



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
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**BOARD OF ADJUSTMENT
MINUTES
September 23, 2021**

MEMBERS PRESENT:

Hunter Fry
Josh Allen
Hannah Cicioni
Aaron Smith
John Schmelzle

STAFF ATTENDING:

John McCurdy, Community Development Director
Lori Ericson, Zoning Administrator

Chairman Hunter Fry called the meeting to order at 4:00 pm. via Zoom.

NEW BUSINESS

- 1. (VAR 21-31) A request by David Sadler to allow an increase in maximum height for an accessory structure in the R-SF (Residential Single Family) zoning district at 1206 W. Cherry Street.**

Zoning Administrator Lori Ericson presented the staff report, recommending consideration of the request:

- Accessory building height is limited at 16 feet in the R-SF zoning district.
- The garden tower is planned with a platform height of 16 feet and a height to the top of the roof of 27 feet. The structure will be a total of 96 sf.
- The applicant doesn't cite a hardship basis for varying from city code but states that the garden tower will be for the property owner's personal use and believes it will not negatively impact any neighbors.
- Staff would note that the lot is 0.25 acres with the proposed garden tower to be built 38 feet from the east side property line, 41 feet from the west side property line and 41 feet from the rear property line, resulting in little to no impact for neighboring property owners.

Homeowner David Sadler explained that he'd like the garden tower to be high enough that he can enjoy the skyline above his house. He noted that he spoke with neighbors about the plan and none had any objections.

Board members discussed the height of Sadler's house, and the possibility of reducing the planned height of the tower. Sadler said it could be built shorter but he might not be able to get the full impact he'd hoped for viewing the skyline.

Hannah Cicioni questioned what the Board should consider a hardship.

Schmelzle said he also struggled to see Lori Ericson noted that it's a subjective question that isn't as clear in the case as it is with some setback issues, etc. She said the fact that he can't enjoy the tower the way he hopes could be considered a hardship for Mr. Sadler.

After questioning Sadler about the height of his house, Cicioni agreed that the peak of the house would interfere with the hoped for view, and stated she could get behind approval of the variance with consideration of the house height as hardship,

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

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

APPROVED

ACTION ON MINUTES

Previous minutes: August 12, 2021

Motion by Schmelzle to accept the prepared minutes for the August 12, 2021 meeting of the Board of Adjustment as presented. Second by Smith.

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

APPROVED

OTHER BUSINESS

ADJOURNMENT

Meeting adjourned at 4:17 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: 10-28-2021 le