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

BOARD OF ADJUSTMENT MEETING AGENDA
MAY 12, 2022
4:00 PM

DATE: MAY 12, 2022
LOCATION: CITY HALL, 301 W. CHESTNUT STREET
REGULAR SESSION: 4:00PM
ONLINE VIEWING: HTTPS://US02WEB.ZOOM.US/J/86234962969

AGENDA

CALL TO ORDER:

ROLL CALL:

NEW BUSINESS:

1. (VAR 22-16) A request by Mandy Leesch to allow a reduction of the rear and side setbacks at 1301 N. Flamingo Rd in the RSF-5 (Residential Single Family, 5 units per acre) zoning district.

    - *STAFF: Christina Moore*
    - *REPRESENTED BY: Mandy Leesch*

2. (VAR 22-17) A request by Peder & Laura Berg to allow a reduction of the rear setback at 623 W. Olive St., in the R-DP (Residential Duplex Patio) zoning district.

    - *STAFF: Kyle Belt*
    - *REPRESENTED BY: Peder & Laura Berg*

3. (VAR 22-18) A request by Founders Classical Academy of Rogers to allow a LED sign in the A-1 (Agricultural) zoning district.

    - *STAFF: Karen Perez*
    - *REPRESENTED BY: Brad Chilcote*

4. (VAR 22-19) A request by Cathy Carter to allow a reduction of the rear setback in the 5611 W. Murfield Dr. in the R-SF (Residential Single Family) zoning district.

    - *STAFF: Zachery Birdsong*

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- *REPRESENTED BY: Cathy Carter*

5. (VAR 22-20) A request by Carolyn Campbell to allow an increase in height for an ADU at 104 Betsy Ln. in the R-SF (Residential Single Family) zoning district.

    - *STAFF: Justin Couch*
    - *REPRESENTED BY: Carolyn Campbell*

ACTION ON MINUTES:

1. Draft of April 14, 2022 meeting minutes

ADJOURN:

COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

MEETING DATE
MAY 12, 2022

TO: BOARD OF ADJUSTMENT

RE: **STAFF SUMMARY REPORT**
VARIANCE – #22-16 LEESCH
PL202200352

STAFF: CHRISTINA MOORE, PLANNER I

REQUEST DETAILS

ADDRESS/LOCATION:	1301 N Flamingo Rd. / 02-09927-000
SUBDIVISION:	0.26± acres
CURRENT ZONING:	RSF-5 (Residential Single-Family, 5 units per acre)
APPLICANT/REPRESENTATIVE:	Mandy Leesch
PROPERTY OWNER:	Mandy and Nicholas Leesch
NATURE OF REQUEST:	Approval of Rear and Side Setback Reductions
AUTHORITY:	Sec. 14-724, Rogers Code of Ordinances

SUMMARY

This request is to allow a 2.5’ reduction of the side yard setback and a 12’ reduction of the rear yard setback for the placement of an office/shed structure that is 10’ by 12’ wide and 12 feet high.

Community Development recommends **Approval** of this request.

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

1. BOARD OF ADJUSTMENT DUTIES PER SEC. 14-724(e)(1):
   a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
   b) Hear requests for variance from the literal provisions of the zoning ordinance in instances where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning ordinance.

2. SUBJECT REQUEST:
   a) The applicant requests the following variances:
      i) Reduction of the 7.5' side yard setback to 5', varying from Sec. 14-699(f)(2)(b);
      ii) Reduction of the 25' rear yard setback to 13', varying from Sec. 14-699(f)(2)(b).

3. GENERAL FINDINGS:
   a) Rear setbacks are set out in Rogers Sec. 14-699(f)(2)(d), at 20 feet for the R-SF zoning district.
   b) Side yard setbacks are set out in Rogers Sec. 14-699(f)(2)(d), at 7.5 feet for the R-SF zoning district.
   c) The Final Plat of Whispering Timbers Phase 7, recorded January 6, 1988 establishes the rear setback at 25 feet and the side yard setback at 7.5 feet for lots within the subdivision.
   d) A variance was approved in 2017 for a rear setback reduction from 25 feet to 7.5 feet for the property that directly abuts the applicant's property at 1300 N Quail Terrace. The proximity and height of this structure makes this infringement insignificant.
   e) The applicant states a Cox fiber line prevents the proposed structure from meeting the 7.5' side yard setback requirement.
   f) The proposed structure could be moved closer to the interior of the yard to meet setback requirements; however, the proposed location allows them to maximize yard space and avoid existing underground utilities. This would leave room for a proposed pool the applicant plans for the future.
   g) If approved, a recorded setback reduction survey will be required prior to filing for a building permit.

4. ZONING:
   a) *R-SF (Residential Single-Family):*
      The purpose and intent of the R-SF zoning district is for "single-family detached dwellings at low residential densities. Certain other structures and uses necessary to serve governmental, educational, religious, recreational, and other needs of neighborhood areas are allowed as permitted or conditional uses subject to restrictions intended to preserve and protect the single-family residential character of the district. Internal stability, harmony, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and by consideration of proper functional relationship and arrangement of the different uses permitted in this district." (Sec. 14-706(a)).

5. PUBLIC INPUT RECEIVED:
   Staff has not received any comments from the public regarding this request.

6. RECOMMENDATIONS:
   a) Staff recommends **Approval** of this request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

1. *IF APPROVING AS PRESENTED*:
   Move to approve the request as presented**.**
2. *IF APPROVING SUBJECT TO OTHER ACTIONS*:
   Move to approve the request subject to [conditions or contingencies].
3. *IF DENYING*:
   Move to deny the request as presented.
4. *IF TABLING*:
   Move to table the request as presented [indefinite or date certain].

TABS

1. Vicinity map (aerial)
2. Variance application with required supplements

AERIAL VICINITY MAP

ZONING VICITY MAP

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

OFFICE USE ONLY

Permit Fee: _____ ($100)

Zoning: RSF-5

App Number: 22-16

CityView Application: PL202200352

Date: 4/13/22

VARIANCE APPLICATION

APPLICANT: Mandy Leesch

ADDRESS: 1301 N Flamingo Rd. SUITE #: _____

GENERAL LOCATION OF PROPERTY: North block of Flamingo Rd., Rogers

PHONE #: 573-275-7006 EMAIL: m.m.leesch@gmail.com

PROPERTY OWNER: Mandy Leesch PHONE #: 573-275-7006

REQUEST to ALLOW: 2.5 ft. encroachment of side setback, 7ft encroachment of rear setback for proposed Office/Shed structure. Part of the structure will be finished for husbands remote job, remaining structure to be unfinished to hold outdoor lawn care equipment.

HARDSHIP JUSTIFICATION to VARY FROM CODE: To maximize remaining open space of yard for future family pool and additional trees, while also avoiding any existing in-ground utilities. Previous owners had several large trees removed, we wish to replant. Existing COX fiber line prevents the proposed 12 ft - wide structure from meeting the 7ft side setback, requiring 2.5 ft encroachment. Rear encroachment of 7 ft is maximum encroachment to avoid existing utilities.

Mandy Leesch 4.12.2022

Applicant Signature Date

Attachment Checklist:

- ☐ Legal description of property
- ☐ Survey, elevations, sign proofs and/or other documents as needed to illustrate request

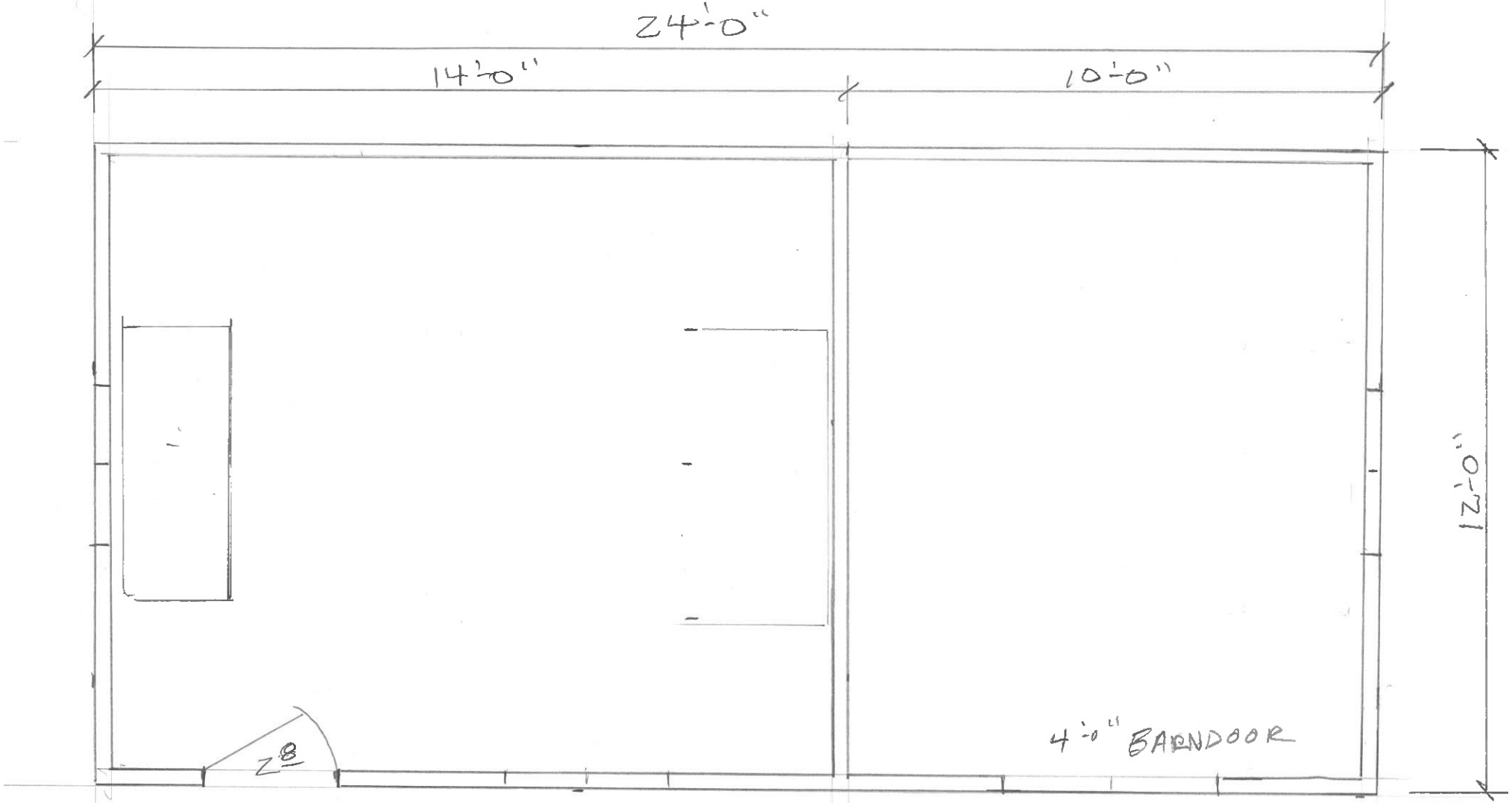
PLANNING STAFF PROVIDES:

DATE FILED: 4/13/22 PUBLIC HEARING DATE: 5/12/22

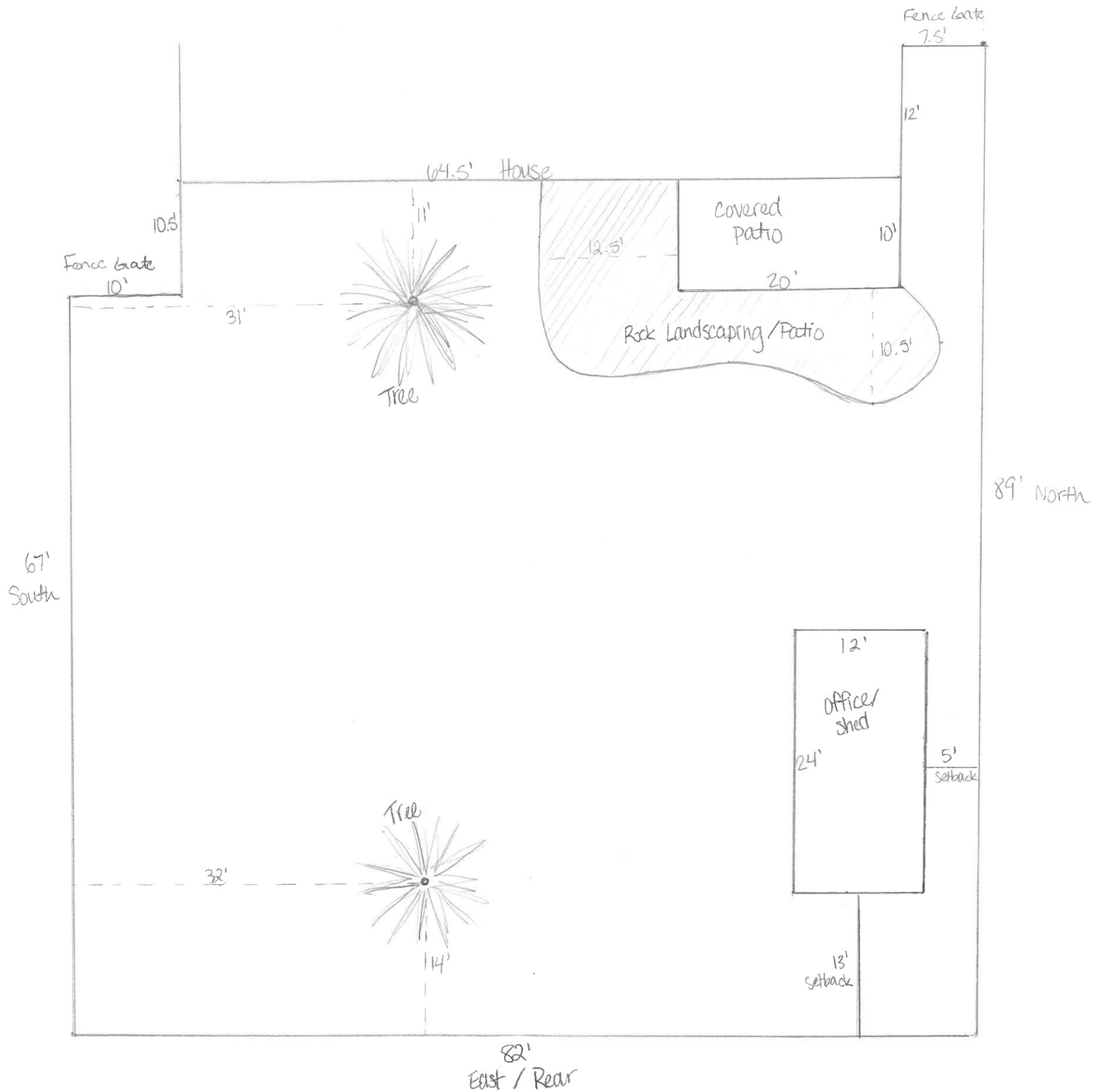
BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT DATE

BARN
DOOR



3/8 N


Fence Gate
7.5'
12'
64.5' House
10.5'
11'
Covered Patio
10'
12.5'
20'
Fence Gate
10'
31'
Rock Landscaping / Patio
10.5'
Tree
89' North
67'
South
12'
Office/ Shed
24'
5'
Setback
Tree
32'
14'
13'
Setback
82'
East / Rear
N

2/32

COX Fiber Line

COX Fiber Line

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the **Rogers Board of Adjustment** on **May 12th, 2022** at **4:00 p.m.** at Rogers City Hall regarding an application by **Mandy Leesch** under the provisions of the City of Rogers Code of Ordinances, for a variance **to allow a reduction of the rear and side setbacks** at **1301 N. Flamingo Rd.**, in the RSF-5 (Residential Single Family, 5 units per acre) zoning district more particularly described as follows:

PARCEL NUMBER:
02-09927-000

LOCATION:
1301 N. Flamingo Rd.

Matt Loos, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **Sunday May 1, 2022**
BILL THE CITY OF ROGERS

NOTICE OF PUBLIC HEARING

COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

MEETING DATE
May 12, 2022

TO: BOARD OF ADJUSTMENT
RE: **STAFF SUMMARY REPORT**
VARIANCE – #22-17 Peter & Laura Berg
PL202200365

STAFF: Kyle Belt, Planner I

REQUEST DETAILS

ADDRESS/LOCATION:	623 W. Olive St.
SUBDIVISION:	N/A - 0.9± acres
CURRENT ZONING:	R-DP (Residential Duplex and Patio Home); RSF-8 (Residential Single Family, 8 units per acre – requested location to be reduced)
CURRENT USE:	Single-family Dwelling
REPRESENTATIVE/APPLICANT:	Peder Berg
PROPERTY OWNER:	Peder and Laura Berg
NATURE OF REQUEST:	Reduce north and east setbacks
AUTHORITY:	Sec. 14-724, Rogers Code of Ordinances

SUMMARY

This request is to allow a reduction of the north and east setbacks for a pool house/garage detached building.

Community Development recommends **Approval** of this request. However, if approved the applicant shall be required to dedicate the prescriptive right-of-way.

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

1. BOARD OF ADJUSTMENT DUTIES PER SEC. 14-724(e)(1):
   a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance, Chapter 14, and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
   b) Hear requests for variance from the literal provisions of the zoning ordinance in instances where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning ordinance.

2. SUBJECT REQUEST:
   a) Reduction of the 20' rear north setback.
   b) Reduction of the 30' exterior side east setback.

3. GENERAL FINDINGS:
   a) Rear and exterior side setbacks are set out in Rogers Sec. 14-699(f)(2), at 30 feet for the RMF-8 zoning district.
   b) The applicant cites a hardship of having to demolish and replace/relocate an existing concrete slab for the pool house/garage.
   c) If approved, a recorded setback/easement reduction survey will be required prior to filing for a building permit.
   d) Staff has identified the following circumstances unique to the individual property where strict enforcement of the zoning ordinance would cause undue hardship.
      - Per the attached recorded survey plat, a part of the original property is currently located in the street immediately to the east with the right-of-way sitting inside the displayed property line – this creates a hardship for the applicant as this created the illusion of usable property that should have been dedicated at the time the right-of-way was established to create a correct property line.
      - Additionally, the part of the property zoned RSF-8 is an existing non-conformity that was present when the home was purchased by the applicant as it does not meet the dimension and access standards for Residential Single Family given the total area of the subject property that is zoned RSF-8.

4. ZONING:
   a) *RSF-8 (Residential Single Family, 8 units per acre)*

   The R-SF district, per Rogers Code Section 14-699, is intended primarily for single-family detached dwellings at low residential densities.

5. PUBLIC INPUT RECEIVED:

   To date, staff has received 4 letters from the public supporting this request.

6. RECOMMENDATIONS:
   a) Approve the request.
   b) Add the Condition that if this setback reduction is approved, the applicant shall dedicate the prescriptive right-of-way and adjust the property line accordingly. The ROW dedication shall be shown on the Building Setback Reduction survey plat.

DIRECTOR'S COMMENTS

1. Agree with recommendation.

JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

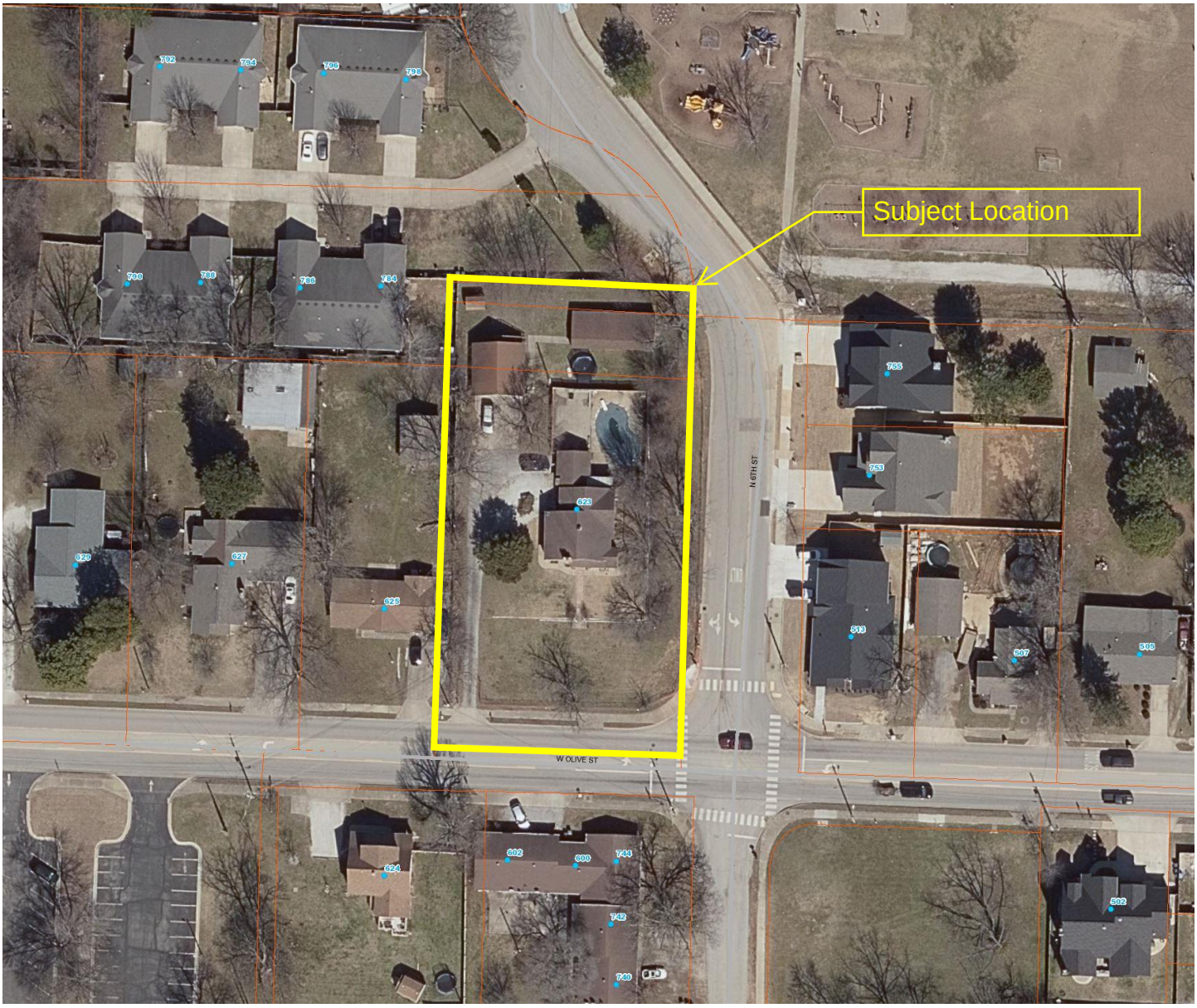
1. *IF APPROVING AS PRESENTED*:
   Move to approve the request as presented**.**
2. *IF APPROVING SUBJECT TO OTHER ACTIONS*:
   Move to approve the request subject to (conditions or contingencies).
3. *IF DENYING*:
   Move to deny the request as presented.
4. *IF TABLING*:
   Move to table the request (indefinite or date certain).

TABS

1. Vicinity maps
2. Variance application with supplements
3. Public Notice

TAB 1

AERIAL VICINITY MAP



ZONING VICINITY MAP

CH 4038

OFFICE USE ONLY

Permit Fee: $100 ($100)

Zoning: R-DP

App Number: 22-17

CityView Application: PL202200365

Date: 4/18/2022

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

VARIANCE APPLICATION

APPLICANT: Peder & Laura Berg

ADDRESS: 623 W. Olive St. Rogers, AR 72756 SUITE #:

GENERAL LOCATION OF PROPERTY: Corner of West Olive & 6th Streets

PHONE #: 262-685-7014 EMAIL: bergpab@gmail.com

PROPERTY OWNER: Peder & Laura Berg PHONE #: 262-685-7014

REQUEST to ALLOW: "Grandfather" Setback reduction for current structure foundation to remove existing structure (dilapitated) and build new structure on existing foundation.

HARDSHIP JUSTIFICATION to VARY FROM CODE: We are already investing significant funds to improve the house and landscape. Having to remove and rebuild existing foundation for this outbuilding is not afforded at this time and would continue to degrade property value.

Applicant Signature 4-18-22 Date

Attachment Checklist:

- ☐ Legal description of property
- ☐ Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

DATE FILED: 4/18/2022 PUBLIC HEARING DATE: 5/12/2022

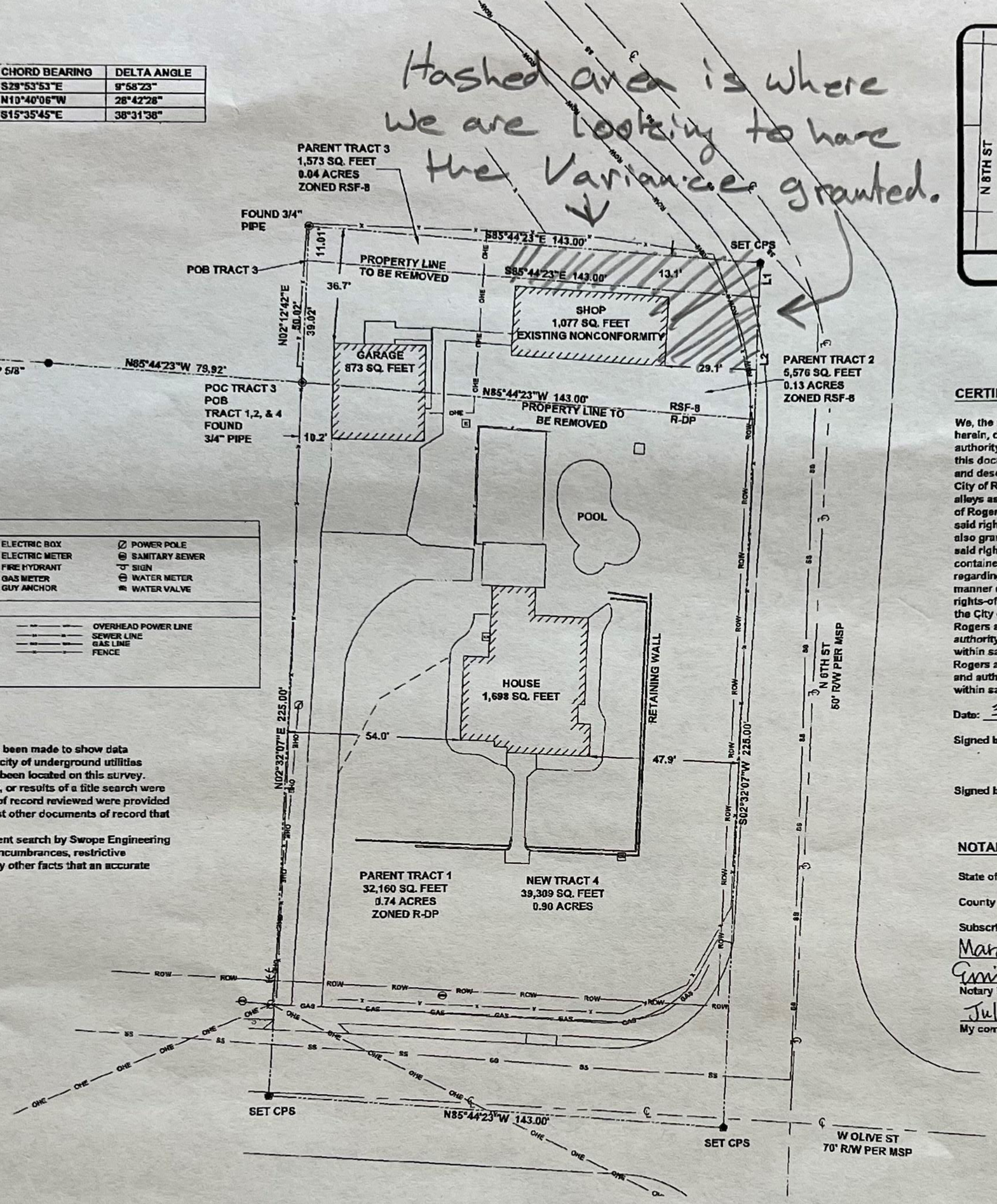
BOARD OF ADJUSTMENT DECISION:

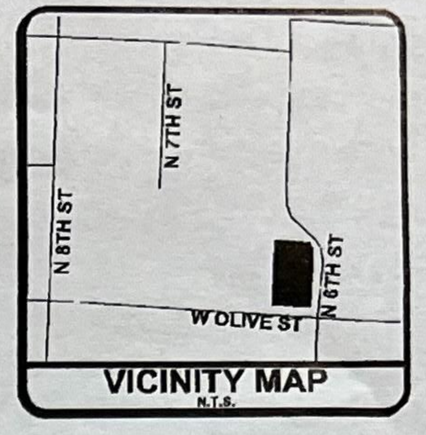
SECRETARY, BOARD OF ADJUSTMENT DATE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	76.47'	13.31'	13.28'	S29°53'53"E	9°58'23"
C2	77.11'	38.63'	38.23'	N10°40'06"W	28°42'28"
C3	77.25'	51.94'	50.97'	S15°35'45"E	38°31'36"

LINE	BEARING	DISTANCE
L1	S02°12'42"W	11.01'
L2	S02°12'42"W	39.02'

Hashed area is where we are looking to have the Variance granted.





VICINITY MAP
N.T.S.

GRAPHIC SCALE
0 30' 60'
1 inch = 30 feet

L202215071
BENTON CO. AR FEE $15.00
PRESENTED & E-RECORDED
03/07/2022 01:43:57 PM
BRENDA DESHIELDS
Circuit Clerk & Recorder

Recording Block

BASIS OF BEARING:
ARKANSAS STATE PLANE,
COORDINATE SYSTEM,
(NAD-83) NORTH ZONE.

SURVEYING SYMBOLS

- SET/FOUND 1/2" REBAR
- SET/FOUND COTTON SPINDLE
- FOUND PIPE
- COMPUTED POINT
- ELECTRIC BOX
- ELECTRIC METER
- FIRE HYDRANT
- GAS METER
- GUY ANCHOR
- POWER POLE
- SANITARY SEWER
- SIGN
- WATER METER
- WATER VALVE

FEATURE LINES

- BOUNDARY LINE
- CENTERLINE OF ROAD
- RIGHT-OF-WAY
- BUILDING SET BACK
- (M) FIELD MEASUREMENT
- (R) RECORDED MEASUREMENT
- OVERHEAD POWER LINE
- SEWER LINE
- GAS LINE
- FENCE

SURVEYOR'S CERTIFICATION

1. In providing this survey, no attempt has been made to show data concerning size, depth, condition, or capacity of underground utilities existing on site. Only visible utilities have been located on this survey.
2. No abstract of title nor title commitment, or results of a title search were furnished to the surveyor. All documents of record reviewed were provided by Benton County records. There may exist other documents of record that may affect this surveyed parcel.
3. No additional investigation or independent search by Swope Engineering has been made for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

FLOOD INFORMATION

This property lies in Zone "X" (Special Flood Hazard Areas inundated by 100-year Flood) as determined from the F.I.R.M. maps of Benton County, Arkansas, and Incorporated Areas, Map Number 05007C37943, effective June 5, 2012.

CERTIFICATE OF OWNERSHIP

We, the undersigned owners of the real estate shown and described herein, do hereby acknowledge that we have the legal right and authority to make the property interest grants contained on and within this document. We, the undersigned owners of the real estate shown and described herein, do hereby establish, grant, and dedicate to the City of Rogers, Arkansas the rights-of-way, easements, streets, and alleys as shown on this plat for public use, benefit, and access. The City of Rogers is further granted the rights of ingress and egress to and from said rights-of-way, easements, streets, and alleys. The City of Rogers is also granted the right and authority to maintain, service, and improve said rights-of-way, easements, streets, and alleys and the improvements contained therein. Any right or authority granted above specifically regarding maintenance, service, or improvement shall be exercised in a manner chosen at the discretion of the City of Rogers. Said rights-of-way, easements, streets, and alleys shall be for the benefit of the City of Rogers and all of its franchised utility providers. The City of Rogers and its franchised utility providers shall have the right and authority to cut, trim, or remove trees, shrubs, and other vegetation within said rights-of-way, easements, streets, and alleys. The City of Rogers and all of its franchised utility providers shall also have the right and authority to prohibit the erection of building, structures, or fences within said rights-of-way, easements, streets, and alleys.

Date: 3-2-2022

Signed by: PEDER BERG

Signed by: LAURA BERG

NOTARY

State of: Arkansas

County of: Washington

Subscribed and sworn before me this 2nd day of March, 2022.

Emily Thompson
Notary Public

July 13, 2031
My commission expires

Emily Thompson
Comm. No. 12715306
NOTARY PUBLIC
My Comm. Expires July 13, 2031
WASHINGTON COUNTY, ARKANSAS

DEPARTMENT OF COMMUNITY DEVELOPMENT

Approved and accepted by the planning board of Rogers, Arkansas, this 4th day of March, 2022.

DIRECTOR OF COMMUNITY DEVELOPMENT

Parent Tract 1
SURVEY DESCRIPTION

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 3 OF C. H. ANDERSON'S SUBDIVISION BEING A FOUND 3/4" IRON PIPE; THENCE S85°44'23"E 143.00' TO A POINT; THENCE S02°32'07"W 225.00' TO A POINT; THENCE N85°44'23"W 143.00' TO A POINT; THENCE N02°32'07"E 225.00' TO THE POINT OF BEGINNING, CONTAINING 32,160 SQ. FEET, 0.74 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

Parent Tract 2
SURVEY DESCRIPTION

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 3 OF C. H. ANDERSON'S SUBDIVISION BEING A FOUND 3/4" IRON PIPE; THENCE N02°12'42"E 39.02' TO A POINT; THENCE S85°44'23"E 143.00' TO A POINT; THENCE S02°12'42"W 39.02' TO A POINT; THENCE N85°44'23"W 143.00' TO THE POINT OF BEGINNING, CONTAINING 5576 SQ. FEET, 0.13 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

Parent Tract 3
SURVEY DESCRIPTION

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 3 OF C. H. ANDERSON'S SUBDIVISION BEING A FOUND 3/4" IRON PIPE; THENCE N02°12'42"E 39.02' TO THE POINT OF BEGINNING BEING A FOUND 3/4" IRON PIPE; THENCE CONTINUING N02°12'42"E 11.01'; THENCE S85°44'23"E 143.00' TO A POINT; THENCE S02°12'42"W 11.01' TO A POINT; THENCE N85°44'23"W 143.00' TO THE POINT OF BEGINNING, CONTAINING 1,573 SQ. FEET, 0.04 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

Tract 4
SURVEY DESCRIPTION

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 3 OF C. H. ANDERSON'S SUBDIVISION BEING A FOUND 3/4" IRON PIPE; THENCE N02°12'42"E 50.02' TO A FOUND 3/4" IRON PIPE; THENCE S85°44'23"E 143.00' TO A SET COTTON SPINDLE; THENCE S02°12'42"W 50.03' TO A POINT; THENCE S02°32'07"W 225.00' TO A SET COTTON SPINDLE; THENCE N85°44'23"W 143.00' TO A SET COTTON SPINDLE; THENCE N02°32'07"E 225.00' TO THE POINT OF BEGINNING, CONTAINING 39,309 SQ. FEET, 0.90 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

REVISION LIST

#	TITLE	DATE	NOTES:
1	RE-1	01/14/202	1st Submittal
2	RE-2	02/04/2022	2nd Submittal
3	RE-3	02/18/2021	3rd Submittal
4	RE-4	--/--/--20	————
5	RE-5	--/--/--20	————
6	RE-6	--/--/--20	————

Zone RSF-8 Building Setbacks	
Front	30'
Side (Interior)	10'
Side (Exterior)	30'
Rear	20'
Zone R-DP Building Setbacks	
Front	25'
Side (Interior)	7.5'
Side (Exterior)	25'
Rear	20'

SWOPE ENGINEERING
Civil Engineering and Land Surveying
www.swopeengineering.com
Certificate of Authorization № 2831

Tract Combination for

Peder A & Laura E Berg
623 W Olive St
Rogers, AR 72756

Parcel #02-00792-000, 02-00792-001, 02-03071-000

CERTIFICATE OF SURVEYING ACCURACY

I, PHILLIP R. SWOPE, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.
DATE OF EXECUTION: 3/2/22

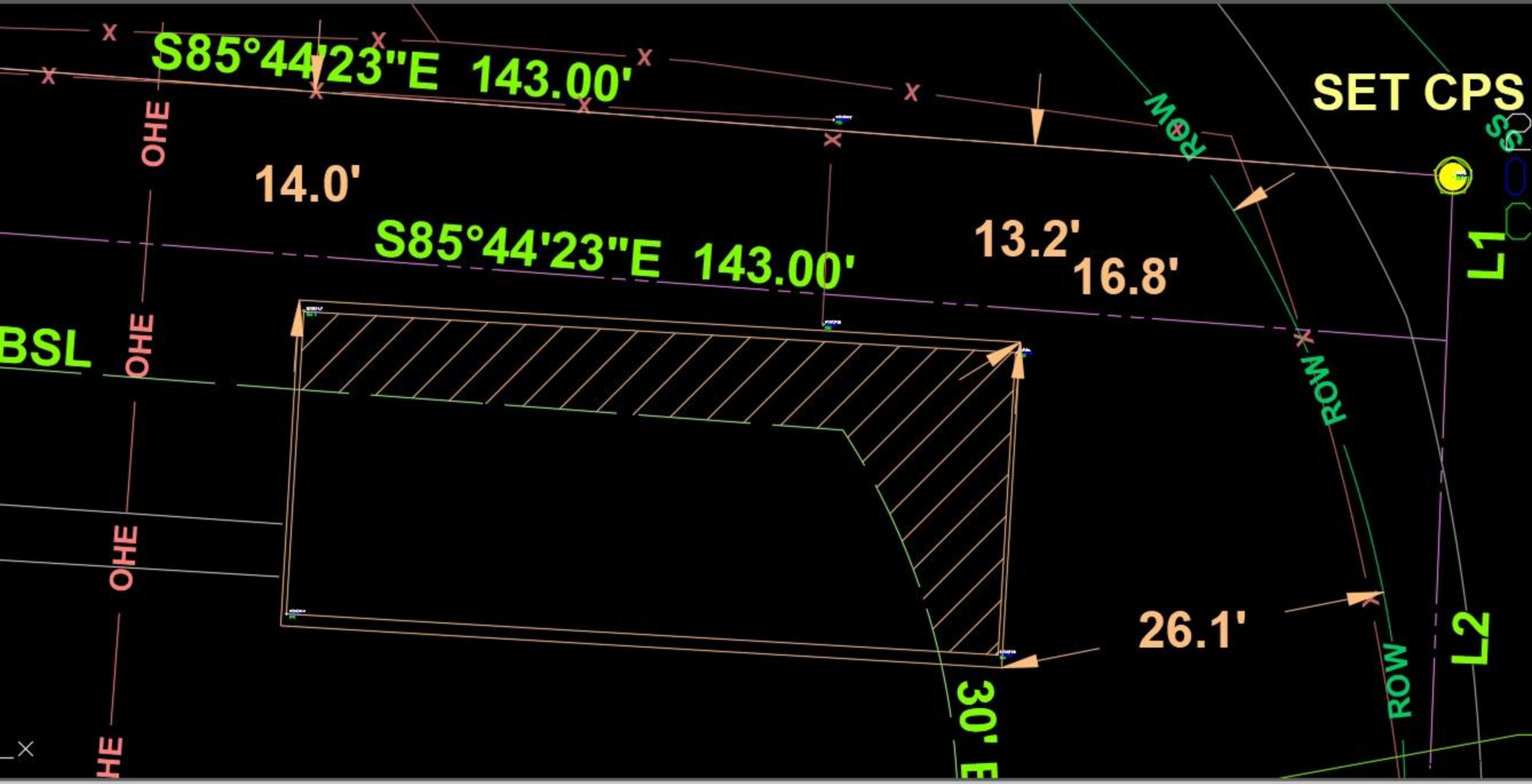
SIGNED:
REGISTERED LAND SURVEYOR
NO.1889
STATE OF ARKANSAS

LICENSED PROFESSIONAL SURVEYOR
STATE OF ARKANSAS
No. 1889
SIGNATURE
Phillip R. Swope
3/2/22

CERTIFICATE OF AUTHORIZATION
SWOPE CONSULTING
No. 2831
ARKANSAS

DRAWN BY: EST	JOB NUMBER: 22-003
SUBMITTAL DATE: 01/14/2021	City Number: PL202200045
DRAWING NAME: 22-003su.dwg	
SHEET NUMBER: 1 of 1	

r:\-survey\22-003 olive st combo\external references\22-003su.dwg - Plotted on 2/18/2022 7:30:43 AM @ a scale of 1:1 to dwg to pdf.pc3 by Ethan


S85°44'23"E 143.00'
SET CPS
OHE
14.0'
S85°44'23"E 143.00'
13.2'
16.8'
ROW
BSL
OHE
ROW
OHE
26.1'
L2
ROW
30' E
HE

May 1, 2022

To Whom it May Concern:

We want to express our appreciation for your consideration in granting a variance that will enable us to rebuild an outbuilding on our property at 623 W. Olive Street on the existing foundation. For context on our ask, we'd like to share more about our situation.

We closed on the property at 623 W. Olive Street in October 2021 and began renovations in November 2021. One of the key features that drew us to this property was the existence of this outbuilding for storage and possible use as a pool house. What we thought would be some moderate remodeling of the main house has turned into a rather substantial labor of love, transforming the house and property into something we and the neighborhood can be proud of. Our planned budget has been stretched due to the unexpected extensiveness of the interior renovations after discovering unsafe electrical and framing as well as prior mold and termite damage. We have completed a total gut and rebuild (reframing, insulation, all new electric and plumbing and HVAC, and drywall) of the entire main floor. We painted the exterior of the home, re-shingled the roof, added gutters, and replaced all the windows and a couple exterior doors. We have removed and/or trimmed some of the trees and planted new ones along with adding perennials to the wall along W. Olive and N. 6th streets, added a walkway from the front door to W. Olive Street, and replaced the rotted privacy fence with a new one – much to the delight of our neighbors. Please note that much of this work we are doing ourselves, contracting only the things we cannot personally do, such as concrete work.

Our vision for the property includes residing the detached garage and the outbuilding in colors (siding, windows, doors) that match the main house. The outbuilding, as shown in the submitted pictures, has rotted siding, termite damage to the interior framing, and non-functioning doors. However, the foundation and the walkway that leads to the building are in good shape. Having to remove the foundation and sidewalk and build/repour new ones will contribute even more to the financial burden we've already taken on and will also increase the timeline for us to complete the work. As you see from the signed letters included with this one, our neighbors are all supportive of the request.

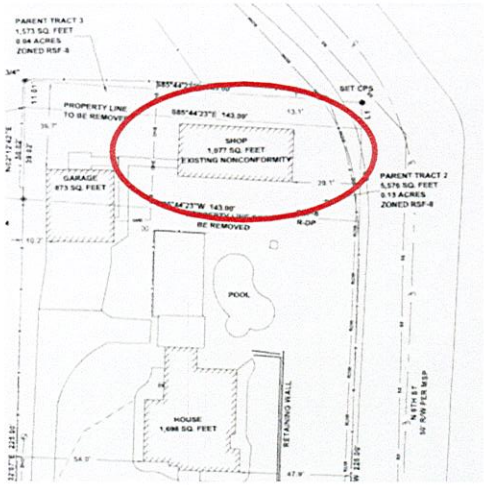
We would like to extend an invitation to the Board to personally visit our property, see what we have done so far, and hear more about our plans for restoring this property and the buildings to something all of Rogers can be proud of.

Sincerely,

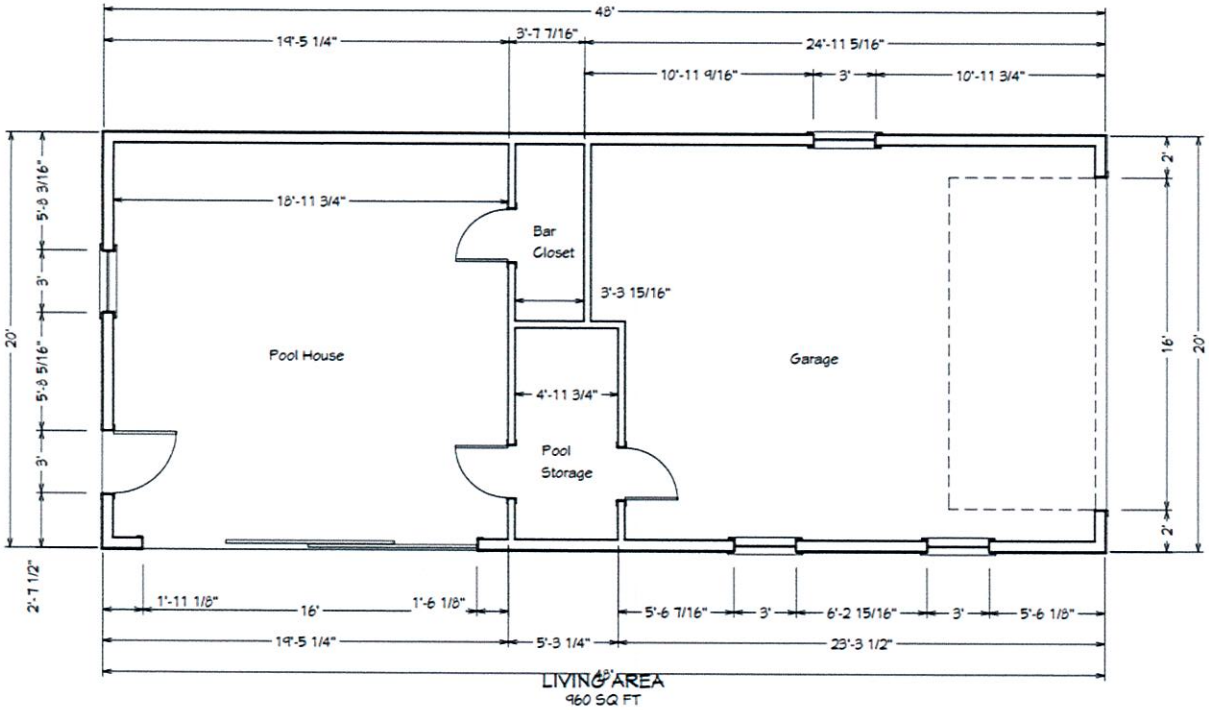
Peder and Laura Berg
262.685.7014

623 W. Olive Street
Rogers, AR 72756

Peder & Laura Berg. (262-685-7014)
623 W. Olive St., Rogers
Request for setback reduction

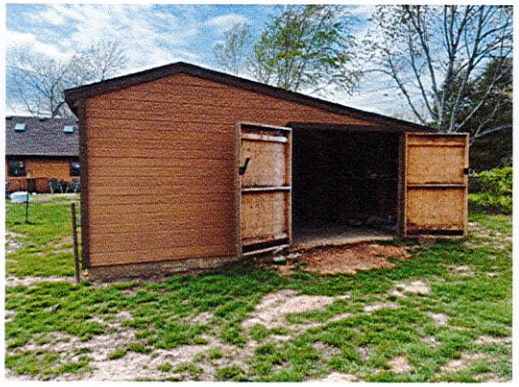
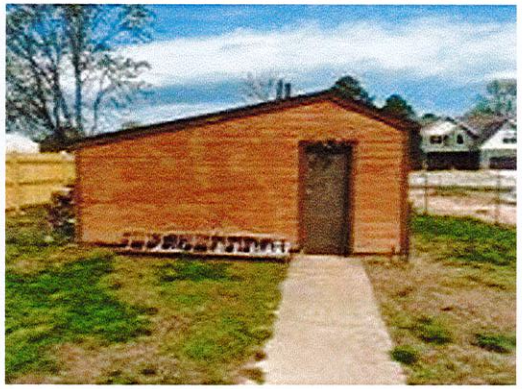
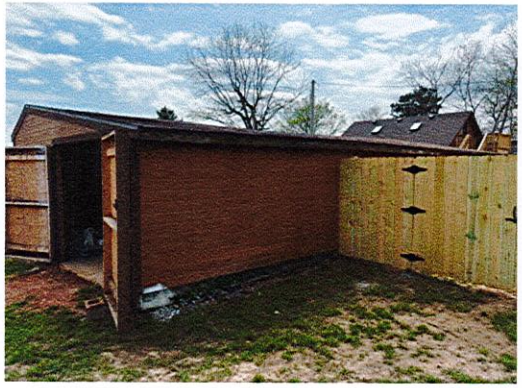


Proposed plan for rebuilding structure on existing foundation.



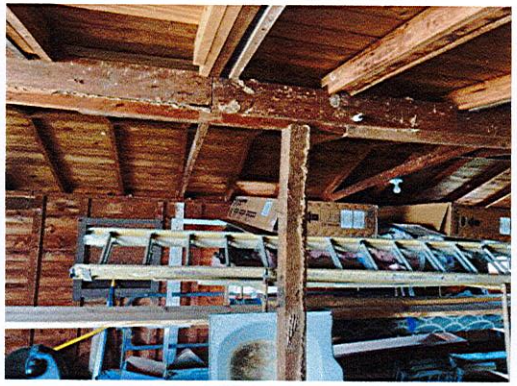
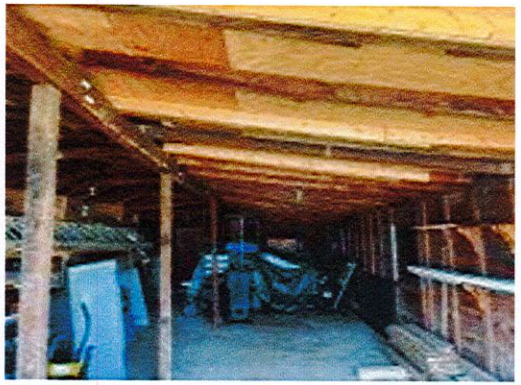
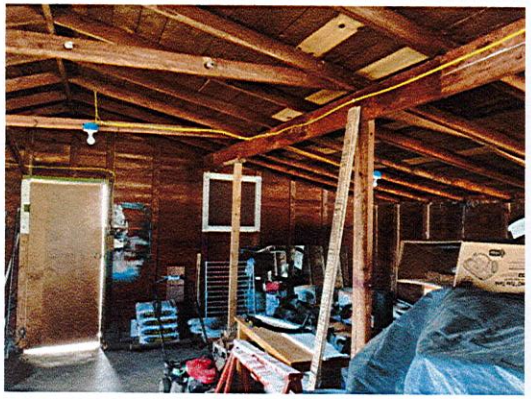
Peder & Laura Berg. (262-685-7014)
623 W. Olive St., Rogers
Request for setback reduction

Exterior of existing structure shows extreme weathering and deterioration; Doors not functional. Foundation and approaching sidewalk remain functional. Requesting variance to rebuild new structure on existing foundation.

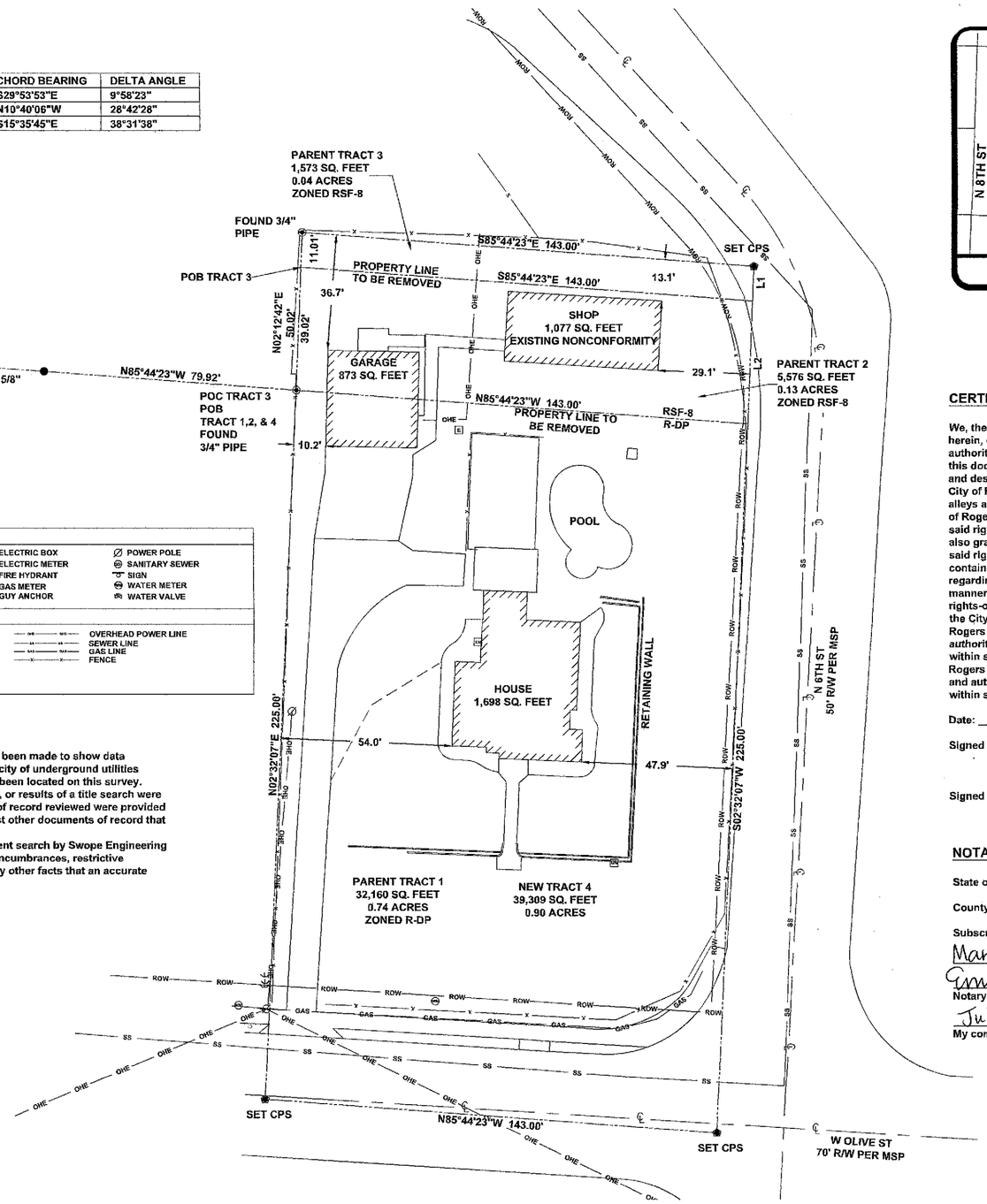
Peder & Laura Berg. (262-685-7014)
623 W. Olive St., Rogers
Request for setback reduction

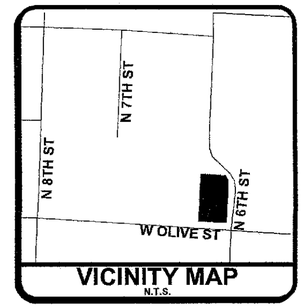
Interior of existing structure shows extreme termite and water damage; construction no longer to code.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	76.47'	13.31'	13.29'	S29°53'53"E	9°58'23"
C2	77.11'	38.63'	38.23'	N10°40'06"W	28°42'28"
C3	77.25'	51.94'	50.97'	S15°35'45"E	38°31'38"

LINE	BEARING	DISTANCE
L1	S02°12'42"W	11.01'
L2	S02°12'42"W	39.02'





VICINITY MAP
N.T.S.

GRAPHIC SCALE
0 30' 60'
1 inch = 30 feet

L202215071
BENTON CO. AR FEE $15.00
PRESENTED & E-RECORDED
03/07/2022 01:43:57 PM
BRENDA DESHIELDS
Circuit Clerk & Recorder

Recording Block

BASIS OF BEARING:
ARKANSAS STATE PLANE,
COORDINATE SYSTEM,
(NAD-83) NORTH ZONE.

SURVEYING SYMBOLS

- SET/FOUND 1/2" REBAR
- SET/FOUND COTTON SPINDLE
- FOUND PIPE
- COMPUTED POINT
- ELECTRIC BOX
- ELECTRIC METER
- FIRE HYDRANT
- GAS METER
- GUY ANCHOR
- POWER POLE
- SANITARY SEWER
- SIGN
- WATER METER
- WATER VALVE

FEATURE LINES

- BOUNDARY LINE
- CENTERLINE OF ROAD
- RIGHT-OF-WAY
- BUILDING SET BACK
- (M) FIELD MEASUREMENT
- (R) RECORDED MEASUREMENT
- OVERHEAD POWER LINE
- SEWER LINE
- GAS LINE
- FENCE

SURVEYOR'S CERTIFICATION

1. In providing this survey, no attempt has been made to show data concerning size, depth, condition, or capacity of underground utilities existing on site. Only visible utilities have been located on this survey.
2. No abstract of title nor title commitment, or results of a title search were furnished to the surveyor. All documents of record reviewed were provided by Benton County records. There may exist other documents of record that may affect this surveyed parcel.
3. No additional investigation or independent search by Swope Engineering has been made for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

FLOOD INFORMATION

This property lies in Zone 'X' (Special Flood Hazard Areas Inundated by 100-year Flood) as determined from the F.I.R.M. maps of Benton County, Arkansas, and Incorporated Areas, Map Number 05007C37943, effective June 5, 2012.

CERTIFICATE OF OWNERSHIP

We, the undersigned owners of the real estate shown and described herein, do hereby acknowledge that we have the legal right and authority to make the property interest grants contained on and within this document. We, the undersigned owners of the real estate shown and described herein, do hereby establish, grant, and dedicate to the City of Rogers, Arkansas the rights-of-way, easements, streets, and alleys as shown on this plat for public use, benefit, and access. The City of Rogers is further granted the rights of ingress and egress to and from said rights-of-way, easements, streets, and alleys. The City of Rogers is also granted the right and authority to maintain, service, and improve said rights-of-way, easements, streets, and alleys and the improvements contained therein. Any right or authority granted above specifically regarding maintenance, service, or improvement shall be exercised in a manner chosen at the discretion of the City of Rogers. Said rights-of-way, easements, streets, and alleys shall be for the benefit of the City of Rogers and all of its franchised utility providers. The City of Rogers and its franchised utility providers shall have the right and authority to cut, trim, or remove trees, shrubs, and other vegetation within said rights-of-way, easements, streets, and alleys. The City of Rogers and all of its franchised utility providers shall also have the right and authority to prohibit the erection of building, structures, or fences within said rights-of-way, easements, streets, and alleys.

Date: 3-2-2022

Signed by: PEDER BERG

Signed by: LAURA BERG

NOTARY

State of: Arkansas

County of: Washington

Subscribed and sworn before me this 2nd day of March, 2022.

Emily Thompson
Notary Public

July 13, 2031
My commission expires

Emily Thompson
Comm. No. 12715306
NOTARY PUBLIC
My Comm. Expires July 13, 2031
WASHINGTON COUNTY, ARKANSAS

Parent Tract 1
SURVEY DESCRIPTION

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 3 OF C. H. ANDERSON'S SUBDIVISION BEING A FOUND 3/4" IRON PIPE; THENCE S85°44'23"E 143.00' TO A POINT; THENCE S02°32'07"W 225.00' TO A POINT; THENCE N85°44'23"W 143.00' TO A POINT; THENCE N02°32'07"E 225.00' TO THE POINT OF BEGINNING, CONTAINING 32,160 SQ. FEET, 0.74 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

Parent Tract 2
SURVEY DESCRIPTION

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 3 OF C. H. ANDERSON'S SUBDIVISION BEING A FOUND 3/4" IRON PIPE; THENCE N02°12'42"E 39.02' TO A POINT; THENCE S85°44'23"E 143.00' TO A POINT; THENCE S02°12'42"W 39.02' TO A POINT; THENCE N85°44'23"W 143.00' TO THE POINT OF BEGINNING, CONTAINING 5576 SQ. FEET, 0.13 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

Parent Tract 3
SURVEY DESCRIPTION

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 3 OF C. H. ANDERSON'S SUBDIVISION BEING A FOUND 3/4" IRON PIPE; THENCE N02°12'42"E 39.02' TO THE POINT OF BEGINNING BEING A FOUND 3/4" IRON PIPE; THENCE CONTINUING N02°12'42"E 11.01'; THENCE S85°44'23"E 143.00' TO A POINT; THENCE S02°12'42"W 11.01' TO A POINT; THENCE N85°44'23"W 143.00' TO THE POINT OF BEGINNING, CONTAINING 1,573 SQ. FEET, 0.04 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

Tract 4
SURVEY DESCRIPTION

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 3 OF C. H. ANDERSON'S SUBDIVISION BEING A FOUND 3/4" IRON PIPE; THENCE N02°12'42"E 50.02' TO A FOUND 3/4" IRON PIPE; THENCE S85°44'23"E 143.00' TO A SET COTTON SPINDLE; THENCE S02°12'42"W 50.03' TO A POINT; THENCE S02°32'07"W 225.00' TO A SET COTTON SPINDLE; THENCE N85°44'23"W 143.00' TO A SET COTTON SPINDLE; THENCE N02°32'07"E 225.00' TO THE POINT OF BEGINNING, CONTAINING 39,309 SQ. FEET, 0.90 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

DEPARTMENT OF COMMUNITY DEVELOPMENT

Approved and accepted by the planning board of Rogers, Arkansas, this 4th day of March, 2022.

DIRECTOR OF COMMUNITY DEVELOPMENT

REVISION LIST

#	TITLE	DATE	NOTES:
1	RE-1	01/14/202	1st Submittal
2	RE-2	02/04/2022	2nd Submittal
3	RE-3	02/18/2021	3rd Submittal
4	RE-4	--/--/--20	----------
5	RE-5	--/--/--20	----------
6	RE-6	--/--/--20	----------

Zone RSF-8 Building Setbacks	
Front	30'
Side (Interior)	10'
Side (Exterior)	30'
Rear	20'
Zone R-DP Building Setbacks	
Front	25'
Side (Interior)	7.5'
Side (Exterior)	25'
Rear	20'

SWOPE ENGINEERING
Civil Engineering and Land Surveying
www.swopeengineering.com
Certificate of Authorization № 2831

Tract Combination for

Peder A & Laura E Berg
623 W Olive St
Rogers, AR 72756

Parcel #02-00792-000, 02-00792-001, 02-03071-000

CERTIFICATE OF SURVEYING ACCURACY

I, PHILLIP R. SWOPE, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.
DATE OF EXECUTION: 3/2/22

SIGNED:
REGISTERED LAND SURVEYOR
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STATE OF ARKANSAS

LICENSED PROFESSIONAL SURVEYOR
STATE OF ARKANSAS
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SIGNATURE
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CERTIFICATE OF AUTHORIZATION
SWOPE CONSULTING
No. 2831
ARKANSAS

DRAWN BY:	JOB NUMBER:
EST	22-003
SUBMITTAL DATE: 01/14/2021	City Number: PL202200045
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SHEET NUMBER: 1 of 1	

r:\~survey\22-003 olive st combo\external references\22-003su.dwg - Plotted on 2/18/2022 7:30:43 AM @ a scale of 1:1 to dwg to pdf.pc3 by Ethan

Thomas Woodcock
Shoshana Sturtz
753 N 6th St
Rogers, AR 72756
4/28/2022

To Whom it May Concern,

We understand that Mr. and Mrs. Berg of 623 W Olive St. in Rogers are requesting the approval of a variance for the removal ad rebuild of the existing out building on their property which is located closest to 6th street. As the owners and residents of the home at 753 N 6th St., which is directly across the street from their property, we completely support the approval of this variance.

If you need any further details feel free to contact us at any time.

Sincerely,

Thomas Woodcock

Shoshana Sturtz

May 1, 2022

To Whom it May Concern:

I am aware that Peder and Laura Berg of 623 W. Olive St. in Rogers are requesting the approval of a variance for the removal of the existing structure on their property which is closet to 6th Street and a rebuild on the existing foundation. As a neighbor who has line-of-sight to this structure, I support the approval of this variance.

Signed: [illegible]

Name: Heath Graham

Address: 513 West Olive St.
Rogers, AR. 72756

May 1, 2022

To Whom it May Concern:

I am aware that Peder and Laura Berg of 623 W. Olive St. in Rogers are requesting the approval of a variance for the removal of the existing structure on their property which is closet to 6th Street and a rebuild on the existing foundation. As a neighbor who has line-of-sight to this structure, I support the approval of this variance.

Signed:

Name: Jorge Avila

Address: 507 W Olive st
Rogers AR 72756

May 1, 2022

To Whom it May Concern:

I am aware that Peder and Laura Berg of 623 W. Olive St. in Rogers are requesting the approval of a variance for the removal of the existing structure on their property which is closet to 6th Street and a rebuild on the existing foundation. As a neighbor who has line-of-sight to this structure, I support the approval of this variance.

Signed: _____

Name: Marco Garcia

Address: 784 N. 6th St.

May 1, 2022

To Whom it May Concern:

I am aware that Peder and Laura Berg of 623 W. Olive St. in Rogers are requesting the approval of a variance for the removal of the existing structure on their property which is closet to 6th Street and a rebuild on the existing foundation. As a neighbor who has line-of-sight to this structure, I support the approval of this variance.

Signed:

Name: Jorge Avila

Address: 507 W Olive st
Rogers AR 72756

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the **Rogers Board of Adjustment** on **May 12th, 2022** at **4:00 p.m.** at Rogers City Hall regarding an application by **Peder & Laura Berg** under the provisions of the City of Rogers Code of Ordinances, for a variance **to allow a reduction of the rear setback** at **623 W. Olive St.**, in the R-DP (Residential Duplex Patio) zoning district more particularly described as follows:

PARCEL NUMBER:
02-00792-000

LOCATION:
623 W. Olive St.

Matt Loos, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **Sunday May 1, 2022**
BILL THE CITY OF ROGERS

NOTICE OF PUBLIC HEARING

COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

MEETING DATE
May 12, 2022

TO: BOARD OF ADJUSTMENT

RE: **STAFF SUMMARY REPORT**
VARIANCE – #22-18 Founders Classical Academy of Rogers
PL202200376

STAFF: Karen Perez, Planning Technician

REQUEST DETAILS

ADDRESS/LOCATION:	800 Dodson St
SUBDIVISION:	N/A
CURRENT ZONING:	A-1 (Agricultural)
CURRENT USE:	School
APPLICANT/REPRESENTATIVE:	Brad Chilcote for Founders Classical Academy of Rogers
PROPERTY OWNER:	Responsive Education Solutions
NATURE OF REQUEST:	Allow a LED message board in the A-1 district
AUTHORITY:	Sec. 14-724, Rogers Code of Ordinances

SUMMARY

This request is to allow a LED message board.

a) Community Development recommends approval subject to meeting all illumination requirements.

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

1. BOARD OF ADJUSTMENT DUTIES PER SEC. 14-724(e)(1):
   a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
   b) Hear requests for variance from the literal provisions of the zoning ordinance in instances where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning ordinance.

2. SUBJECT REQUEST:
   a) The applicant request to allow a LED message board in the A-1 zoning district

3. GENERAL FINDINGS:
   a) By longstanding policy, sign restrictions for the City's Overlay District are applied to schools and churches in all zoning districts excluding LED allowances.
   b) The applicant is allowed a monument sign at a maximum height if 6ft and 72-sf in total sign area.
   c) The applicant does not cite a site specific hardship, but states that the LED message board will allow for communication with community, students, and parents. Similar to other schools in the City.
   d) Staff finds the LED sign area to be of minimal impact to the surrounding residential neighborhood.

4. ZONING:
   a) *A-1 (Agricultural)*
      The purpose and intent of the A-1 zoning district, per Rogers Code Sec. 14-697, shall consist of areas for agricultural uses, and low-density residential uses.

5. PUBLIC INPUT RECEIVED:
   Staff has not received any comments from the public regarding this request.

6. RECOMMENDATIONS:
   b) Staff recommends approval subject to meeting all illumination requirements.

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

1. *IF APPROVING AS PRESENTED*:
   Move to approve the request as presented**.**
2. *IF APPROVING SUBJECT TO OTHER ACTIONS*:
   Move to approve the request subject to [conditions or contingencies].
3. *IF DENYING*:
   Move to deny the request as presented.
4. *IF TABLING*:

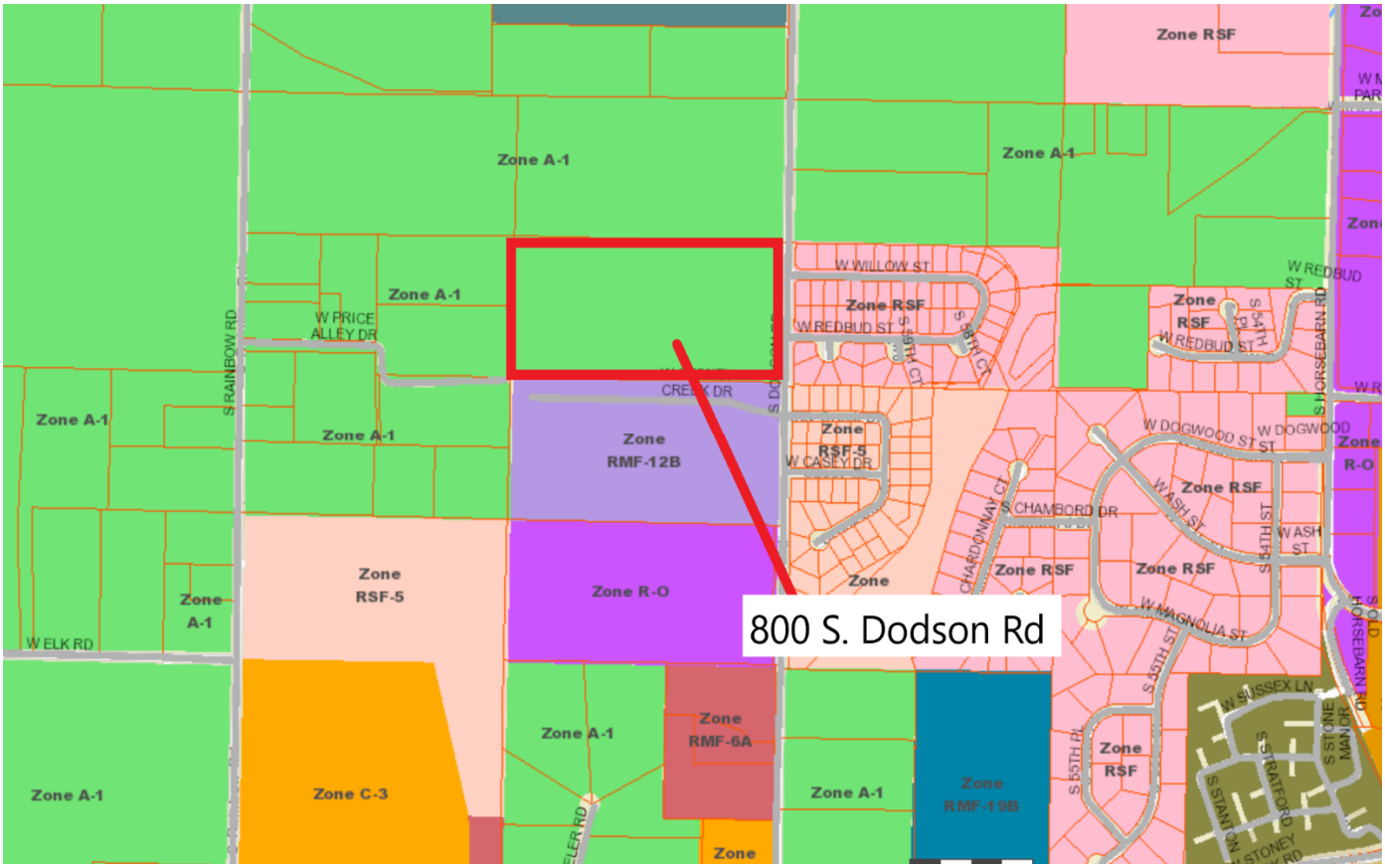
Move to table the request as presented [indefinite or date certain].

TABS

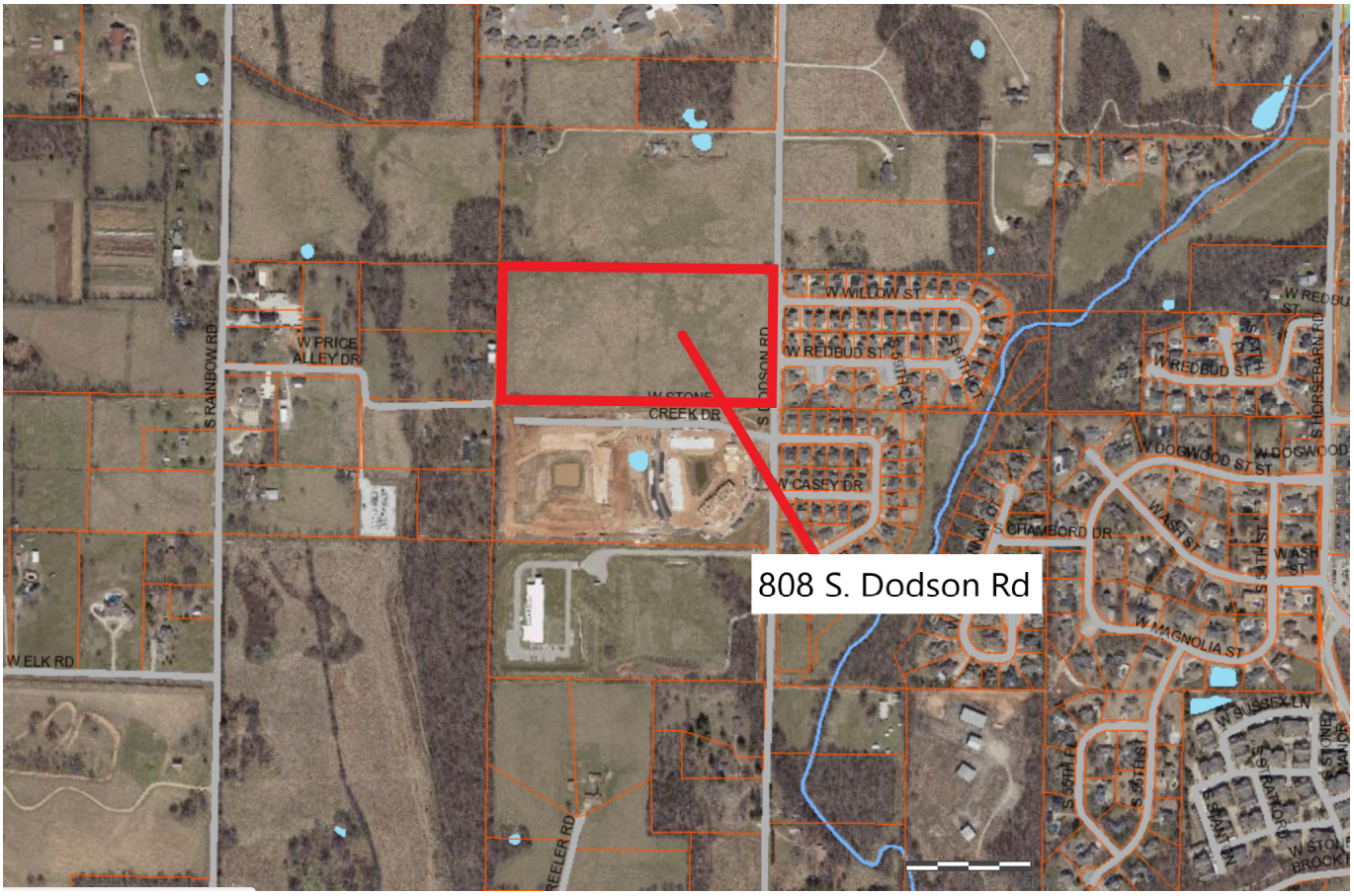
1. Vicinity maps
2. Variance application with required supplements
3. Public notice

TAB 1

ZONING VICINITY MAP



AERIAL VICINITY MAP



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

OFFICE USE ONLY

Permit Fee: $ 100.00 ($100)

Zoning: A-1

App Number: 22-18

CityView Application: PL202200369

Date: 4/19/22

VARIANCE APPLICATION

APPLICANT: Brad Chilcote for WDD Architects

ADDRESS: 5050 Northshore Lane - North Little Rock, AR 72118 SUITE #:

GENERAL LOCATION OF PROPERTY: 800 Dodson Road

PHONE #: 501.376.6681 EMAIL: bradc@wddarchitects.com

PROPERTY OWNER: RESPONSIVE EDUCATION SOLUTIONS PHONE #: (972) 316-3663

REQUEST to ALLOW: LED SIGN

HARDSHIP JUSTIFICATION to VARY FROM CODE:

ALLOW COMMUNICATION WITH COMMUNITY, STUDENTS AND PARENTS SIMILAR TO OTHER SCHOOLS IN THE COMMUNITY

Applicant Signature 04/07/2022 Date

Attachment Checklist:

- ☐ Legal description of property
- ☒ Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

DATE FILED: 4/19/22 PUBLIC HEARING DATE: 5/12/22

BOARD OF ADJUSTMENT DECISION:

SECRETARY, BOARD OF ADJUSTMENT DATE

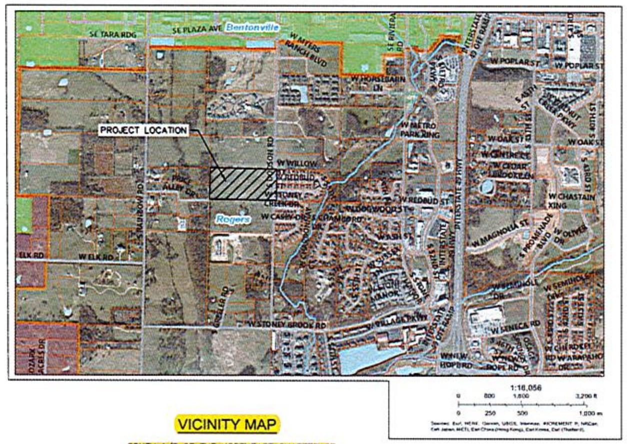
RESPONSIVE EDUCATION SOLUTIONS
ROGERS CHARTER SCHOOL

800 SOUTH DODSON ROAD
ROGERS, ARKANSAS
LARGE SCALE DEVELOPMENT PLANS

EXISTING LEGEND

SURVEY CONTROL POINT	TRAFFIC SIGNAL BOX
SURVEY BENCHMARK	TRAFFIC SIGNAL MANHOLE
SURVEY TEMPORARY BEMCHMARK	TRAFFIC SIGNAL POLE W/ ARM
GAS METER	TRAFFIC SIGNAL POLE
GAS RISER	TRAFFIC SIGNAL CONTROL BOX
GAS MANHOLE	TRAFFIC SIGNAL PEDESTAL
GAS REGULATOR	ELECTRIC MANHOLE
TELEVISION PEDESTAL	ELECTRIC METER
FIBER BOX	ELECTRIC RISER
FIBER PEDESTAL	ELECTRIC BOX
CABLE BOX	ELECTRIC CABINET
CABLE VAULT	ELECTRIC JUNCTION BOX
TELEPHONE PEDESTAL	SPRINKLER HEAD
STORM MANHOLE	SPRINKLER CONTROL VALVE
STORM GRATE	WATER METER PIT
SANITARY MANHOLE	FIRE HYDRANT
YARD LIGHT	WATER METER
LIGHT POLE	WATER VALVE
POWER POLE	FLAG POLE
POWER POLE W/ LIGHT	SIGN
GUY WIRE	BOLLARD
STUMP	WOOD POST
BUSH	STEEL POST
EVERGREEN TREE	COLUMN
DECIDUOUS TREE	BORE HOLE

PROPERTY LINE
RIGHT-OF-WAY LINE
CENTER LINE
TEMPORARY CONSTRUCTION EASEMENT
UTILITY EASEMENT
1370 EXISTING CONTOUR
1371 EXISTING CONTOUR
SS EXISTING SANITARY LINE
SD EXISTING STORM LINE
G EXISTING GAS LINE
W EXISTING WATER LINE
P-UG EXISTING UNDERGROUND POWER
TEL EXISTING UNDERGROUND TELEPHONE
CATV EXISTING UNDERGROUND CABLE/TV
FO EXISTING UNDERGROUND FIBER OPTIC
T EXISTING UNDERGROUND TRAFFIC
P-OH EXISTING OVERHEAD ELECTRIC
TEL-OH EXISTING OVERHEAD TELEPHONE
CATV-OH EXISTING OVERHEAD CABLE/TV
X WOVEN WIRE FENCE
STEEL FENCE OR CHAIN LINK FENCE
WOOD FENCE
TREE LINE
FLOW LINE



VICINITY MAP

SOUTH 1/2 OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 30 WEST CONTAINING TWENTY ACRES, MORE OR LESS.

Sheet List Table

Sheet Number	Sheet Title
C.0	COVER SHEET
C0.1	GENERAL NOTES
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C1.1	SITE PLAN
C1.2	PAVING PLAN
C2.0	EROSION CONTROL PLAN – PHASE I
C2.1	EROSION CONTROL PLAN – PHASE II
C2.2	EROSION CONTROL DETAILS
C3.0	OVERALL GRADING PLAN
C3.1	GRADING PLAN (1 OF 4)
C3.2	GRADING PLAN (2 OF 4)
C3.3	GRADING PLAN (3 OF 4)
C3.4	GRADING PLAN (4 OF 4)
C4.0	OVERALL UTILITY LAYOUT
C4.1	WATER MAIN PROFILE 1
C4.2	WATER MAIN PROFILE 2
C4.3	HYDRANT PROFILES 1–2
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C5.0	STORM SEWER PROFILE – LINE A
C5.1	STORM SEWER PROFILE – LINE A, B, C
C5.2	STORM SEWER PROFILE – LINE D & E
C5.3	STORM SEWER PROFILE – LINE F
C5.4	DETENTION POND 1 PROFILE
C5.5	DETENTION POND 2 PROFILE
C6.0	LANDSCAPE PLAN
C6.2	LANDSCAPE DETAILS
C7.0	DETAILS SHEET 1
C7.1	DETAILS SHEET 2
C7.2	DETAILS SHEET 3
C7.3	CITY OF ROGERS STANDARD DETAILS
C7.4	RWU WATER DETAILS
C7.5	RWU WATER DETAILS
C7.6	RWU SEWER DETAILS

SITE DATA TABLE

TYPE OF USE	CHARTER SCHOOL
BUILDING HEIGHT	2 STORIES / 40 FEET
GROSS FLOOR AREA	55,196 SF / 6.3% SITE COVERAGE
TOTAL SITE AREA / DEVELOPMENT AREA	882,061 SF / 20.25 ACRES
PERVIOUS AREA / OPEN SPACE	547,951 SF / 12.58 ACRES (62.12%)
IMPERVIOUS AREA	334,110 SF / 7.67 ACRES (37.88%)
PARKING PROVIDED	155
ADA PARKING PROVIDED	8
PARKING REQUIRED	1. ELEMENTARY (1–6) = I SPACE PER CLASS ROOM. 22 CLASSROOMS 2. JR. HI. (7–9) = 4 SPACES PER CLASS ROOM. 9 CLASSROOMS. 3. HIGH SCHOOL (10–12) = 1.5 SPACES FOR EVERY 5 FULL-TIME STUDENTS PLUS 1.5 SPACES PER CLASS ROOM.10 CLASS ROOMS, 250 STUDENTS. ±148 PARKING SPACES REQUIRED
BICYCLE SPACES PROVIDED	10
BICYCLE SPACES REQUIRED	8
LOADING / STACKING	±1025 LF DOUBLE LANE STACKING FOR DROP-OFF / LOADING

Arkansas 811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE BASED ON THE BEST INFORMATION AVAILABLE AND MAY NOT REFLECT ALL EXISTING UTILITIES IN THE PROJECT AREA. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH THE UTILITY COMPANIES FOR LOCATING EXISTING UTILITIES PRIOR TO CONSTRUCTION AND FOR PROTECTION OF SERVICES DURING CONSTRUCTION.

FLOOD NOTE:

THIS PROPERTY DOES LIE WITHIN THE 100 YEAR FLOOD PLAIN AS REFERENCED BY THE FEMA FIRM PANEL, COMMUNITY PANEL NO. 05007C0255K, EFFECTIVE DATE JUNE 5, 2012.

NOTES:

1. ALL STREET AND DRAINAGE CONSTRUCTION MUST COMPLY WITH THE REQUIREMENTS OF THE CITY OF ROGERS, ARKANSAS.
2. ALL WATER AND SEWER CONSTRUCTION MUST COMPLY WITH THE SPECIFICATION REQUIREMENTS FOR THE CONSTRUCTION OF WATER AND SEWER FACILITIES OF THE CITY OF ROGERS.
3. IF THE PROJECT COSTS EXCEED $20,000, A STATE CONTRACTOR'S LICENSE IS REQUIRED. ROGERS CODE SEC. 14-228(6)
4. ALL CIVIL PLANS USED ON SITE MUST INCLUDE MOST CURRENT STAMP BY ROGERS PLANNING.
5. ALL FIRE DEPARTMENT ACCESS ROADS WILL HAVE CURBS AND BINDER COURSE INSTALLED BEFORE COMBUSTIBLE MATERIALS ARE ALLOWED ON SITE.
6. EASEMENT PLAT REQUIRED FOR CERTIFICATE OF OCCUPANCY.
7. IT IS THE RESPONSIBILITY OF THE ENGINEER OF RECORD TO INCLUDE ALL ITEMS REQUIRED BY ORDINANCE. IF APPROVED PLANS CONFLICT WITH THE ORDINANCE REQUIREMENTS, THE ORDINANCE TAKES PRECEDENCE UNLESS A WAIVER OR VARIANCE HAS BEEN GRANTED.
8. STOCKPILES WITH EXCESS CONSTRUCTION SITE MATERIALS, INCLUDING BUT NOT LIMITED O EXCESS TOP SOIL STOCKPILES, MUST BE REMOVED FROM THE SITE PRIOR TO PROJECT COMPLETION. GRADING BEYOND THE APPROVED LIMITS IS PROHIBITED.

PROJECT TEAM CONTACT LIST

OWNER/DEVELOPER
RESPONSIVE EDUCATION SOLUTIONS, INC.
1301 WATERS RIDGE
LEWISVILLE,TX 75057
CONTACT: LYNN TOMPKINS
PHONE: 972-316-3663
EMAIL: LTOMPKINS@RESPONSIVEED.COM

CIVIL ENGINEER, LANDSCAPE ARCHITECT, & SURVEY
OLSSON
302 E. MILLSAP RD
FAYETTEVILLE, AR 72703
CONTACT: MATT LOOS, PE
PHONE: 501-733-2240
EMAIL: MLOOS@OLSSON.COM

ARCHITECT
WDD ARCHITECTS
400 W. CAPITOL AVE. #800
LITTLE ROCK, AR 72201
CONTACT: BRAD CHILCOTE
PHONE: 501-376-6681

MEP
HSA ENGINEERING
7405 ELLIS ST.
FORT SMITH AR 72916
CONTACT: THOMAS FRANKLIN
PHONE: 479-452-8922

ZONING TABLE

CURRENT ZONING	A1
FRONT (EAST) YARD SETBACK	40' (50' R.O.W. DEDICATION)
NORTH SIDE YARD SETBACK	20'
SOUTH SIDE YARD SETBACK	20'
WEST REAR YARD SETBACK	35' (50' R.O.W. DEDICATION)
MAXIMUM BUILDING HEIGHT	3 STORIES / 45 FEET
PROPOSED BUILDING HEIGHT	2 STORIES / 40 FEET
MAXIMUM BUILDING COVERAGE	30%
PROPOSED BUILDING COVERAGE	6%
MAXIMUM IMPERVIOUS COVERAGE	70%
PROPOSED IMPERVIOUS COVERAGE	37%

CITYVIEW PROJECT # PI202100098

CERTIFICATE OF AUTHORIZATION Olsson Inc. No.1010 ARKANSAS ENGINEER

olsson
302 East Millsap Road
Fayetteville, AR 72703
TEL 479.443.3404
FAX 479.443.4340
www.olsson.com

STATE OF ARKANSAS LICENSED PROFESSIONAL ENGINEER No. 19979 MATTHEW K. LOOS 04/30/2021

REV NO.	DATE	REVISIONS DESCRIPTION	BY
1	04-30-2021	BID PACKAGE 1	

REVISIONS

2021

COVER SHEET

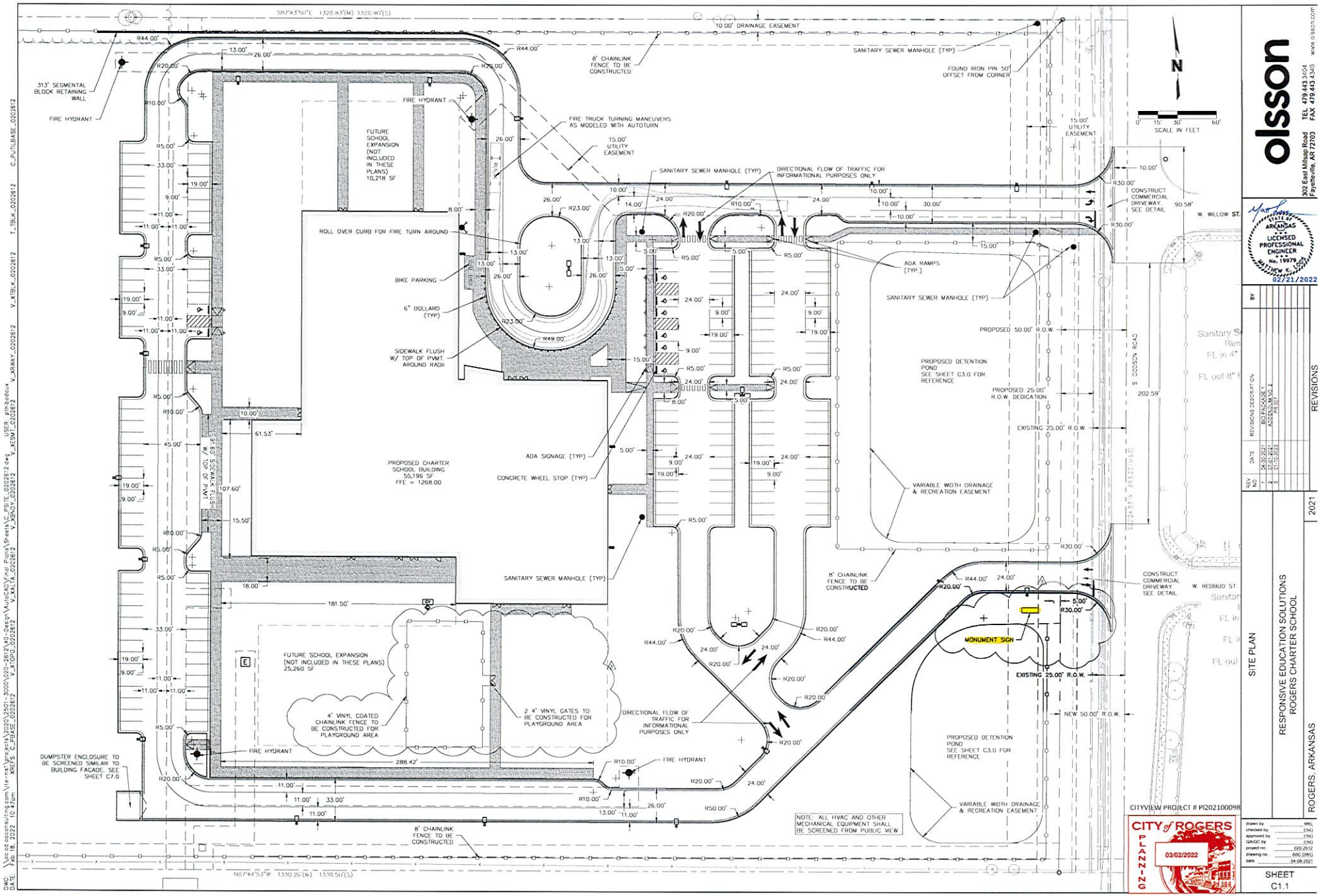
RESPONSIVE EDUCATION SOLUTIONS ROGERS CHARTER SCHOOL

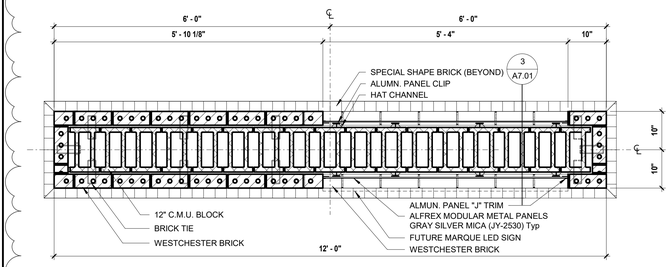
ROGERS, ARKANSAS

drawn by	MKL
checked by	ENG
approved by	ENG
QA/QC by	ENG
project no.	020-2612
drawing no.	ABC DWG
date	04.08.2021

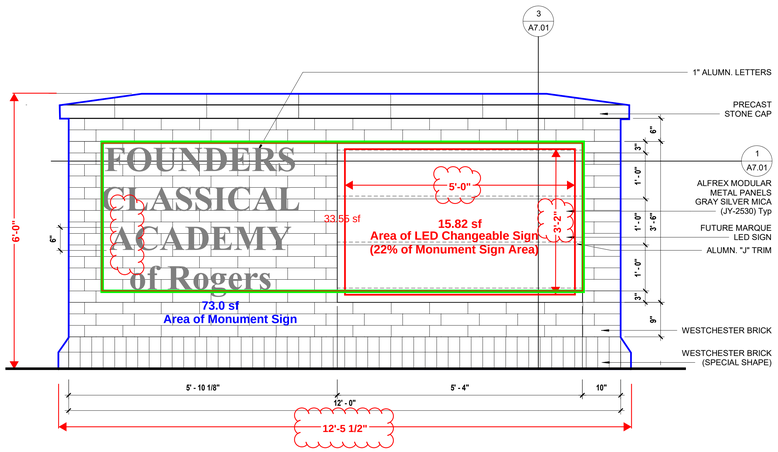
SHEET C0

DWG: \\oc.cd.oaconsulting.com\te-nsl\projects\2020\2501-3000\020-2612\40-design\AutoCAD\final plans\Sheets\C_PTL_0202612.dwg USER: ptlibodeux
DATE: Apr 29, 2021 11:19am XREFS: T_TBLK_0202612

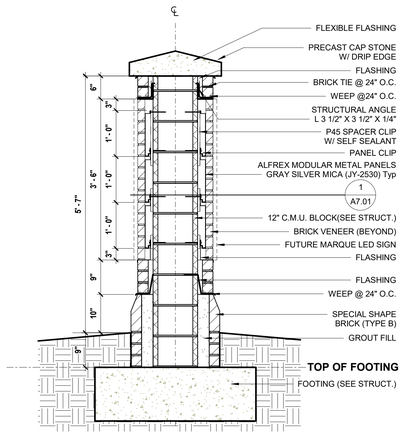

S87°43'50"E 1328.83'(M) 1328.90'(S)
10.00' DRAINAGE EASEMENT
SANITARY SEWER MANHOLE (TYP)
FOUND IRON PIN 50' OFFSET FROM CORNER
8' CHAINLINK FENCE TO BE CONSTRUCTED
31.3' SEGMENTAL BLOCK RETAINING WALL
FIRE HYDRANT
FUTURE SCHOOL EXPANSION (NOT INCLUDED IN THESE PLANS) 10,218 SF
FIRE TRUCK TURNING MANEUVERS AS MODELED WITH AUTOTURN
15.00' UTILITY EASEMENT
DIRECTIONAL FLOW OF TRAFFIC FOR INFORMATIONAL PURPOSES ONLY
CONSTRUCT COMMERCIAL DRIVEWAY. SEE DETAIL
W. WILLOW ST.
ROLL OVER CURB FOR FIRE TURN AROUND
BIKE PARKING
6" BOLLARD (TYP)
SIDEWALK FLUSH W/ TOP OF PVMT. AROUND RADII
ADA RAMPS (TYP.)
PROPOSED 50.00' R.O.W.
PROPOSED DETENTION POND SEE SHEET C3.0 FOR REFERENCE
PROPOSED 25.00' R.O.W. DEDICATION
EXISTING 25.00' R.O.W.
S. DOBSON ROAD
PROPOSED CHARTER SCHOOL BUILDING 55,196 SF FFE = 1268.00
ADA SIGNAGE (TYP)
CONCRETE WHEEL STOP (TYP)
VARIABLE WIDTH DRAINAGE & RECREATION EASEMENT
8' CHAINLINK FENCE TO BE CONSTRUCTED
CONSTRUCT COMMERCIAL DRIVEWAY. SEE DETAIL
W. REDBUD ST.
MONUMENT SIGN
FUTURE SCHOOL EXPANSION (NOT INCLUDED IN THESE PLANS) 25,260 SF
4' VINYL COATED CHAINLINK FENCE TO BE CONSTRUCTED FOR PLAYGROUND AREA
2 4' VINYL GATES TO BE CONSTRUCTED FOR PLAYGROUND AREA
DIRECTIONAL FLOW OF TRAFFIC FOR INFORMATIONAL PURPOSES ONLY
NEW 50.00' R.O.W.
DUMPSTER ENCLOSURE TO BE SCREENED SIMILAR TO BUILDING FACADE. SEE SHEET C7.0
NOTE: ALL HVAC AND OTHER MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW
N87°44'53"W 1330.26'(M) 1330.50'(S)
SCALE IN FEET
CITYVIEW PROJECT # PI202100098
CITY of ROGERS PLANNING 03/02/2022
olsson
302 East Millsap Road Fayetteville, AR 72703
TEL 479.443.3404 FAX 479.443.3340
www.olsson.com
STATE OF ARKANSAS LICENSED PROFESSIONAL ENGINEER No. 19979 02/21/2022
REVISIONS
SITE PLAN
RESPONSIVE EDUCATION SOLUTIONS ROGERS CHARTER SCHOOL
ROGERS, ARKANSAS
2021
SHEET C1.1



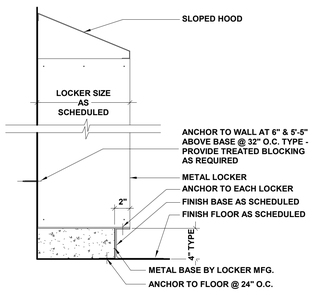
1 MONUMENT SIGN PLAN
3/4" = 1'-0"



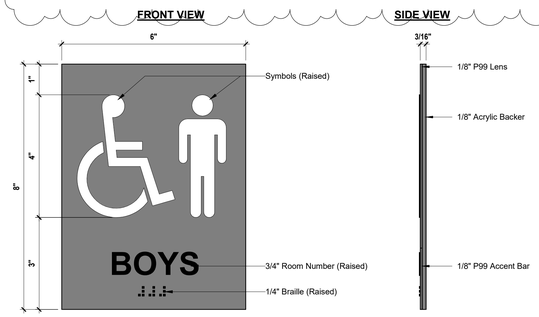
2 MONUMENT SIGN ELEVATION
3/4" = 1'-0"



3 MONUMENT SIGN SECTION
3/4" = 1'-0"



4 LOCKER BASE - STANDARD BASE
1 1/2" = 1'-0"

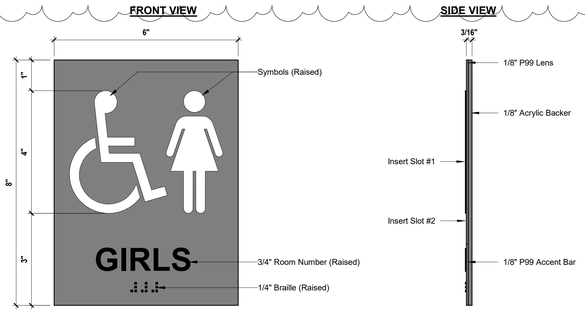


MATERIAL: 1/4" THICK ASSEMBLED ACRYLIC ROOM "ID" SLIDERS W/ ADA RAISED COPY & GRADE II BRAILLE RASTORS.

FINSH: SURFACE & EDGE PAINTED
FONT: 3/4" HELVETICA REGULAR

MOUNTING: FOAM TAPE & SILICONE

5 SIGNAGE DIAGRAM TYPE 2B
6" = 1'-0"



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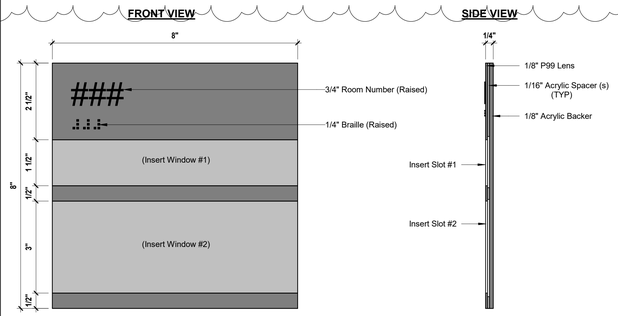
FINSH: SURFACE & EDGE PAINTED
FONT: 3/4" HELVETICA REGULAR

MOUNTING: FOAM TAPE & SILICONE

6 SIGNAGE DIAGRAM TYPE 2A
6" = 1'-0"



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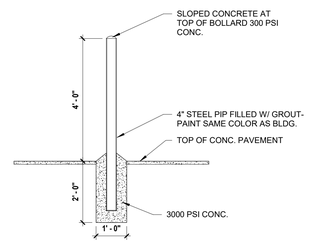
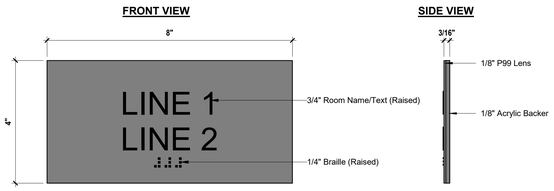
FINSH: SURFACE & EDGE PAINTED
FONT: 3/4" HELVETICA REGULAR

MOUNTING: FOAM TAPE & SILICONE

7 SIGNAGE DIAGRAM TYPE 1
6" = 1'-0"



8 DUMPSTER @ BALLARD
1/2" = 1'-0"



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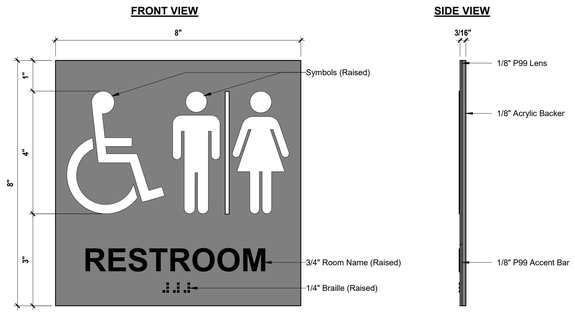
FINSH: SURFACE & EDGE PAINTED
FONT: 3/4" HELVETICA REGULAR

MOUNTING: FOAM TAPE & SILICONE

9 SIGNAGE DIAGRAM TYPE 3
6" = 1'-0"



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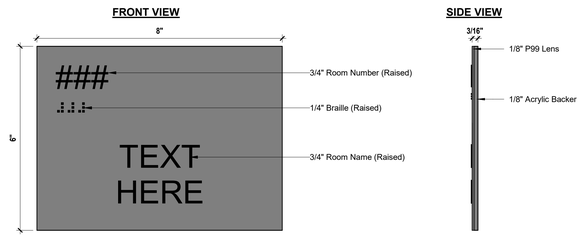
FINSH: SURFACE & EDGE PAINTED
FONT: 3/4" HELVETICA REGULAR

MOUNTING: FOAM TAPE & SILICONE

18 SIGNAGE DIAGRAM TYPE 2C
6" = 1'-0"



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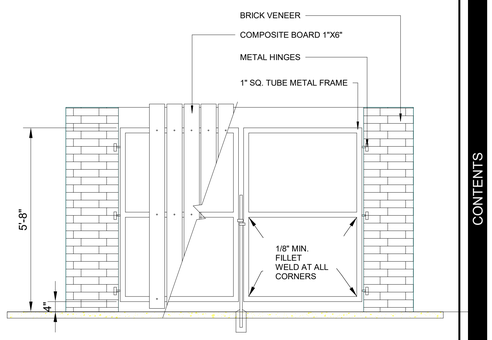
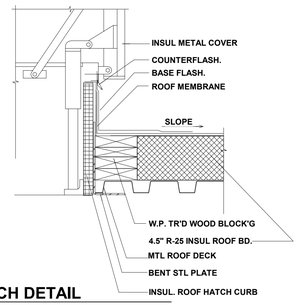
FINSH: SURFACE & EDGE PAINTED
FONT: 3/4" HELVETICA REGULAR

MOUNTING: FOAM TAPE & SILICONE

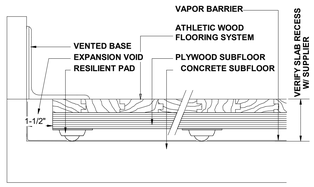
11 SIGNAGE DIAGRAM TYPE 4
6" = 1'-0"



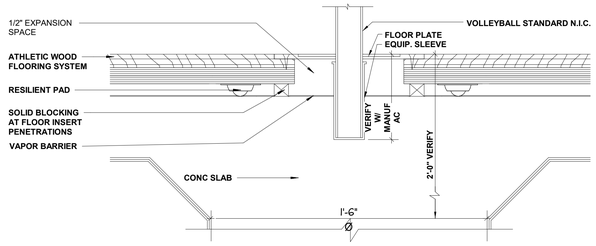
12 DUMPSTER ENCLOSURE ELEVATION
1/2" = 1'-0"



10 ROOF - HATCH DETAIL
1 1/2" = 1'-0"

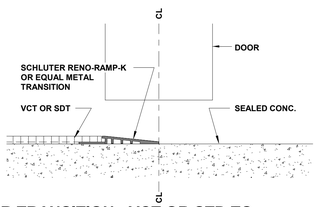


FLOOR DETAIL - ATHLETIC WOOD FLOOR - VENTED BASE @ PERIMETER
13 3" = 1'-0"



NOTES:
1. VERIFY INSTALLATION DIMENSIONS & REQUIREMENTS W/ MFR.
2. REFER TO FLOOR PATTERN PLAN FOR EXACT LOCATIONS.

FLOOR DETAIL - ATHLETIC WOOD FLOOR DETAIL - VOLLEYBALL STANDARD SLEEVE
14 3" = 1'-0"



FLOOR TRANSITION - VCT OR STD TO SEALED CONCRETE
15 FULL SCALE

WDD ARCHITECTS

REGISTERED ARCHITECT
WITTENBERG, DODSON, AND ASSOCIATES
ARKANSAS

PROJECT TITLE

RESPONSIVE EDUCATION
FOUNDERS CLASSICAL ACADEMY OF ROGERS
800 SOUTH DODSON ROAD, RODGERS, AR

CONTENTS

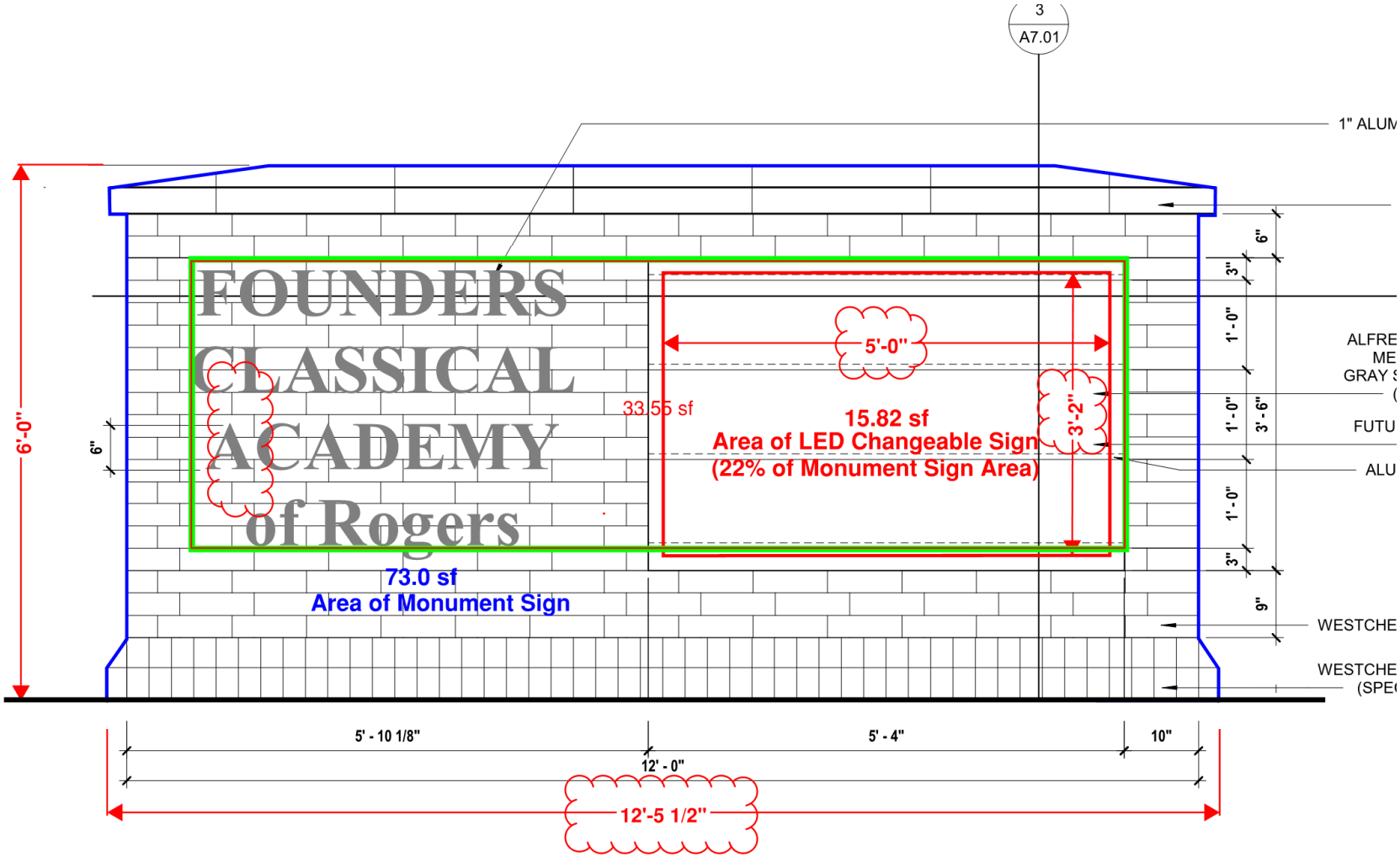
INTERIOR & EXTERIOR SIGNAGE
DETAILS / DETAILS

REVISIONS

NO.	DATE	DESCRIPTION
1	07/30/21	ADDENDUM # 4
2	04/01/22	RFI #64

20-059
JOB. NO.
05 | 28 | 2021
DATE
PKG 2 100% CD

SHEET
A7.01



2 MONUMENT SIGN ELEVATION

3/4" = 1'-0"

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

NOTICE OF PUBLIC HEARING

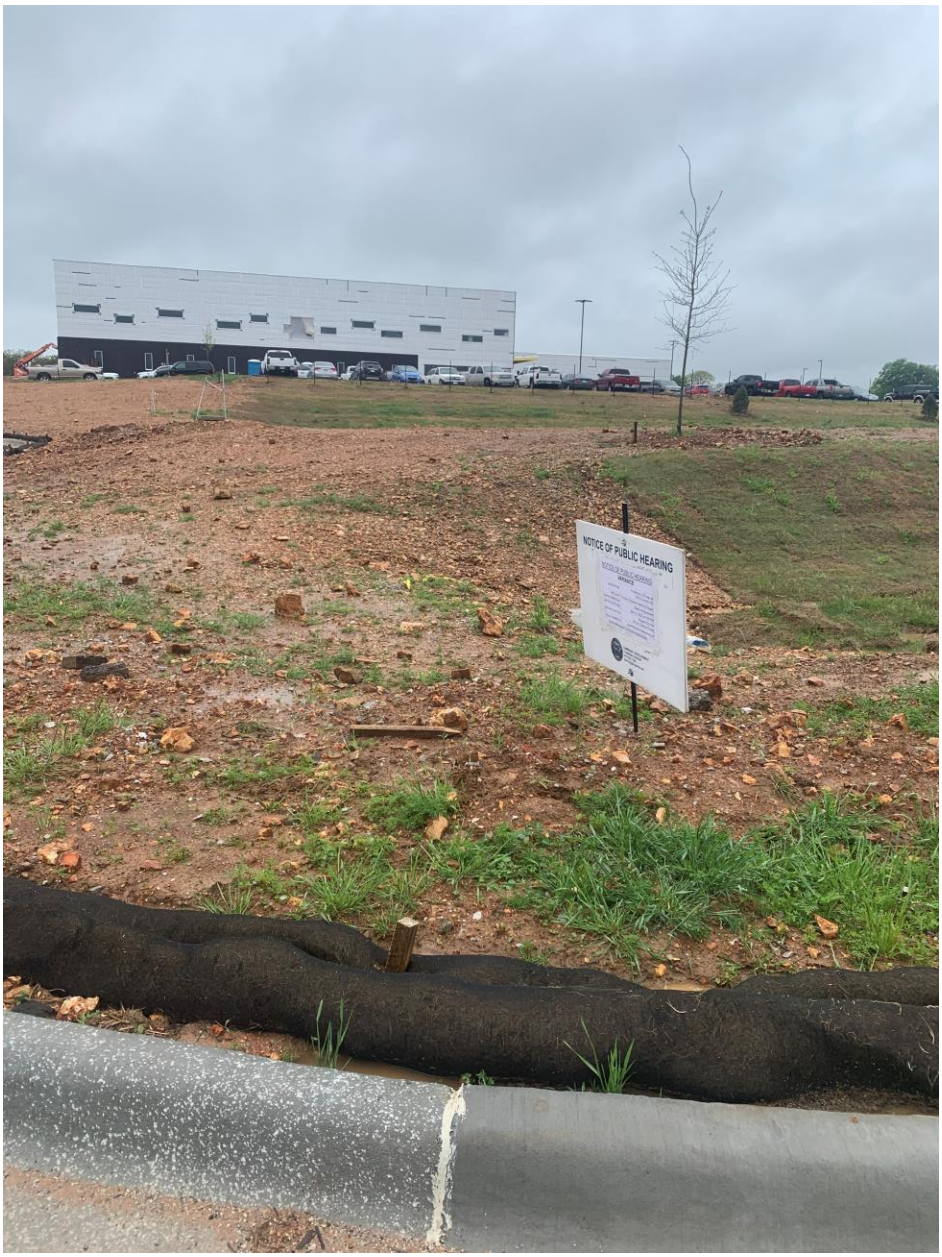
Notice is hereby given that a public hearing will be held before the **Rogers Board of Adjustment** on **May 12th, 2022** at **4:00 p.m.** at Rogers City Hall regarding an application by **Founders Classical Academy of Rogers** under the provisions of the City of Rogers Code of Ordinances, for a variance **to allow an LED sign** at **800 S. Dodson Rd.,** in the A-1 (Agricultural District) zoning district more particularly described as follows:

PARCEL NUMBER:
02-01671-511

LOCATION:
800 S. Dodson Rd.

Matt Loos, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **May 1, 2022**
BILL THE CITY OF ROGERS


NOTICE OF PUBLIC HEARING

COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

MEETING DATE
May 12, 2022

TO: BOARD OF ADJUSTMENT

RE: **STAFF SUMMARY REPORT**
VARIANCE – #22-19 CATHY CARTER SETBACK REDUCTION
PL202200384

STAFF: Zachery Birdsong, Planner I

REQUEST DETAILS

ADDRESS/LOCATION:	5611 West Murfield Dr. / 02-22597-000
SUBDIVISION:	Ivey's Ph. I
CURRENT ZONING:	R-SF (Residential Single Family)
CURRENT USE:	Residential
APPLICANT/REPRESENTATIVE:	Cathy Carter
PROPERTY OWNER:	Cathy Carter
NATURE OF REQUEST:	Building setback reduction
AUTHORITY:	Sec. 14-724, Rogers Code of Ordinances

SUMMARY

The applicant is requesting a variance to reduce the current building setback on her property from 20' to 12' to allow for the addition of a sunroom to her patio.

Community Development recommends **approval** of this request.

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

1. BOARD OF ADJUSTMENT DUTIES PER SEC. 14-724(e)(1):
   a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
   b) Hear requests for variance from the literal provisions of the zoning ordinance in instances where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning ordinance.

2. SUBJECT REQUEST:
   a) The applicant is requesting a variance to reduce the current building setback and easement on her property from 20' to 12' to allow for the addition of a sunroom to her patio.

3. GENERAL FINDINGS:
   a) The subdivision Ivey's Ph. I provides the same rear building setback as the R-SF zoning district at 20'.
   b) The applicant notes that while it doesn't necessarily fall under the category of hardship, the reason that she would like to request the variance is to allow for more functional use of her backyard living space due to the layout of the home.
   c) The applicant received an e-mail from their POA in which they stated that their ACC Committee has voted in favor of her request for a sunroom addition to the rear of her home.
   d) Staff finds the true hardship is the curvature of the road making their lot smaller in relation to neighboring lots. Part of the house is already two feet within the rear building setback, the applicant is requesting a 6' addition.
   e) The rear property line abuts land owned by the city of Rogers. The city of Rogers does not have concerns regarding this setback request.
   f) The applicant has the POA's support and the request is reasonable given the layout of the home. Due to this, staff recommends approval of this request.

4. ZONING:
   a) *R-SF (Residential Single Family)*
      The purpose and intent of the R-SF zoning district, per Rogers Code Sec. 14-699(a), "This district is intended primarily for single-family detached dwellings at low residential densities…"

5. PUBLIC INPUT RECEIVED:
   Staff has not received any comments from the public regarding this request.

6. RECOMMENDATIONS:
   a) Approve request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

1. *IF APPROVING AS PRESENTED*:
   Move to approve the request as presented**.**
2. *IF APPROVING SUBJECT TO OTHER ACTIONS*:
   Move to approve the request subject to [conditions or contingencies].
3. *IF DENYING*:
   Move to deny the request as presented.
4. *IF TABLING*:
   Move to table the request as presented [indefinite or date certain].

TABS

1. Vicinity map and existing patio
2. Variance application with required supplements

TAB 1

AERIAL VICINTY MAP

EXISTING PATIO

Existing Patio

C1 - Internal use

CC payment

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

OFFICE USE ONLY

Permit Fee: $100.00 ($100)
Zoning: RSF
App Number: 22-19
CityView Application: PL2022000384
Date: 4/20/22

VARIANCE APPLICATION

APPLICANT: Cathy Carter

ADDRESS: 5611 W Murfield Dr. Rogers AR 72758 SUITE #:

GENERAL LOCATION OF PROPERTY: LOT 90 IVEY'S PH 1, THE - ROGERS 32-19-30 0.18ACRES PLAT 10/14/11 2011-458

PHONE #: (901)262-4583 EMAIL: CCarter@maybelline.com

PROPERTY OWNER: Cathy Carter PHONE #: (901) 262-4583

NATURE OF APPEAL:

- ☐ Appeal from decision of enforcement officer
- ☑ Variance from zoning ordinance

EXPLAIN REQUEST: I would like to request variance on current setback and easement on my property in backyard from 20 feet to 12 feet to allow for sunroom addition to patio.

Cathy L. Carter
Applicant Signature

4/20/22
Date

Attachment Checklist:

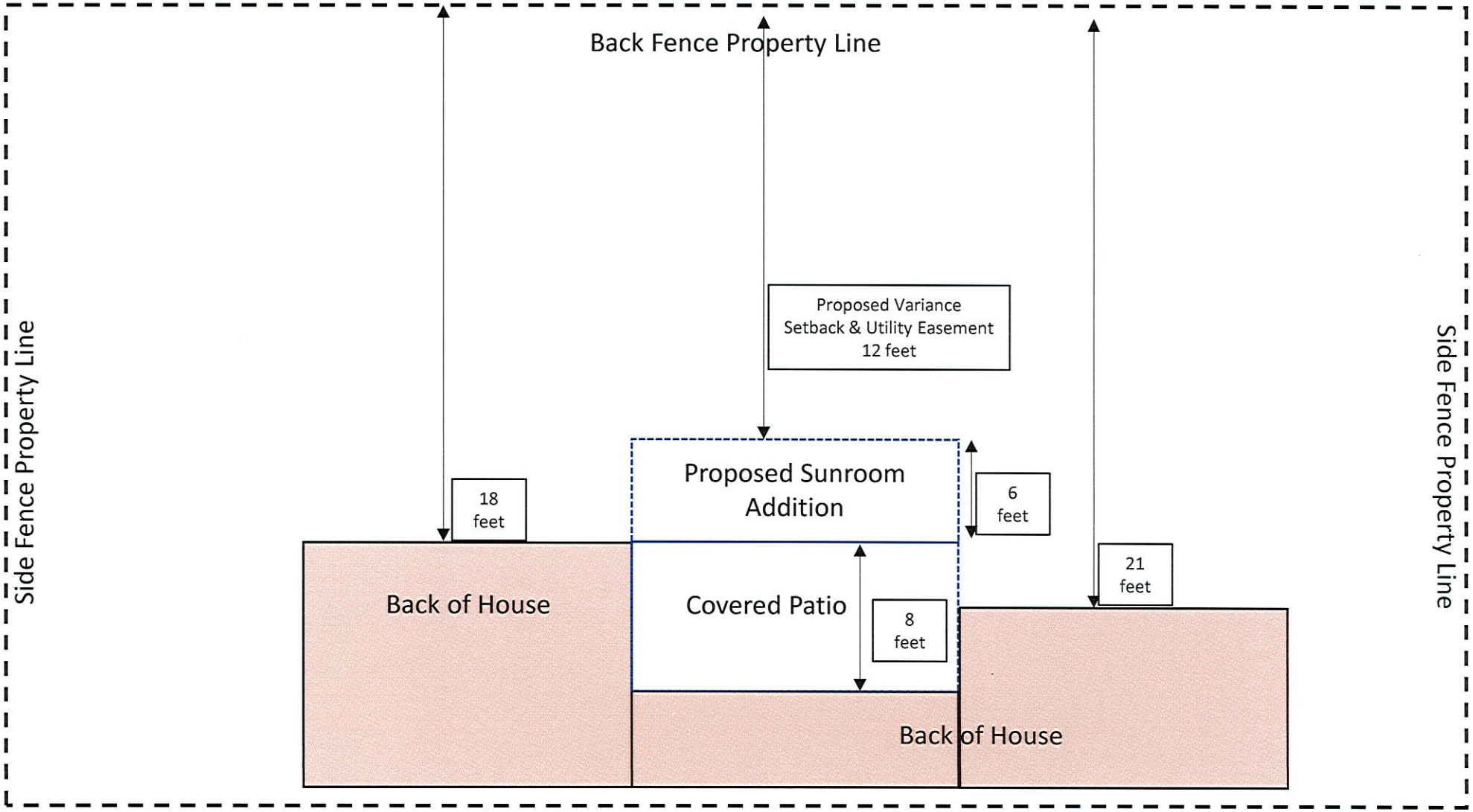
- ☑ Letter explaining hardship or reason for request
- ☑ Legal description of property
- ☑ Relevant supporting documents
- ☐ Survey or sign proofs as needed

PLANNING STAFF PROVIDES:

DATE FILED: 4/20/22 PUBLIC HEARING DATE: 5/12/2022

BOARD OF ADJUSTMENT DECISION:

SECRETARY, BOARD OF ADJUSTMENT DATE



C1 - Internal use

Example Images

4/20/22

DEPT. OF COMMUNITY DEVELOPMENT PLANNING DIVISION

301 W. CHESTNUT, ROGERS, AR 72756

Board of Adjustment Members,

I respectfully ask for variance to my current setback and utility easements on my property located at 5611 W. Murfield Drive in The Ivey's subdivision. Current setback and easements in the back of my property line are set at 20 feet. I would like to extend my current patio and construct a sunroom addition that would extend 6 feet beyond the current covered patio in my back yard. To do so, I am requesting a variance on the current setback and easements to a new distance of 12 feet from the property line. Please see the attached documents which show the proposed location of the sunroom addition outside of the proposed 12-foot easement area, along with example images of the sunroom construction.

Thank you for your consideration.

SINCERELY,

Cathy L. Carter

CATHY L. CARTER

From: CARTER Cathy <CCarter@maybelline.com>
Sent: Friday, April 29, 2022 1:07 PM
To: CARTER Cathy
Subject: RE: Proposed Sunroom Addition 5611 W Murfield Drive, The Iveys

Thanks,
Cathy L. Carter
Office: 479-464-5845
MAYBELLINE NEW YORK · GARNIER · essie
Consumer Products Division
Of L'Oreal USA S/D, Inc.

From: Cathy Carter <cathy.leigh.carter@gmail.com>
Sent: Friday, April 29, 2022 1:05 PM
To: CARTER Cathy <CCarter@maybelline.com>
Subject: Fwd: Proposed Sunroom Addition 5611 W Murfield Drive, The Iveys

Notice: External mail

---------- Forwarded message ---------
From: **Nathan Bradley** <Nathan.Bradley@genmills.com>
Date: Thu, Apr 14, 2022 at 11:32 AM
Subject: RE: Proposed Sunroom Addition 5611 W Murfield Drive, The Iveys
To: Cathy Carter <cathy.leigh.carter@gmail.com>
Cc: Dan Lombard <dlombard@vrinc.net>, theiveypoa@gmail.com <theiveypoa@gmail.com>

Cathy,
The ACC Committee for the Ivey's POA Board has voted to approve your request for a sunroom addition to the rear of your home, based on the details and project specifications you have provided, **with the stipulation that you provide us with a copy of a building permit for the project from the City of Rogers**. The City will have to grant you a variance as the project does not adhere to the 20ft setback stipulated by code.

The covenants for the Ivey's POA also stipulate a 20ft setback, but the ACC Committee has agreed to make an exception for your project and approve the request. This does not apply to additional projects on yours on any other property in the subdivision and all approvals/exceptions will be made on a case-by-case and project-by-project basis.

Dan,
Additional information on this project is attached and included in the body of the email below. Please include this in the record as well. Thank you!

Please reach out if either of you have any other questions. Good luck on your project Cathy, and thank you for being patient as we worked through this process.

- Nathan Bradley

C1 - Internal use

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the **Rogers Board of Adjustment** on **May 12th, 2022** at **4:00 p.m.** at Rogers City Hall regarding an application by **Cathy Carter** under the provisions of the City of Rogers Code of Ordinances, for a variance **to allow a reduction of the rear setback and easement** at **5611 W. Murfield Dr.**, in the R-SF (Residential Single Family) zoning district more particularly described as follows:

PARCEL NUMBER:
02-22597-000

LOCATION:
5611 W. Murfield Dr.

Matt Loos, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **Sunday May 1, 2022**
BILL THE CITY OF ROGERS

NOTICE OF PUBLIC HEARING

COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

MEETING DATE
MAY 12TH, 2022

TO: BOARD OF ADJUSTMENT

RE: **STAFF SUMMARY REPORT**
VARIANCE – CAMPBELL

STAFF: JUSTIN COUCH, PLANNER I

REQUEST DETAILS

ADDRESS/LOCATION:	104 Betsy Lane, Rogers, 72752
SUBDIVISION:	Hyland Park
CURRENT ZONING:	R-SF (Residential Single-Family)
CURRENT USE:	R-SF (Residential Single-Family)
APPLICANT/REPRESENTATIVE:	Carolyn G. Campbell
PROPERTY OWNER:	Carolyn G. Campbell
NATURE OF REQUEST:	Increase to accessory structure maximum height
AUTHORITY:	Sec. 14-724, Rogers Code of Ordinances

SUMMARY

This request is to allow an accessory dwelling unit at a maximum height of 24 feet and 6 ¼ inches. See STAFF REVIEW for additional findings.

Community Development recommends **approval** of this request.

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STAFF REVIEW

1. BOARD OF ADJUSTMENT DUTIES PER SEC. 14-724(e)(1):
   a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
   b) Hear requests for variance from the literal provisions of the zoning ordinance in instances where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning ordinance.

2. SUBJECT REQUEST:
   a) To allow for an increase of the maximum structure height for accessory structures to 24'6 ¼", varying from Sec. 14-699(f)(1)(c).

3. GENERAL FINDINGS:
   a) Accessory structure building height in a R-SF zoning district is 16 feet, except storage buildings which shall not exceed ten feet. However, Sec. 14-738, regarding accessory dwelling units, allows a height of 20'.
   b) The applicant is requesting a variance on a metal building that has already nearly finished construction. The applicant acknowledges the error and that compliance with zoning construction standards is her responsibility.
   c) The applicant does not cite a hardship basis for varying from city code, but states that the metal building will be for the property owner's personal use and believes it will not negatively impact any neighbors.
   d) Pending approval, the applicant intends to install a 24'6 ¼" barn/apartment building that will serve multiple functions, including a shop area for personal projects and hobbies, space for storage, an area to bathe dogs, and an apartment on the second floor.
   e) Applicant has stated that her son has cancer, and that she plans to move him into the apartment.
   f) Staff finds the 59' setback from the property line for this structure makes the added nearly 5' of structure height acceptable, and an expected non-issue for neighbors.

4. ZONING:
   a) R-SF (Residential Single-Family):
      The purpose and intent of the R-SF zoning district is to "primarily for single-family detached dwellings at low residential densities. Certain other structures and uses necessary to serve governmental, educational, religious, recreational, and other needs of neighborhood areas are allowed as permitted or conditional uses subject to restrictions intended to preserve and protect the single-family residential character of the district. Internal stability, harmony, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and by consideration of proper functional relationship and arrangement of the different uses permitted in this district.," (Sec. 14-699(a)).

5. PUBLIC INPUT RECEIVED:
   a) Staff has received a complaint concerning the structures height from a neighbor.

6. RECOMMENDATIONS:
   a) **Approve** request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

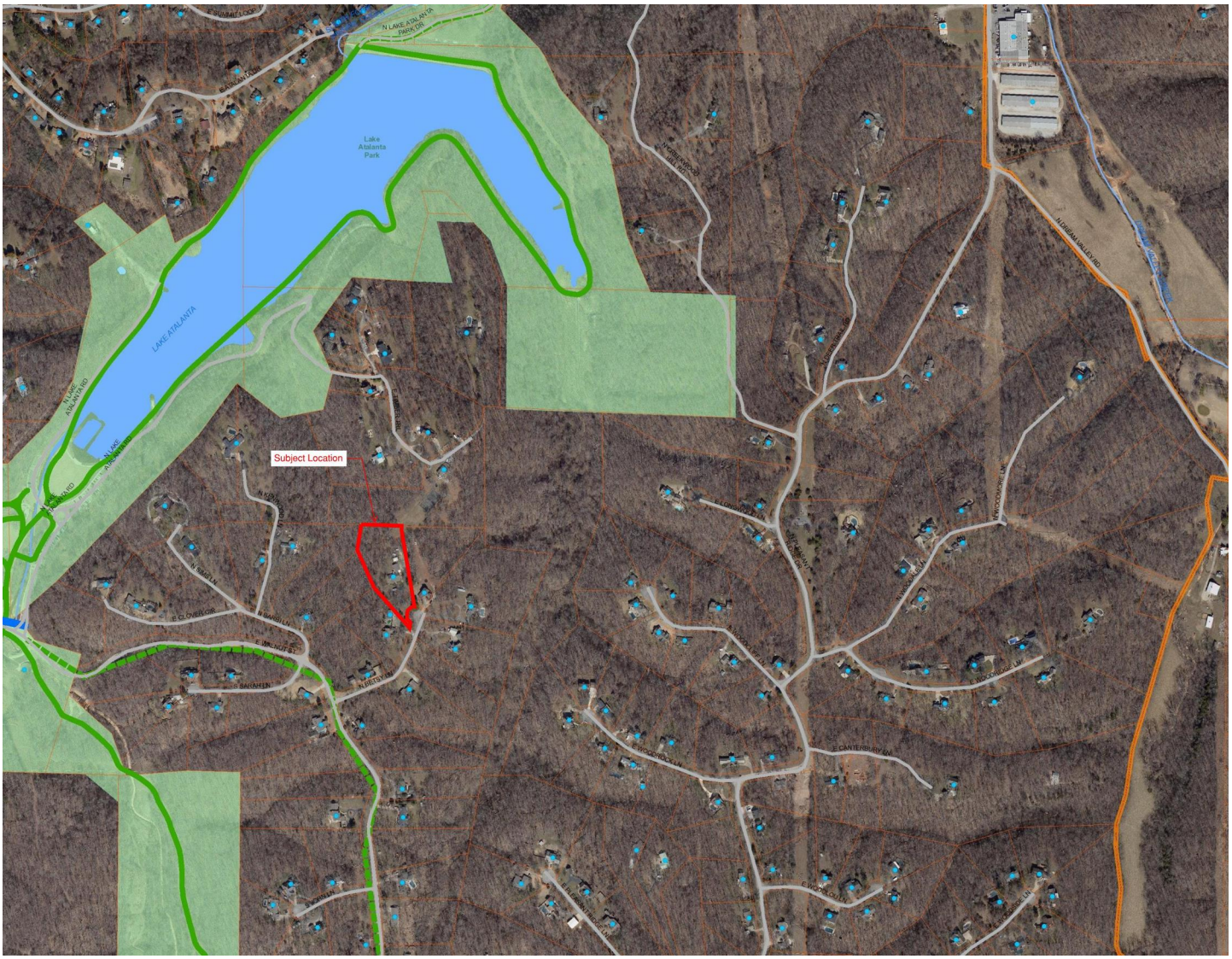
SUGGESTED MOTIONS

1. *IF APPROVING AS PRESENTED*:
   Move to approve the request as presented**.**
2. *IF APPROVING SUBJECT TO OTHER ACTIONS*:
   Move to approve the request subject to [conditions or contingencies].
3. *IF DENYING*:
   Move to deny the request as presented.
4. *IF TABLING*:
   Move to table the request as presented [indefinite or date certain].

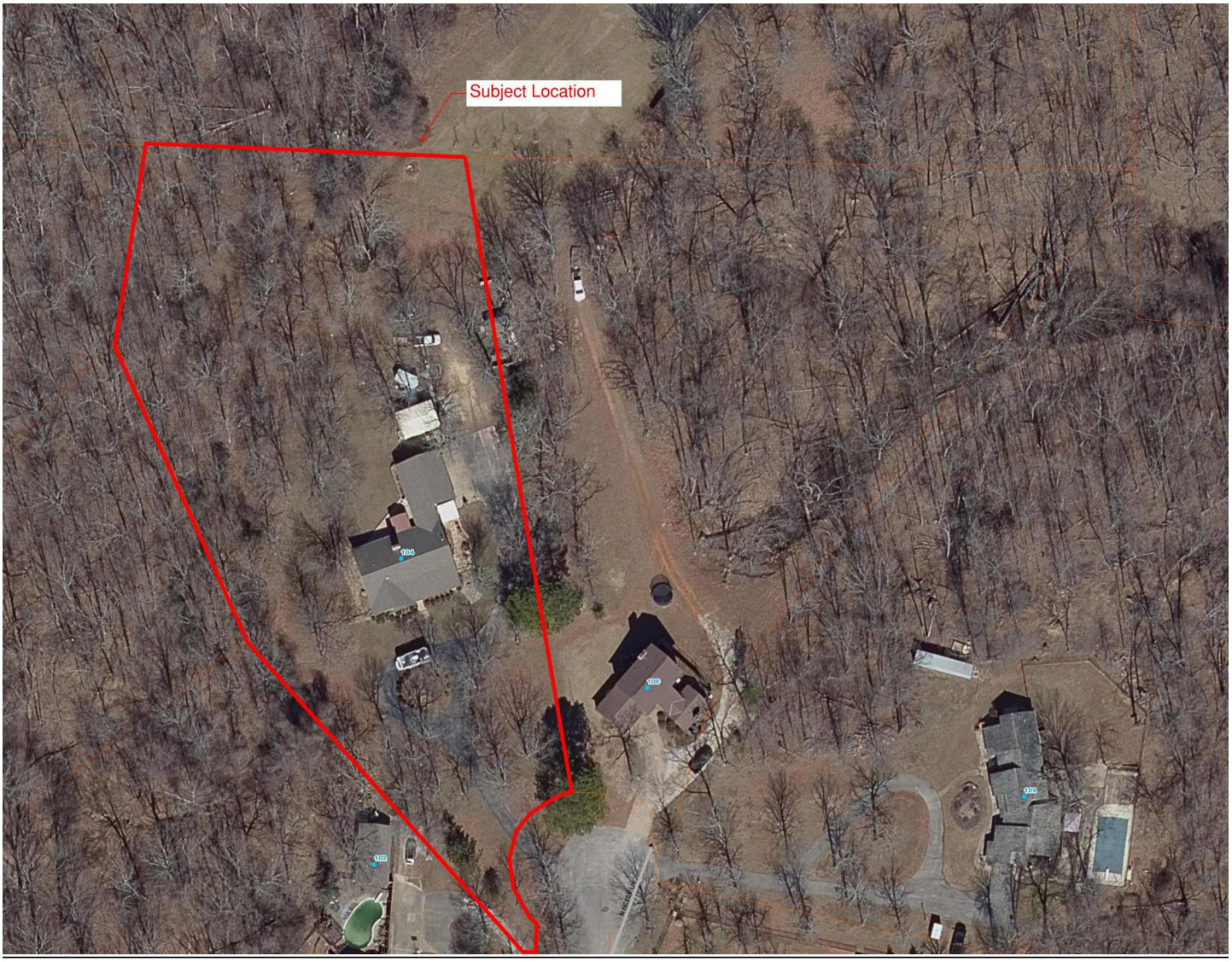
TABS

1. Vicinity map (Aerial)
2. Property Map (Aerial)
3. Variance application with required supplements

1. <u>Vicinity Map (Aerial)</u>



2. <u>Property Location (Aerial)</u>



3. Variance Application with required supplements:

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

OFFICE USE ONLY

Permit Fee: $100.00 ($100)
Zoning: RSF
App Number: 22-20
CityView Application: PL2022 00402
Date: 4/25/22

VARIANCE APPLICATION

APPLICANT: CAROLYN G CAMPBELL

ADDRESS: 104 BETSY LANE, ROGERS, AR 72756 SUITE #:

GENERAL LOCATION OF PROPERTY:

PHONE #: 479-621-3819 EMAIL: classys@cox.net

PROPERTY OWNER: CAROLYN G CAMPBELL PHONE #: 479-621-3819

REQUEST to ALLOW: Height of ~~Barn~~ ADU

HARDSHIP JUSTIFICATION to VARY FROM CODE: Metal building almost completed -

Carolyn G Campbell 4-22-22
Applicant Signature Date

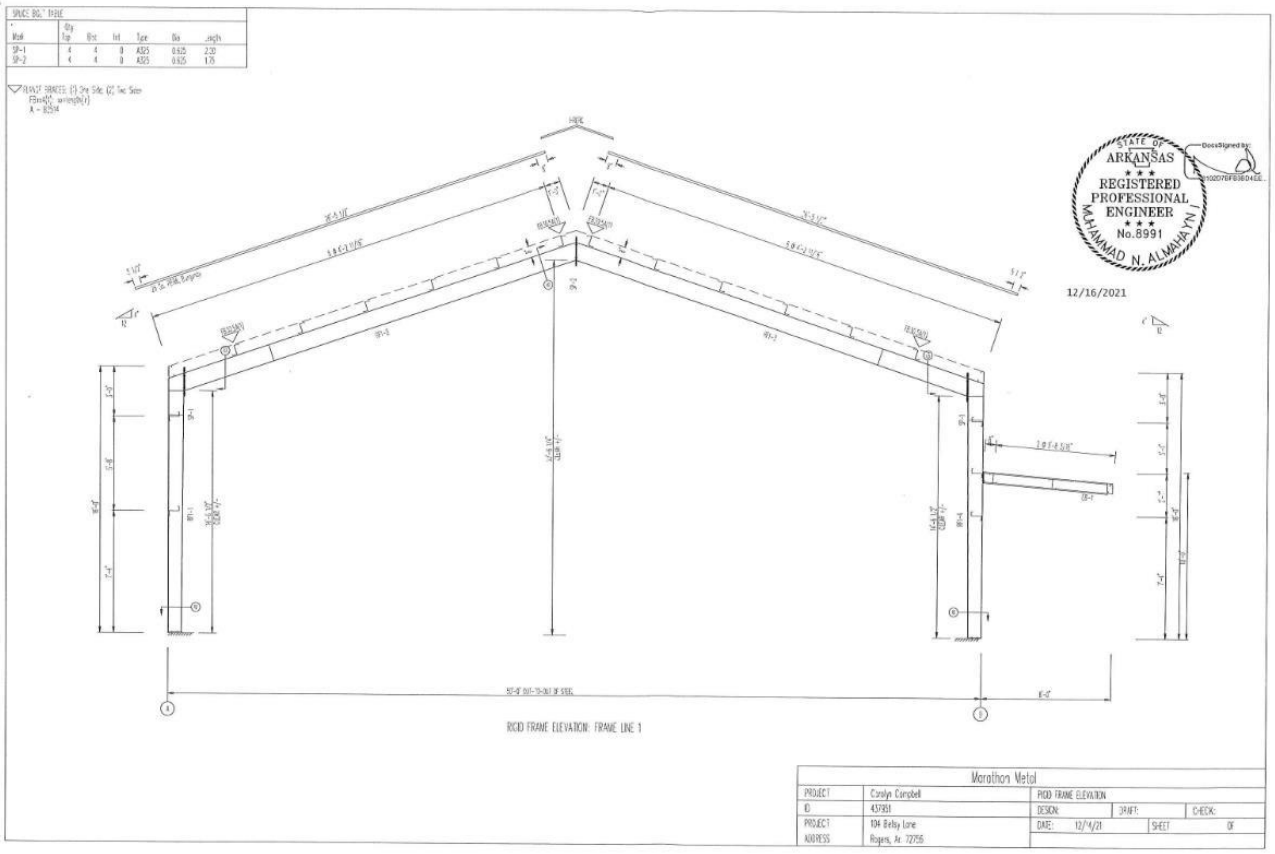
Attachment Checklist:

- ☐ Legal description of property
- ☐ Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

DATE FILED: 4/25/22 PUBLIC HEARING DATE: 5/12/22

BOARD OF ADJUSTMENT DECISION:

SECRETARY, BOARD OF ADJUSTMENT DATE

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