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**CITY OF EUREKA SPRINGS
BOARD OF ZONING ADJUSTMENT AGENDA
SPECIAL MEETING
Tuesday, April 23, 2024 3:00 p.m.
AUDITORIUM BASEMENT, 36 S. Main St.**

PUBLIC HEARING: None.

**ROLL CALL - ESTABLISH QUORUM
PLEDGE OF ALLEGIANCE**

BOARD OF ZONING ADJUSTMENT

Approval of Agenda

Public Comments - General

Unfinished Business:

1. **Tree Cut Removal Permit - 115 E Van Buren - Buford, owner** - application to remove five trees from the property

Adjournment

BOZA/PLANNING COMMISSION STAFF REPORT

REGULAR MEETING April 9, 2024

Property Address: 115 E Van Buren

Property Owner: Tom Buford

Applicant: same

Application: Tree Cut Application

Summary of Facts as presented on Application:

1. property located in C2, Contemporary Commercial Zone
2. seeking to remove 5 trees from property to allow for improvements and allow for conforming use of property

Applicable Eureka Springs Municipal Code:

- Ordinance 2345 (2024): 7.56.06: "Criteria Supporting Tree Removal" C: tree is damaging or interfering with existing structures, site improvements, and utility services.
- Ordinance 2345 (2024): 7.56.06: "Criteria Supporting Tree Removal" D: removal of the tree is needed in order to construct improvements or otherwise allow conforming use of the property.

Staff recommendation: Approval

Sample motion: I move that the Eureka Springs Board of Zoning Adjustment approve the tree removal permit application proposed at 115 E VanBuren based on the agreed upon Summary of Facts as presented.

Approved: _____yes _____No

City of Eureka Springs Board Of Zoning Adjustment
APPLICATION FOR TREE REMOVAL PERMIT APPEAL

Name of Applicant T. A. BUFORD REV. TRUST
Address 32 DOGWOOD RIDGE E.S. AR. 72632
Phone 870-241-8232 Email TOM BUFORD @ COX . NET
Name of Property Owner if different than Applicant _____
Address _____

Address and/or Legal Description of property where tree removal is proposed _____
115 EVAN BURAN E.S. AR. Zoning District C-2

Number of trees to be removed with base diameter of 4" (inches) or more 5
An antique tree is any tree over fifty (50) years of age or with a minimum diameter of 36" (inches) measured four and one-half feet above grade. Are any antique trees to be removed? NO
Reason for tree removal request WISH TO FILL AREA
WHERE TREES ARE LOCATED.

At the time of filing this application, the following exhibits must be provided to the Board of Zoning Adjustment, plus a Tree Removal Permit processing fee of \$20.00 4.00

- ☒ 1. The completed application.
- ☐ 2. The denied Tree Cut Permit from the Building Official.
- ☒ 3. A plan or diagram locating all living trees distinguishing which trees are proposed for removal or destruction, and the location of any existing or proposed structures.
- ☒ 4. Provide current photographs of property and existing structures.

I certify that I have read and understand Sections 7.56.01 – 7.56.10 of the Eureka Springs Municipal Code (attached) which apply to the application for which I am seeking approval. I further certify that all of the information furnished is correct to the best of my knowledge.

Signature of owner if other than applicant _____ Applicant's signature Tom A. Buford Date 3-20-2024
TRUSTEE

Report of Tree Removal Permit Appeal to Board of Zoning Adjustment

Public Hearing Date _____
The Board of Zoning Adjustment of the City of Eureka Springs met in _____ regular _____ special session on _____ to review the above application.
The application was _____ Approved _____ Denied with _____ ayes, _____ nays and _____ abstentions.
Comments & Conditions: _____

Board Secretary

Board Chairman

Date
Revised 11/21/12



CITY OF EUREKA SPRINGS

Building & Safety Department

Inspection - Permits - Licensing - Planning - Enforcement

44 S. Main St. Eureka Springs, Ar. 72632

Ph. 479-253-9703 Fax 479-253-6967

PERMIT APPLICATION

No. _____

Notice: Permit will not be issued or valid until all fees are paid and all approvals needed are final. Applicant agrees to abide by all codes and ordinances of and adopted by the City Of Eureka Springs, all State and Local licensing requirements, and all procedures and regulations of each department and commission of The City Of Eureka Springs, Ar.

Date 3-20-2024 Permit Address 115 E. VAN BUREN Zone C-2 HDC ☒
Applicant Name T.A. BUFORD REV. TRUST Phone 870-261-8232
Property Name _____ R _____ C _____ Phone _____
Work Requested REMOVE TREES

| | | | | | | | |
|--|-------|-----------------------------|-------|---------------|-------|-----------|-----------|
| Sign (sq. ft.) | _____ | Value @ | _____ | @ \$.50 = \$ | _____ | + \$ 20 = | _____ |
| Construction (sq. ft.) | _____ | | | @ \$.20 = \$ | _____ | + \$ 30 = | _____ |
| Renovation (value) | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Roofing (value) | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Electrical (value) | _____ | Rough _____ and Final _____ | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Plumbing (value) | _____ | Rough _____ and Final _____ | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| HVAC (value) | _____ | Rough _____ and Final _____ | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Wall/Fence (value) | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Walk/Pave (value) | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Fill/Excav. (value) | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Landscape (value) | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Insulation | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Drywall | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Sheating | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| T-Pole | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Pre-Pour | _____ | | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Water & Sewer | _____ | Rough _____ and Final _____ | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Gas | _____ | Rough _____ and Final _____ | | @ \$5/k = \$ | _____ | + \$ 30 = | _____ |
| Demo Permit | _____ | | | | | + \$ 50 = | _____ |
| Permit Extension (Max. 180 days) | _____ | | | | | + \$ 30 = | _____ |
| Certificate of Occupancy (residential \$30 - commercial \$50) | _____ | | | | | | _____ |
| Other Inspection (for) | _____ | | | | | | _____ |
| Special Permit (for) | _____ | | | | | | _____ |
| Tree Cut Permit # of Trees <u>5</u> Type of Trees <u>MAPLE, CILANARY, HATHAWAY</u> | | | | | | + \$ 20 = | <u>40</u> |
| Reason for Removal <u>ENLARGE SITE</u> | | | | | | | _____ |
| Older than 50 yrs. or has historical value _____ larger than 36" dia. _____ | | | | | | \$ | _____ |
| I have given my approval _____ I have denied my approval _____ | | | | | | | _____ |
| Reasons for denial _____ | | | | | | | _____ |
| Action Recommended _____ | | | | | | | _____ |

Applicant Signature

Tam A. Buford Trustee

Building Official

Date Permit Issued



1

#1

2-3

2 + 3



#4

4



H
5



H
5

The site is .69 acre, and the area of the building is about .29 acre.

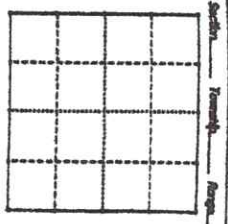
The remaining .40 acre is a ravine that is heavily wooded with several different trees, including a large growth of forsythia bushes.

Removing the five trees will have a small impact on the remaining trees.

The reason for the removal is to allow the area to be utilized for additional parking and enlarge the yard behind the house by adding fill.

Due to the steep ravine, I would like to cut the trees four feet above the ground and utilize the trunks to help hold the fill.

Pebbles Addition



| | | | | | |
|---|--|----------------------------------|--|--|----------------------------|
| Joe Zickmund Charles Edwards | | SCALE: 1" = 60' DATE: 4-20-04 | | APPROVED BY: Gerold Forrester, P.L.S. | DRAWN BY: RGA REVIEWER: |
| Basis of Bearing: O.M.S. survey filed in Cal. A. S. 1951. | | | | | |
| D.P.A.'s Surveying Co., Inc. P. O. Box 369 Merrillville, Arkansas 72667 | | | | DRAWING NUMBER: 21666 | |

A part of The Pueblo Addition to the City of Durango Springs, Garret County, Arizona, and being more particularly described as follows: Beginning at the point of intersection of the intersection of said Street and Duran Street for the point of beginning, to the corner of said Duran Street, N 21°07' E, 222.70 feet to a hard iron pin, thence S 83°29' E, 164.85 feet to a found iron pipe, thence along the street to the corner of said Duran Street, S 83°29' E, 173.94 feet, thence S 70°03' E, 172.56 feet to a set iron pin, thence S 73°47' E, 107.22 feet to a set iron pin, thence along the north side of Duran Street, S 73°47' E, 184.88 feet to the point of beginning, continuing the same course along the north side of said Street, S 73°47' E, 184.88 feet to the intersection of said Street and Pueblo Alley, located between West Street and Pueblo Alley.

Tract B:

A part of The Pueblo Addition to the City of Durango Springs, Garret County, Arizona, and being more particularly described as follows: Beginning at the point of intersection of the intersection of said Street and Duran Street for the point of beginning, to the corner of said Duran Street, N 21°07' E, 222.70 feet to a hard iron pin, thence S 83°29' E, 164.85 feet to a found iron pipe, thence along the street to the corner of said Duran Street, S 83°29' E, 173.94 feet, thence S 70°03' E, 172.56 feet to a set iron pin, thence S 73°47' E, 107.22 feet to a set iron pin, thence along the north side of Duran Street, S 73°47' E, 184.88 feet to the point of beginning, continuing the same course along the north side of said Street, S 73°47' E, 184.88 feet to the intersection of said Street and Pueblo Alley, located between West Street and Pueblo Alley.

Certificate of Surveyor:

I hereby certify the attached plat is a true representation of a survey performed under my supervision on the 16th day of November, 2004.

Signature: