

Planning & Zoning Commission

March 11, 2026

6:00 P.M.

Bull Shoals City Hall

Meeting was opened by Chairman Rick Anderson at 6:00 p.m. Pledge of Allegiance was recited by all.

Commissioner Attendance. Scott Scholes, John Stauffer, Rick Anderson, Keith Hilburn, Merle Fawcett and Scott Galliard.

Approval of Minutes. Minutes from the February meeting were reviewed. Merle made a motion to approve the minutes, Scott G. seconded the motion. Motion was unanimously passed to approve the February minutes.

Board of Adjustment. There are no future meetings scheduled for the Board of Adjustments. The Planning & Zoning Commission meeting was suspended at 6:03 to open the Board of Adjustment for discussion, review and approval of their February 11 meeting.

Planning & Zoning Commission reopened and resumed their meeting at 6:04.

New Business - Regulations of Residential Buildings. Rick distributed information from the State of Arkansas regarding regulations of residential buildings. It says we cannot regulate how big a structure is. In Section H, under no.1 it states "everything used in this element means exterior", so we cannot regulate the size. Both our R1 and R2 zones have 925 sq. ft. minimums. We'll probably need to remove that language.

Merle asked if this regulation is for tiny homes? Rick said this is for all homes. According to this information, we don't have the right to regulate how big any homes are coming in.

Merle thought that tiny homes had regulations just for tiny homes and add-ons to the property. Rick said that was the bill they passed for mother-in-law apartments which regulated the maximum size they could be. It was for a separate building or an addition for a second home on a residential. With R1 you're actually only allowed one building. Now they are allowing a second one, he presumes for income.

Merle asked if this means we're not going to have any restriction on any lot about how big or small it can be? Rick said according to this new information, we're not allowed to regulate the minimum square footage of a structure. Merle asked if this means someone can buy a storage shed, set it on a property and then say it is a house? Rick says yes, but it would have to have sewer, water and all the hookups. That's what some resorts are doing. A lot of resort rooms are 300 or 400 square feet, which is smaller than a tiny home.

Scott S. said the information also says we can't regulate the offsets, the height, the natural ordinances we have within the city, so the lot can contain an overly large dwelling too. If it's a 6,000 square foot lot and one puts a 4,500 square foot house on the property, with a garage and everything, that will be allowed.

Merle commented that if you have a half million dollar house and somebody parks a shed next to it and calls it a house, that doesn't seem right. Rick said this regulation was updated in 2024. It's the newest he could find. Keith and Merle thought they had tabled these house regulations at the state. Rick said that they did, however, there was already a rule saying that we cannot have a minimum. It's confusing and he's having a hard time understanding where the state is coming from.

New Business - Travel Trailer Parks. Rick said that both code books have a very specific definition of what they consider as a travel trailer park, but nowhere else in our code book do we allow travel trailer parks. It does not fit any zone. Merle said that we have one here already, by Laura's Mexican Kitchen. Merle wanted to know if we can get the owner to fix it up a bit? Their water and sewer lines are not up to code. They only have a 3" sewer line feeding the RV's. Rick said that a lot of those type of violations are city ordinances, not Planning & Zoning. We'll have to bring that to the City's attention.

Old Business - Changes to Our Codes. Rick announced for those that weren't at the council meeting, our codes changes have been approved and have gone through one reading already. They have to go through two more readings which will happen the next two months. After that our code changes will be official. The city council unanimously approved them.

Resort Violation Letters. Everyone received a copy of another complaint that was submitted. Rick said we have some unhappy people in another one of our neighborhoods. The complaint was in petition form and included a fair number of signatures. He said that Planning & Zoning has already sent out two violation letters to two other resorts that are operating as apartments. They are now waiting for those resorts to respond. What was

concerning about this new complaint is how they are blatantly advertising apartments, which is not allowed in C4 zones. Our city attorney was specific about the apartment issue in his last clarification sent to council meeting.

Merle felt that this resort has been actively ignoring Planning & Zoning.

Scott G. thinks it's obvious what the resort's intentions are. Everyone agreed it is time to stop these resorts from doing as they please outside the codes. The Commissioners have been hearing about these violations since long before they joined Planning & Zoning together. Scott S. said the city needs us, the council and the mayor to all be on the same page so we can enforce the codes. We have given this resort a chance to come and talk, and they don't talk. I agree I think it's time for enforcement.

Scott G. said the resort keeps moving forward with their advertising for long term apartment rental. It's become aggravating. He feels that's where we need to start. If we let them keep doing it, then everybody will be doing it. If we send a violation letter, maybe we can finally get the owner to come in and talk with us.

Rick reminded everyone what the attorney wrote regarding the resorts. He made it clear several times, resorts have to act like resorts. You can't advertise for apartments and then claim it's a resort. As far as what violation to charge them with, I can tell you that at least one apartment they advertised as empty and ready has now been rented. Talk is this tenant brought in her own furniture and furnishings. Can they prove to us that he did not rent it as an apartment since they advertised it as an apartment with a deposit.

Danny Caldwell gave a report of sending the certified letters to two other resorts and the current status of each. The fire chief and police chief were both involved in investigating complaints of residents in the Lakeside Dreams neighborhood. Danny was supposed to meet with that owner the previous Monday but did not show up. No response has been received from either resort.

Rick said this brings up another problem coming in the near future. We've been sending registered letters to the resort owners so we know they received their notices. But we've also been asked by city hall to start enforcing sign ordinances now. We have a lot of businesses that are closed with their business signs still up. That's against our sign ordinance. It's going to get expensive sending out violation letters at \$11 each. Do we keep sending out letters and do we still give people 30 days to comply? Or do we skip the violation letter and just send out citations?

Rick said they can but if it's a Planning & Zoning issue, we're in charge of it. The City is in charge of their own ordinances like cleaning up the yard, cutting the grass and that sort of thing.

Rick said that many of them, like the restaurant, the realtor can take care of that. All they have to do is call the realtor and tell them the sign needs to come down. If a business is for sale then they have to put a "closed - for sale" sign up. If the business is not for sale then the sign comes down. Our sign ordinance is quite clear on the protocol. Merle says that if that is clear, then we need to move ahead. Scott S. agrees we should start red tagging them.

Rick thinks this may even include the trailer park by Laura's. They have partial signs around their pool. Even though its plywood and it's a Gaston's sign that's been cut in half, you can still see what it is. As far as I'm concerned that's a sign. It either gets painted or it comes down. These are things that we need to do and that's where Planning & Zoning comes in. As far as cleaning up a yard, that's a city ordinance. John said we rarely enforce these ordinances at all. Our chief of police is very adamant about getting started on these complaints.

Scott S. says if we clean up the town real nice, when tourists come for a visit, they might like it enough to buy a summer home, etc. We can stop getting the reputation as the eyesore of the state.

The group concluded that enforcement is needed to make it a level playing field and start cleaning up what we can. Scott S. wanted to make a motion that we hand enforcement over to the chief of police and to Danny and get it moving. Rick reminded them that our codes state we have to do through Danny. The city ordinances have to go through the chief of police.

Federal Manufactured Home Standards. Rick has not had time to look into this further since last meeting. He's not sure we really need it in our code book. It's there and we might as well leave it there. It's the standard that's been out there for 30 or 40 years. Merle asked if there was anything in there about how old a trailer can be? Keith said the limit was once at 5 years. Then it went to 10. Scott S. made comment that we have enough really old trailers in town. Rick thinks we need to get some language in the book because in our definitions for manufactured home it used to have a sentence that read "in addition, no manufactured home shall be installed that is older than 5 years from the date of the manufacturer as of the date of the proposed installation and/or has been previously

occupied". Basically, it says that and for some reason it was deleted in 2010. I have no explanation why it was taken out. Rick said something happened back in 2010 and we don't know what. We may want to also include travel trailers. Merle said we currently have people living in travel trailers that sit right next to their house and that should not be allowed. Merle said he can tell us where two of them are right now. Rick states we need to find the language to put into our code book. Merle says these campers have people living in them and that's it.

Scott S. said he read five years from the date of manufacture. Scott S. states that is the only definition that we have. Rick tells everyone that on the very next page is the ordinance. Scott S. reads that it says "according to Arkansas statute" and it names the statute. Be it ordained by the Council of Bull Shoals. They obviously deleted it and there's no statement why. Rick cannot find any minutes of meetings that go back past 2021. They don't exist.

Building Official Comments. Danny wanted to explain his job to the group. He said that building inspectors tend to get a bad rap as villains but he's not. He's not here to hurt people. He's here to help people. He doesn't like the little guy being hurt. But we have so many zoning problems, and we have to stay on top of that. He gave some examples of different situations and scenarios that occur when he makes inspection visits, with both the owners and the contractors.

Danny talked about our Main Street. He'd like us to pass an ordinance to make the closed businesses have curb appeal. The owners need to fix their buildings up. For example, Village Mart, the roof has been off that building for a long time and it looks terrible. When people pull out of Harps they see that. It's getting old to look at. Not a citizen in this town wants to see that garbage. Everybody's griped about it. We need to pass something saying that they need to take care of this. Clean it up. They should put a for sale sign. If you're not going to sell it, at least give it curb appeal. I want to help you do that. People respond by threatening lawsuits. We don't have to be scared of a lawsuit. I know we need a good attorney to do that.

Rick wanted to clarify that Danny actually has two jobs. One is the building inspector but he's also the building official. As far as Planning & Zoning issues, we deal with the building official. Danny is the one that enforces our codes for us. We have nothing to do with the building inspector part of his job, but the building official is very important to us. Rick told Danny the Commissioners appreciate everything he does.

Scott S. had a question for Danny from the examples he had given, are most of these people taking permits? Because permitting the work is supposed to be done. Danny said yes, they are permitting the work. But a lot of times there is a catch. They will call Danny about coming in to get a homeowners permit. The homeowner can get any kind of permit they want. As long as the homeowner does the work, everything is legal. What sometimes happens is the contractor talks the homeowner into getting the permit before they do the work. If something goes wrong the homeowner is screwed.

Merle asked if inspections were done throughout the build? Do they call him to have a look at it in progress? Danny said yes, inspections are done on the new construction.

Danny said he had a conversation with the caretaker of the Village Mart and she told him the roof is not repaired because they didn't receive the insurance payout. Danny called the insurance commissioner the very next day and they said that as taken care of many years ago. A lot of people aren't aware of that.

Rick thanked Danny and said he greatly appreciates his working with the city to get these things taken care of. And thank you for helping us move our code enforcement forward for everybody in the city. Danny says he'll keep working with us on all of that.

Commissioners Feedback. Rick listed a few things that need to be looked into for the next meeting so the Commission can move forward. Merle asked if the city has a "beautifying the town" type thing in our ordinances or is that the city council's oversight. Rick says Planning & Zoning does not have anything like that. That would be city council item. Merle thinks we should suggest something to the city council. Scott S. suggests that would be the maintenance department's purview and everyone laughed at Merle's expense.

Keith announced that before they adjourn that they set in stone we'll start sending red tags out, start fining violators, and begin cleaning up the city. All agreed.

Keith made a motion to adjourn. Merle seconded the motion. All were in favor and motion to adjourn passed unanimously.

Respectfully submitted,  
Peggy Anderson  
Secretary, Pro Tempore