

**A G E N D A**  
**BOARD OF ADJUSTMENT**  
**FEBRUARY 9, 2026**  
**6:00 P.M.**  
**CITY HALL**  
**CITY COUNCIL CHAMBERS**

	PAGES
1. CALL TO ORDER:	
2. APPROVAL AND/OR CORRECTION OF MINUTES:	1-2
3. VARIANCE REQUEST(S):	
a. Rear Yard Setback Variance 101 Cross Street Petitioner: Midark Houses LLC Representative: Tucker Land Surveying	3-4
b. Rear Yard Setback Variance 130 Joiner Avenue Petitioner: Puckett Investments LLC Representative: Tucker Land Surveying	5-6
c. Fence Height Variance 911 Southeastern Avenue Petitioner: Nellie Jean Marion	7-16
d. Fence Height Variance 305 West Martin Street Petitioner: Nivea Chapple (Thornton)	17-24

ADJOURNMENT

MINUTES: BOARD OF ADJUSTMENT REGULAR MEETING  
DATE AND TIME: January 12, 2026 6:05 p.m. - 6:31 p.m.  
ATTENDANCE: Commissioners: Hall, Twitty, Brittenum, Moore, and  
Chairman Oakley were present.

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City Clerk Susan Davitt recorded those listed above in attendance and Chairman Oakley declared a quorum.

**APPROVAL AND/OR CORRECTION OF MINUTES:** Commissioner Brittenum moved, seconded by Commissioner Twitty to approve the regular meeting minutes of November 10, 2025. MOTION CARRIED.

**VARIANCE(S):** Front Yard Setback Variances 1108 A/B, 1112 A/B, 1116 A/B, & 1120 A/B Easton Road

The public hearing opened at approximately 6:06 p.m.

City Engineer Adam Whitlow stated the request is a front setback variance from 25' to 15', the lots back up to a swale that feeds an on-site detention pond, and the variance will allow the structure to be shifted further away from the slope of the swale. He explained it was requested by the owner, a representative was requested to be in attendance, the property was properly advertised and posted, and Public Works received no phone calls in objection or support. He confirmed that Staff does not support granting this variance due to the hardship being self-created. He noted this subdivision was just platted approximately a month ago and the developer turned in plans and pulled building permits for these lots. He affirmed the grade has supposedly caused the developer a hardship, but the developer developed the property, so it is an unusual situation. He related that Staff does not feel as though developers should create their own hardship and then come request a variance.

Representative Aaron Robinson with Bond Engineering concurred that this is a unique situation. He explained the detention pond sits in the corner of the property and there is a swale parallel to the road that meets a double pipe going underneath Military Road. He mentioned when they put dirt in to level the lots, the backslope of the ditch was a lot higher, so it encroaches passed the 25' rear building line. He related that the proposed duplexes fits within the geometry, but then there is zero backyard. He pointed out that they asked for 10' because that would give enough room in the back for residents. He stated there will not be any other houses along that side; they will all be opposite to the street, so they feel like it will not cause too much of a hardship for anyone going around that curve. He noted they would like 10', but are open to negotiating, although the more they can get, the better it will be for someone to have a usable backyard. He recalled when Chapel Ridge Apartments were built, there used to be a drainage swale that went through there. He told how there is a double 24" pipe going underneath Military Road and when those apartments were built, it diverted a lot of the stormwater into their detention pond. He confirmed there is no floodplain or flooding problem; there is a lot of sandy material and one of the pipes under Military Road was completely clogged before they got ARDoT to clean it. When Commissioner Moore inquired, he replied that the duplexes would have a one-car garage and be two stories.

Commissioner Moore shared his concern for all of the water that is going to come off of there.

**BOARD OF ADJUSTMENT REGULAR MEETING**  
**January 12, 2026 6:05 p.m. - 6:31 p.m.**

Mr. Robinson explained the next phase will have roads and additional storm drainage where it will all get diverted to the detention pond. He brought up that the dirt being moved is irrelevant to the variances; the storm drainage was part of the preliminary plat.

A brief discussion ensued regarding drainage where Mr. Robinson affirmed there is no drainage problem.

When Commissioner Moore brought up a retention wall near a proposed duplex site, City Engineer Whitlow replied that it has not been built yet, but they will see if it needs to be addressed, confirming the City Inspector will be involved. He affirmed the drainage design is adequate and was addressed on the preliminary plat; if erosion has occurred since, it will be looked at during final inspection. He reiterated that this is a self-imposed hardship and is not the builders only option.

When Commissioner Brittenum inquired, Mr. Robinson replied there are different options available, but they would like to give more backyard using the footprint the developer wants, which he has built on Elm Street. He mentioned that even going to 20' instead of 15' would help.

Council Member Dr. Trenika McCoy told how she visited the site and supports City Engineer Whitlow's statement regarding them creating their own hardship. She recommended those who have not been there to visit before making a decision, since that is one side of town that tends to catch any and everything. She related the developer's other duplexes do look good, but for that particular area, it does not fit.

**The public hearing closed at approximately 6:27 p.m.**

**Commissioner Brittenum moved, seconded by Commissioner Moore to deny the front yard setback variance requests at 1108 A/B, 1112 A/B, 1116 A/B, & 1120 A/B Easton Road. MOTION CARRIED.**

**ADJOURNMENT: Without objection, Chairman Oakley adjourned the meeting at approximately 6:31 p.m. MOTION CARRIED.**

Respectfully,

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Susan L. Davitt  
CITY CLERK - TREASURER

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CHAIRMAN Jim Oakley



Mylissa J. Griggs  
City of Jacksonville Engineering Department  
501-982-6071

To whom it may concern,

The application letter is regarding a submittal made by Nick Tucker, PS #1755, to the Jacksonville Planning Board for a rear setback variance of Lot 180 of Sunnyside Hills Addition Subdivision as submitted to Mylissa Griggs.

Property Address:  
101 Cross Street  
Jacksonville, AR

Tucker Land Surveying and its Client are requesting that the variance request and survey plot plan be reviewed by the board at the next meeting as scheduled.

As a part of this submittal, Tucker Land Surveying, and its client, are requesting a variance for the following items as submitted to Mylissa Griggs and the Jacksonville Planning Board:

1. Rear Setback Requirements: The minimum rear setback according to the city's zoning code is 25 feet. This lot has been vacant for quite some time now and the current owner bought the lot to improve the district with new single-family housing. This lot is not very deep and in order to build a Single-family home, we need the rear setback shortened. Tucker Land Surveying and its Client are requesting that the variance for the rear setback be reduced to 13 feet to accommodate the proposed house.

Sincerely,

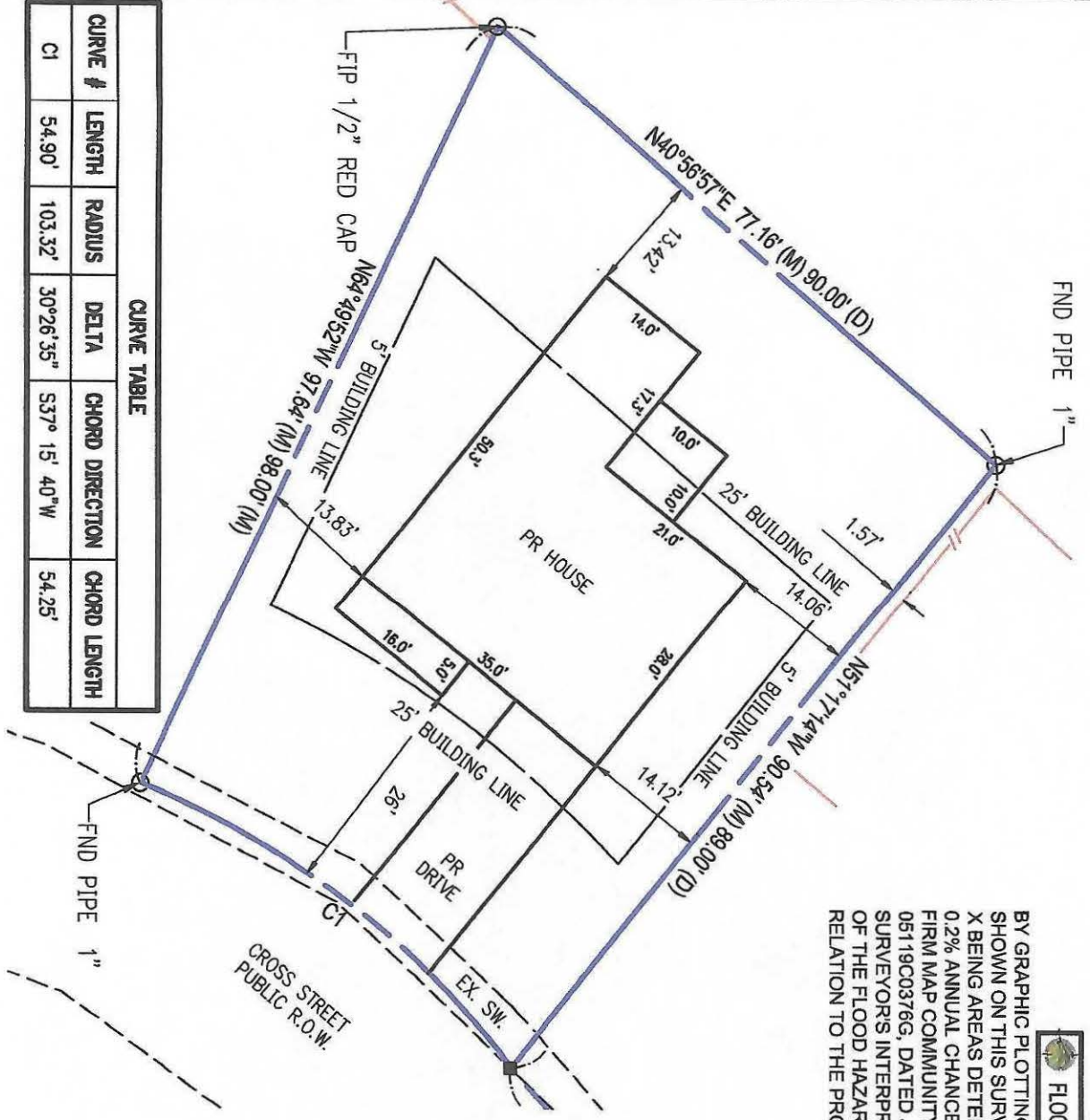
Nick Tucker, PS #1755  
Owner  
Tucker Land Surveying  
PO Box 1021  
Cabot, AR 72023  
501-269-7138

000003

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	54.90'	103.32'	30°26'35"	S37° 15' 40"W	54.25'

LEGAL DESCRIPTION

LOT 180 OF SUNNYSIDE HILLS ADDITION, AS RECORDED IN PULASKI COUNTY, ARKANSAS, AS SHOWN ON A PLAT OF RECORD, PLAT BOOK 4, AT PAGE 152, RECORD'S OF THE CIRCUIT CLERKS OFFICE, PULASKI COUNTY, ARKANSAS.



FLOOD ZONE NOTE

BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN ON THIS SURVEY IS WITHIN ZONE X, ZONE X BEING AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS PER FEMA FIRM MAP COMMUNITY PANEL NUMBER 05119C03766, DATED JULY 6, 2015, BASED UPON SURVEYORS INTERPRETATION OF THE LOCATION OF THE FLOOD HAZARD BOUNDARY LIMITS IN RELATION TO THE PROPERTY LINES.

BASIS OF BEARING

STATE PLANE COORDINATE SYSTEM,  
 ARKANSAS NORTH ZONE, NAD 83  
 U.S. SURVEY FOOT  
 BEARINGS: GRID  
 DISTANCES: GROUND  
 SCALE FACTOR: 1.000014948790  
 CONVERGENCE ANGLE: -0° 03' 41.1793723"  
 \*\*VALUES TAKEN AT NW/C\*\*

SURVEY CERTIFICATION

FOR THE USE AND BENEFIT OF MIDARK HOUSES LLC:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MOST CURRENT ARKANSAS STATE MINIMUM STANDARDS FOR SURVEYS OF THIS TYPE. THE FIELD WORK WAS COMPLETED UNDER MY SUPERVISION ON 12/16/2025.

DATE OF PLAT OR MAP: 12/16/2025

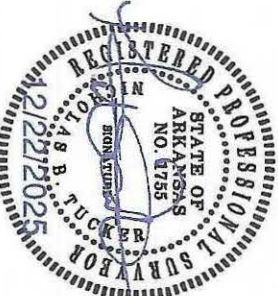
NICHOLAS TUCKER, LS #1755

DRAWING LEGEND

- PROPERTY LINE
- ASPHALT/CONCRETE/GRAVEL
- BUILDING SETBACK LINES
- EASEMENT LINES
- EXISTING FENCE LINE
- PROPOSED IMPROVEMENTS
- SET 1/2" REBAR WITH CAP, LS #1755
- CALCULATED POINT
- FOUND IRON PIN (AS NOTED)



STATE PLAT CODE: PLATTED SUBDIVISION



PRELIMINARY PLOT PLAN  
 LOT 180  
 SUNNYSIDE HILLS ADDITION  
 101 CROSS STREET  
 000004  
 PREPARED FOR:  
 MIDARK HOUSES LLC  
 JACKSONVILLE, PULASKI COUNTY  
 ARKANSAS



TUCKER  
 LAND SURVEYING

P.O. Box 1021  
 Cabot, Arkansas 72023  
 phone: 501.269.7138  
 www.tuckersurveying.com

DELTA	DESCRIPTION	DATE

PROJECT NO: 25-0942  
 ISSUE DATE: 12/18/2025  
 DRAWN BY: N. TUCKER  
 APPROVE BY: N. TUCKER  
 SHEET NO: 1 OF 1



Mylissa J. Griggs  
City of Jacksonville Engineering Department  
501-982-6071

To whom it may concern,

The application letter is regarding a submittal made by Nick Tucker, PS #1755, to the Jacksonville Planning Board for a rear setback variance of Lot 75 of Sunnyside Hills Addition Subdivision as submitted to Mylissa Griggs.

Property Address:  
130 Joiner Ave  
Jacksonville, AR

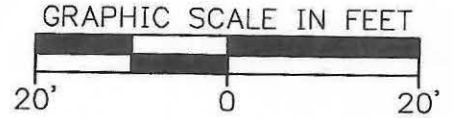
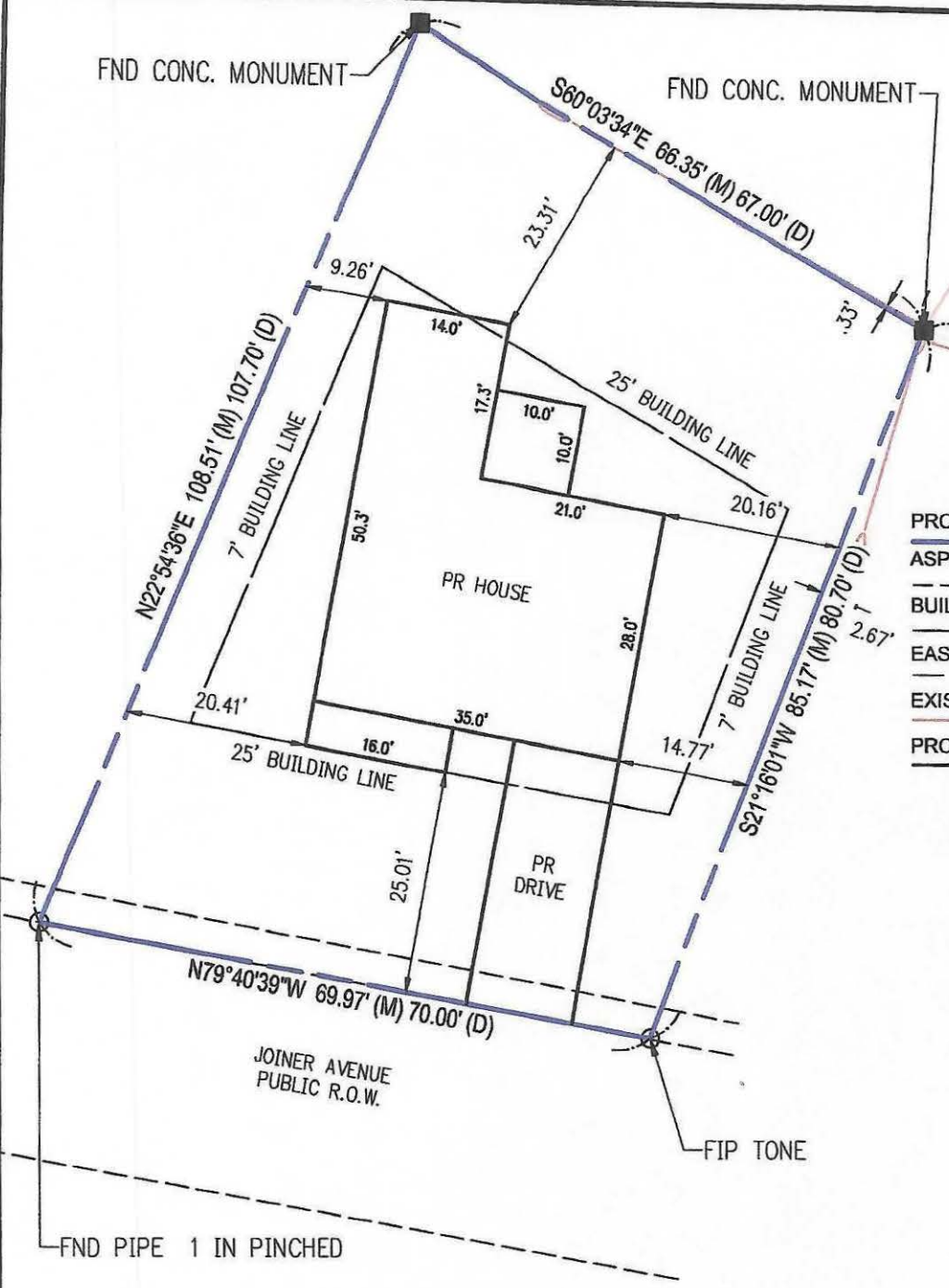
Tucker Land Surveying and its Client are requesting that the variance request and survey plot plan be reviewed by the board at the next meeting as scheduled.

As a part of this submittal, Tucker Land Surveying, and its client, are requesting a variance for the following items as submitted to Mylissa Griggs and the Jacksonville Planning Board:

1. Rear Setback Requirements: The minimum rear setback according to the city's zoning code is 25 feet. This lot has been vacant for quite some time now and the current owner bought the lot to improve the district with new single-family housing. This lot is not very deep and in order to build a Single-family home, we need the rear setback shortened. Tucker Land Surveying and its Client are requesting that the variance for the rear setback be reduced to 23 feet to accommodate the proposed house.

Sincerely,

Nick Tucker, PS #1755  
Owner  
Tucker Land Surveying  
PO Box 1021  
Cabot, AR 72023  
501-269-7138



**DRAWING LEGEND**

- PROPERTY LINE
- ASPHALT/CONCRETE/GRAVEL
- BUILDING SETBACK LINES
- EASEMENT LINES
- EXISTING FENCE LINE
- PROPOSED IMPROVEMENTS
- SET 1/2" REBAR WITH CAP, LS #1755
- CALCULATED POINT
- FOUND IRON PIN (AS NOTED)

**BASIS OF BEARING**

STATE PLANE COORDINATE SYSTEM,  
 ARKANSAS NORTH ZONE, NAD 83  
 U.S. SURVEY FOOT  
 BEARINGS: GRID  
 DISTANCES: GROUND  
 SCALE FACTOR: 1.000202867551  
 CONVERGENCE ANGLE: -2° 31' 38.28661921"  
 \*\*VALUES TAKEN AT SW/C\*\*

**FLOOD ZONE NOTE**

BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN ON THIS SURVEY IS WITHIN ZONE X, ZONE X BEING AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS PER FEMA FIRM MAP COMMUNITY PANEL NUMBER 05119C0376G, DATED JULY 6, 2015, BASED UPON SURVEYOR'S INTERPRETATION OF THE LOCATION OF THE FLOOD HAZARD BOUNDARY LIMITS IN RELATION TO THE PROPERTY LINES.

**SURVEY CERTIFICATION**

FOR THE USE AND BENEFIT OF MIDARK HOUSES LLC:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MOST CURRENT ARKANSAS STATE MINIMUM STANDARDS FOR SURVEYS OF THIS TYPE. THE FIELD WORK WAS COMPLETED UNDER MY SUPERVISION ON 12/8/2025.

DATE OF PLAT OR MAP: 12/30/2025

*Nicholas Tucker*  
 NICHOLAS TUCKER, LS #1755



**LEGAL DESCRIPTION**

LOT 75 OF SUNNYSIDE HILLS ADDITION, AS RECORDED IN PULASKI COUNTY, ARKANSAS, AS SHOWN ON A PLAT OF RECORD, PLAT BOOK 4, AT PAGE 152, RECORD'S OF THE CIRCUIT CLERK'S OFFICE, PULASKI COUNTY, ARKANSAS.

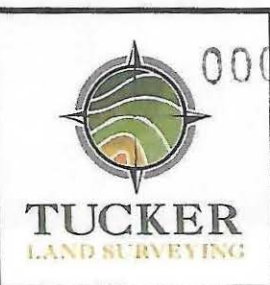
STATE PLAT CODE: PLATTED SUBDIVISION

DELTA	DESCRIPTION	DATE

PRELIMINARY PLOT PLAN  
 LOT 75  
 SUNNYSIDE HILLS ADDITION  
 130 JOINER AVENUE

PREPARED FOR:  
 MIDARK HOUSES LLC

JACKSONVILLE, PULASKI COUNTY      ARKANSAS



P.O. Box 1021  
 Cabot, Arkansas 72023  
 phone: 501.269.7138  
 www.tuckersurveying.com

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 TUCKER LAND SURVEYING, INC.

PROJECT NO: 25-0918  
 ISSUE DATE: 12/30/2025  
 DRAWN BY: CA  
 APPROVE BY: N.TUCKER  
 SHEET NO.: 1 OF 1

January 22, 2026

Nellie Jean Marion  
911 Southeastern Ave.  
Jacksonville, Arkansas 72076  
501.258.7620

To: Board of Adjustment

I, Nellie Jean Marion, home owner of above property address; 911 Southeastern Ave in Jacksonville, Arkansas, request a variance to put up an eight (8) foot fence, on the North side of the yard.

An existing fence is in place and was installed in 2006, when the property (house) was built, as the "property line marker."

I have maintained maintenance on the fence, i.e. replacing worn and broken boards, etc. for 8 years.

My neighbors on that side does not help with the maintenance of the fence, in fact they are tearing down what I have done to the fence, and have had to call the police department on many occasions because of it.

000007

Daniel Gray, of Bart Gray Realtors,  
that sold me the house, informed me I  
could put up a fence beside that "property line"  
marker fence, and contacting the proper authorities  
at the City offices that handle such matters.

I am requesting 8 foot fence which will keep  
trash and debris from coming into my yard.  
Bushes, that have become small trees are growing  
right on the existing fence line, which we share.

I have included photos of the property and  
placement of fence. And utility companies  
have been on site and placed their markings.

Bee Fencing, out of Cabot, Ar. is installing the  
fencing, and is in compliance with the utility  
companies, and did contact the City of Jacksonville  
as notification that they would be on site.

Thank you for your attention in this matter,

Yellie Jean Marion  
Property owner.

Enclosed is \$50.00 for the request fee.

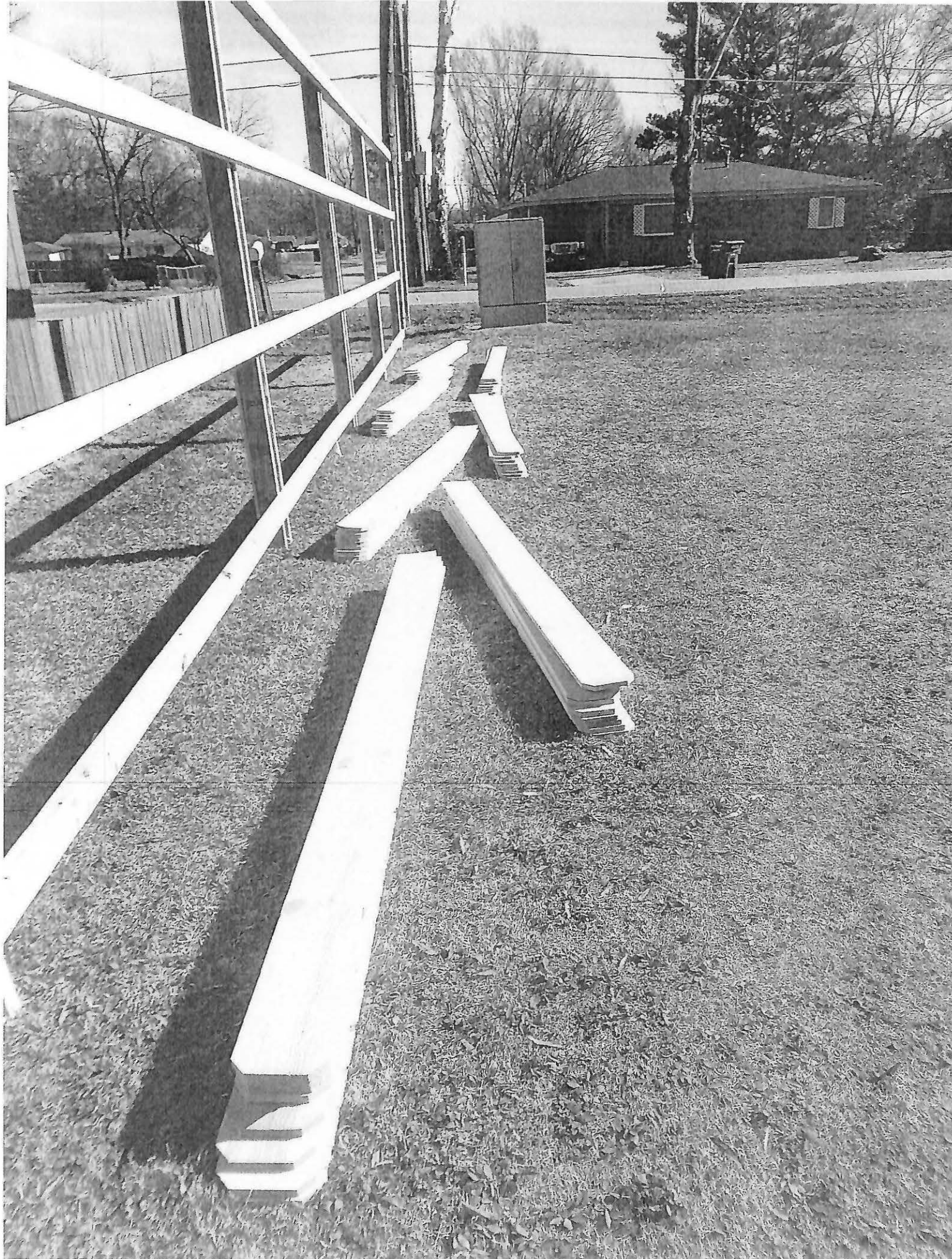
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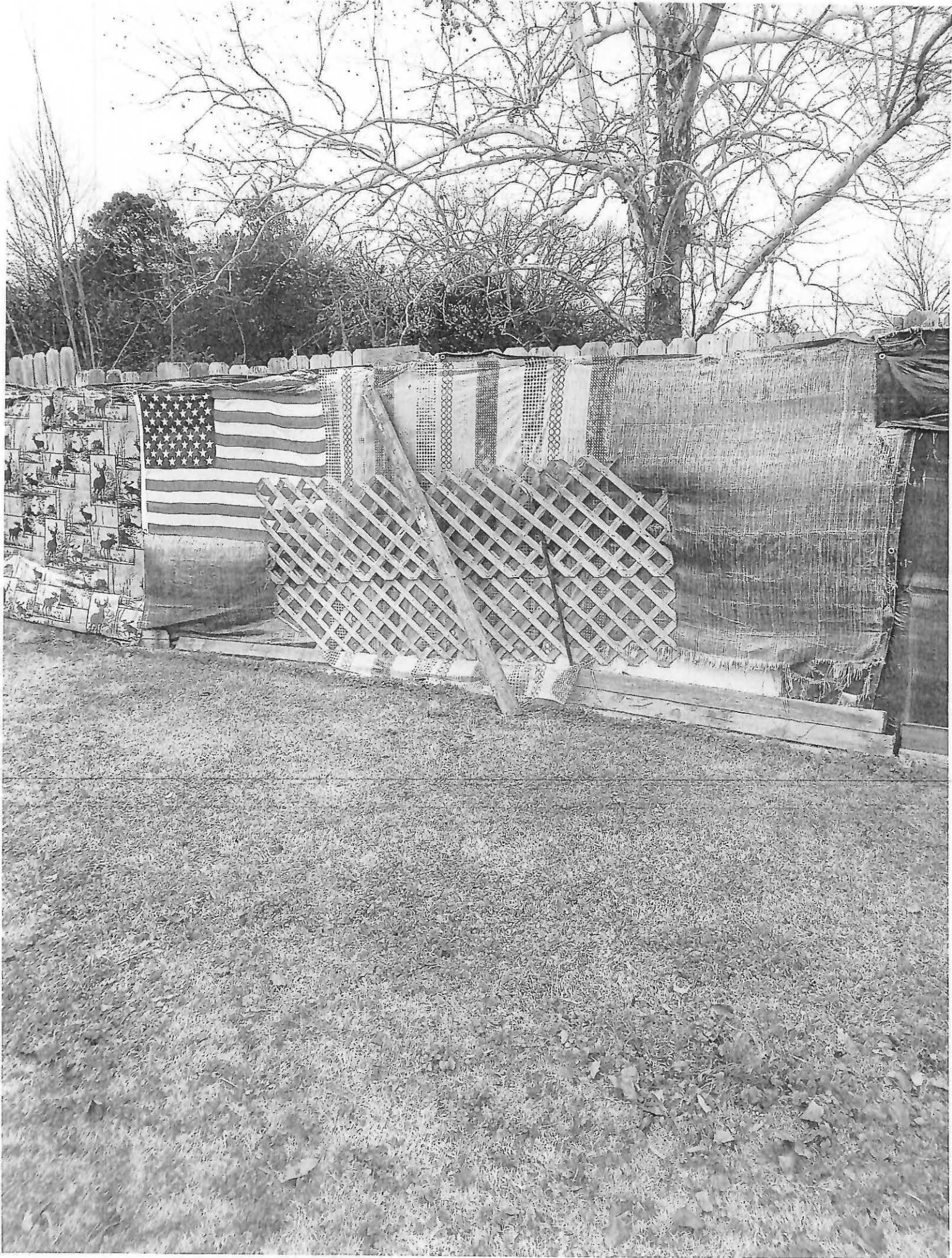
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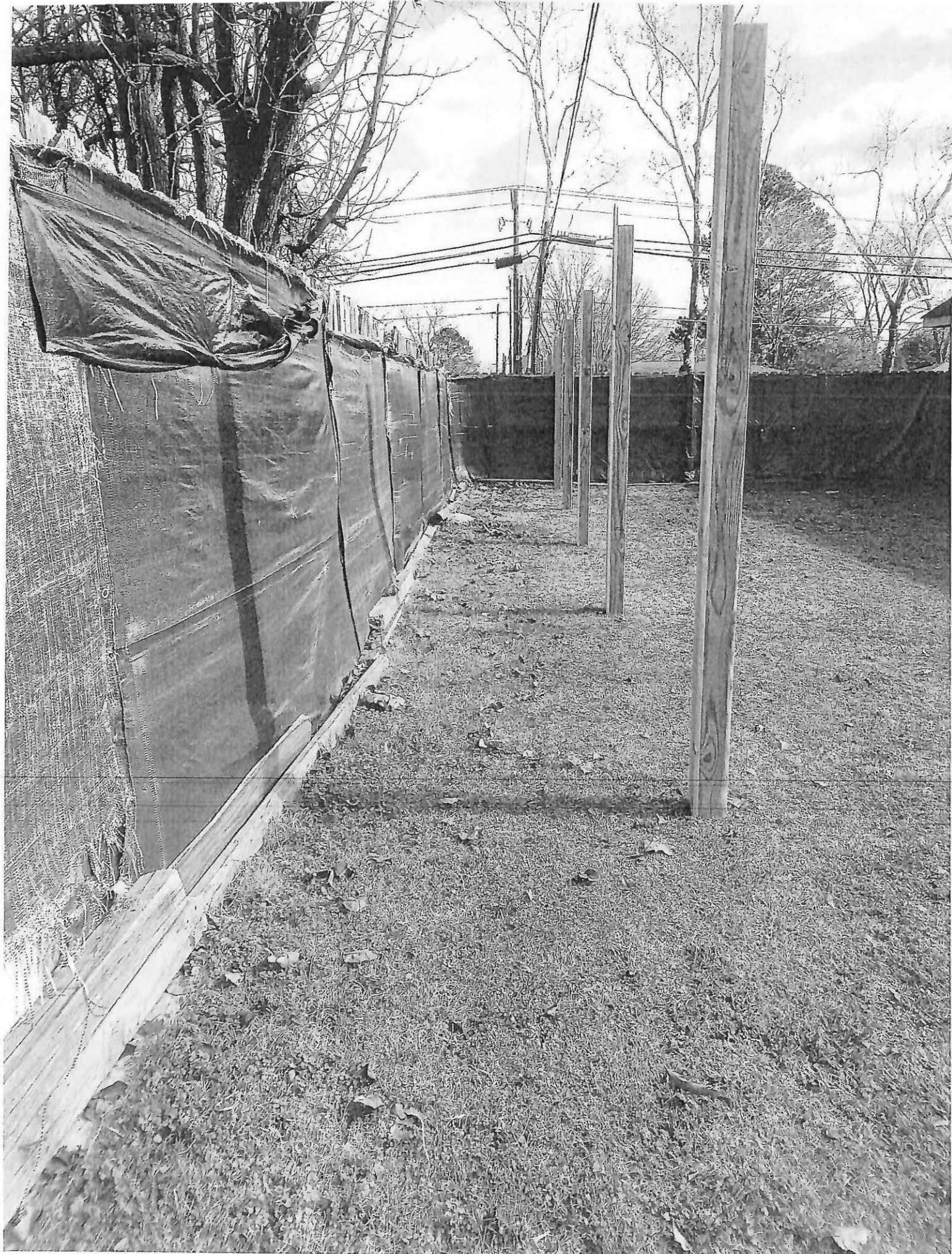
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000015



908 Southeastern Ave  
Joplinville, Arkansas  
Jan 2024 See more data

5 J Wright Loc  
Joplinville, Arkansas  
Jan 2024

000016



**City of Jacksonville**

Fence Permit (\$10.00)  
1 Municipal Drive  
Jacksonville, AR 72076  
(501) 982-6071

Date: 1-28-26 Phone No. 870 489 6644

Applicant (Print): Divea Chapple (Formerly Thornton)

Applicant is the  Owner  Contractor  Other \_\_\_\_\_

Address: 305 W martin St. Jacksonville, AR 72076

**Certification:**

I have read & understand the fencing requirements for the City of Jacksonville. To the best of my knowledge, the attached plan and document(s) conform to JMC § 8.05. I understand it is the sole responsibility of the Applicant to ensure the property lines are accurately marked & that it is recommended that a professional surveyor mark the property lines prior to any construction.

Signature: Divea Chapple

**Fence Material:**

Wood  Chain Link  Iron  Masonry  PVC  Other \_\_\_\_\_

**Fence Height:**

Rear Yard:  4 ft  5 ft  6 ft  Other 8 Front Yard:  4 ft  Other 5

Attached Plan (should include the following items as applicable)

Fence Location, Gates, Property Line, Utility Service Meters, Easements, Drainage Swales, and Building Locations.

**Initial Fence Location Inspection:**

Utilities Located  Service Meters Accessible  Waterways Unobstructed

Comments: \_\_\_\_\_

**Final Inspection:**

Fence complies with JMC § 8.05  Fence non-compliant, adjustments needed

Comments: \_\_\_\_\_

Nivea Chapple  
Annise Earl  
305 W. Martin Street  
Jacksonville, AR 72076  
(870) 489-6644

January 28, 2006

Jacksonville AR Engineering Department  
1 Municipal Drive  
Jacksonville, AR 72076  
(501) 982- 6071

**Subject: Request for Approval of 8-Foot Fence at 305 W. Martin Street, Jacksonville, AR 72076**

To Whom It May Concern:

I am requesting a variance to allow for an 8-foot privacy fence instead of the standard 4 to 6 foot maximum fence. The reasons for my request are due to:

- (1) needing noise reduction from the main nearby road of First street and Martin street being high traffic areas.
- (2) safety is also of concern due to my home having neighbors on both sides that have very large agile dogs that can jump the standard fence height.
- (3) security due to being in a high traffic walking area and an increase in theft due to homelessness.

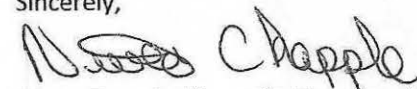
Project details are as follows:

The fence material will be of pressure washed cedar wood with a height of 5 feet for the front yard (from the entire length of the "FIP" which is 29'9" that stops and the driveway gate entrance which is at the east front corner of the existing residence). The fence will continue along the east side covering the perimeter of the backyard and back up towards the front of the existing resident on the west side and will stand 8 feet. The second gate will set at the corner of the existing residence by the open porch aligned with the 15.5 corner. The remainder of the Fence will be 5' to the 'F CRIMP PIPE'. The property line survey has been attached to this request showing location, property lines, and easements.

I believe this project conforms with the overall aesthetic of the neighborhood and does not block visibility for traffic.

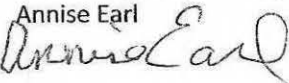
Thank you for considering this request. I look forward to your response.

Sincerely,

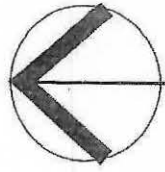


Nivea Chapple (formally Thornton)

Annise Earl



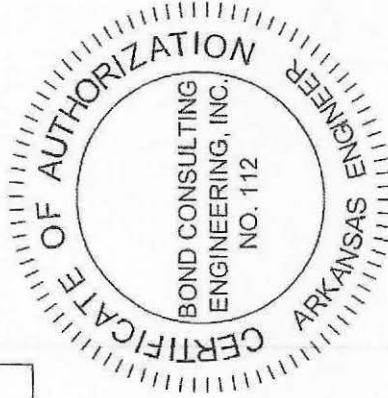
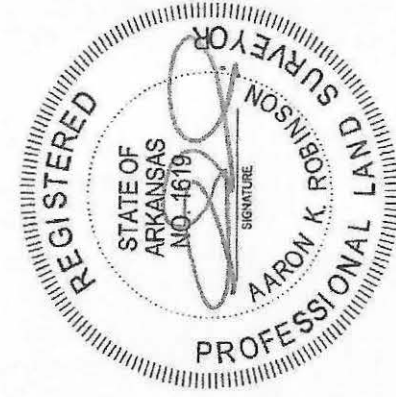
000018



NORTH



Scale 1" = 40'



CERTIFICATE OF SURVEYING ACCURACY:  
I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION, AND THAT ALL CORNERS ARE SHOWN IN ACCORDANCE WITH THE EXISTING MONUMENTS OF THE AREA. IMPROVEMENTS ARE AS SHOWN.

AARON K. ROBINSON  
REGISTERED LAND SURVEYOR  
ARKANSAS LICENSE NO. 1619

Scale: 1" = 40'

Date: January 9, 2026

Job No.: 11040

Drawn By: RAS

FINAL PLOT PLAN

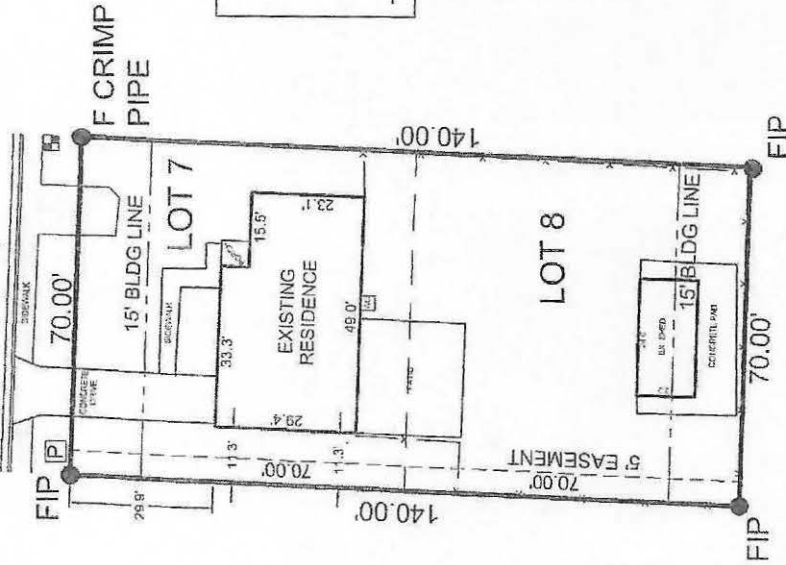
OAKVIEW SUBDIVISION ANNEX NO. 1  
BLOCK 5, W 1/2 OF LOTS 7 & 8  
JACKSONVILLE, PULASKI COUNTY, ARKANSAS

Prepared For:  
Nivea Thornton  
305 W. Martin Street  
Jacksonville, AR 72076

BOND CONSULTING ENGINEERS, INC.  
2601 T. P. White Drive  
Jacksonville, Arkansas 72076  
Phone (501) 962-1538 Fax (501) 962-1530  
E-mail: bce@bondce.com E-mail: arobinson@bondce.com



C/L MARTIN STREET  
(50' R/W)



LEGEND.

- PULL BOX
- LIGHT POLE
- ELECTRICAL PEDESTAL
- WATER METER
- SEWER MANHOLE
- FENCE

FLOOD STATEMENT:  
FIRM FLOOD INSURANCE RATE MAP PANEL 050180 0376 G  
(EFFECTIVE DATE: JULY 6, 2015) INDICATES THAT THIS PROPERTY  
IS LOCATED ABOVE THE 100 YEAR FLOOD PLAIN.

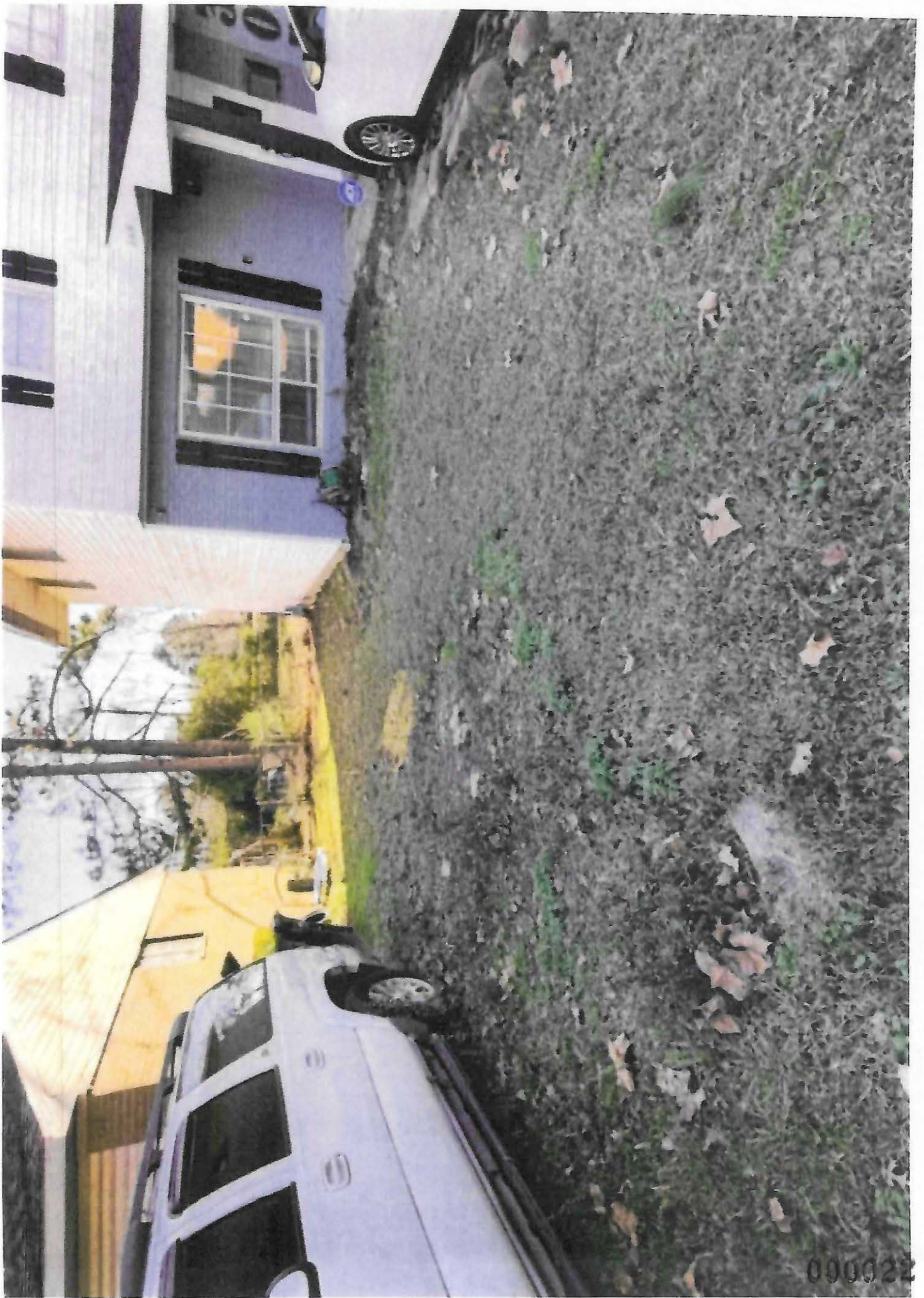
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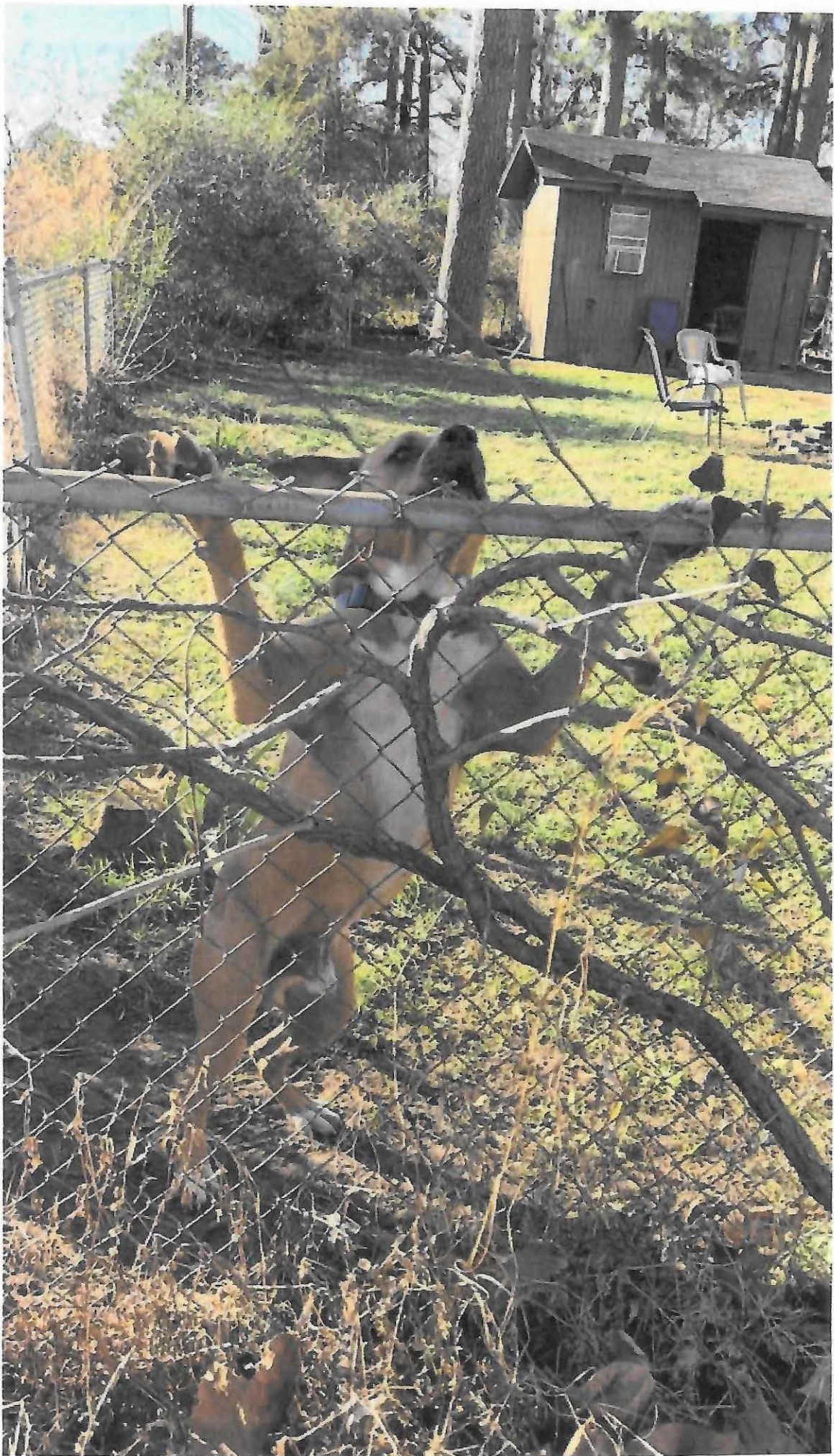
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