

CITY OF PINE BLUFF
BOARD OF ZONING ADJUSTMENT
JANUARY 31ST, 2023, 4:00 P.M.
CITY HALL COUNCIL CHAMBERS
200 E. 8TH AVENUE



AGENDA

CALL TO ORDER

CONSIDERATION OF MINUTES: November 29th, 2022

OLD BUSINESS: NONE

NEW BUSINESS:

1. Variance request to continue to allow shipping containers / boxcars as a temporary safe means for a link between buildings.

ADJOURN TO PLANNING COMMISSION MEETING

This application comes before the Board of Zoning Adjustment
**RECOMMENDATION
TO THE
PINE BLUFF BOARD OF ZONING ADJUSTMENT**

SUBJECT: Variance request to allow continued use of metal shipping containers as a temporary safe means for a link between buildings at 5311 Industrial Drive in an I-4 Industrial zone.

APPLICANT: Good Day Farms, LLC
Richard Taylor, Nelson Architectural Group

ZONING AND LAND USES: I-4, Industrial

ZONING:	North:	I-4, Industrial	LAND USE:	North:	Stant
	South:	I-4, Industrial		South:	Roberts Plumbing
	East:	I-4, Industrial		East:	Kiswire
	West:	I-4, Industrial		West:	US Steel

HISTORY

2021-2-23 5311 Industrial Drive Temporary use a metal containers Approved

NEW REVIEW COMMENTS

Applicant requests a variance to allow continued use of metal storage containers (box cars) as temporary construction at 5311 Industrial Drive. The units were joined together to form an enclosed structure between the two existing buildings. The application was approved and included a statement by the applicant that it would be for a period of two years. That approval will expire next month. In this application statement it mentions that the owner is in the process of getting architectural and Engineering completed for the new building. It is requested that the variance be extended until the new building is complete. It should be noted that the containers continue to be hidden by the screening required by state requirements (see photo page 3).

Former Review Comments

This property is located within the I-4, Industrial zone. This zone has very limited guidance on uses and allowances and was created for the Jefferson Industrial Park and Harbor Industrial Districts. These 2 districts are controlled through restrictive covenances and under the direction of the Jefferson County Alliance.

VARIANCE

**AGENDA ITEM #1
5311 INDUSTRIAL DRIVE
JANUARY 31ST, 2023**

Staff has been opposed to the use of these types of containers; however, those requests were primarily in commercial zones. As shown in the attached photos these units appear to be uniform in color and are intended to be temporary.

RECOMMENDATION

Because this parcel is controlled by restrictive convenience of the Alliance and they are in acceptance of this use staff recommends approval.

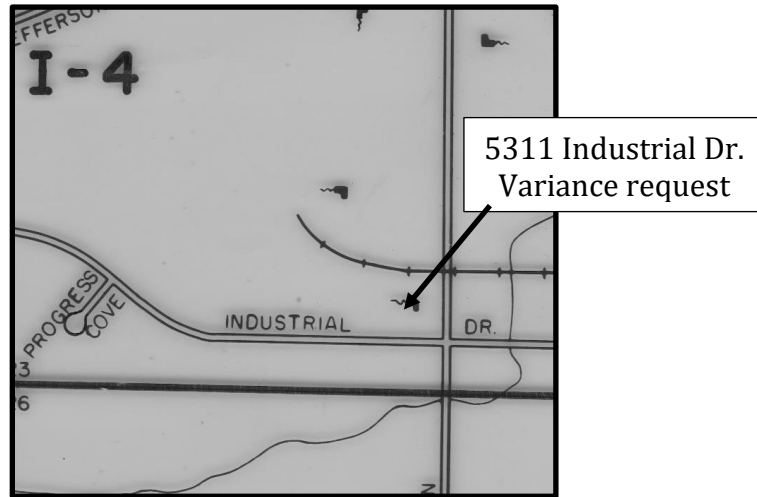
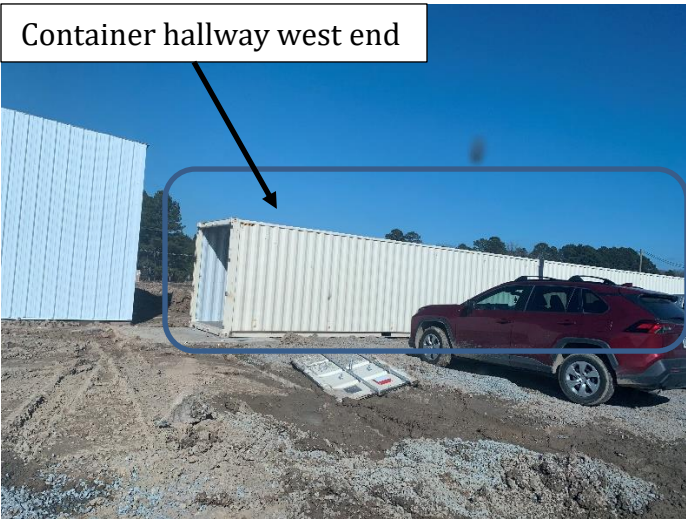




Photo 12-27-2022





CITY OF PINE BLUFF, ARKANSAS

Board of Zoning Adjustment Variance

Application / Petition

Please fill out this form completely, supplying all necessary information and documentation to support your request. *Your application will not be placed on the Board of Zoning Adjustment agenda until this information is provided.*

Address/Location of Property: 5311 Industrial Drive
Legal Description: See Attached Exhibit "A"
Size of Property (acres): 6.427 Current Zoning: I-4 Ward: 4
Variance Requested: To allow use of containers in I-4 zone

Reason for Request: Owner would like to continue the use of containers as a temporary secure and safe means for a link between buildings.

<u>Applicant / Agent</u>	<u>Property Owner (Must be filled out if different)</u>
Name: <u>Nelson Architectural Group, Inc.</u>	Name: <u>Good Day Farm, LLC</u>
Address: <u>200 East 11th, Suite B</u> <u>Pine Bluff, AR 71601</u>	Address: <u>425 W Capitol 14th FL</u> <u>Little Rock, AR 72201</u>
Telephone: <u>870-534-8922</u>	Telephone: <u>870-926-0922</u>
Email: <u>rtaylor@nelsonarchgroup.com</u>	Email: <u>larry@gooddayfarm.com</u>
Fax: <u>870-534-3680</u>	Fax: <u>N/A</u>

Additional information/comments: Containers are fully sprinklered, have lighting, emergency lighting, emergency lighting, smoke detectors, fire extinguishers and exit signs.

 12/05/2022
 Applicant / Business Owner Signature Date

PROPERTY OWNER(S) / AUTHORIZED AGENT CERTIFICATION: I (We), the undersigned, hereby certify under penalty of perjury that I (we) are the owner(s) of the property that is the subject of this application and I (we) have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

 12/05/2022

Signature _____	Date _____	Signature _____	Date _____
<u>Larry Tosh, Director of Construction & Facilities</u>			
Printed Name _____		Printed Name _____	
Owner _____ or Authorized Agent <u>X</u>		Owner _____ or Authorized Agent _____	
(Check one)		(Check one)	

Submission Deadline: 01/02/2023 Expected Planning Commission Meeting Date: 01/31/2023

• SEE REVERSE SIDE FOR SUBMISSION REQUIREMENTS •

It is our intention to assist you in making your project a success in a timely manner. Please call if you have any questions or need assistance from the City of Pine Bluff Inspection & Zoning Department, 200 E. 8th Avenue, Pine Bluff, AR 71611 telephone: (870) 730-2020 fax: (870) 730-2170.

ITEMS REQUIRED WITH SUBMITTAL

The following items must be received with returned application:

The development plan requirements for a variance application shall include a scaled graphic representation of what is proposed and a general statement as to the intent of use. The graphic representation shall include the following:

1. The location, size and use of buildings, signs, land and improvements;
2. The location, size and arrangement of parking space, loading space, driveways and street access;
3. The uses of adjoining property;
4. Scale, north arrow and vicinity map; and
5. Any additional information needed by staff because of conditions peculiar to the development.
6. A description of the current use of the property and reason for the variance request.

FOR OFFICE USE ONLY

APPLICATION FEE: BZA Variance - \$100.00

\$ _____ Date _____ Rec'd by _____
Amount Paid

Notice submitted to newspaper? _____

Hearing Notice date: _____

Property Photos in file? _____

Authorized Agent Letters Received from **ALL** Property Owners? *(If applicable)* _____

EXHIBIT "A"

Good Day Farm City of Pine Bluff Zoning Variance Application Legal Description 12/02/2022

BEG 744 FT N & 475 FT W SE COR SE SW SD POB BEING C/L RR R/W TH W 467.59 FT TO A PT ON CURVE TO RIGHT A DELTA ANGLE OF 41 DEGS 30 MINS RADIUS OF 679.42 FT A DIST OF 156.64 FT TO N R/W PROPOSED RD TH E ALG SD R/W 724 FT N 413 FT TO BEG 6.427 ACRES

EXHIBIT “B”

Good Day Farm City of Pine Bluff Zoning Variance Application Use of Adjacent Property December 2, 2022

1. Brad Roberts Plumbing
2. Economic Development Alliance of Jefferson County
3. Flint Group North America Corp.
4. Liberty Utilities (Pine Bluff Water, Inc.)
5. Ozark Mountain Propane Co.
6. Arkansas Power & Light Co.
7. R & A Realty, LLC
8. Stacked Leasing, LLC

EXHIBIT “C”

Good Day Farm City of Pine Bluff Zoning Variance Application Description of Current Use and Reason for Variance Request December 2, 2022

The property is owned by Good Day Farm, LLC and has been remodeled for a marijuana cultivation facility which will employ approximately 220. In February of 2021, Good Day Farms filed a variance application to use containers as temporary means to provide a safe and secure corridor between the two newly remodeled buildings.

The purpose for the variance request is to allow the continued use of containers to provide a temporary safe and secure enclosure between the two buildings. The Owner is currently in the process of Architectural / Engineering planning for the new building and asks for a continuance to use the containers until the new building is complete. At that time, the containers will be removed permanently.