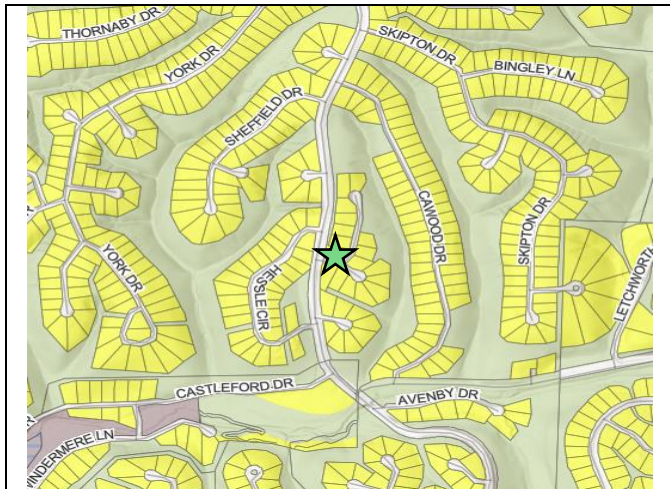
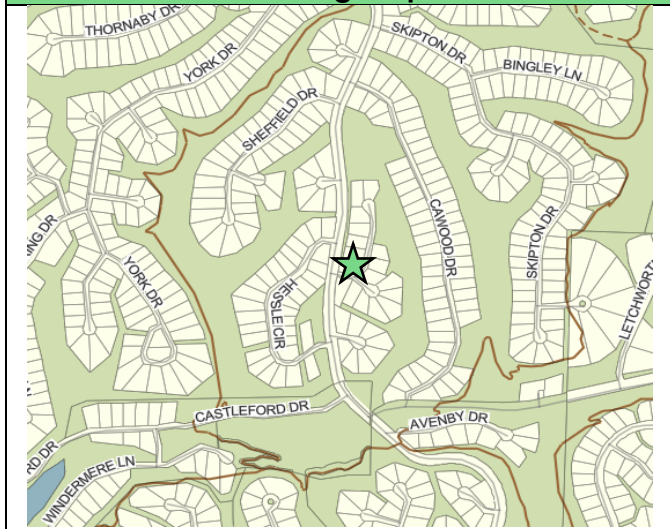
Legal Notifications

Staff published a legal ad notifying the public of this hearing in the Weekly Vista on Wed. August 26th, 2026, and posted the public hearing sign on the subject property on Fri. September 2nd, 2026.

Recommendation

Due to the analysis above, Staff recommends approval of the variance request.

Project Number	ZVR-2026-66708
Applicant	Kevin Nembhard
Address/Location	1 Riding Lane
Current Zoning	R-1 Low Density Residential
Site Area	0.34 acres
Nature of Request	Seeking a variance on Sec. 109-014(c)

**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.

Board of Zoning Adjustment

City of Bella Vista

August 4, 2026

Dear Members of the Board,

I respectfully request approval of a zoning variance to allow construction of a new **1,895-square-foot single-family residence on Lot 17, Block 8, East Riding Subdivision (Parcel No. 16-11444-000), located on Riding Ln in Bella Vista, Arkansas.**

The property's shape, orientation, and topographic conditions present practical difficulties that are unique to this parcel and are not generally applicable to neighboring properties. Strict application of the required 10-foot setback along the northern boundary (indicated in red on accompanying plot plan) would create a practical hardship by significantly restricting the placement of the home and preventing reasonable development of the lot in a manner consistent with neighboring residential properties.

Variance Requested:

Side setback (northern boundary): 7.5 feet in lieu of the 10 feet as this side would become the right side of the house facing Riding Ln. The requested variance is the minimum necessary to allow the 3 Bedroom septic system to work. Approval will not alter the essential character of the neighborhood, adversely affect adjoining properties, create a public safety concern, or conflict with the intent of the City's zoning ordinance. The proposed residence will comply with all other applicable zoning, building, and development requirements.

The hardship is created by the physical characteristics of the property and its orientation, rather than by any action of the owner. Granting the requested 7.5 ft reduction to the side setback will be used to meet the number of septic lines needed for a 3 Bedroom house. See the drafted plot plan showing the 3 bedroom house and the 3 bedroom septic system.

For these reasons, I respectfully request that the Board approve this variance.

Respectfully,

Kevin R. Nembhard

Manager

**Nembhard's Real Estate, LLC d/b/a Nemreal Development &
Remodeling**

AS-PROVIDER DESCRIPTION (INST. L202625929):
LOT 17, BLOCK 8, EAST RIDING SUBDIVISION, TO THE CITY OF BELLA VISTA, BENTON COUNTY, AS SHOWN ON PLAT RECORD 1, PAGE 111. SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, PROTECTIVE COVENANTS AND MINERAL RESERVATIONS OF RECORD, IF ANY.

1. 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.
2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
3. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
4. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
5. UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, ATLAS MAPS AS MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
6. 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.
7. 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.
8. 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.
9. ALL BUILDING, SURFACE AND SUBSURFACE, IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN.
10. 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.
11. AS OF THE DATE OF THIS SURVEY, THE SURVEYED TRACT DOES NOT LIE WITHIN DELINEATED WETLANDS AREAS AS SHOWN BY UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY, [HTTPS://WWW.FWS.GOV/PROGRAM/NATIONAL-WETLANDS-INVENTORY/WETLANDS-MAPPER](https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper). NO WETLANDS MARKERS WERE OBSERVED IN THE COURSE OF THIS SURVEY.
12. DIMENSIONS ARE PERPENDICULAR TO PROPERTY LINES.
13. THIS PLOT DEPICTS FUTURE CONSTRUCTION IMPROVEMENTS AS SHOWN.
14. THIS IS NOT A BOUNDARY SURVEY, IT IS NOT INTENDED FOR TRANSFER OF TITLE.
15. ALL DIMENSIONS MEASURED TO BLOCK LINE.
16. OVERHANG BUILT BEYOND BUILDING SETBACKS MAY NOT MEET NATIONAL FIRE OR BUILDING CODE.
17. ALL INFORMATION AS SHOWN HEREON IS RECORD INFORMATION OR INFORMATION PROVIDED BY THE CLIENT TO BELL CONSTRUCTION SOLUTIONS, LLC.
18. IT IS THE RESPONSIBILITY OF THE BUILDER OR BUILDERS REPRESENTATIVE TO VERIFY ALL DIMENSIONS THAT ARE STAKED OR MARKED.

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.

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

19. BELL CONSTRUCTION SOLUTIONS, LLC. AND/OR FIELD CREWS ARE NOT RESPONSIBLE FOR MANAGEMENT OF CONSTRUCTION CREWS TO FOLLOW PLANS AND SPECIFICATIONS OR OVER SITE TO ADHERE TO ANY/ALL APPLICABLE BUILDING OR ZONING CODES.

20. BY USING THIS PLOT PLAN THE BUILDER AGREES TO THE NOTES AND NOTICES IN STATEMENTS ABOVE.

21. THIS PLAN IS FOR VISUAL PURPOSED ONLY AND MAY NOT NECESSARILY REFLECT THE ACTUAL SIZE, SHAPE OF LOCATION OF ANY IMPROVEMENTS ON THE LOT.

22. FOUNDATION IS BLOCK AND FILL.

23. SWALES SHALL BE ADDED TO BOTH SIDES OF HOUSE FOR POSITIVE DRAINAGE.

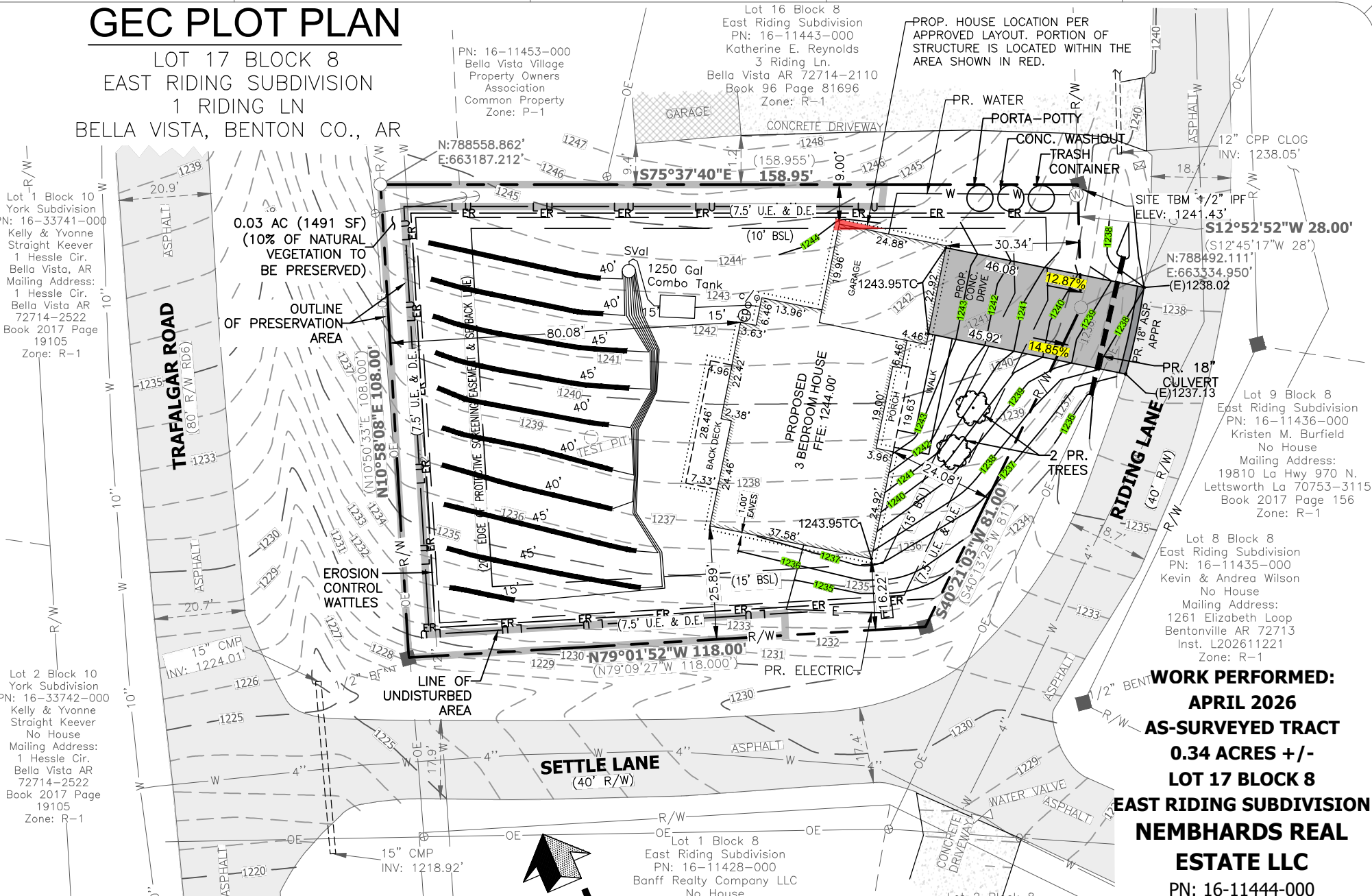
SURVEYOR'S CERTIFICATE:

I CERTIFY THAT I HAVE COMPLETED ABOVE-DESCRIBED PROPERTY. THE PROPERTY CORNER MONUMENTS ARE TO THE KNOWLEDGE AND ABILITY, CORRECTLY THERE ARE NO VISIBLE ENCRUMCHMENTS SHOWN ON THIS PLAT. THIS SURVEY MEETS "MINIMUM STANDARDS FOR PROFESSIONAL SURVEYS", PER THE STATE OF ARKANSAS

[Signature]

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, P.L.S. NO.1519, ARKANSAS DATE



THIS SEPTIC PLAN HAS BEEN DESIGNED IN COMPLIANCE WITH THE RULES AND REGULATIONS PERTAINING TO SEWAGE DISPOSAL SYSTEMS AS PROVIDED IN ACT 402 OF 1977. THIS IN NO WAY GUARANTEES THAT THIS SYSTEM WILL FUNCTION PROPERLY.

DATED: _____ BY: _____
DESIGNATED REPRESENTATIVE

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.)
 PLAT CODE: 500-21N-30W-0-19-240-04-1519

#	REVISION	DATE
1	PRELIMINARY LAYOUT	7/23/26
2	GEC & RES LAYOUT W/SEPTIC	7/28/26
3	ADD RED AREA PER HOUSE LOC.	7/29/26

	FOUND REBAR
	SET 1/2" REBAR W/CAP
	UTILITY POLE
	WATER METER
	TELEPHONE RISER
	PROPERTY LINE
	RIGHT-OF-WAY
	CENTERLINE
	SETBACK
	EASEMENT
	OVERHEAD LINE
	PROP. CONTOUR
	PROP. DRIVEWAY
	AT 8.00% GRADE

FFE: FINISHED FLOOR ELVEVATION
TC: TOP OF CURB/CONCRETE
LP: LOW POINT HP: HIGH POINT
TW: TOP OF WALL BW: BOTTOM OF WALL



Know what's below.
Call before you dig.

**BELL CONSTRUCTION
SOLUTIONS, LLC.**
P.O. BOX 8
CAVE SPRINGS, AR 72718
CHUCK BELL
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: VSK	SCALE: 1" = 30'
FIELD CREW: STEVE	DWG: 2662.04
CHECKED BY: CEB/MDM	DATE: 7/23/26

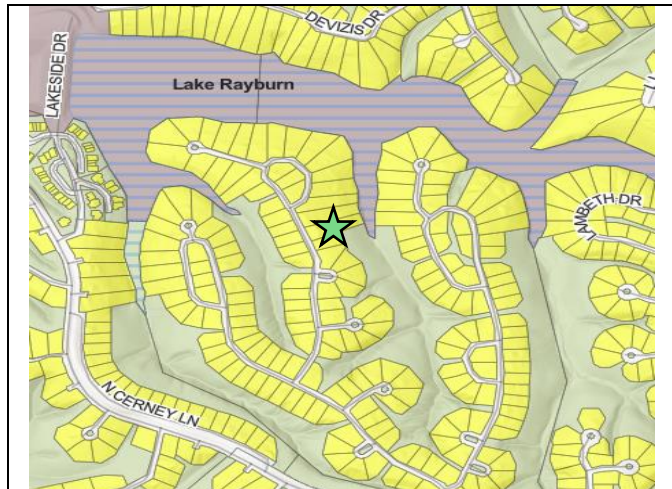
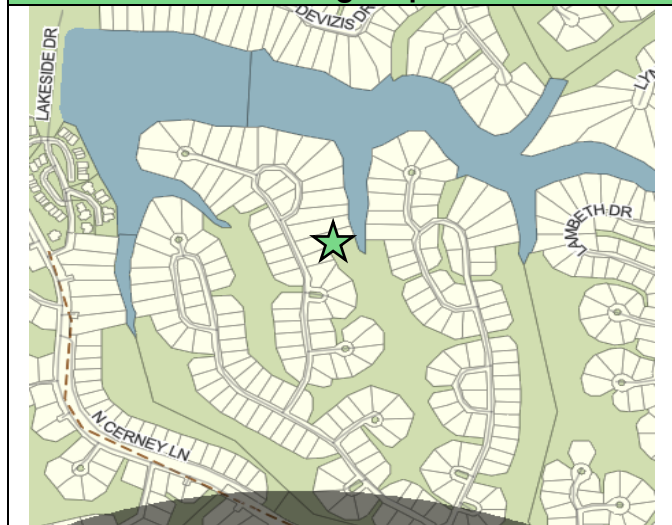
**Meeting Information:**

2483 Forest Hills Blvd
September 14th, 2026 at
4:30 pm

Reviewer:

Conner LaRue,
Planner

Project Number	ZVR-2026-66460
Applicant	Wayson Hokama
Address/Location	16 Tibberton Circle Drive
Current Zoning	R-1 Low Density Residential
Site Area	0.74 acres
Nature of Request	Seeking a variance on Sec. 109-059

**Zoning Map****Future Land Use Plan****Property Description**

This property is located in east Bella Vista city limits, located on Parcel #16-12949-000. Lot 33, Block 8 of the Gloucester Subdivision.

Regulation

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

Request

The applicant is requesting a variance in order to reconstruct a failing retaining wall along the property line.

Background

The subject wall is contemporary with the construction of the house in 1994, and was built well before current requirements. The adjacent walls (not to be rebuilt) were built in 2018 without City permitting. The scope of work includes reconstructing 106' of wall near the property line, gradually increasing in height from 2.5' to 11' before turning back toward the house. The applicant had been working with Engineering to lower the height of the wall, however proximity to the driveway would not allow for the minimum 3:1 slope without excavating the driveway. Staff will add additional information will be required when submitting the retaining wall permit including; top and bottom wall elevations where the wall meets the house, and removal of the portion of wall inside the right-of-way. POA Water, Carrol Electric, and VWWC had no comments on the proposal, and the applicant is already pursuing an easement release with the ACC. The current placement of the wall is not of the applicant's actions, and strict enforcement of the zoning ordinance may provide undue hardship by reducing reasonable access to the house. The parcel is in a low-density residential area per the Future Land Use Map, and Tibberton Circle Drive is an unclassified residential street per the Master Street Plan that experiences low to minimal traffic.

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. August 26th, 2026, and posted the public hearing sign on the subject property on Fri. September 4th, 2026.

Recommendation

Based on the analysis above, Staff recommends approval with the conditions that additional wall elevations are provided, and the portion wall is removed from the right-of-way.

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.

Dear board of zoning

I'm requesting a variance to replace my failing wall along the north side of my property that is within the 7.5' setback because without it I can not use my garage. The wall was built when the house was put up some 30 years ago. I purchased the house 5 years ago not knowing that it was not to code. The wall is falling over towards the neighbor house. And would like to fix it before it fall over.

**Wayson Hokama
16 Tibberton circle drive
Bella Vista AR. 72714**

DESCRIPTION:
LOT 33, BLOCK 8, GLOUCESTER SUBDIVISION TO THE CITY OF BELLA VISTA,
ARKANSAS, AS SHOWN IN PLAT RECORD "J" AT PAGE 63 OF THE BENTON COUNTY
RECORDS.

Notes:

1. Except as specifically stated or shown on this plat, the 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 of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.

2. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.

3. This plat represents a boundary survey of the parcel recorded in Deed Records, Instrument L202140311 at the Office of the Circuit Clerk Benton County, Arkansas.

4. The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.

5. Basis of Bearings: AR State Plane North Zone (NAD83).

6. This survey is valid only if the drawing includes the seal and signature of the surveyor.

7. This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats."

8. No abstract of title, nor title commitment, nor results of title searches were furnished to the surveyor. There may exist other documents of record which would affect this parcel.

9. Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.

10. Building setbacks for zone R-1 are as follows:

Front 20 Feet Per Final Plat
Side 7.5 Feet

11. Per the final plat of Gloucester Subdivision, Book "J", Page 63, a flowage easement exists along the rear of this lot. This easement is meandering and is not plotted graphically on this survey.

12. No attempt was made to show building setback lines graphically on the survey. Setback dimensions are based on the orientation of the building(s) to be constructed.

13. Subsurface and environmental conditions were not examined nor considered a part of this survey.

14. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.

15. (BY GRAPHICAL PLOTTING ONLY)
This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, AR. Map Number 05007C0080J. Revised date September 28, 2007.

PROPOSED 1 EASEMENT VACATE DESCRIPTION:

A PART OF LOT 33, BLOCK 8, GLOUCESTER SUBDIVISION TO THE CITY OF BELLA VISTA, ARKANSAS, AS SHOWN IN PLAT RECORD "J" AT PAGE 63 OF THE BENTON COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST (NW) CORNER OF SAID LOT 33; THENCE NORTH 73°35'01" EAST A DISTANCE OF 111.08 FEET; THENCE SOUTH 16°24'59" EAST A DISTANCE OF 7.50 FEET; THENCE SOUTH 73°35'39" WEST A DISTANCE OF 110.54 FEET; THENCE NORTH 20°36'20" WEST A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES OR 830 SQUARE FEET MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

PROPOSED 2 EASEMENT VACATE DESCRIPTION:

A PART OF LOT 33, BLOCK 8, GLOUCESTER SUBDIVISION TO THE CITY OF BELLA VISTA, ARKANSAS, AS SHOWN IN PLAT RECORD "J" AT PAGE 63 OF THE BENTON COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST (SW) CORNER OF SAID LOT 33; THENCE NORTH 20°36'20" WEST A DISTANCE OF 7.50 FEET; THENCE NORTH 68°31'36" EAST A DISTANCE OF 123.99 FEET; THENCE SOUTH 21°28'24" EAST A DISTANCE OF 7.50 FEET; THENCE SOUTH 68°31'36" WEST A DISTANCE OF 124.10 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES OR 930 SQUARE FEET MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

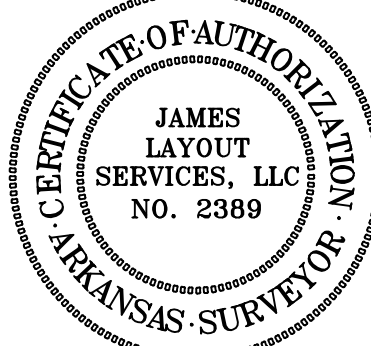
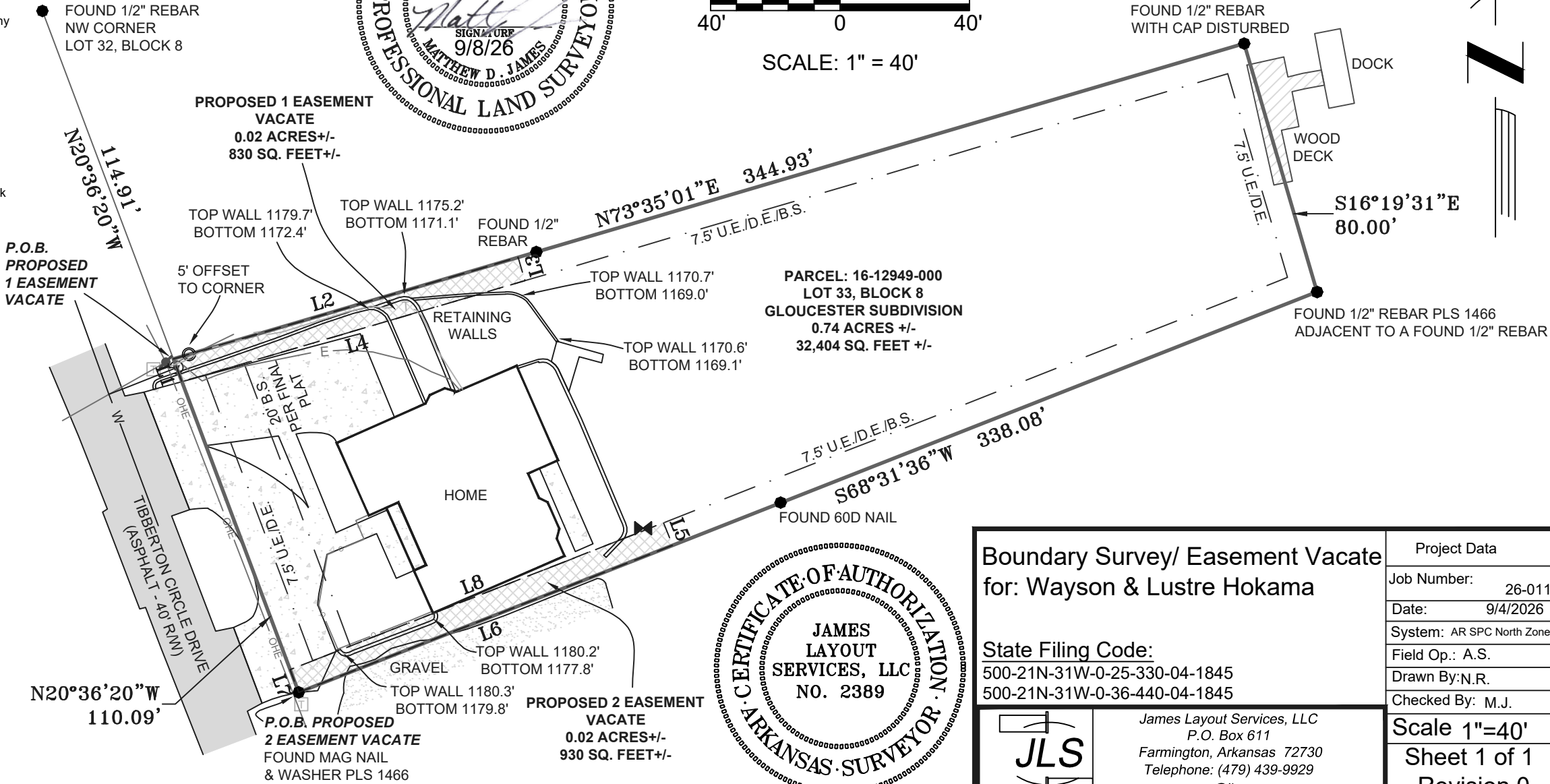
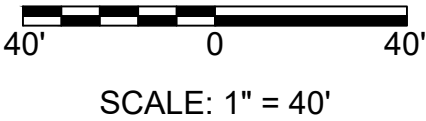
LEGEND

●	MONUMENT FOUND (AS NOTED)
○	SET 5/8" REBAR PLS 1845
⦿	UTILITY POLE
⌚	TELEPHONE RISER
⦿	WATER METER
⦿	WATER VALVE
—○—	IRON FENCE
—OHE—	OVERHEAD ELECTRIC LINE
—E—	UNDERGROUND ELECTRIC LINE
—T—	UNDERGROUND CABLE LINE
—W—	UNDERGROUND WATER LINE
—	BOUNDARY LINE
B.S.	BUILDING SETBACK
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

Parcel Line Table		
Line #	Length	Direction
L1	7.50'	N20° 36' 20"W
L2	111.08'	N73° 35' 01"E
L3	7.50'	S16° 24' 59"E
L4	110.54'	S73° 35' 39"W
L5	7.50'	S21° 28' 24"E
L6	124.10'	S68° 31' 36"W
L7	7.50'	N20° 36' 20"W
L8	123.99'	N68° 31' 36"E



Vicinity Map
N.T.S.



Boundary Survey/ Easement Vacate
for: Wayson & Lustre Hokama

State Filing Code:
500-21N-31W-0-25-330-04-1845
500-21N-31W-0-36-440-04-1845



James Layout Services, LLC
P.O. Box 611
Farmington, Arkansas 72730
Telephone: (479) 439-9929
survey@jlsnwa.com

Project Data	
Job Number:	26-011
Date:	9/4/2026
System:	AR SPC North Zone
Field Op.:	A.S.
Drawn By:	N.R.
Checked By:	M.J.

Scale 1"=40'
Sheet 1 of 1
Revision 0

Retaining Wall General Notes

Design Provisions

1. The following effective strength design parameters were assumed in the preparation of structural calculations for the segmental retaining wall system:

	φ	c	g (lb/ft³)	Soil Type
Reinforced Soil	30°	0	120	Hillside material
Foundation Soil	28°	0	120	Stiff brown clayey silt
Retained Soil	28°	0	120	Stiff brown clayey silt

Soil types and design properties shall be confirmed by the owner or its site geotechnical engineer prior to wall construction. McGuire Civil Engineering Services accepts no responsibility for the interpretation or verification of subsurface conditions.

2. The wall(s) are designed to support the following maximum surcharge loadings:
Live Load - 150 psf - driveway
Backslope - level
Toe Slope - level

The wall system has been evaluated for internal stability and simple external sliding and overturning. Refer to design calculations for specific minimum factors of safety utilized for wall design. The wall design maintains a minimum factor of safety of 1.5 on all elements of the static wall design unless otherwise noted in the calculations. Global stability has **NOT** been evaluated with this design and is the responsibility of the owner to assess any global stability/slope stability issues with the consulting geotechnical firm.

3. The wall foundation soils at each wall location shall be capable of safely supporting 2,000 psf without failure or excessive settlement. Local bearing capacity shall be confirmed by the site engineer.
4. The contractor shall provide surface and subsurface drainage, grading, and erosion control during and after wall construction to avoid damage to the wall structure.
5. The contractor is responsible for obtaining all permits and easements necessary for wall construction. The contractor is responsible for protecting adjacent property from wall construction activities.

Construction Provisions

1. Wall construction shall be monitored by a qualified Engineer to verify field conditions. If this work is not performed by the site geotechnical engineer, the geotechnical engineer shall be consulted in those matters pertaining to soil conditions and wall performance.
2. The foundation soils at each wall location shall be inspected by the Engineer and any unsuitable soils or improperly compacted embankment material removed and replaced as directed by the Engineer prior to wall construction to provide adequate bearing capacity and minimize settlement.
3. All wall excavation and retained soils shall be inspected for groundwater conditions and any additional drainage provisions required in the field shall be incorporated into the wall construction as directed by the Engineer.
4. Wall backfill material shall be tested and approved by the Engineer for use in the reinforced soil zone meeting the minimum requirements of the approved design plans.
5. Wall construction shall be periodically inspected by the Engineer to insure the geogrid reinforcement elevations and lengths are installed in accordance with the approved design plans.
6. All wall elevations, grades, and backslope conditions shall be verified by the Engineer in the field for conformance with the approved design plans. Any revisions to the structure geometry or design criteria shall require design modification prior to proceeding with construction.

Hokama Rockwood Retaining Wall

DRAWING INDEX

COVER SHEET	1
SITE PLAN	2
WALL ELEVATIONS	3
DETAILS	4-5
SPECIFICATIONS	6-7

Tibberton Circle Dr.
Bella Vista, AR 72714

McGuire
Civil Engineering Services, LLC
Fayetteville, AR (479)-414-8130



04/15/2026

AR COA #3883

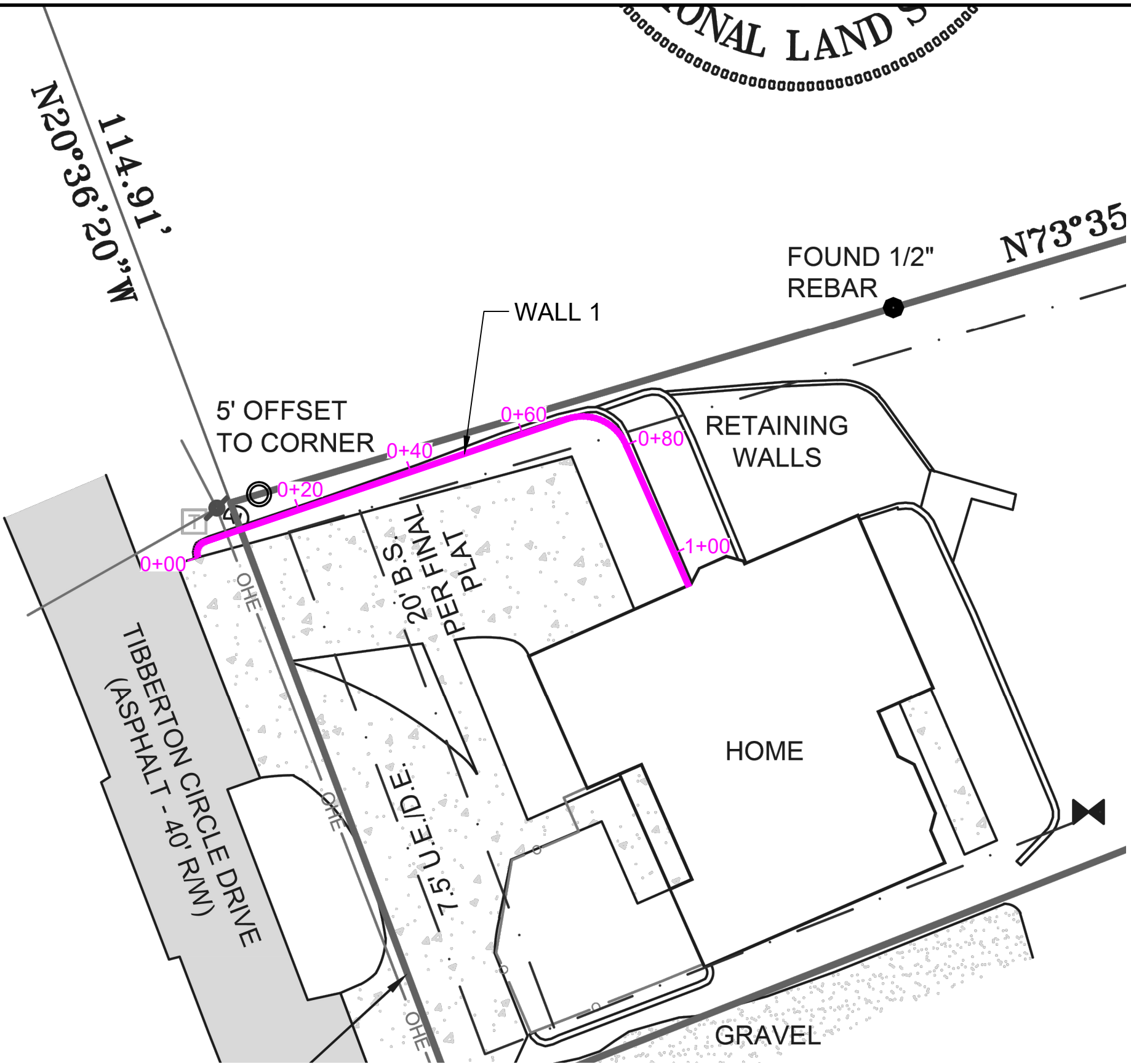
Segmental Retaining Wall Care, Operations and Maintenance Guide

The Segmental Retaining Wall (SRW) is constructed of concrete masonry units, geogrid soil reinforcement fabric, and compacted backfill. The structure’s performance is sensitive to any post construction activities that may damage components, increase loading conditions, and/or reduce overall stability. The following list is intended to provide guidelines for the proper care of a SRW.

1. The area behind the wall that contains geogrid soil reinforcement fabric (reinforced zone) is the primary structural component of the wall system. Do not, under any circumstances, excavate through, drill through, or otherwise damage this reinforcement fabric without written approval of the design engineer of record.
2. The drain line at the base of the wall (if required and installed) was stubbed out to daylight or for final connection to storm drainage systems by others. Please insure that all connections are made to proper drain outlets and that any drains outlets to daylight are not buried.
3. The wall is normally constructed over a crushed stone base. No digging or excavation shall be done within 3 feet horizontally from bottom face of wall or to such depth that would compromise the integrity of the wall foundation.
4. All water must be diverted away from the base of wall to avoid erosion and undermining of the foundation after installation. This includes temporary site grading during construction and final site grading.
5. Landscape watering and surface drainage above the wall should be designed in consultation with the Civil and Geotechnical engineer and performed in such a way to avoid standing water, water cascading over the wall, and infiltration (saturation) of the reinforced zone.
6. Do not increase the height of the existing wall as constructed with more block units without the written approval of the design engineer of record.
7. Do not add a slope or increase the steepness of a back slope beyond what was considered in the original grading plan and wall design without written approval of the design engineer of record.
8. Do not add additional surcharges within a lateral distance of twice the overall height of the structure(s) without written approval of the design engineer of record or unless considered in the original wall design. This would include large trees, fences, sound walls, landscaping walls, swimming pools, buildings, garages, etc.
9. Do not operate heavy equipment, within four feet of top of wall face. The surcharge from equipment weight can push the upper wall units out resulting in unacceptable misalignment.
10. Segmental retaining walls are flexible structures (vs. rigid as in CMU walls) and are subject to some post construction settlement and movement. All structures (i.e. sidewalks, pavements, curbs, trash enclosures, utility lines, etc.) should be designed to handle some ground movement and not be connected directly to the wall units.
11. Retaining walls should be inspected at least once a year. Some, but not necessarily all items to be inspected are; verify that drainage measures are functioning properly, erosion has not occurred along the top, ends, or bottom of wall(s), landscaping and planting is not interfering with the wall(s) intended performance, observe and note any unanticipated movement or deflection of the wall system and evaluated by a qualified engineer. Additional inspection may be necessary immediately following a catastrophic event such as a flood, heavier than normal rain event, earthquake, etc.
12. Over time the wall face may begin to show a white flaky material and may especially be noticeable post construction. This material is called efflorescence. Efflorescence occurs when moisture evaporates from the wall face, and the naturally occurring soluble salts and bases, or the calcium carbonite (calcium hydroxide in the cement mixes with carbon dioxide in the air) is left on the face. This efflorescence is only an aesthetic concern and will not affect the structural performance of the wall. Efflorescence can typically be removed by dry brushing followed by flushing with clean water. In tougher cases power washing with muriatic acid solution will also aid the cleanup process. For additional information and removal options reference NCMA Tek bulletin 8-3A.



NOTE:
SITE PLAN IS FOR ILLUSTRATIVE
PURPOSES ONLY. REPRODUCED FROM
JLS PLAN DATED 1.15.2026.



No.	Date	Revision
1	04/15/2026	INITIAL SUBMITTAL

McGuire
Civil Engineering Services, LLC
Fayetteville, AR (479)-414-8130

AR COA #3883

Designed By: CTM
Designed For: GNG UNDERGROUND
Scale: 1:20

Title: PLAN VIEW - WALL 1
Project: HOKAMA ROCKWOOD
RETAINING WALL
Tibberton Circle Dr.
Bella Vista, AR 72714

Date: 04/15/2026
Project No: 1926
Drawing No: 02



GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

KEY

STRATAGRID 200

4" Cap Unit

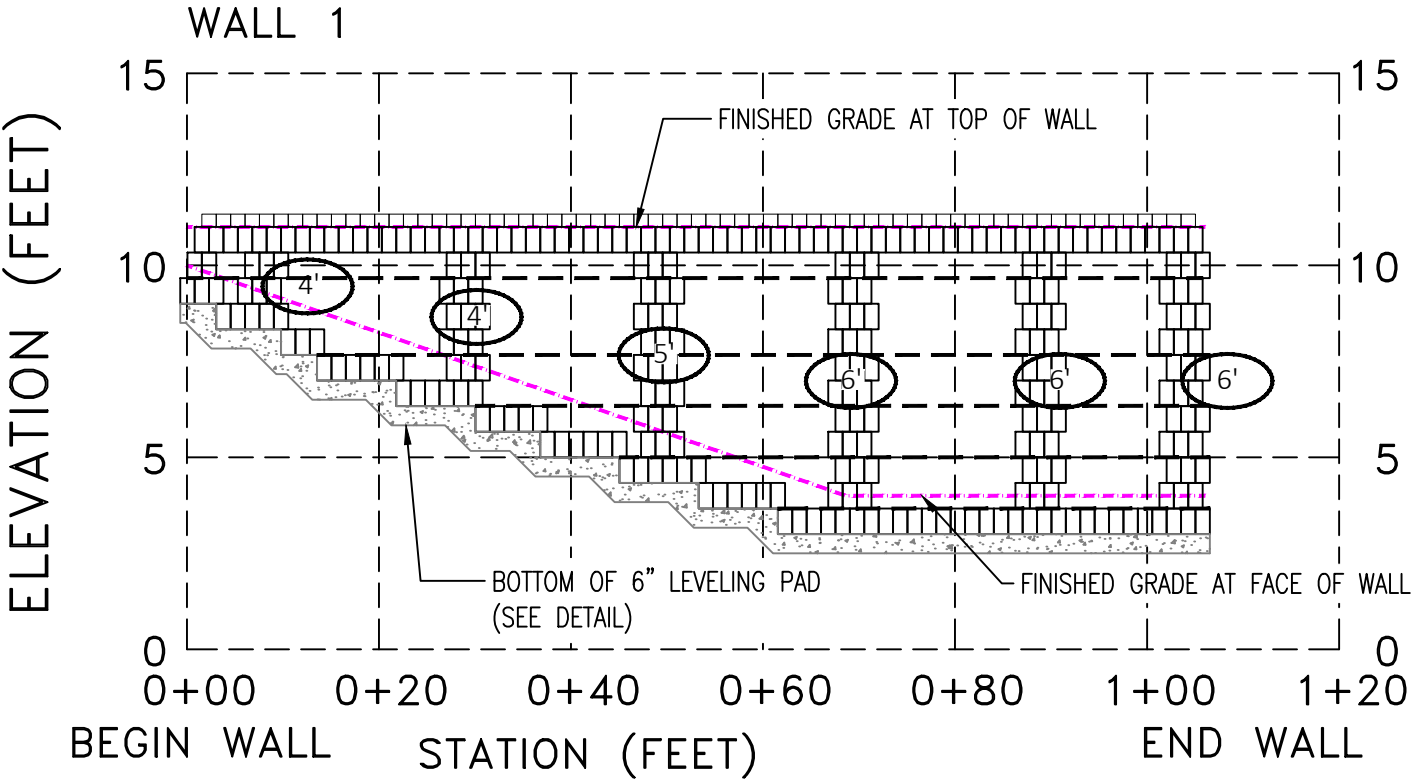
ROCKWOOD Classic 8" Unit

Minimum Geogrid Embedment

SCALE:

VERTICAL: 1"=5'

HORIZONTAL: 1"=20'



- NOTE:
- 1.) WALL IS DESIGNED TO RECEIVE SELECT FILL MATERIAL IN THE REINFORCED ZONE.
 - 2.) WALL SHALL BE PROVIDED WITH 4" MINIMUM DIAMETER HDPE PERFORATED DRAIN PIPE WITH EXIT PIPES AT MINIMUM 40' CENTERS.
 - 3.) COMPACTION SHALL BE MIN. 95% OF STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D-698).
 - 4.) COMPACTION SHALL BE ACHIEVED BY MEANS OF A MIN. OF TWO PASSES WITH A VIBRATORY ROLLER PER 8" VERTICAL LIFT.
 - 5.) MINIMUM GEOGRID EMBEDMENT LENGTH SHOWN IS CONTINUOUS FOR 20' LONG BAY OF WALL FACE IN WHICH IT IS INDICATED.
 - 6.) MINIMUM GEOGRID EMBEDMENT LENGTH SHOWN IS FOR GEOGRID LENGTHS FROM BOTTOM TO TOP OF WALL EXCEPT WHERE NOTED.
 - 7.) WALL BATTER SHALL BE 1.12" HORIZONTAL OFFSET PER 8" VERTICAL COURSE (8").

No.	Date	Revision
1	04/15/2026	INITIAL SUBMITTAL

McGuire

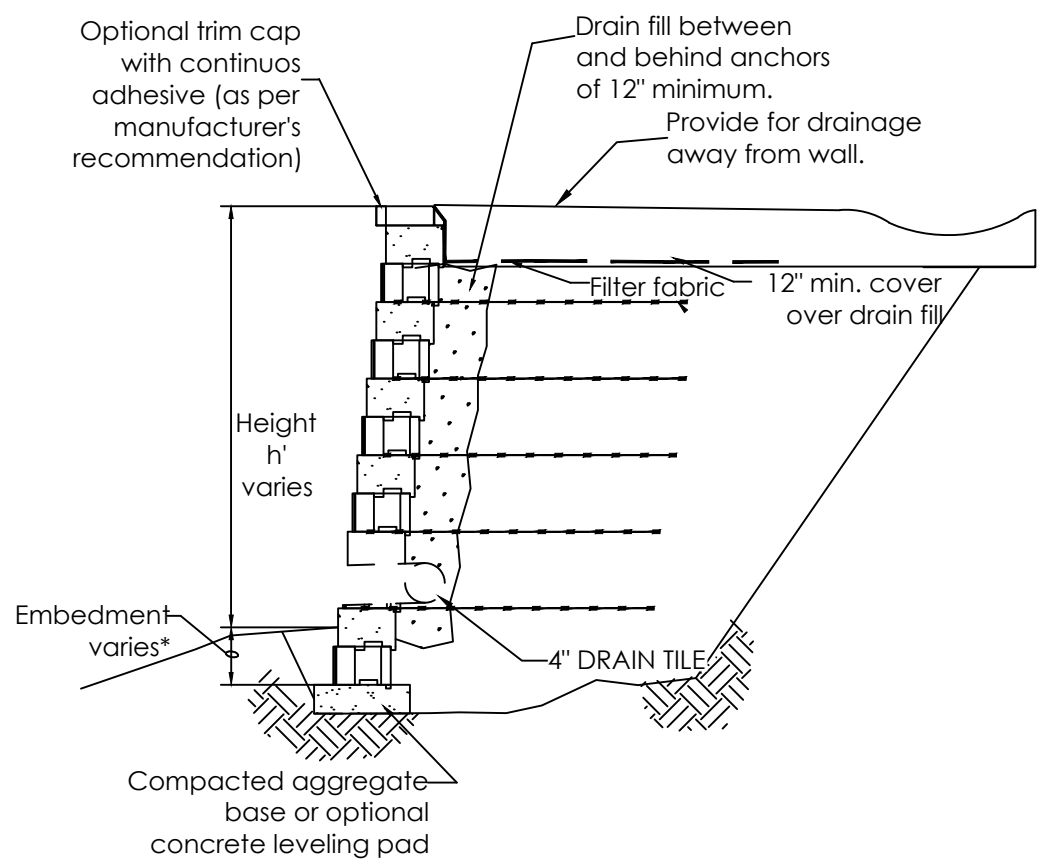
Civil Engineering Services, LLC

Fayetteville, AR (479)-414-8130

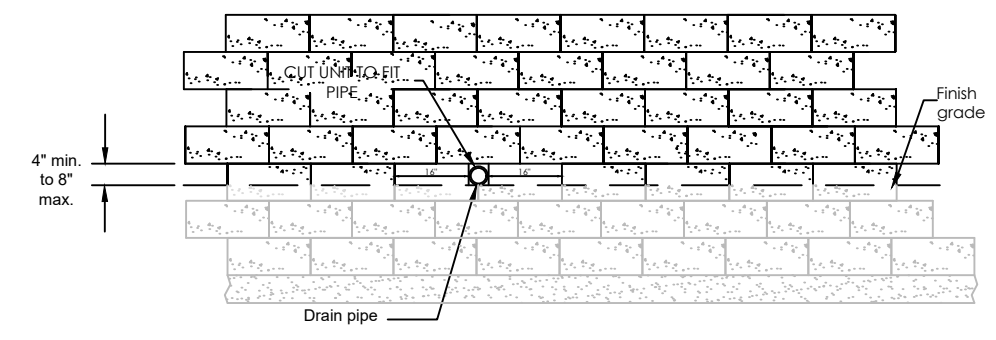
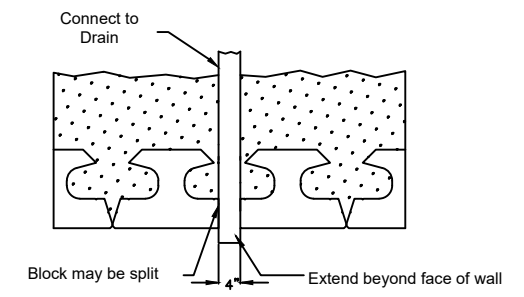
AR COA #3883

Designed By: CTM	Title: WALL ELEVATION - WALL 1	Date: 04/15/2026
Designed For: GNG UNDERGROUND	Project: HOKAMA ROCKWOOD RETAINING WALL Tibberton Circle Dr. Bella Vista, AR 72714	Project No: 1926
Scale: 1":20'		Drawing No: 03



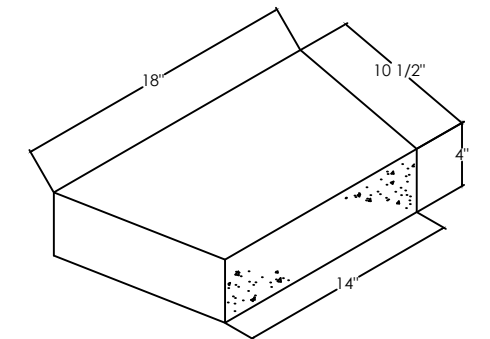


TYPICAL SECTION

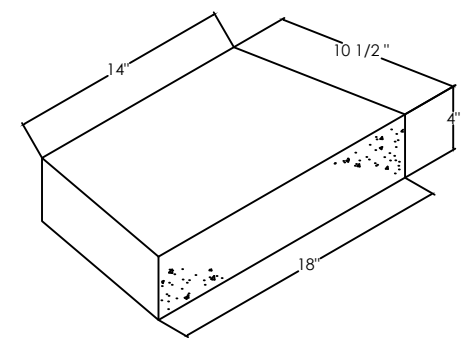


Note: Locate drain tile at lowest elevation above adjacent finish grade.

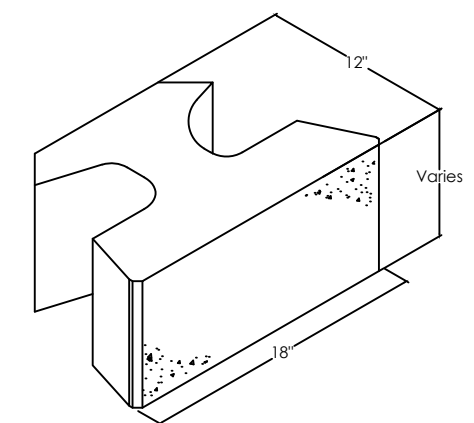
DRAIN TILE OUTLET



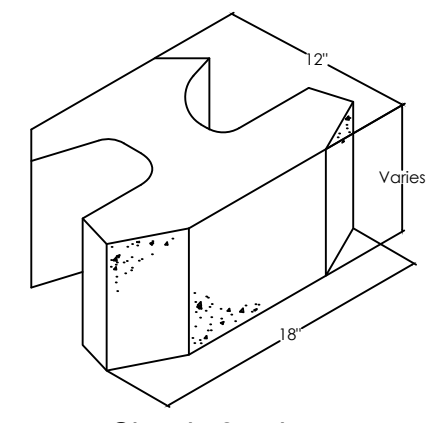
Universal Cap - back



Universal Cap - front

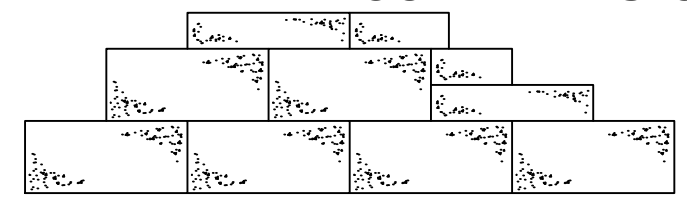


Classic 8 unit (Straight)

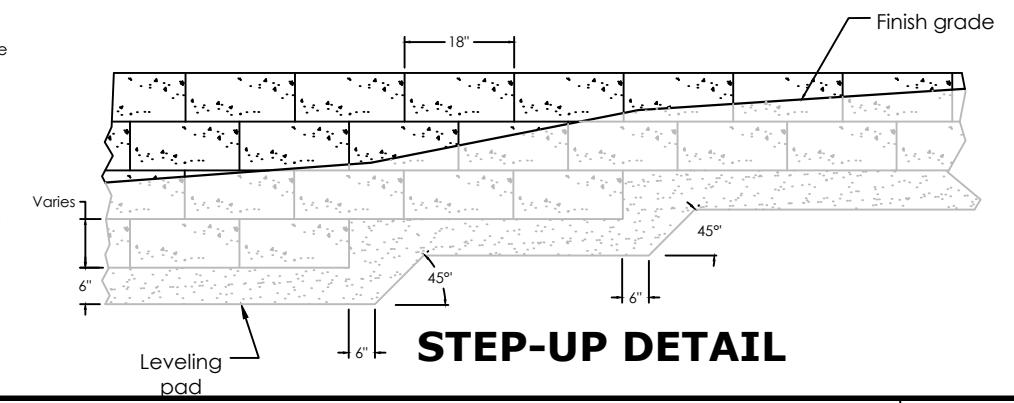


Classic 8 unit (Beveled)

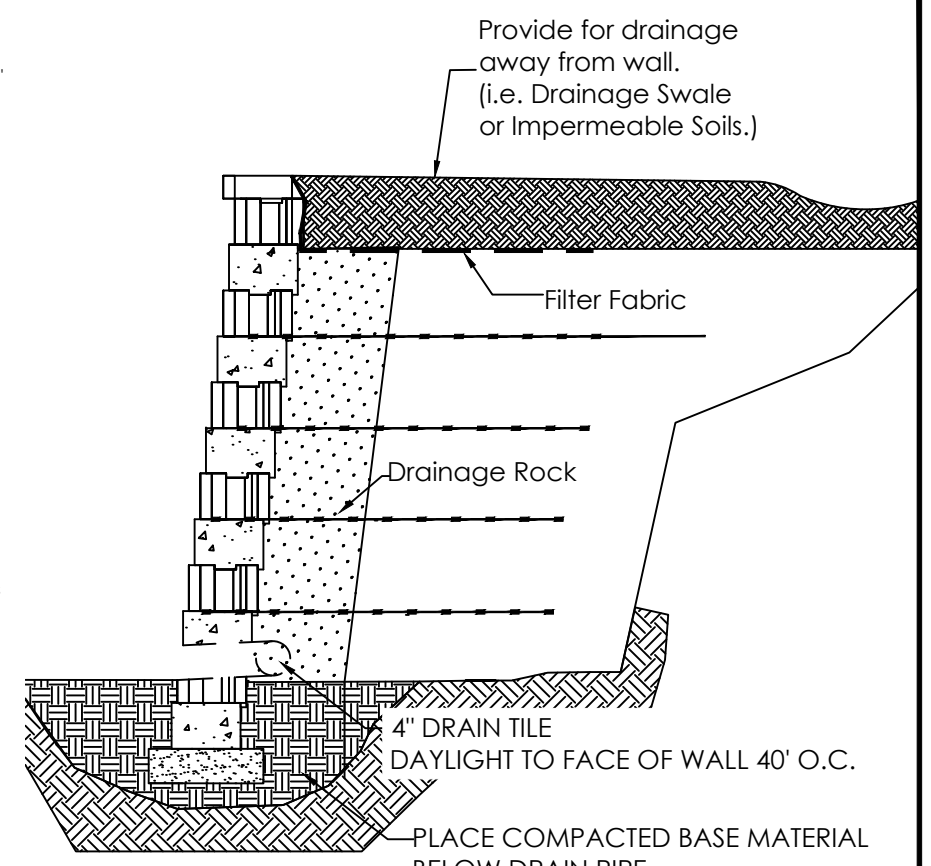
BLOCK DIMENSIONS



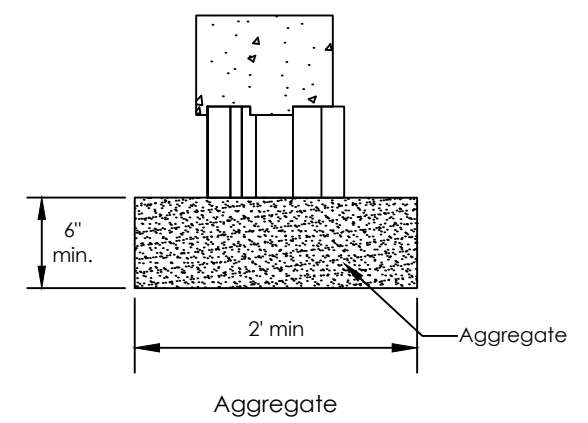
Universal cap step detail



STEP-UP DETAIL



DRAINAGE DETAIL



LEVELING PAD DETAIL

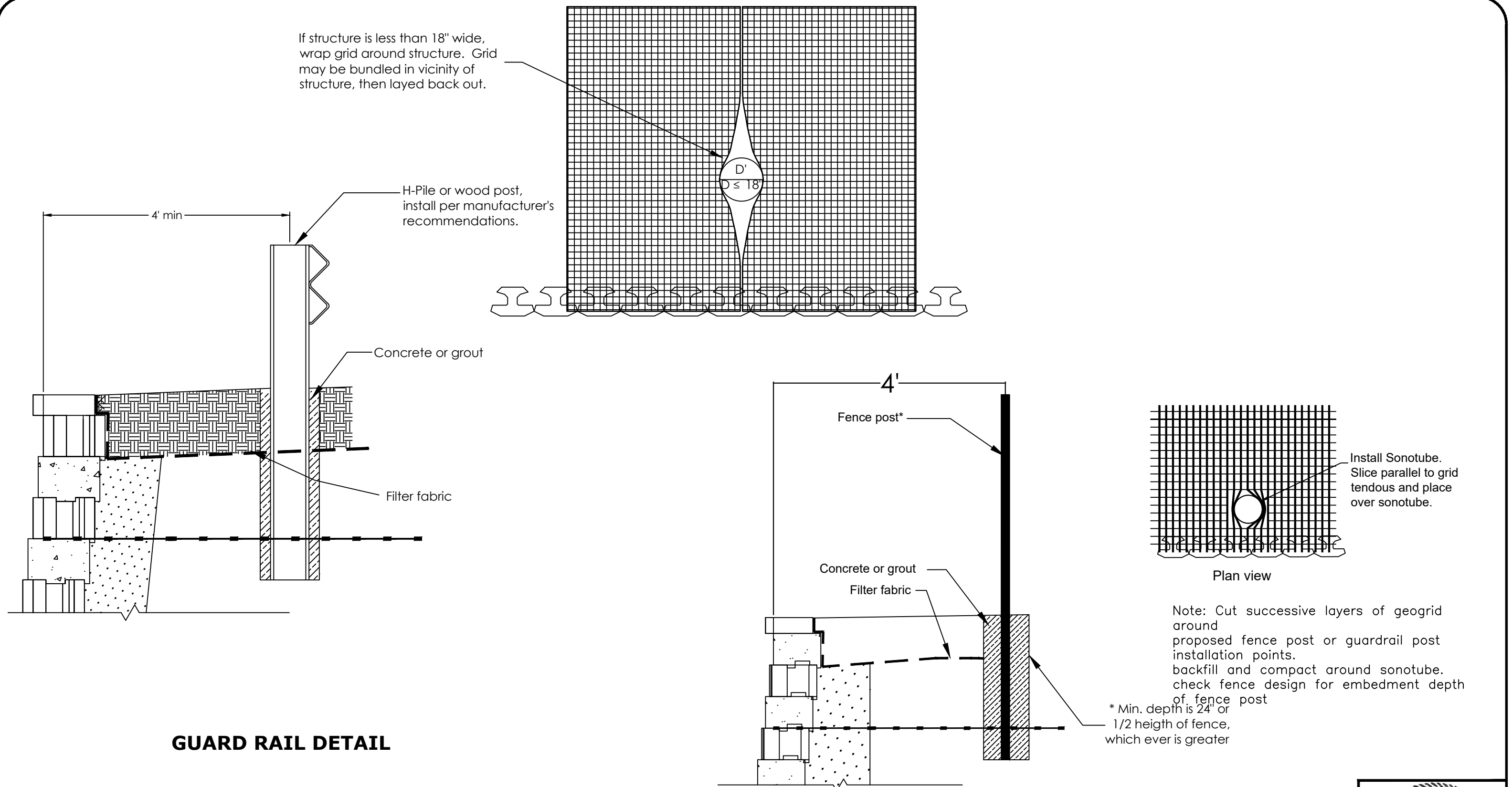
No.	Date	Revision
1	04/15/2026	INITIAL SUBMITTAL

McGuire
Civil Engineering Services, LLC
 Fayetteville, AR (479)-414-8130

AR COA #3883

Designed By: CTM	Title: DETAILS	Date: 04/15/2026
Designed For: GNG UNDERGROUND	Project: HOKAMA ROCKWOOD RETAINING WALL Tibberton Circle Dr. Bella Vista, AR 72714	Project No: 1926
Scale:		Drawing No: 04





GUARD RAIL DETAIL

FENCE DETAIL

No.	Date	Revision
1	04/15/2026	INITIAL SUBMITTAL

McGuire
Civil Engineering Services, LLC
Fayetteville, AR (479)-414-8130
AR COA #3883

Designed By: CTM	Title: DETAILS	Date: 04/15/2026
Designed For: GNG UNDERGROUND	Project: HOKAMA ROCKWOOD RETAINING WALL Tibberton Circle Dr. Bella Vista, AR 72714	Project No: 1926
Scale:		Drawing No: 05



CONCRETE SEGMENTAL RETAINING WALL SYSTEM

PART 1: GENERAL SPECIFICATIONS

1.01 Work Included

- A. Work shall consist of furnishing and constructing a Rockwood Classic 8" unit segmental retaining wall in accordance with these specifications to the lines and grades shown on the construction plans and drawings. Alternate wall systems will not be considered.
- B. Work includes preparing foundation soil, furnishing and installing leveling pad, unit drainage fill, and backfill to the lines and grades shown on the construction plans and drawings.
- C. Work includes furnishing and installing geogrid soil reinforcement of the type, size, location, and lengths as designated on the construction drawings.

1.02 Reference Documents

- A. American Society for Testing and Materials (ASTM)
 - 1. ASTM C 1372 Standard Specification for Segmental Retaining Wall Units
 - 2. ASTM C 140 Sampling and Testing Concrete Masonry Units
 - 3. ASTM D 422 Particle Size Analysis
 - 4. ASTM D 698 Laboratory Compaction Characteristics of Soil -Standard Effort
 - 5. ASTM D 4318 Liquid Limit, Plastic Limit and Plasticity Index of Soils
 - 6. ASTM D 4595 Tensile Properties of Geotextiles - Wide Width Strip
 - 7. ASTM D 5262 Unconfined Tension Creep Behavior of Geosynthetics
 - 8. ASTM D 3034 Polyvinyl Chloride Pipe (PVC)
 - 9. ASTM D 1248 Corrugated Plastic Pipe
 - 10. ASTM D 1262 Freeze-Thaw Durability of Concrete Units
 - 11. ASTM D 6638 Determining Connection Strength Between Geogrid and Segmental Unit
- B. Geosynthetic Research Institute (GRI)
 - 1. GRI-GG4 Determination of Long Term Design Strength of Geogrid
 - 2. GRI-GG5 Determination of Geogrid (soil) Pullout
- C. National Concrete Masonry Association (NCMA)
 - 1. NCMA SRWU-2 Test Method for Determining Shear Strength of SRW

1.04 Submittals/Certification

- A. Prior to the start of work, the Owner shall obtain construction drawings and design calculations prepared and stamped by a Professional Engineer registered in the state of the proposed retaining wall. The Owner or Contractor should have the proposed retaining wall permitted by the appropriate governing authorities.
- B. Prior to start of work, the Contractor shall submit a manufacturer's certification for each of the retaining wall system components. The certification shall state that the component meets the requirements of this specification.

1.05 Quality Assurance

- A. The Contractor shall be competent and experienced in the construction of reinforced segmental retaining walls. The Contractors competency and

experience shall be determined by the Owner thru demonstration of successfully completed projects and/or completion of a nationally recognized course of instruction, such as the NCMA's *Segmental Retaining Wall Installers Education Program*.

- B. The Owner or Contractor shall provide independent soil testing and quality assurance inspection and testing during earthwork and wall construction operations.

1.06 Delivery, Storage and Handling

- A. The Contractor shall check all materials upon delivery to assure that the proper type, grade, color, and certification have been received.
- B. The Contractor shall protect all materials from damage due to jobsite conditions and in accordance with manufacturer's recommendations. Damaged materials shall not be incorporated into the work.

PART 2: COMPONENTS

2.01 Definitions

Block - a Rockwood Classic 8" concrete segmental retaining wall unit.

Cap - a Rockwood Classic Universal Cap concrete segmental retaining wall unit.

Geogrid - Stratagrid 200 or SGU 60 or approved equal.

Filter Fabric - a geosynthetic material manufactured for the primary purpose to filter soils from water. Same as *geosynthetic fabric*.

Drainage Fill - crushed rock aggregate that is placed within and immediately behind the block. Same as *core fill* and *drainage rock*.

Backfill - compacted soil that is placed behind the blocks and drainage fill and within the reinforced soil volume of the retaining wall as outlined on the plans. Same as *reinforced backfill* and *infill soil*.

Base Leveling Pad - aggregate base material or concrete used as a foundation for the blocks. Same as *leveling pad*.

Drainage Pipe - typically, a 4" diameter PVC or corrugated HDPE pipe, that is perforated or slotted to accept water from the surrounding soils. Same as *drain tile*.

2.02 Blocks and Caps

- A. Blocks shall be Rockwood Classic 8" concrete segmental retaining wall units. The Owner shall specify the color and face finish.
- B. Caps shall be Rockwood Classic Universal Cap" concrete segmental retaining wall units.
- C. Blocks and caps shall conform to the following requirements:
 - 1. Block dimensions shall be: H = 8", L = 18", W = 12".
 - 2. Blocks shall have a built in lug protruding 5/8" from the base of the block.
 - 3. Cap dimensions shall be: H = 4", L_{FRONT} = 18", L_{REAR} = 14", W = 10.5"
 - 4. Permissible variations in block/cap dimensions shall be per ASTM C1372.
 - 5. The finish and appearance of blocks/caps shall be per ASTM C 1372.

- 6. Strength and absorption requirements shall be per ASTM C 1372.
- 7. The unit weight (weight per unit volume) of an in-filled block shall be greater than 115 pcf.

2.04 Base Leveling Pad Material

- A. Base leveling pad material shall be ARDOT class 7 aggregate base or non-reinforced concrete, as shown on the construction drawings and/or determined based upon field conditions. Aggregate base material shall meet the following gradation in accordance with ASTM D-422:

Sieve Size	Percent Passing
1.5 inch	100
1 in.	60-100
3/4 in.	50-90
no. 4	25 - 55
no. 40	10-30
no. 200	3-10

2.05 Drainage Fill Material

- A. Drainage fill material shall consist of crushed rock meeting the following gradation in accordance with ASTM D-422:

Sieve Size	Percent Passing
1 inch	100
¾ inch	75-100
no. 4	0 - 25
no. 200	0 - 5

2.06 Backfill

- A. Backfill shall consist of soil that is free of debris and deleterious material. Unless the Designer specifies otherwise and accounts for in his/her design analysis, backfill shall meet the following gradation in accordance with ASTM D-422:

Sieve Size	Percent Passing
1.5 inch	100
1 in.	60-100
3/4 in.	50-90
no. 4	25 - 55
no. 40	10-30
no. 200	3-10

- B. Backfill shall have a Plasticity Index (PI) < 15 and Liquid Limit (LL) < 40 per ASTM D 4318.

- C. The Contractor shall obtain independent laboratory test results to verify that the backfill meets the requirements of 2.06 A. and B.

No.	Date	Revision
1	04/15/2026	INITIAL SUBMITTAL

McGuire
Civil Engineering Services, LLC
Fayetteville, AR (479)-414-8130

AR COA #3883

Designed By: CTM	Title: SPECIFICATIONS	Date: 04/15/2026
Designed For: GNG UNDERGROUND	Project: HOKAMA ROCKWOOD RETAINING WALL Tibberton Circle Dr. Bella Vista, AR 72714	Project No: 1926
Scale:		Drawing No: 06



2.07 Geogrid

- A. Stratagrid 200/SGU 60, as specified in the construction plans and drawings.

2.08 Drainage Pipe

- A. Drainage pipe shall be PVC pipe manufactured in accordance with ASTM D-3034 or corrugated HDPE pipe manufactured in accordance with ASTM D-1248. Drainage pipe shall be perforated, slotted, or non-perforated as shown in the construction drawings.

PART 3: EXECUTION

3.01 Excavation

- A. The Contractor shall excavate to the lines and grades shown on the construction drawings. The Contractor and/or Owner's representative shall inspect the excavation and approve/disapprove its competency as a foundation soil prior to placement of the leveling pad or backfill.
- B. If remedial work is required to improve the foundation soil, the Owner shall compensate the Contractor as mutually agreed.
- C. The foundation soil shall be compacted to a minimum of 95 % of the maximum density per ASTM D-698.
- D. If seepage or evidence of past seepage is observed in the excavation, the Contractor shall consult the Owner and Design Engineer in order to add or modify a drainage system to mitigate future seepage.

3.02 Base Leveling Pad

- A. Leveling pad material shall be placed to the lines and grades shown on the construction drawings, to a minimum thickness of 6 inches, extending laterally a minimum of 6", both in front of and behind the block.
- B. Leveling pad materials shall be compacted to a minimum of 95 % of the maximum density per ASTM D-698.
- C. Leveling pad shall be prepared to insure full contact to the base surface of the block.

3.03 Block Installation

- A. First course of units shall be placed on the leveling pad at the appropriate line and grade as shown on the construction drawings. Alignment and level shall be checked in all directions. Ensure that all units are in full contact with the leveling pad and properly seated.
- B. Place the front of units side-by-side. Do not leave gaps between adjacent units. Layout of corners and curves shall be in accordance with manufacturer's recommendations.
- C. Place drainage fill within and behind blocks. Place backfill behind drainage fill in lifts no greater than 6 to 12 inches and compact to a minimum of 95 % of the maximum density per ASTM D- 698. After placement of backfill, compact drainage fill by probing.
- D. Do not stack more than two courses of block prior to placing and compacting drainage fill and backfill.

3.04 Geogrid Installation

- A. Geogrid shall be oriented with the highest strength axis perpendicular to the wall alignment.
- B. Geogrid shall be placed at the type, lengths, and elevations shown on the construction drawings or as directed by the Design Engineer.

- C. The geogrid shall be laid horizontally from within 2 inches of the face of the block back across compacted backfill. Place the next course of blocks over the geogrid. The geogrid shall be pulled taut and anchored prior to placing additional drainage fill or backfill.
- D. Geogrid shall be continuous throughout their embedment length. Geogrid shall be placed side- by-side or overlapped with 3" backfill between to provide 100% coverage at each designed geogrid level where possible. Geogrid shall not be spliced along its designed embedment length.

3.05 Backfill Placement

- A. Backfill shall be placed, spread, and compacted in such a manner that minimizes the development of slack and installation damage in the geogrid.
- B. Backfill shall be placed and compacted in lifts not to exceed 6 inches where hand compaction is used, or 8 to 12 inches (depending on soil type and soil processing) where heavy compaction equipment is used. Lift thickness shall be decreased to achieve the required compaction.
- C. Backfill shall be compacted to 95% of the maximum density per ASTM D698. The moisture content of the backfill material, prior to and during compaction, shall be uniformly distributed throughout each layer and shall be within 20% of the optimum moisture content as determined by ASTM 698.
- D. Only lightweight hand-operated equipment shall be allowed within 4 feet from the face of the block.
- E. Tracked construction equipment shall not be operated directly upon the geogrid. A minimum of 6 inches of backfill is required over the geogrid prior to operation of tracked vehicles over the geogrid. Tracked vehicle turning should be kept to a minimum to prevent tracks from displacing the backfill and damaging the geogrid.
- F. Rubber tired equipment may pass over geogrid at slow speeds, less than 10 mph. Sudden braking and sharp turning shall be avoided.
- G. At the end of each day's operation, the Contractor shall slope the last lift of backfill away from the blocks and drainage fill in order to direct runoff away from wall face. The Contractor shall ensure surface runoff from adjacent areas does not enter the wall construction site.

3.06 Drainage System Installation

- A. Drainage systems, both internal to the wall and surficial, shall be determined based upon site conditions by the Contractor in consultation with the Owner and the Design Engineer.
- B. Within the time of construction, the Contractor must ensure that all surficial drainage is directed away from the wall system by use of drainage swales, area drains, or other competent measures.
- C. Within the lifetime of the wall, the Owner must ensure that all surficial drainage is directed away from the wall system.

3.07 Cap Installation

- A. Caps shall be adhered to underlying blocks and caps with Super-Stik".

3.08 As-Built Construction Tolerances

- A. **Vertical Alignment:** the top of wall shall be within 0.1' (1.2") from design grade.
- B. **Wall Batter:** within 2 degrees of design batter, excluding a negative batter.
- C. **Horizontal alignment:** the bottom of the wall (B.W.), at design B.W. grade, shall within 1 foot of design line.
- D. **Maximum horizontal gap** between erected blocks shall be 1/2 inch.

3.09 Field Quality Control

- A. The Owner and Contractor shall engage inspection and testing services (quality control) during construction to ensure project specifications are met. The lack of quality control by the Owner does not relieve the Contractor from meeting project specifications.
- B. Quality control should include, but not be limited to: foundation soil inspection; verification of geotechnical design parameters; and verification that construction is in general compliance with the design drawings and project specifications. *(Quality Assurance is usually best performed by the site geotechnical engineer.)*
- C. Only qualified and experienced technicians and engineers shall perform testing and inspection services.

No.	Date	Revision
1	04/15/2026	INITIAL SUBMITTAL

McGuire

Civil Engineering Services, LLC

Fayetteville, AR (479)-414-8130

AR COA #3883

Designed By:	CTM	Title:	SPECIFICATIONS	Date:	04/15/2026
Designed For:	GNG UNDERGROUND	Project:	HOKAMA ROCKWOOD RETAINING WALL Tibberton Circle Dr. Bella Vista, AR 72714	Project No:	1926
Scale:				Drawing No:	07









Meeting Information:

2483 Forest Hills Blvd
Sept. 14, 2026 4:30 pm

Reviewer:

Christopher Hyatt
Senior Planner

Property Description

This property is located in the southern area of Bella Vista City Limits, on Parcel #16-37582-000. Lot 37, Block 1 Queensferry Subdivision.

Regulation

Zoning Code Sec. 109-057(f)(4) establishes the maximum number of access drives based on length of road frontage.

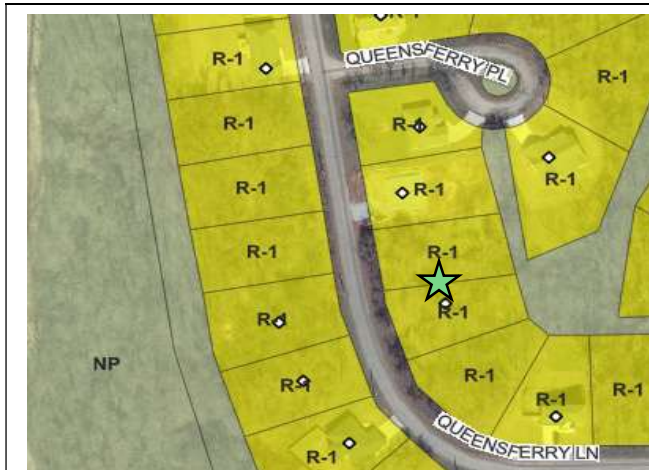
Request

The applicant is requesting a variance to allow for a second access drive on a lot with less than 151 feet of road frontage for a single-family home and accessory structure located at Queensferry Lane.

Background

The applicant is proposing an accessory structure for a home that splits 27 Queensferry Lane and the adjoining lot. The primary residence was completed in March of 2026. The accessory structure application is proposing to place the detached garage to the south of the residence, alongside the existing garage. Due to the driveway already being on the same lot, the minimum frontage requirement of 151 feet for a second access drive is not met. In its review of findings, Staff does not find all three criteria to be met for the variance, as space is available on the adjoining lot for the accessory structure, which would allow for an access drive so long as it is 25 feet away, measured at centerline, from the neighboring residential home.

Project Number	ZVR-2026-66892
Applicant	Kyel Russell
Address/Location	27 Queensferry Ln
Current Zoning	R-1 Low Density Residential
Site Area	+/- 0.27 acres
Nature of Request	Seeking a variance on Sec. 109-114(e)(6)



Zoning Map



Future Land Use Plan

Queensferry Lane is a non-classified residential street per the Master Street Plan that experiences low to minimal traffic. Per the Future Land Use Map, the home is within a low density neighborhood area.

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, August 26, 2026, and posted the public hearing sign on the subject property on Friday, September 4, 2026.

Recommendation

Due to the analysis above, staff does not recommend approval of the variance request.

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.

Danny Block [Homeowner]
27 Queensferry Ln
Bella Vista, AR 72715
417.437.0940
dbcарwash@gmail.com

Kyel Russell [Agent]
3 Billingsley Dr
Bella Vista, AR 72715
479-335-6262
ibexnwa@gmail.com

08/14/2026

Board of Zoning Adjustment
City of Bella Vista

RE: Zoning Variance Application — Driveway Placement
Property Address: 27 Queensferry Ln.
GEC Permit #: #66300
Hearing Date: 09/14/2026

Dear Members of the Board of Zoning Adjustment,

I am writing to formally request that the Board of Zoning Adjustment review the decision of the city planning office regarding the placement of a second driveway at the above-referenced property, and to respectfully request approval of a zoning variance from the applicable driveway placement regulations.

On July 17, 2026 a GEC application was submitted to permit a driveway providing access to a proposed detached/accessory structure which would serve as a necessary garage and workshop for the homeowner.

On August 10, 2026, the City Planning office determined that the proposed driveway location does not comply with Bella Vista zoning ordinances, which limits lots with under 150 ft of road frontage to one driveway.

According to Bella Vista Zoning and Development Code of Ordinances section 109-057(f)(4) residential lots with >150 ft of frontage are permitted to have two driveways, so long as the distance between driveways is >25 ft, measured from centerline to centerline. In this instance, the existing house was built on the centerline of two lots and the existing driveway touches both lots. The primary structure already has a Notice of Structural Encroachment on file and due to the home's placement, there is no way for the two lots to be separated for as long as it stands.

I respectfully request that the Board approve a variance from this requirement on the grounds of exceptional practical difficulty and undue hardship, as follows:

The home's existing driveway currently touches both lots, therefore regardless which side of the home the proposed driveway and structure are placed, that lot would still have two driveways. This interpretation effectively limits the homeowner to having one driveway for two lots. Because the lots are effectively joined as one and have a total frontage of >150 ft, it seems the intent of code would allow a second driveway somewhere along this frontage. Further, the proposed location follows all other guidelines regarding placement of a second driveway for lots with sufficient frontage.

While the existing driveway does sit primarily on the same lot (Lot 37) as the proposed additional driveway, there are additional considerations that make this lot more favorable for the proposed structure and the other lot (Lot 38) incompatible. They are as follows:

- Lot 37 is the only lot with adequate space for the proposed structure to sit in between other zoning setbacks.
- Placement on Lot 38 would restrict the size of the structure to an inadequate size for it's intended use.
- Lot 37 hosts the existing electric meter and disconnect.
- Lot 37 is adjacent to the existing garage, substantially improving aesthetics of both lots by keeping garage doors adjacent to one another
- Placement on Lot 38 would obscure the view out the windows of the home's living room and primary bedroom, as well as restrict light into the home. By contrast, placement on Lot 37 would not obscure any windows.
- Lot 39 is developed and Lot 36 is not. Therefore the overall driveway density of the neighborhood would be impacted much more negatively by putting an additional driveway on lot 38 than it would be by putting the driveway on Lot 37.

For the reasons stated above and in the accompanying application materials, I respectfully request that the Board of Zoning Adjustment overturn or modify the City Planner's decision on driveway placement and grant a variance permitting the driveway to be located as proposed in the attached site plan.

Thank you for your time and consideration of this matter.

Respectfully,

Kyel Russell

Kyel Russell [Agent]
Ibex Construction & Remodeling

Enclosures:

- Zoning Variance Application
- Scaled Plot Plan
- (2) Photographs
 - N side of house showing existing garage and electrical disconnect
 - S side of house showing window locations





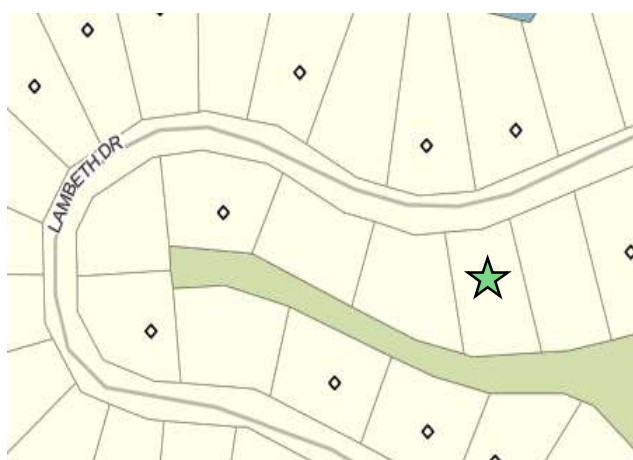
**Meeting Information:**

2483 Forest Hills Blvd
Sept. 14, 2026 4:30 pm

Reviewer:

Christopher Hyatt
Senior Planner

Project Number	ZVR-2026-66865
Applicant	Pavel Onishenko
Address/Location	60 Lambeth Dr
Current Zoning	R-1 Low Density Residential
Site Area	+/- 0.27 acres
Nature of Request	Seeking a variance on Sec. 109-114(e)(6)

**Zoning Map****Future Land Use Plan****Property Description**

This property is located in the central area of Bella Vista City Limits, on Parcel #16-18351-000. Lot 5, Block 3 Lambeth Subdivision.

Regulation

Zoning Code Sec. 109-114 (e)(6)(a) establishes a maximum driveway grade of 14 percent. 109-114 (e)(6)(b)(2) allows an administrative waiver by the City Engineer for a total maximum uphill driveway grade of 20 percent.

Request

The applicant is requesting a variance for an existing uphill driveway currently sitting at 20.6 percent for a single-family home located at Lambeth Drive.

Background

The primary residence has been completed and is ready to schedule final inspections. It was discovered that the driveway did not meet the maximum 14% slope and also exceeds the City Engineer's administrative approval of up to 20 percent for an uphill drive. The initial plan called for a driveway averaging 10.1 percent, however the applicant's letter states the grade was not verified prior to the placement of footings and block leading to the finished floor elevation being over three and a half feet too high, creating a driveway averaging 20.6 percent.

With this driveway exceeding the maximums no C of O can be issued. In its review, Staff does not find all three criteria to be met for approval due to the grade issue having been of the applicant's doing.

Lambeth Drive is a non-classified residential street per the Master Street Plan that experiences low to minimal traffic. Per the Future Land Use Map, the home is within a low-density neighborhood area.

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, August 26, 2026, and posted the public hearing sign on the subject property on Friday, September 4, 2026.

Recommendation

Due to the analysis above, staff does not have a recommendation at this time.

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

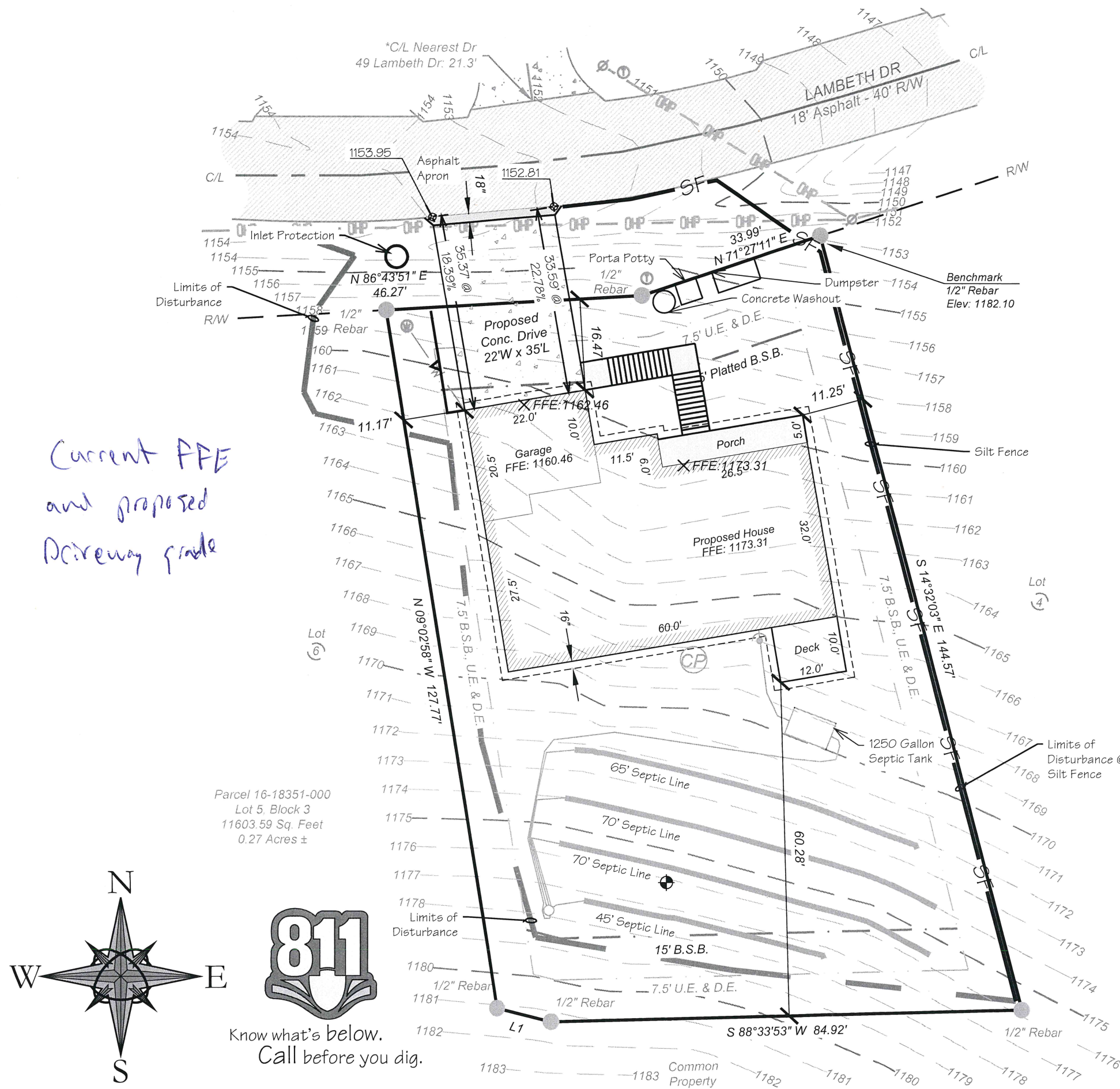
1. **Findings.** A variance from the terms of this zoning ordinance shall not be granted by the Board of Zoning Adjustment unless and until the applicant demonstrates that:
 - a. Strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property 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,

I am writing this letter in regards to a Variance Application addressing the property at 60 Lambeth Dr Bella Vista, AR 72714. The situation is about our driveway grading and proposed percentage of the slope of the driveway. I, Pavel Onishenko, am the general contractor on this build. This specific build was my first project in Bella Vista and has been a learning curve with what and how Bella Vista requires certain things. I took this project over from another general contractor at the stage where the survey, plot map, plans and everything was already done. The original plot map with the FFE and proposed driveway grading was 1156.84 at the garage and the driveway at 12% on one side and 8.16% on the other. Our situation was caught too late in the process after the footings, foundation and framing has already been completed. The sub contractor doing the footings and foundation did not verify the FFE, and myself being new this situation, was not aware of checking that myself and was trusting that the foundation company should have known that. All that being said, they did not dig down the garage area footings to lower the garage and reach our proposed driveway grade. So currently we sit with the house complete and waiting for our final grading, landscaping and driveway to be finished to schedule our final inspection. And with how the footings were dug and foundation installed, the now current FFE ended up being at 1160.46 at the garage making it 3.62 difference brining our new proposed driveway grade to 22.78% on one side and 18.39% on the other. We have exhausted all other ideas and options with the city and engineers and there is virtually no way to make the driveway work within the allowed grade. Even if we tried making an S curve driveway it is still above the allowed grade and would require retaining walls in the right of way and just a lot more engineering to have the same situation. All that being said, I am requesting that the board reviews and allows us this one time to proceed with the current grade of the driveway to be able to complete this home and the CO for the clients to close on their loan and move into their new home. This has been a big learning experience from the beginning and these mistakes definitely not happen again and future things will not be overlooked.

Thank you very much for your time and consideration!

Pavel Onishenko
Timeless Homes LLC



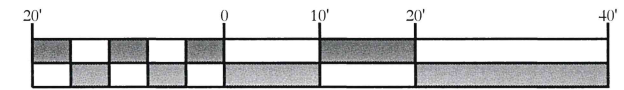
Site Information:

Benton County Assessor Parcel Number:	16-18351-000
Benton County 911 Admin Assigned Address:	60 Lambeth Drive, Bella Vista, 72714
Property Information:	Lot 5 Block 3 Lambeth Subdivision
Property Owner Information:	Vladimir Onishenko
Zoning Classification:	R-1 Residential, Single Family
Zoning Setbacks:	20 ft (Front)* 15 ft (Side parallel to ROW) 7.5 ft (Side)* 15 ft (Rear)*

*=Unless otherwise stated on the Subdivision Plat

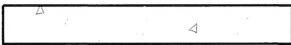
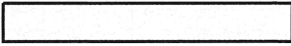
Total Acreage: 0.27 ac

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft

Proposed Features:

Feature	Description
	Property Line
	Right-Of-Way Line
	Easement / Setback Line
	Street / Drive Centerline
	Concrete Pavement
	Patio
	Water Line
	Limits of Disturbance
	Silt Fence Water Meter

Grading & Erosion Control Plan

FIRM:

BLEW

Surveying | Engineering
Environmental

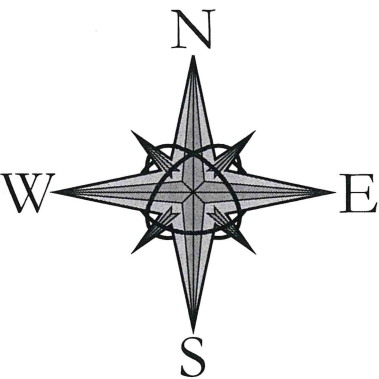
5102 S. Pinnacle Hills Pkwy
Rogers, Arkansas 72758

Office: (479) 443-4506
www.BLEWINC.com

Certificate of Authorization № 1534

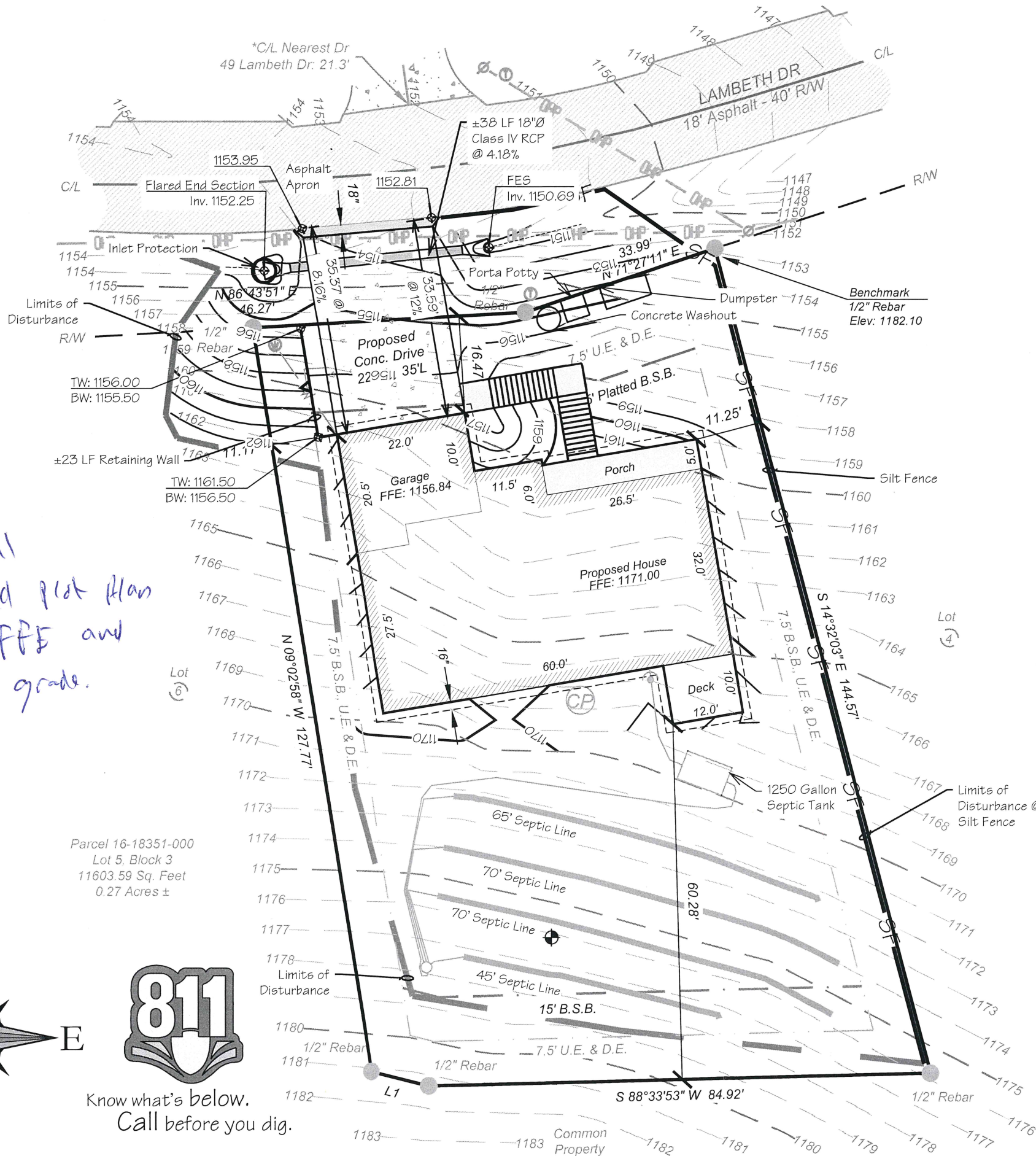
DRAWN BY: A. Long	DATE: 2024-09-11	JOB NUMBER: 24-3814
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DRAWING NAME: 24-3814 Civil 007.dwg



Know what's below.
Call before you dig.

Original
Proposed plat plan
with FFE and
driveway grade.



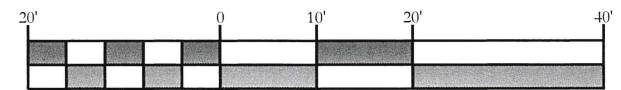
Site Information:

Benton County Assessor Parcel Number: 16-18351-000
Benton County 911 Admin Assigned Address: 60 Lambeth Drive, Bella Vista, 72714
Property Information: Lot 5 Block 3 Lambeth Subdivision
Property Owner Information: Vladimir Onishenko
Zoning Classification: R-1 Residential, Single Family
Zoning Setbacks: 20 ft (Front)*
15 ft (Side parallel to ROW)
7.5 ft (Side)*
15 ft (Rear)*

*=Unless otherwise stated on the Subdivision Plat

Total Acreage: 0.27 ac

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft

Proposed Features:

Feature	Description
	Property Line
	Right-Of-Way Line
	Easement / Setback Line
	Street / Drive Centerline
	Concrete Pavement
	Patio
	Water Line
	Limits of Disturbance
	Silt Fence
	Water Meter

Grading & Erosion
Control Plan

FIRM		
BLEW		
Surveying Engineering Environmental		
5102 S. Pinnacle Hills Pkwy Rogers, Arkansas 72758		
Office: (479) 443-4506 www.BLEWINC.com		
Certificate of Authorization № 1534		
DRAWN BY: A. Long	DATE: 2024-09-11	JOB NUMBER: 24-3814
DRAWING NAME: 24-3814 Civil 005.dwg		

**Meeting Information:**

2483 Forest Hills Blvd
Sept. 14, 2026 4:30 pm

Reviewer:

Christopher Hyatt
Senior Planner

Project Number	ZVR-2026-66678
Applicant	Cody Burnett
Address/Location	7 Embleton Dr
Current Zoning	R-1 Low Density Residential
Site Area	+/- 0.31 acres
Nature of Request	Seeking a variance on Sec. 109-114(e)(6)

**Zoning Map****Future Land Use Plan****Property Description**

This property is located in the eastern area of Bella Vista City Limits, on Parcel #16-11747-000, Lot 22, Block 5 Embleton Subdivision.

Regulation

Zoning Code Sec. 109-114 (e)(6)(a) establishes a maximum driveway grade of 14 percent. 109-114 (e)(6)(b)(1) allows an administrative waiver by the City Engineer for a total maximum uphill driveway grade of 20 percent.

Request

The applicant is requesting a variance for an existing downhill driveway currently sitting at 18.8 percent for a single-family home located at Embleton Drive.

Background

The primary residence has been completed and is ready to schedule final inspections. It was discovered that the driveway did not meet the maximum 14% slope and also exceeds the City Engineer's administrative approval of up to 17 percent for a downhill drive. The initial plan called for a driveway averaging 15.4 percent, however the applicant's letter states they checked the elevation prior to inspections and found the slab would be 2.5 inches too high so removed the 1 block, sitting the house 1.5 inches too low. The project passed block and slab inspections, so work continued. The changes to the block wall lead to a drive averaging 18.8 percent.

With this driveway exceeding the maximums no C of O can be issued. In its review, Staff does not find all three criteria to be met for approval due to the grade issue having been of the applicant's doing.

Embleton Drive is a non-classified residential street per the Master Street Plan that experiences low to minimal traffic. Per the Future Land Use Map, the home is within a Type 1 Neighborhood Center.

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, August 26, 2026, and posted the public hearing sign on the subject property on Friday, September 4, 2026.

Recommendation

Due to the analysis above, staff does not have a recommendation at this time.

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.

28 July 2026



Bella Vista Board of Zoning Adjustment

To whom it may concern:

We followed all our normal steps on this build as it was coming out of the ground. The only time we were called out regarding driveway slope was at 14 Montgomery Lane. The city requested that we get a surveyor to shoot the elevation of the street and the elevation of the garage slab. We were 2.5" too high. We removed the L Block and band formed and then we were 1.5" lower than required. At this point, Embleton had already passed block and slab inspections. So, we assumed all was well with the home. We are at 17% on one side of the driveway and 20% on the other side. So, we are not off by very much. The driveway will easily accommodate a passenger car entering the garage without scraping. It is also understood that the regulations allow for 20% slope on uphill lots without concern for cars being able to get in or out.

Warm Regards,

A handwritten signature in blue ink, appearing to read "Cody", is written over the "Warm Regards," text.

[Your Name]

Principal Broker / Team Lead

Cody@BurnettRealEstateTeam.com

479-640-8375

*As Built

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.

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

THIS SEPTIC PLAN HAS BEEN DESIGNED IN COMPLIANCE WITH THE RULES AND REGULATIONS PERTAINING TO SEWAGE DISPOSAL SYSTEMS AS PROVIDED IN ACT 402 OF 1977. THIS IN NO WAY GUARANTEES THAT THIS SYSTEM WILL FUNCTION PROPERLY.

DATED: _____ BY: _____
DESIGNATED REPRESENTATIVE

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.)

WATER SOURCE CONFIRMATION

ON SEPTEMBER 18TH, 2024 THE BELLA VISTA WATER DEPARTMENT WAS CONTACTED AND STATED THE WATER SHOULD BE SOURCED FROM THE RIGHT SIDE OF THE LOT.

EMBLETON SUBDIVISION
LOT 22, BLOCK 5
7 EMBLETON DRIVE
BELLA VISTA, ARKANSAS

PROPERTY DESCRIPTION

LOT 22, BLOCK 5, EMBLETON SUBDIVISION BELLA VISTA, ARKANSAS.

THIS LOT LIES IN THE NW ¼ OF THE SE ¼ OF SECTION 29, T-21-N, R-30-W.

LOT AREA: 0.306 ACRES

THE TAX PARCEL #: 16-11747-000

ZONING: RESIDENTIAL

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE SUBDIVISION PLAT.



SCALE: 1"=20'

20 10 0 20

LEGEND

- F.I.P. FOUND IRON PIN
- S.I.P. SET IRON PIN
- P.O.T. POINT OF TANGENT
- ⚡ POWER POLE
- BUILDING SETBACK
- EASEMENT LINE
- TOPOGRAPHY
- PROPOSED TOPOGRAPHY
- ⚡ OVERHEAD ELECTRIC
- ⚡ PROP. WATER METER
- xxx.xx GRADE ELEVATION
- ▲ HIGH POINT
- ⊕ BENCHMARK
- ⊞ CABLE PEDESTAL

LAND SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT ON THE 9TH DAY OF SEPTEMBER, 2024 THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION AND THE IRON PINS WERE FOUND OR SET, AS SHOWN ON THIS PLAT, ALL EASEMENTS AND ENCROACHMENTS REVEALED BY THE SURVEY ARE AS SHOWN ON THIS PLAT.

DAVID B. PLATZ, R.L.S. #1553

COMMON PROPERTY

COMMON PROPERTY

SEPTIC PLAN

REVISIONS

No.: BY: DATE:

OWNER:
CODY BURNETT

273-7999
OR
360-7999

CONSULTING
INC.

P.O. BOX 223
BENTONVILLE, AR 72712

DRAWN BY: GP/DP DATE: 9/13/24

CHECKED BY: DP JOB No.: 2024505

SCALE: 1"=20' SHEET: 1



1 EMBOLE TORI



15MB1010

