



Planning & Engineering
31 Shelby Road
PO Box 6256
Sherwood, AR 72124-6256
Phone: (501) 835-4753
Fax: (501) 392-0088

January 6th, 2026

Re: January Board of Zoning Adjustment Meeting

To Whom It May Concern,

On January 13th, 2026, at 6:00 PM the Sherwood Board of Zoning Adjustment will hold a public, live-streamed meeting to hear the following agenda items:

1. Variance at 1800 East Kiehl Avenue. Thomas Engineering, Agent.

If you are unable to attend the meeting and would like to comment on an item specified above, please send your comment via email with your name and address to planning@sherwoodar.gov before Monday, January 12th, 2026, at 4:30 PM. Please note that these comments will be read aloud in the public meeting and should be clear and concise in regard to the item. To watch the live-streamed meeting, please go to <https://www.cityofsherwood.net/watchnow>.

Regards,

Corey Drake
Planning Commission Secretary

Sherwood Board of Zoning Adjustment Agenda

January 13th, 2026 – 6:00 PM

2201 E. Kiehl Avenue, Sherwood, AR 72120

Blake Martin, Chairman

Agenda Items

1. Call to Order
2. Roll Call
3. Approval of November 10th, 2025, Meeting Minutes
4. Election of Chairman
5. Election of Vice-Chair
6. Variance at 1800 East Kiehl Avenue. Thomas Engineering, Agent.
7. Old Business
8. New Business
9. Adjournment

Sherwood Board of Zoning Adjustment Minutes

November 10th, 2025 – 6:00 PM

2201 E. Kiehl Avenue, Sherwood, AR 72120

Blake Martin, Chairman

Agenda Items

1. Call to Order

2. Roll Call

- Patel
- Clough
- Evans-Delrie
- Martin
- Williams
- Dozier
- Hoskyn

3. Approval of September 9thth, 2025, Meeting Minutes

- Williams made a motion to approve the September 9th meeting minutes.
- Patel seconded the motion.
- Hoskyn stated that the vote for Item #5 from the September 9th, 2025, meeting was not clear to those who don't understand the process for approval by the Board. He stated that language should be added to clarify why the variance was denied.
- Williams made a motion to approve with the correction.
- Patel seconded the motion.
- Patel, Martin, Williams, Dozier, and Hoskyn voted to approve the September 9th meeting minutes. Clough and Evans-Delrie abstained.
- September 9th, 2025, meeting minutes were approved in a 5-0-2 vote.

4. Variance at 100 Riverstone Cove. Viplav Patel, Owner.

- Chairman swore in Shelby Notias.
- Shelby Notias, City Planner, detailed the request which is asking to encroach over the building line in three separate locations. She detailed that the lot has an irregular shape with three frontages.
- She stated that there has been no plot plan or formal building application submitted and that the supplied drawing is conceptual and premature in nature.

She stated that staff does not recommend approval as the hardship cited by the applicant appears to be self-created based on the size of the home.

- Chairman swore in Viplav Patel, owner of 100 Riverstone Cove.
- Mr. Patel detailed where he was requesting to build in the setback and clarified that there were areas within the building line he would not be using. He stated that the total area to encroach over the setback was less than four feet.
- Chairman explained that the standard for issuing a variance was based on a hardship created by the property itself. He clarified that the drawing supplied with the request makes the hardship self-induced as there is likely a design that would fit within the building setback.
- Chairman asked what is unique about the lot that makes the provided design the only solution.
- Mr. Patel clarified that the curved shape of the lot prompted the variance request.
- Chairman stated that his concern was that there was not a set design as this drawing seems conceptual and nothing has been approved by the building official.
- Mr. Patel asked what would be required and if the Board would like to see architectural drawings.
- Chairman stated that he was not inclined to approve the variance based on a conceptual plan if the building official wasn't going to approve the house plans once they were submitted. He stated that he wanted to know that a building permit would be issued based on a plan before approving a variance that was then set in stone.
- Mr. Patel stated that the design would not change if approved.
- Chairman asked if there was the possibility of a design that did not require a variance.
- Chairman stated that proving the lot was creating a hardship was often difficult as there is often a solution that does not require a variance.
- Mr. Patel asked if the variance would not be approved.
- Chairman clarified he was just stating his opinion as one voting member.
- Hoskyn made a motion to deny the variance request.
- Clough seconded the motion.
- Clough, Evans-Delrie, Martin, Williams, Dozier, and Hoskyn voted to deny the variance request. Patel abstained.
- Variance request was denied in a 6-0-1 vote.

5. Old Business

- Approval of April 8th, 2025, Meeting Minutes
 - Chairman clarified that there was not a quorum to approve the minutes previously.
 - Williams made a motion to approve the meeting minutes.

- Hoskyn seconded the motion.
- Evans-Delrie, Martin, Williams, and Hoskyn voted to approve the meeting minutes. Patel, Clough, and Dozier abstained.
- April 8th, 2025, meeting minutes were approved in a 4-0-3 vote.

6. New Business

7. Adjournment

- Hoskyn made a motion to adjourn.
- Williams seconded the motion.
- Unanimous roll call to adjourn.

PASSED AND ADOPTED THIS _____ DAY OF _____, 20_____.

BOARD OF ZONING ADJUSTMENT CHAIRMAN

BOARD OF ZONING ADJUSTMENT SECRETARY



THOMAS ENGINEERING COMPANY

civil engineers

land surveyors

3810 LOOKOUT RD

NORTH LITTLE ROCK, AR 72116
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

(501)753-4463

December 24, 2025

City of Sherwood Board of Adjustment
31 Shelby Road
Sherwood, AR 72120

RE: Variance Request
Sub Zero Heating and Air
Octopus Sushi & Hibachi
Lot 1R & 11R, Block 2, Carroll Heights Subdivision
Sherwood, Arkansas

Dear Board of Adjustment Members:

Submitted herewith for your approval is a PDF copy and 5 hard copies of the above-mentioned project.

We are also requesting a variance of building setbacks on both lots. These lots are currently zoned C-2. Current zoning requires a front building setback of 40'. Our plan shows both new buildings are 22' off the front property line. This building placement will allow the proposed buildings to align with the fronts of existing buildings along Kiehl Avenue.

We are attaching a check of \$125.00 as the fee for the variance application.

If you have any questions, please give me a call.

Sincerely,

Thomas R. Pownall, P.E.
Vice President

LAND USE PLAN

The Vision Sherwood 2040 Land Use Plan details this location as Office/Buffer Area (S-OFF). Areas include a mixture of office, light commercial uses and various housing types including duplexes, small-scale multi-family, single-family-attached homes, and single-family detached homes. The districts typically represent areas in transition from single-family residential to more intensive uses or areas which office and limited commercial is most appropriate. **Within these transitional areas, a great deal of care is warranted in order to balance the pressure to allow more productive uses with the need to protect existing property owners.**

MASTER STREET PLAN

The subject properties are located on E Kiehl Ave with ~254.34' of direct frontage. Lot 11R has ~136.34' of frontage on Fairview Avenue to the east and Lot 1R containing ~98.66' of frontage on Park Avenue to the west.

E Kiehl Avenue	Minor Arterial (80' ROW)
Fairview Avenue:	Local (50' ROW)
Park Avenue:	Local (50' ROW)

STAFF ANALYSIS

1. Project location: *The proposed comprehensive variance request for commercial development is located on Lot 1R and Lot 11R of Carroll Heights Subdivision. The subject property is situated along the south side of E Kiehl Avenue at the intersection of Park Ave and E Kiehl Ave and extends west ~254.32 feet to the intersection of Fairview Ave and E Kiehl Ave.*
2. Replat of Lot 1R and Lot 11R, Carroll Heights, a commercial subdivision, was approved November 11, 2025 by Planning Commission.
 - a. *The subdivision approval contemplated the future development of Lot 11R for a restaurant use via concurrent site plan review which was deferred by the applicant prior to the November 11, 2025 meeting. The current replat approval is not affected by the new site plan applicant or variance request.*
3. Site Plan Review is requested concurrently with this variance application.
 - a. *The applicant initiated a new site plan review proposing the construction of:
 - i. Site redevelopment capturing new construction of a ~3,000 square foot HVAC business building on Lot 1R, which is currently developed containing a commercial use east of Park Ave; and #REDUCED TO 200 SF FROM 3000 SF
 - ii. New construction of a ~2,662 square foot restaurant on Lot 11R which is undeveloped land west of Fairview Ave.*
4. §14.05.04.E of the Zoning Code establishes the minimum required front, side, and rear yard setback standards. The subject properties are zoned Commercial (C-2).
 - a. *The applicant is requesting a reduction to the minimum 40' front yard setback requirement as follows:
 - i. Request a front yard setback of ~21.61' on Lot 1R; and
 - ii. Request a front yard setback of ~22 feet on Lot 11R.*
 - b. *Applicant submitted the site plan for Lot 1R and 11R to reflect the variance, as requested.*
5. Applicant-defined hardship: *At the time of this report, the applicant has not identified or provided justification of the hardship or benefit associated with the request for Lot 1R and 11R. In order to satisfy the variance criteria, the applicant must clearly define the hardship and provide justification demonstrating how the request meets the applicable variance standards of Chapter 14.14. #HARDSHIP DUE TO SIZE AND EXISTING GRADE OF THE LOT.*

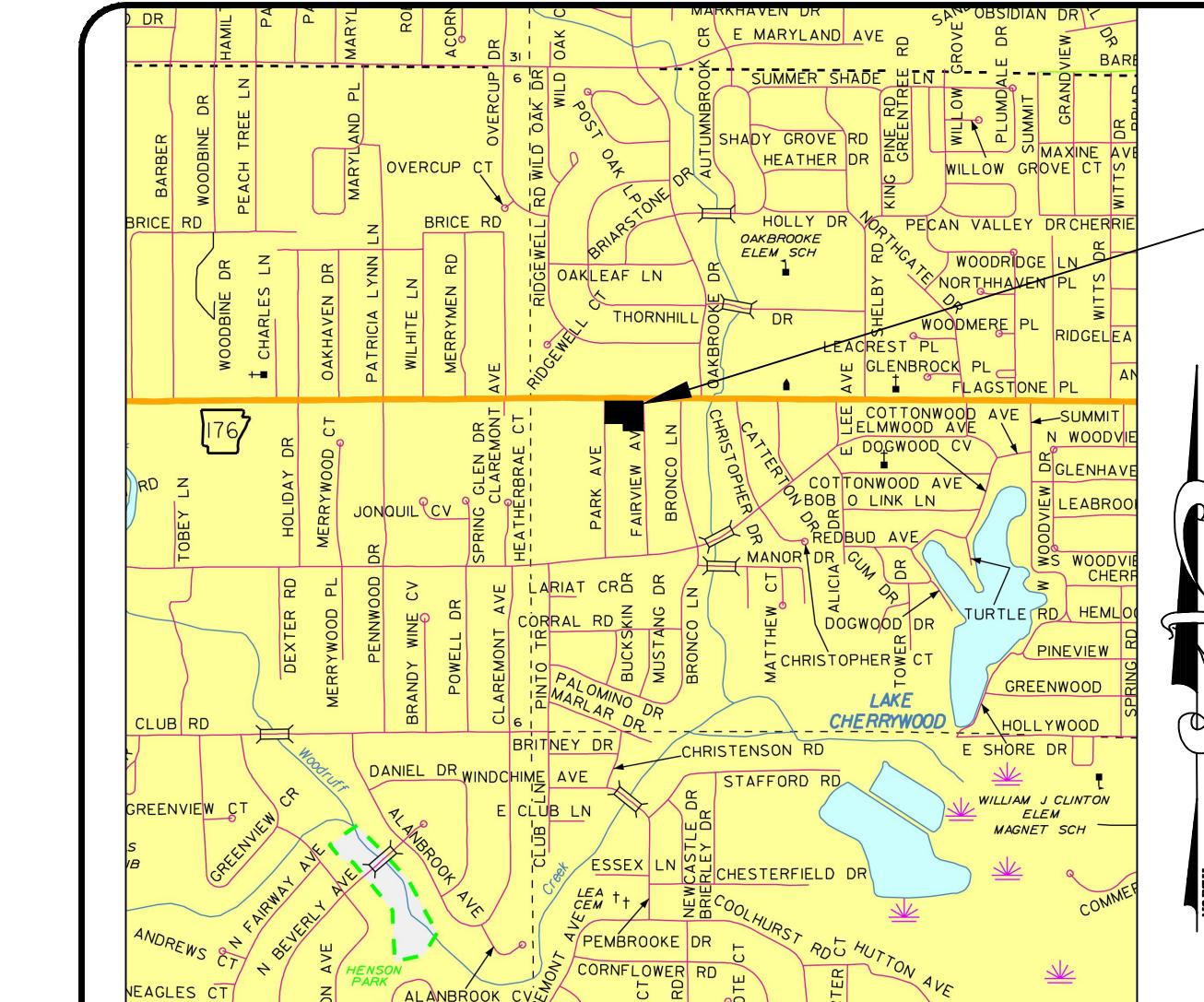
STAFF REPORT**Application Type: Variance****Application: V.202509.ALDI Sign****Board of Zoning Adjustment Meeting: 9/9/2025**

BASIS OF VARIANCE REVIEW

The Board of Zoning Adjustment, consisting of the membership of the Planning Commission, may grant a variance if there are extraordinary conditions and/or uniqueness to a particular piece of property, where strict enforcement would cause undue hardship upon the property owner(s). Establishing 'uniqueness' for a particular property under consideration includes, but is not limited to, the following criteria: orientation, narrowness, shallowness, irregularity, depth, topographical conditions, and shape.

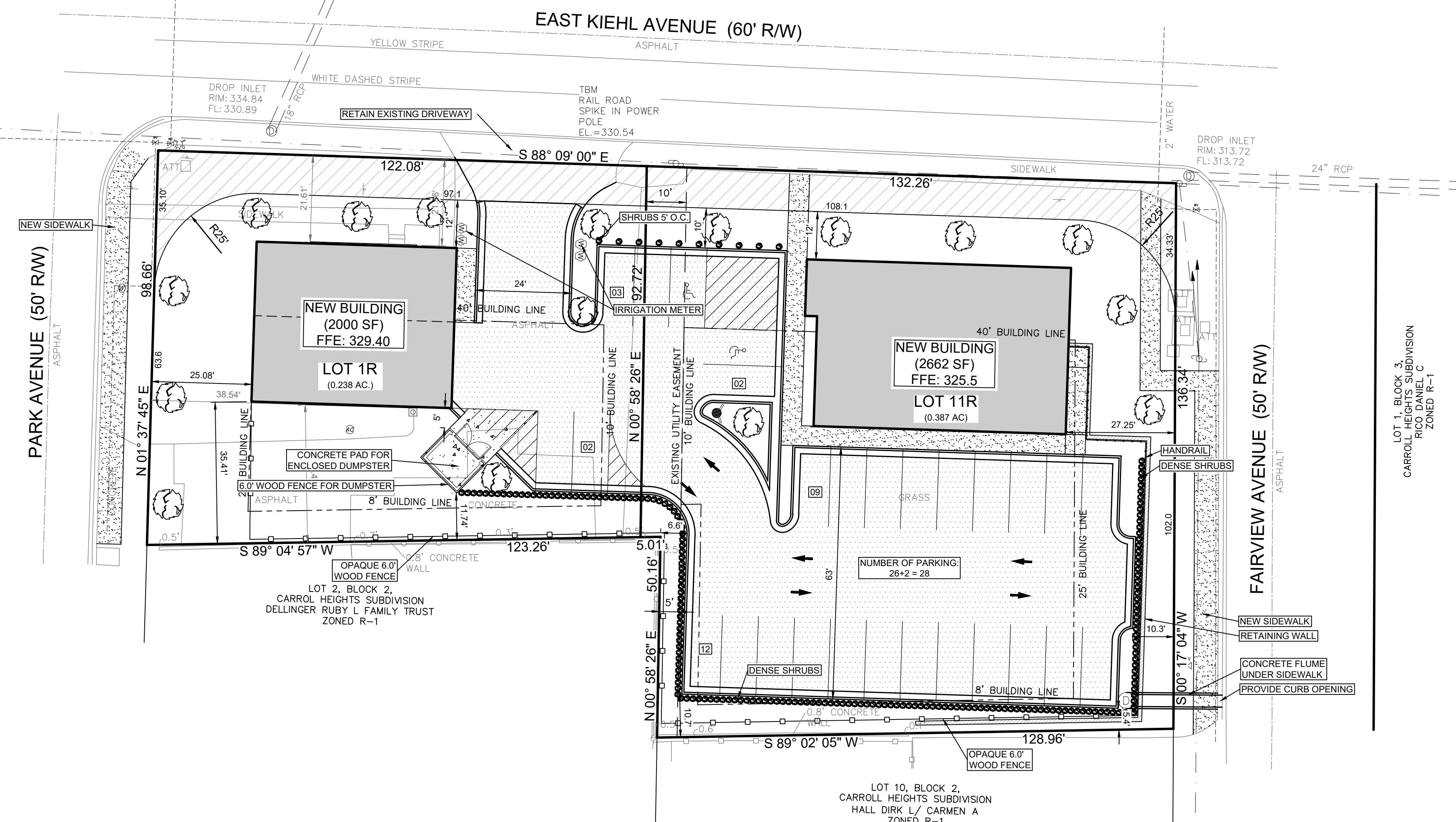
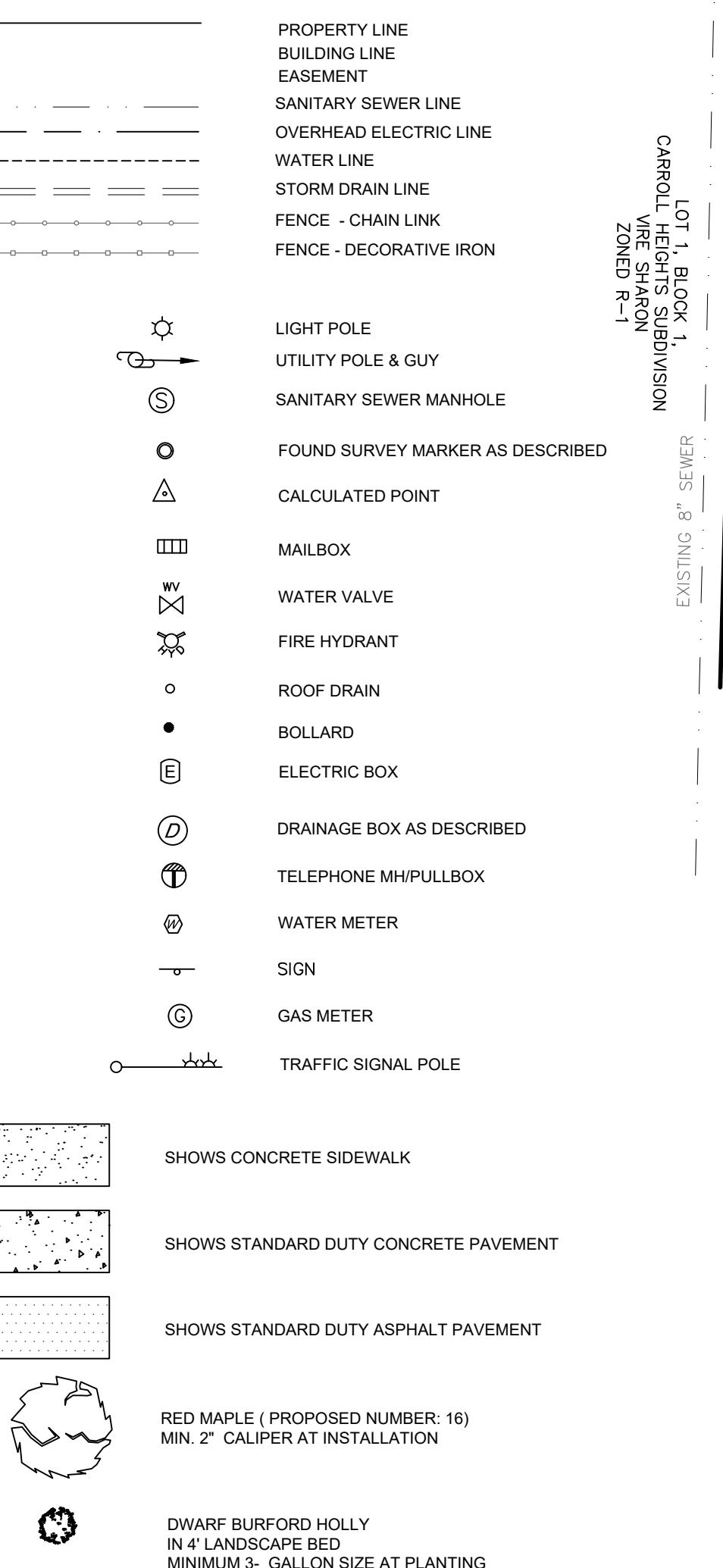
STAFF RECOMMENDATION

Please provide comments and/or revisions on staff analysis by COB on December 30th, 2025.



VICINITY MAP

LEGEND



PARKING REQUIREMENT:
LOT 1R - OFFICE EQUIPMENT SALES AND SERVICE: 5
LOT 11R - RESTAURANT (58 CUSTOMERS AND 6 EMPLOYEES): 21
TOTAL PARKING REQUIRED: 26
TOTAL PARKING PROVIDED: 28

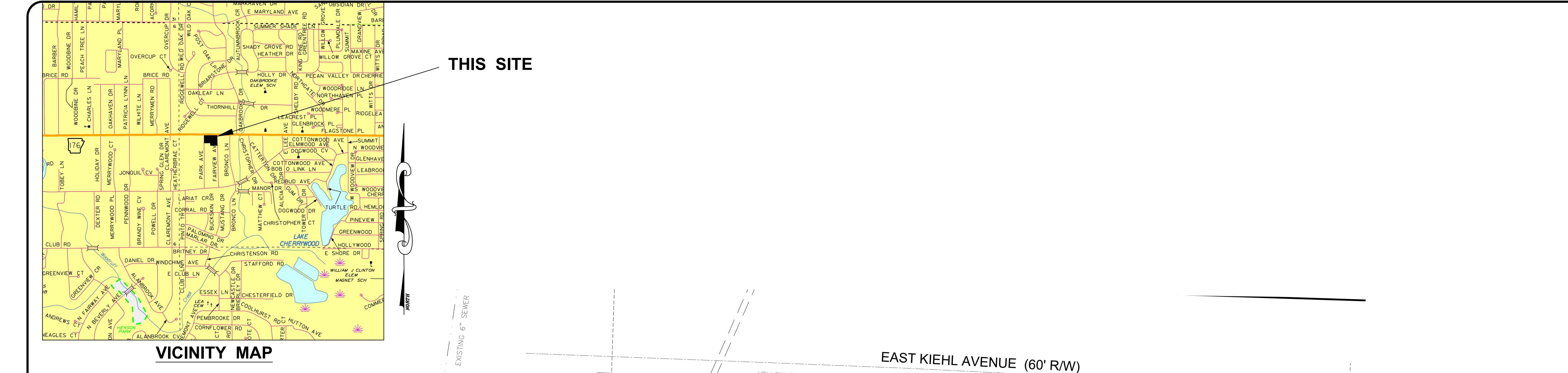
LEGAL DESCRIPTION
LOT 1 & 11, BLOCK 2
CARROLL HEIGHTS SUBDIVISION
SHERWOOD, ARKANSAS

FOR USE AND BENEFIT OF:
LIE KIANHO MCADAMS/AUSTIN
MCADAMS/JUDITH/WILLIAM MCADAMS
8924 STILLWATER ROAD
SHERWOOD, AR 72120

PRELIMINARY PLAN -
NOT FOR CONSTRUCTION

 THOMAS ENGINEERING COMPANY		SITE PLAN REVIEW		
		LOTS 1 & 11, BLOCK 2	CARROLL HEIGHTS SUBDIVISION	CITY OF SHERWOOD, PULASKI COUNTY, ARKANSAS
APPROVED	DRAWN BY MNH	DATE 12.30.2025	SCALE 1" = 20'	SHEET NO. 3

3810 LOOKOUT ROAD, N. LITTLE ROCK, AR 72116
TEL: 501-753-4463 FAX: 501-753-6814

SITE & GRADING PLAN
GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT.

2. WARRANTY/DISCLAIMER. THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED AT THIS TIME. HOWEVER, NEITHER THOMAS ENGINEERING COMPANY NOR ITS PERSONNEL CAN OR DO WARRANT THE WORKING CONDITIONS OR PERSONS CAN OR DO WORK IN THESE PLACES OR PLANS AS CONSTRAINED EXCEPT IN THE SPECIFIC CASES WHERE THOMAS ENGINEERING COMPANY PERSONNEL INSPECT AND CONTROL THE PHYSICAL CONSTRUCTION ON A CONTEMPORARY BASIS AT THE SITE.

3. SAFETY NOTICE TO CONTRACTOR. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

THE DUTY OF THE ENGINEER OR OWNER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, ON OR NEAR THE CONSTRUCTION SITE.

4. ALL SLOPES TO BE GRADED TO 3:1 OR FLATTER UNLESS OTHERWISE INDICATED ON THIS SHEET.

5. SEE ARCHITECTURAL PLANS FOR DETAILS ON CONCRETE RAMPS AND SIDEWALKS ATTACHED TO BUILDINGS.

6. ALL STORM DRAIN LINES AND UTILITY LINES UNDER THE PAVEMENT SHALL BE BACK FILLED WITH CRUSHED STONE.

7. ENGINEER'S NOTICE TO CONTRACTOR. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, ON AS-BUILT LOCATIONS. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN.

8. FINISHED GRADE CONTOURS ARE INDICATED ALONG TOP OF COMPLETED STRUCTURES, TOP OF PAVEMENT AND GUTTER LINE OF CURB, UNLESS OTHERWISE SHOWN. FOR ROUGH GRADING, CONTRACTOR SHALL ALLOW FOR DEPTHS OF TOPSOIL AND CONCRETE STRUCTURES. FOR FINISH GRADING, CONTRACTOR SHALL INSTALL TOPSOIL AND CONCRETE STRUCTURES TO FINISHED GRADE AS INDICATED ON THIS SHEET.

9. GRADE TO DRAIN AWAY FROM BUILDING AT MINIMUM 1% SLOPE.

10. REINFORCED CONCRETE PIPE (RCP) SHALL BE CLASS III.

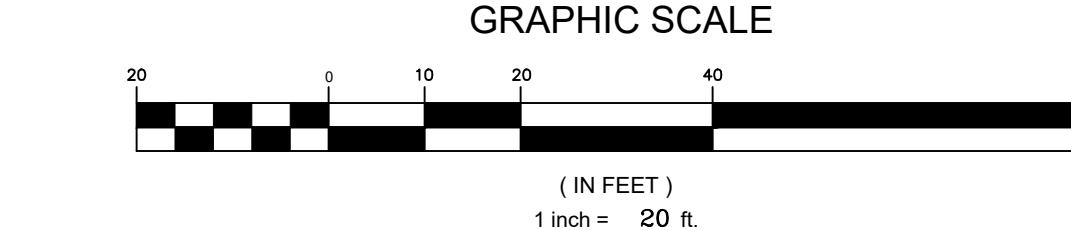
11. ALL DIMENSIONS ARE SHOWN TO THE BACK OF CURB.

12. DRIVEWAY SHOULD BE CONSTRUCTED IN ACCORDANCE WITH ARDOT DETAIL DR-1.

13. ALL PARKING SPACE DIMENSIONS WILL BE CONSISTENT IN SIZE (20'X9').

SITE PLAN REVIEW NOTES

1. SITE CONTAINS A PROPOSED OFFICE BUILDING AND A RESTAURANT.
2. BASIS OF BEARINGS: PAGES
3. THE PROPERTY IS NOT SHOWN IN THE 100 YEAR FLOOD PLAIN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 05119C0354G DATED JULY 6, 2015.
4. THIS PROPERTY IS ZONED C-2
5. LOT 1R CONTAINS 0.238 ACRES, MORE OR LESS & LOT 11R CONTAINS 0.387 ACRES, MORE OR LESS.
6. SETBACKS SHOWN FOR THIS LOT:
40' FRONT (VARIANCE REQUESTED)
10' (25' WHEN ABUTTING STREET)
8' REAR
7. BUILDING COVERAGE FOR LOT 1R IS 18.8%.
BUILDING COVERAGE FOR LOT 11R IS 15.8%.



REQUEST

The applicant is seeking a hardship variance to reduce the front yard setback required for commercial development in the C-2 zoning district.

OWNER/AGENT INFORMATION

Owner: McAdams Lie Kianho/Austin/McAdams Judith/William, 8924 Stillwater Road
Sherwood, AR

Applicant/Authorized Agent: Thomas Engineering

TECHNICAL SITE INFORMATION

Location: 1800 E Kiehl Ave

Parcel ID: 23S0180000700

Property Area: ±0.73 acre (per Pulaski Co Assessor); ±0.68 (per replat)

Current Zoning: Light Commercial (C-2)

Land Use Plan: Office/Buffer Area (S-OFF)

Surrounding Zoning/Land Use: North – General Commercial District (C-3)/Commercial Corridor (S-COR)
South – Single Family Residential (R-1)/Suburban Single Family (S-SFR)
East - Single Family Residential (R-1)/Suburban Single Family (S-SFR)
West - Single Family Residential (R-1)/Office/Buffer Area (S-OFF)

EXISTING CONDITIONS

Lot 1R is developed with a one-story 1,080 sf non-residential structure previously used as a hair salon; said structure is nonconforming on the basis of the significant building encroachment into the 40' front yard setback. Lot 11R is undeveloped.

PUBLIC NOTIFICATION

The request for a variance will be advertised by the City in a publication of general circulation no later than 08/25/2025. Proof of advertising will be submitted to Planning Staff no later than 7 days prior to the September 9th Board of Zoning Adjustment meeting. **(ad ran 12/28/25)**

Variance signs should be placed on the property no later than 7 days before the public hearing and remain posted until a decision is made by the Board. **(sign currently on the property)**

Public notification letters shall be mailed by the applicant to all adjoining property owners including those across the street no later than 7 days prior to the public hearing. USPS Certified Mail receipts must be submitted to the Planning Department once mailed. **(certified receipts submitted 12/30/2025)**

All notification requirements were met.

LAND USE PLAN

The Vision Sherwood 2040 Land Use Plan details this location as Office/Buffer Area (S-OFF). Areas include a mixture of office, light commercial uses and various housing types including duplexes, small-scale multi-family, single-family-attached homes, and single-family detached homes. The districts typically represent areas in transition from single-family residential to more intensive uses or areas which office and limited commercial is most appropriate. **Within these transitional areas, a great deal of care is warranted in order to balance the pressure to allow more productive uses with the need to protect existing property owners.**

MASTER STREET PLAN

The subject properties are located on E Kiehl Ave with ~254.34' of direct frontage. Lot 11R has ~136.34' of frontage on Fairview Avenue to the east and Lot 1R containing ~98.66' of frontage on Park Avenue to the west.

E Kiehl Avenue	Minor Arterial (80' ROW)
Fairview Avenue:	Local (50' ROW)
Park Avenue:	Local (50' ROW)

STAFF ANALYSIS

- Project location: *Variance request is for Lot 1R and Lot 11R of Carroll Heights Subdivision. The subject property is situated along the south side of E Kiehl Avenue at the intersection of Park Ave and E Kiehl Ave and extends east ~254.32 feet to the intersection of Fairview Ave and E Kiehl Ave. The combined variance requests a reduction of ~18' for the two-lot commercial development, effectively establishing a front yard setback of ~22' across both lots.*
- Replat of Lot 1R and Lot 11R, Carroll Heights Subdivision [commercial subdivision] was approved November 11, 2025, by Planning Commission.
- Site Plan Review is requested concurrently with this variance application.
 - The applicant has submitted a revised site plan to capture new construction development on Lot 1R and Lot 11R.*
 - Site plan review proposes construction of:*
 - Site redevelopment capturing new construction of a ~3,000 sf HVAC business on Lot 1R, which is currently developed containing a commercial use east of Park Ave [due to the size of Lot 1R, applicant reduced the proposed new construction to ~2,000 sf]; and*
 - New construction of a ~2,662 sf restaurant on Lot 11R which is undeveloped land west of Fairview Ave.*
- §14.05.04.E of the Zoning Code establishes the minimum required front, side, and rear yard setback standards. The subject properties are zoned Commercial (C-2).
 - The applicant is requesting a reduction to the minimum 40' front yard setback requirement as follows:*
 - Request a front yard setback of ~21.61' on Lot 1R; and*
 - Request a front yard setback of ~22 feet on Lot 11R.*
 - Applicant submitted the site plan for Lot 1R and 11R to reflect the reduced of front yard setback, as requested in the variance application.*
- Applicant-defined hardship: *At the time of this report, the applicant has not identified or provided justification of the hardship or benefit associated with the request for Lot 1R and 11R. In order to satisfy the variance criteria, the applicant must clearly define the hardship and provide justification demonstrating how the request meets the applicable variance standards of Chapter 14.14. Addressed; applicant identifies a hardship affecting Lots 1R and 11R due to the limited size of both subject properties and the existing grade of Lot 11R.*

6. Staff opinion: In meetings with the applicant and in providing guidance within the broader context of the E. Kiehl Avenue corridor, and considering anticipated redevelopment over time, staff finds that development of currently unimproved properties and the future redevelopment of improved lots with a reduced front-yard setback will contribute to the overall vision for the corridor.

- a. *Staff considers the request reasonable and appropriate regardless of the specific site development proposed for the subject property(s).*
- b. *Similar variance requests have been approved for commercially zoned properties with direct frontage along E. Kiehl Avenue, demonstrating consistency with prior approvals.*

BASIS OF VARIANCE REVIEW

The Board of Zoning Adjustment, consisting of the membership of the Planning Commission, may grant a variance if there are extraordinary conditions and/or uniqueness to a particular piece of property, where strict enforcement would cause undue hardship upon the property owner(s). Establishing ‘uniqueness’ for a particular property under consideration includes, but is not limited to, the following criteria: orientation, narrowness, shallowness, irregularity, depth, topographical conditions, and shape.

STAFF RECOMMENDATION

Staff recommends approval of the applicant's request with conditions, as it represents the minimum variance necessary to accommodate the use, development, and redevelopment of the commercially zoned parcels. Granting the variance is not expected to cause harm to adjacent properties and will support and promote uniform development of commercial properties along the E. Kiehl Avenue corridor.

Conditions of Approval:

- Development shall be consistent with the goal of uniform development along the E. Kiehl Avenue corridor. Enhanced landscaping shall be provided, at 1 ½ times to landscape requirements, to buffer and screen commercial uses from adjacent residential uses and zoning districts, including additional perimeter and street-frontage landscaping along rights-of-way, streets, roads, or highways, to offset the reduced setback and promote visually pleasing commercial development.