



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

**BOARD OF ADJUSTMENT
MINUTES
August 12 2021**

MEMBERS PRESENT:

Hunter Fry
Josh Allen
Hannah Cicioni
Aaron Smith
John Schmelzle

STAFF ATTENDING:

John McCurdy, Community Development Director
Lori Ericson, Zoning Administrator
Gloria Garcia, Zoning Technician
Karen Perez, Zoning Technician

Chairman Hunter Fry called the meeting to order at 4:00 pm. for a hybrid zoom/in-person session

NEW BUSINESS

Recognizing there was no representative in attendance for the Crestwood Homes request, Chairman Fry elected to move on to the second item on the agenda.

1. (VAR 21-28) A request by Matt Lewis to allow a rear setback reduction at 6140 W. Knoll View Way in the RSF-5 (Residential Single Family, 5 units per acre) zoning district.

Zoning Tech Gloria Garcia presented the staff report, recommending consideration of the request:

- The site plan provided proposes a reduction of the 20' rear setback to 17'4" for a new deck.
- The applicant doesn't specifically list a hardship on the application, but states the reduction is needed to build the new deck using the same footprint as the original deck.
- Staff recommended consideration of the request since the setback reduction would be minimal and there had been no complaints from neighbors about the location of the previous deck.

Matt Lewis stated the original deck was destroyed in the tornado about 18 months prior. He said the plan is to replace it in the exact location of the previous deck.

Chairman Fry opened the public hearing. There were no public comments and the hearing was closed.

Hannah Cicioni stated she supported the reduction since the deck would be going in the same location as that destroyed in the tornado.

Motion by Cicioni to APPROVE the variance. Second by Schmelzle.

Voice vote: YES – Unanimous **Motion carried**

APPROVED

2. (VAR 21-27) A request by Crestwood Homes, LLC/Barry Cooksey to allow an exterior side setback reduction at 1308 W. Fir Street in the R-SF (Residential Single Family) zoning district.

Zoning Tech Karen Perez presented the staff report, recommending consideration of the request:

- The 30-foot exterior side setback also serves as a utility easement per the final plat for the Clower subdivision.
- The site plan provided proposes a reduction of the 30-foot exterior side setback to 24 feet for a new house with three-car garage.
- The applicant states that when the subdivision was designed the two corner lots on Fir Street were not made large enough to build a house with a three-car garage.
- Staff believes the dimensions of the lot were likely known prior to its purchase and construction plans were solidified.
- Staff would also note that this is one of four lots that border the subdivision's two entrances.
- Staff has not identified any circumstances unique to the individual property where strict enforcement of the zoning ordinance would cause undue hardship.
- If approved, a recorded setback/easement reduction survey will be required prior to filing for a building permit.

Chairman Fry asked if anyone was present to represent the request. There was no response.

Chairman Fry opened the public hearing. There were no public comments and the hearing was closed.

Cicioni stated that she would be more comfortable delaying discussion until a representative is present. She suggested it be tabled. Chairman Fry agreed.

Motion by Cicioni to TABLE the variance. Second by Smith.

Voice vote: YES – Unanimous **Motion carried**

TABLED

ACTION ON MINUTES

Previous minutes: July 8, 2021

Motion by Smith to accept the prepared minutes for the July 8, 2021 meeting of the Board of Adjustment as presented. Second by Cicioni.

Voice vote: YES - Unanimous **Motion carried**

APPROVED

OTHER BUSINESS

ADJOURNMENT

Meeting adjourned at 4:12 pm. by Chairman Fry.

As recorded by:

Lori Ericson

Zoning Administrator

Community Development Department

City of Rogers

Approved by vote of the Board of Adjustment on: Sept. 23, 2021