



ROGERS BOARD OF ADJUSTMENT MEETING AGENDA

Date: September 20, 2022

Location: City Hall, 301 W. Chestnut Street

Regular Session: 4:00 PM

Online Viewing: <https://us02web.zoom.us/j/89876934704>

CALL TO ORDER

OLD BUSINESS

1. (VAR 22-28) A request by Ty and Serenity Hampton to allow a reduction of the interior side setback at 9 W. Wembly Drive in the R-SF (Residential Single Family) zoning district.
 - *STAFF: Zachery Birdsong*
 - *REPRESENTED BY: Ty and Serenity Hampton*

NEW BUSINESS

2. (VAR 22-34) A request by Freeman Family Rentals to allow a reduction of the front and side building setback at 2318 S. 8th St in the C-4 (Open Display Commercial) zoning district.
 - *STAFF: Christina Moore*
 - *REPRESENTED BY: David Gilbert*
3. (VAR 22-35) A request by Freeman Family Rentals to allow a variance from the parking space requirement at 2318 S. 8th St in the C-4 (Open Display Commercial) zoning district.
 - *STAFF: Christina Moore*
 - *REPRESENTED BY: David Gilbert*
4. (VAR 22-36) A request by Carter Smith for Blue Barn to allow a reduction of 40' in the front building setback and a reduction of 15' in the interior side building setback at the BE. Corner of S. 2nd Street and W. Oak Street in the I-1 (Light Industrial) zoning district.
 - *STAFF: Kyle Belt*
 - *REPRESENTED BY: Carter Smith*
5. (VAR 22- 37) A request by MK Properties to allow an existing building setback at 70' at 2103 S. 8th Street, in the I-2 (Heavy Industrial) zoning district.

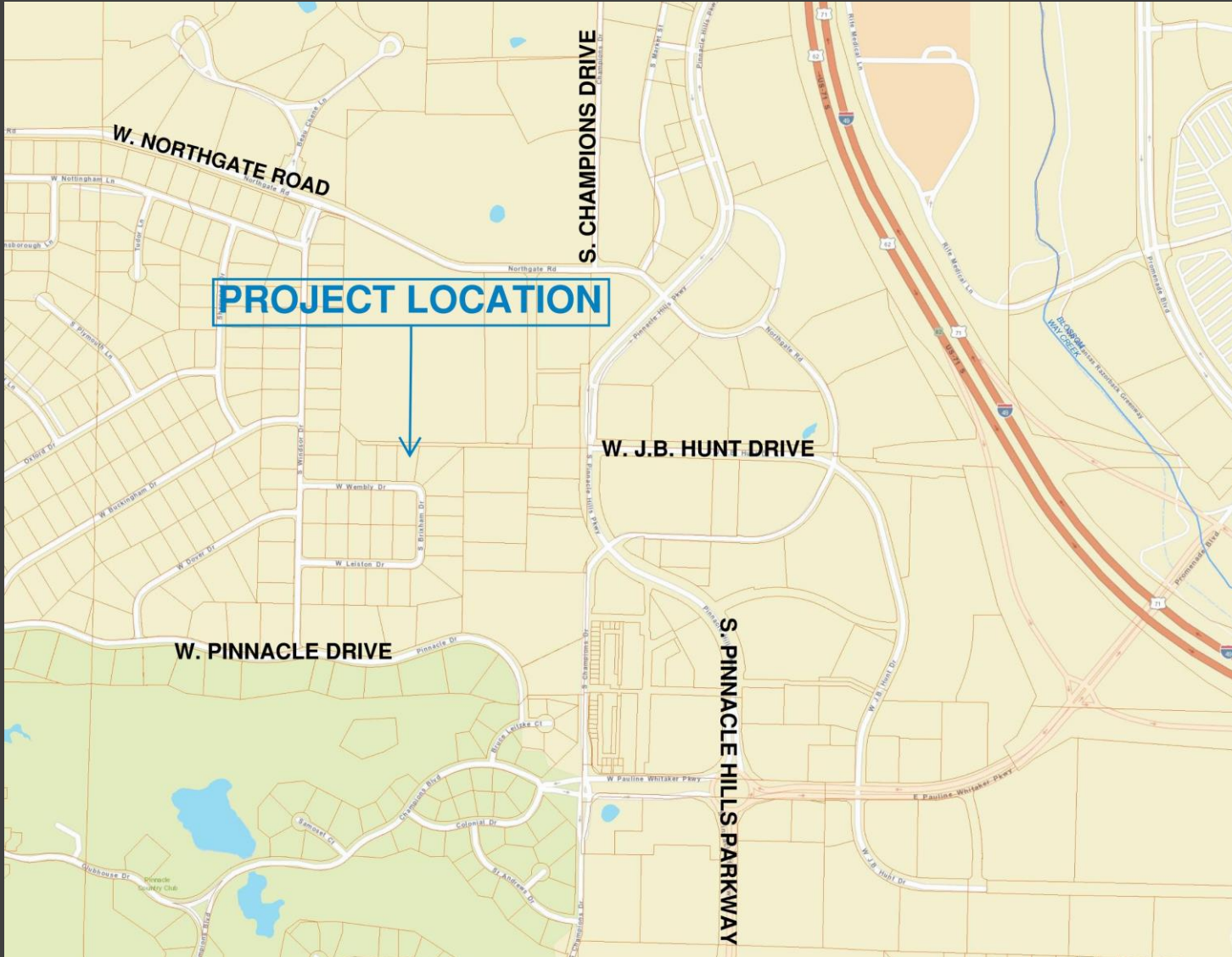
- *STAFF: Kyle Belt*
- *REPRESENTED BY: Candice Anderson*

ACTION ON MINUTES

1. Draft of September 6 , 2022 meeting minutes

ADJOURN

Variance: Ty & Serenity Hampton



Summary

Representative

John Mack

Location

9 W. Wembly Drive

Parcel 02-12771-000

Nature of Request

Interior Side Yard Setback Reduction

Zoning

R-SF (Residential Single Family)

Current Use

Residential

Vicinity Map

Staff: Zachery Birdsong, Planner (zbirdsong@rogersar.gov)



J. K. J. Architec
116B West Walnut
Rogers, Arkansas
Phone: 479-246-0055
Fax: 479-246-0086

ALL ARCHITECTURAL AND ENGINEERING DRAWINGS AND SPECIFICATIONS ARE COMPLEMENTARY. NO ADDS WILL BE ALLOWED ON THE BASIS OF FAILURE TO REVIEW THE COMPLETE SET OF DOCUMENTS. CONDITIONS SHOWN ON ANY DOCUMENTS SHALL BE DEEMED TO SHOW ON ALL. SHOW ON ALL. SPECIAL AGTOS SHALL NOT BE USED.

9 W. WEMBLY DRIVE
ROGERS, ARKANSAS

REVISION DATES

ISSUE DATE

[illegible]

2020-0012

C-1

- Original Request

- Updated Request

- A reduction from 10 feet to 7 feet 1 inch for a two story garage.

Page 4 of 57

Variance: Ty & Serenity Hampton

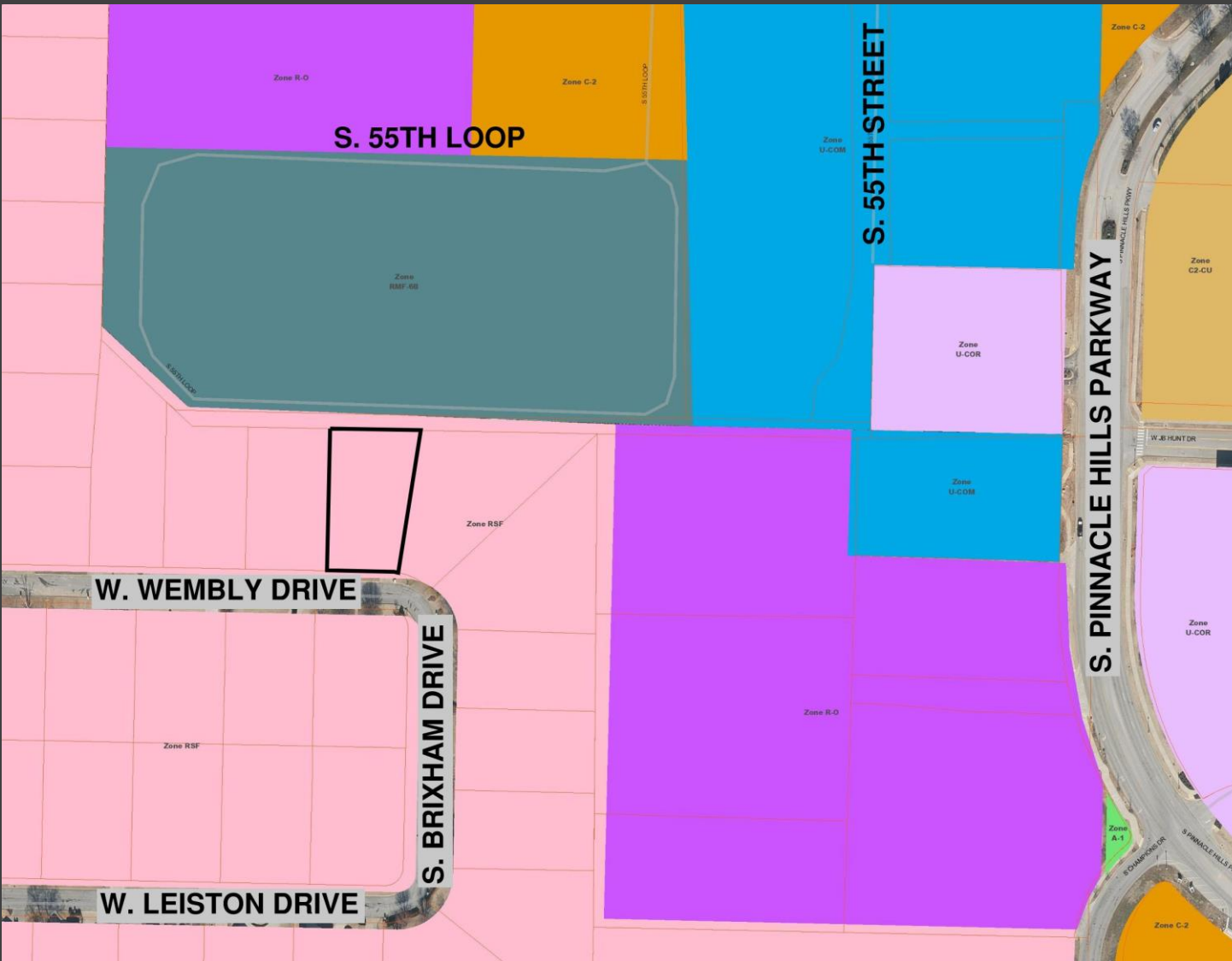


Stated Hardship

- The garage entrance must be in line with the house entrance.

Staff Findings

- The stated hardship is not site specific.



Zoning Map

Variance: Ty & Serenity Hampton



Staff Recommendation:

Consider



Aerial Image

Variance: Ty & Serenity Hampton



Board of Adjustment Duties Per Sec. 14-724(e)(1):

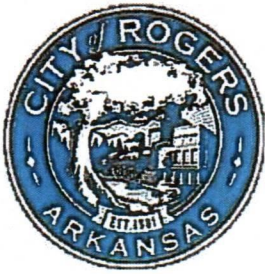
- a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community 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.

Zoning:

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).

Public Input Received:

- a) No input has been received from the public.



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

OFFICE USE ONLY

Permit Fee: \$10000 (\$100)
Zoning: RSF
App Number: 22-28
CityView Application: PL202200460
Date: 7/26/22

VARIANCE APPLICATION

APPLICANT: Ty & SERENITY HAMPTON
ADDRESS: 9W. WENDLY DRIVE ROGERS, AR SUITE #: _____
GENERAL LOCATION OF PROPERTY: LOT 522 PINNACLE SUBDIVISION, PH. 1
PHONE #: 479.381.2727 EMAIL: THAMPTON@FWBANK.COM
PROPERTY OWNER: Ty & SERENITY HAMPTON PHONE #: 479.381.2727
REQUEST to ALLOW: APPROX. ^{2' 11"} 33.25' OF BUILDING & ROOF
OVERHANG IN THE ¹⁰ 7.5 FOOT BUILDING SETBACK.
HARDSHIP JUSTIFICATION to VARY FROM CODE: _____

Ty Hampton
Applicant Signature Date

Attachment Checklist:

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

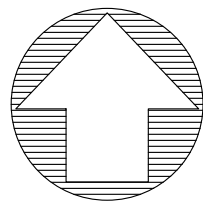
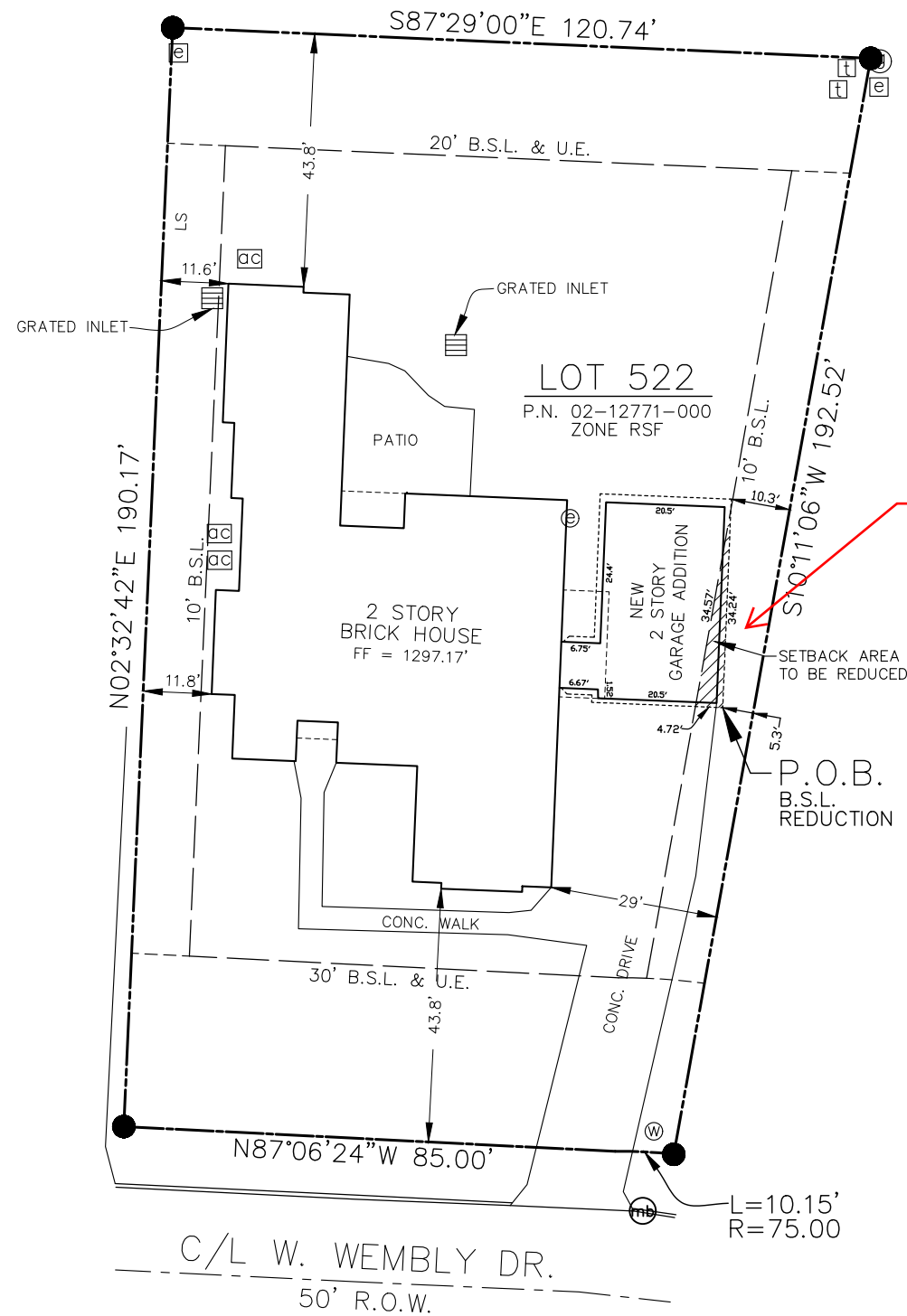
PLANNING STAFF PROVIDES:

DATE FILED: 7/25/22 PUBLIC HEARING DATE: 8/11/22

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT DATE

Original Request



LEGEND

- | | |
|-----|-----------------|
| ● | FOUND REBAR |
| (W) | WATER METER |
| (g) | GAS METER |
| e | ELECTRIC RISER |
| t | TELEPHONE RISER |
| ac | AIR CONDITIONER |

_____ PROPERTY LINE
 - - - - - SETBACK
 - - - - - EASEMENT

LEGAL DESCRIPTION:

LOT 522 OF PINNACLE SUBDIVISION,
PHASE 1, CITY OF ROGERS, BENTON
COUNTY, ARKANSAS, AS SHOWN IN
PLAT BOOK 2004, PAGES 675 OF THE
BENTON COUNTY RECORDS.

- Area to be reduced

SETBACK REDUCTION AREA DESCRIPTION:

PART OF LOT 522 OF PINNACLE SUBDIVISION, PHASE 1, CITY OF ROGERS,
BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT BOOK 2004, PAGES 675
OF THE BENTON COUNTY RECORDS, AND BEING MORE PARTICULARLY
DESCRIBED AS:

COMMENCING AT THE SE CORNER OF SAID LOT 522; THENCE N 10°11'06" E 77.50 FEET; THENCE N 79°48'54" W 5.33 FEET TO THE POINT OF BEGINNING; THENCE N 87°39'26" W 4.72 FEET; THENCE N 10°11'06" E 34.57 FEET; THENCE S 02°20'34" W 34.24 FEET TO THE POINT OF BEGINNING, CONTAINING 80.76 SQUARE FEET.

ROGERS PLANNING DIVISION:

THIS _____ DAY OF _____, 20__.

COMMUNITY DEVELOPMENT DIRECTOR

BOARD OF ADJUSTMENT SECRETARY

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0265K(EFFECTIVE DATE JUNE 5, 2012) AND FOUND IN THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY. THE PROPERTY LINES AND CORNER MONUMENTS ARE TO THE BEST OF MY KNOWLEDGE AND ABILITY, CORRECTLY ESTABLISHED, AND THERE ARE NO VISIBLE ENCRDACHMENTS EXCEPT AS SHOWN ON THIS PLAT. THIS SURVEY MEETS THE CURRENT "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS", PER THE STATE OF ARKANSAS.

ROBERT J. CASTER, P.L.S. NO. 1370, ARKANSAS
DATE

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER 3049

OWNER'S CERTIFICATION AND DEDICATION

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 PLAN 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 _____ OWNER _____

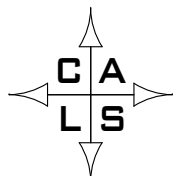
STATE OF ARKANSAS
COUNTY OF BENTON
SUBSCRIBED AND SWORN BEFORE ME THIS __ DAY OF
----- 20__.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

CASTER & ASSOCIATES
LAND SURVEYING, INC.

2715 SE 'I' Street, Suit 5
Bentonville, AR 72712
(479) 268-4464



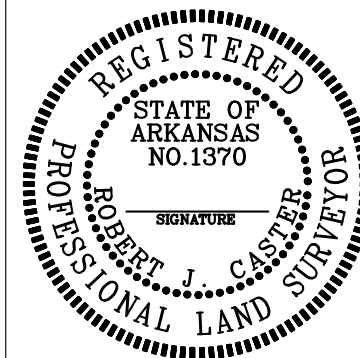
SCALE: 1" = 30'

DATE: 8-3-22

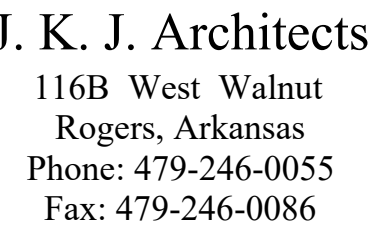
SETBACK REDUCTION PLAT
LOT 522 PINNACLE
SUBDIVISION PHASE 1

9 W. WEMBLY DRIVE
ROGERS, BENTON COUNTY,
ARKANSAS

JOB #	DRAWN BY:	CHK'D BY:	PAGE
0-127SBR	ASD	RJC	1 OF 1



A large, two-story house with a grey shingled roof, white siding, and a covered carport. The house features three large windows on the second floor and two large garage doors on the first floor. A basketball hoop is visible on the right side of the carport. The house is surrounded by a lawn and trees.



-Preliminary-
NOT FOR CONSTRUCTION

- ALL ARCHITECTURAL AND ENGINEERING DRAWINGS AND SPECIFICATIONS ARE COMPLEMENTARY.
- NO ADDS WILL BE ALLOWED ON THE BASIS OF FAILURE TO REVIEW THE COMPLETE SET OF DOCUMENTS.
- CONDITIONS SHOWN ON ANY DOCUMENTS SHALL BE DEEMED TO SHOW ON ALL.
- PARTIAL SETS SHALL NOT BE USED.

TY & SERENITY HAMPTON SITE SURVEY
9 W. WEMBLY DRIVE
ROGERS, ARKANSAS

REVISION DATES

ISSUE DATE

MM-DD YYYY

SHEET TITLE

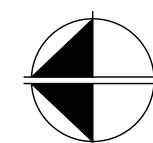
PROJECT NUMBER

2020-0012

C-1



CARMEN HARMON
P.N. 02-12772-000





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 **August 11, 2022 at 5:00 p.m.** at Rogers City Hall regarding an application by **Ty and Serenity Hampton** under the provisions of the City of Rogers Code of Ordinances, for a variance **to allow reduction of the interior side setback** at **9 W. Wembly Drive**, in the R-SF (Residential Single Family) zoning district more particularly described as follows:

PARCEL NUMBER:

02-12771-000

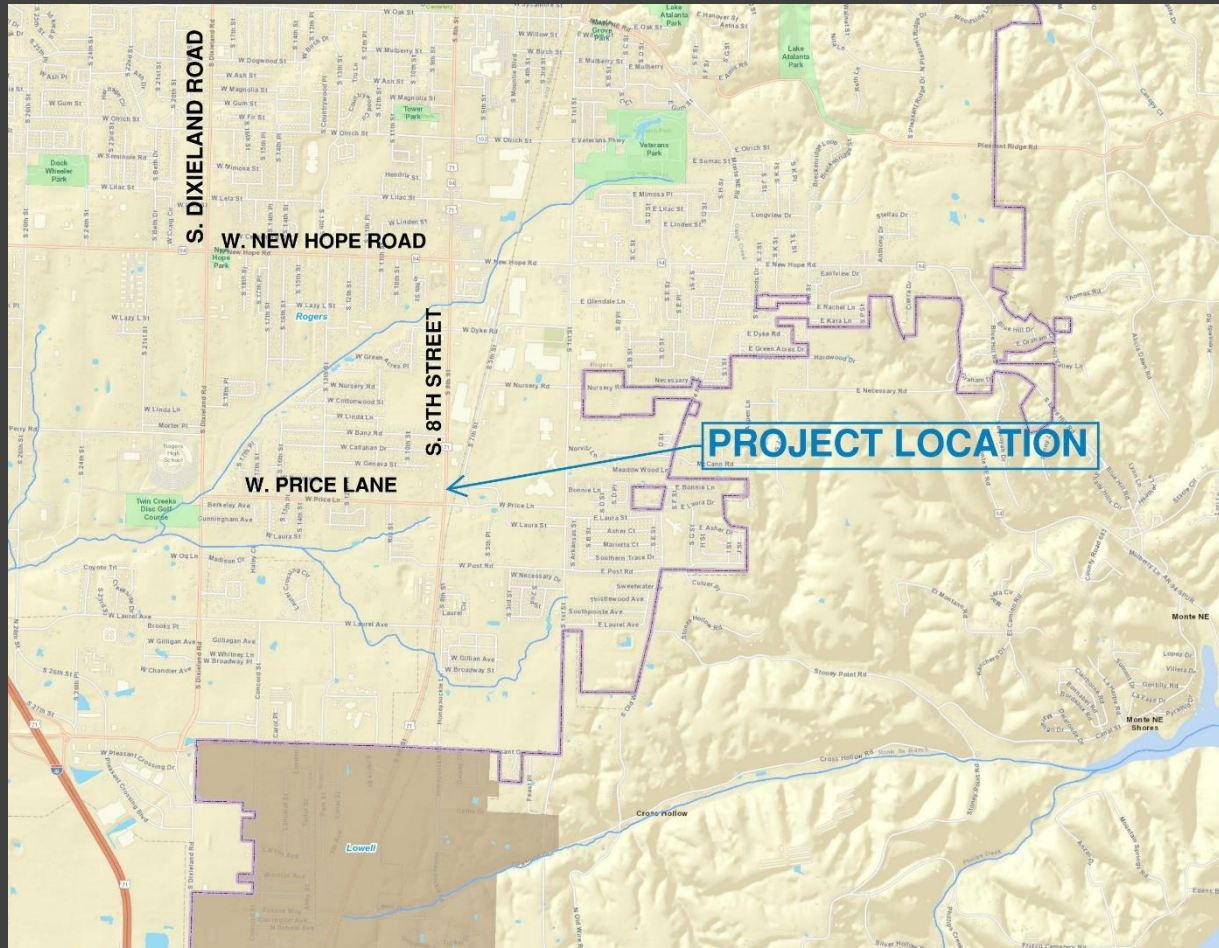
LOCATION:

9 W. Wembly Drive

Matt Loos, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **Sunday July 31, 2022**
BILL THE CITY OF ROGERS

Variance: Freeman Redevelopment #00843



Vicinity Map

Summary

Representative

David Gilbert, Plymouth Engineering

Location

2326 S 8th Street

Parcel 02-02006-000

Nature of Request

Reduction of front and side yard setbacks for two buildings.

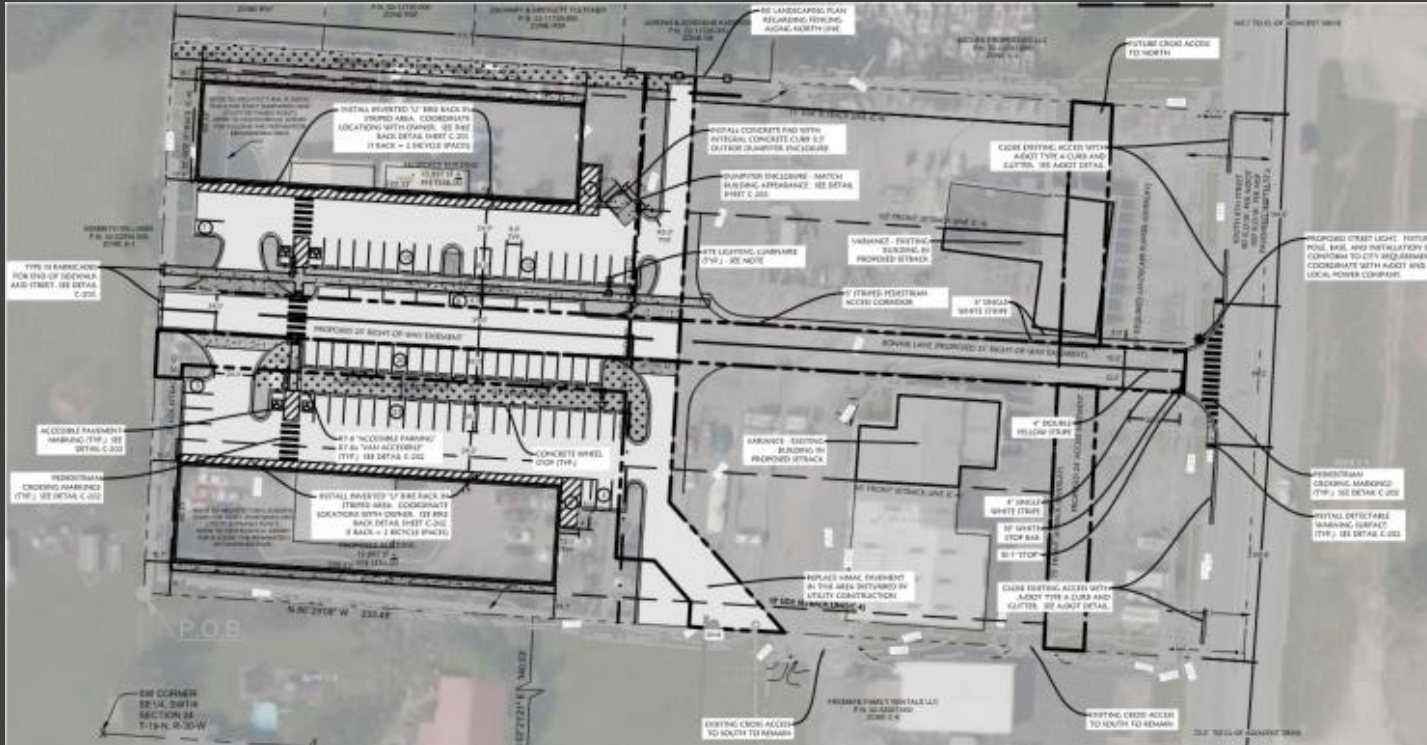
Zoning

C-4 (Open Display Commercial) & Overlay District

Current Use

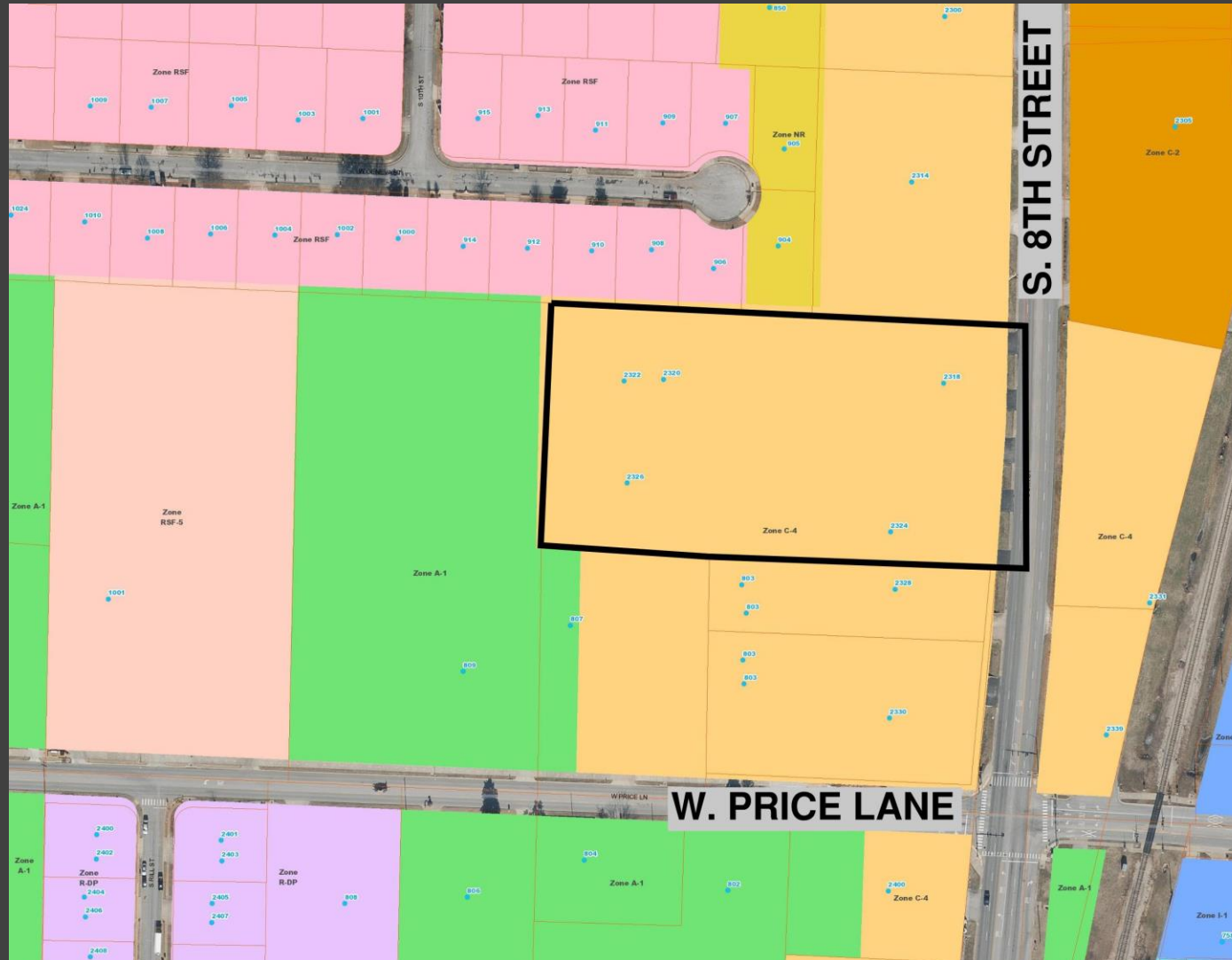
Warehousing and Storage

- The applicant is requesting a variance to reduce the front yard setback from 75 feet to 66 feet in the Overlay district and the exterior side yard setback from 45 feet to 7 feet for the existing building on the north east corner of the property.
- The applicant is also requesting to reduce the exterior side yard setback from 45 feet to 12 feet and the interior side yard setback from 15 feet to 9 feet for the building on the south east corner of the property.



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Variance: Freeman Redevelopment #00843

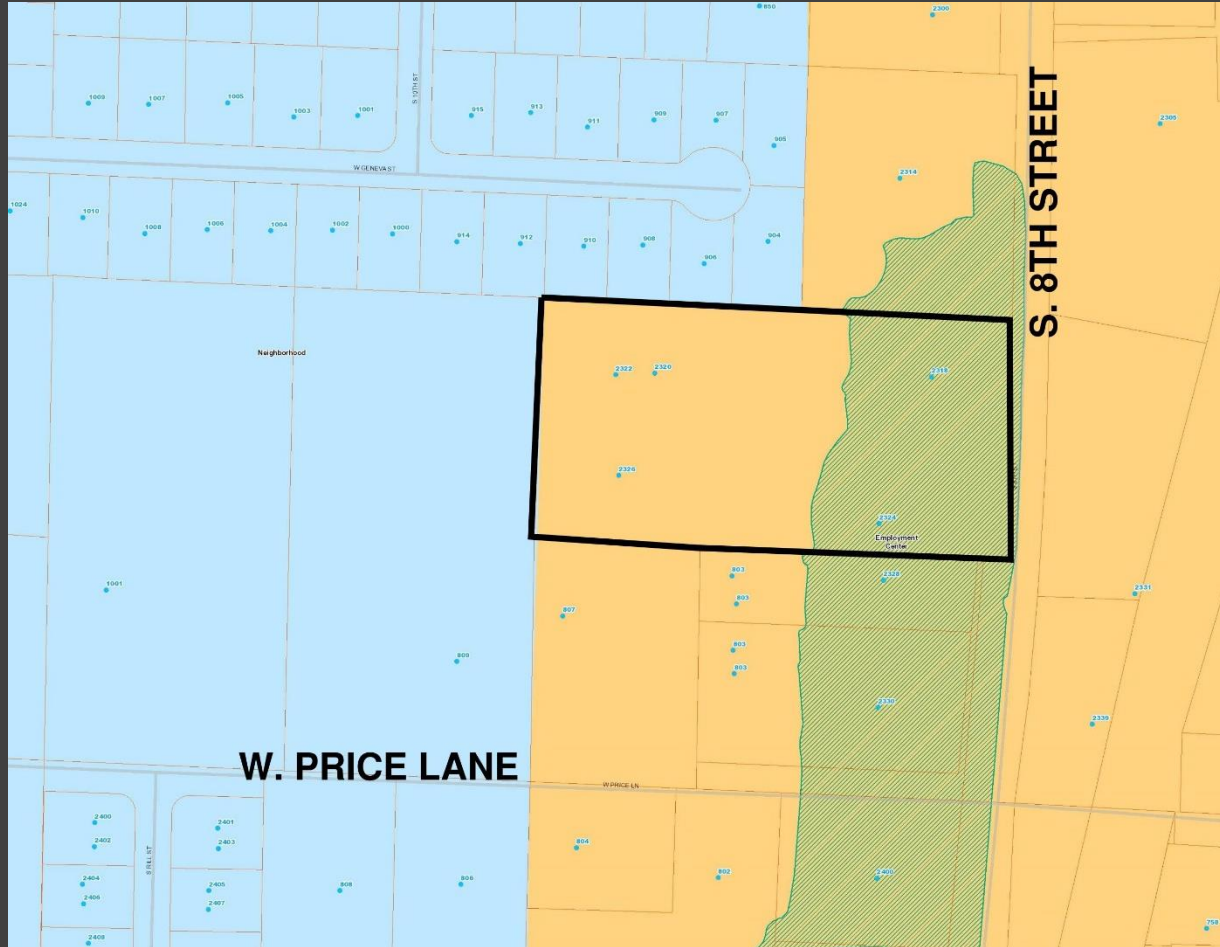


Summary Continued:

• Subject Request

- The setbacks in C-4 zoning: Front 65 feet; Interior Side 15 feet; Exterior Side 45 feet; Rear 15 feet.
- The front yard setback requirements in the Overlay District is 75 feet.

Variance: Freeman Redevelopment #00843



Stated Hardship:

- A new street that is required for connectivity to the western half of the property, creates new setbacks for the eastern section.

Staff Findings:

- Staff agrees that the applicant has provided a valid hardship.

Variance: Freeman Redevelopment #00843



STAFF RECOMMENDATION:

Approve.



Aerial Image

Variance: Freeman Redevelopment #00843



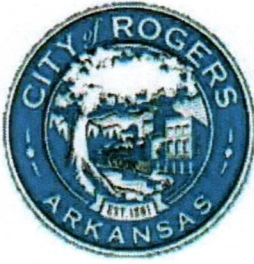
Board of Adjustment Duties Per Sec. 14-724(e)(1):

- 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.

Zoning:

- a) *C-4 (Open Display Commercial): The purpose and intent of this district is "business uses which provide essential commercial services and support activities and may have higher environmental impacts in terms of noise, dust, glare, etc., which make them incompatible with the office or retail character of the other business districts. This district is intended for on-site production of handcrafted items in conjunction with retail sales. This district is also intended for businesses that combine wholesale and retail sales and that conduct extensive outdoor activities. This district is intended to function as a transition between industrial development and commercial development." (Sec. 14-711(a)).*

Public Input Received:



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

OFFICE USE ONLY

Permit Fee: \$100 (\$100)
Zoning: C-4, Overlay
App Number: 22-33
CityView Application: PL202200843
Date: 8/29/2022

VARIANCE APPLICATION

APPLICANT: Plymouth Engineering, PLLC on behalf of Freeman Family Rentals, LLC
ADDRESS: 2318 and 2324 South 8th Street SUITE #: _____
GENERAL LOCATION OF PROPERTY: South 8th Street, approximately 600 feet north of Price Lane, west side
PHONE #: (479) 595-5934 EMAIL: david@plymoutheng.com
PROPERTY OWNER: Freeman Family Rentals, LLC PHONE #: _____

REQUEST to ALLOW: existing buildings to remain in new setbacks created by addition of new street required by 14-604 for connectivity for redevelopment of west half of parcel, and in 75' front setback (overlay zone.)
A reduction of 54' in the 65' setback from Bonnie Lane is needed for the south building. A reduction of 61' in the 65' setback from Bonnie Lane and 30' in the 75' setback from 8th Street is needed for the south building.
HARDSHIP JUSTIFICATION to VARY FROM CODE: This project is a redevelopment of the western half of the parcel. Two existing buildings, both in the east half of the parcel, are scheduled to remain. A street is required by 14-604 for connectivity, and will fall between the two existing buildings to remain. Thus, both buildings will lie within the new setback. A reduction of 54' for the south building and 61' for the north building is needed. In addition, the north building lies within the 75' setback from 8th Street created by the overlay district. A reduction of 30' for the north building (from 8th Street) is needed to create the new street and allow the existing buildings to remain.

[Signature]
Applicant Signature

8/26/2022
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: 8/29/2022

PUBLIC HEARING DATE: 9/20/2022

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT

DATE



Plymouth Engineering, PLLC

5714 Walden Street · Lowell, AR 72745
(479) 595-5934 · www.plymoutheng.com

August 26, 2022

City of Rogers
301 W. Chestnut Street
Rogers, AR 72756

Re: LSDP Variance – Setbacks for Existing Buildings
2318 South 8th Street - PL220200390

Ladies and Gentlemen of the Planning Commission:

We are currently pursuing approval of the large-scale development plans for redevelopment of part of the property located at 2318 South 8th Street, approximately 600 feet north of Price Lane, on the west side of 8th Street. This property was once occupied by Benton County Chrysler-Dodge. Our client is Freeman Family Rentals, LLC. This site presents several unique challenges which would make strict compliance with the Code of Ordinances into a hardship for the proposed development. We respectfully request variances of the following nature as part of the Large-Scale Development Process:

1. A variance from 14-285 and 14-711, et al., regarding building setbacks, for two existing buildings which are scheduled to remain.
REQUEST TO ALLOW: two existing buildings to remain in new setbacks created by the addition of a public street required by Section 14-604 to provide connectivity for redevelopment of the western half of the parcel; and for one of those buildings to remain in a 75-foot setback which is required as part of the Overlay District. A reduction of 54 feet in the 65-foot setback from Bonnie Lane is needed for the south building. A reduction of 61 feet in the 65-foot setback from Bonnie Lane and 30 feet in the 75-foot setback from 8th Street is needed for the south building.

HARDSHIP JUSTIFICATION TO VARY FROM CODE: This project is a redevelopment of the western half of the property. Two existing buildings, both in the east half of the parcel, are scheduled to remain at this time. A street is required by 14-604 for connectivity, and will fall between the two existing buildings to remain. Thus, both buildings will lie within the new setback from Bonnie Lane. A reduction of 54 feet for the south building and 61 feet for the north building is needed. In addition, the north building lies within the 75-foot setback from 8th Street created by the Overlay District. A reduction of 30 feet for the north building, for the 8th Street setback, is needed. These variances are needed to create the new street and to allow the existing buildings to remain.

This redevelopment will improve the property significantly from its current condition. We believe the impact from the requested variances, if granted, will be minimal and that the project as proposed represents a significant improvement to the City's south entry corridor.

We appreciate your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Gilbert", with a stylized flourish at the end.

David A. Gilbert, P.E.
Plymouth Engineering, PLLC

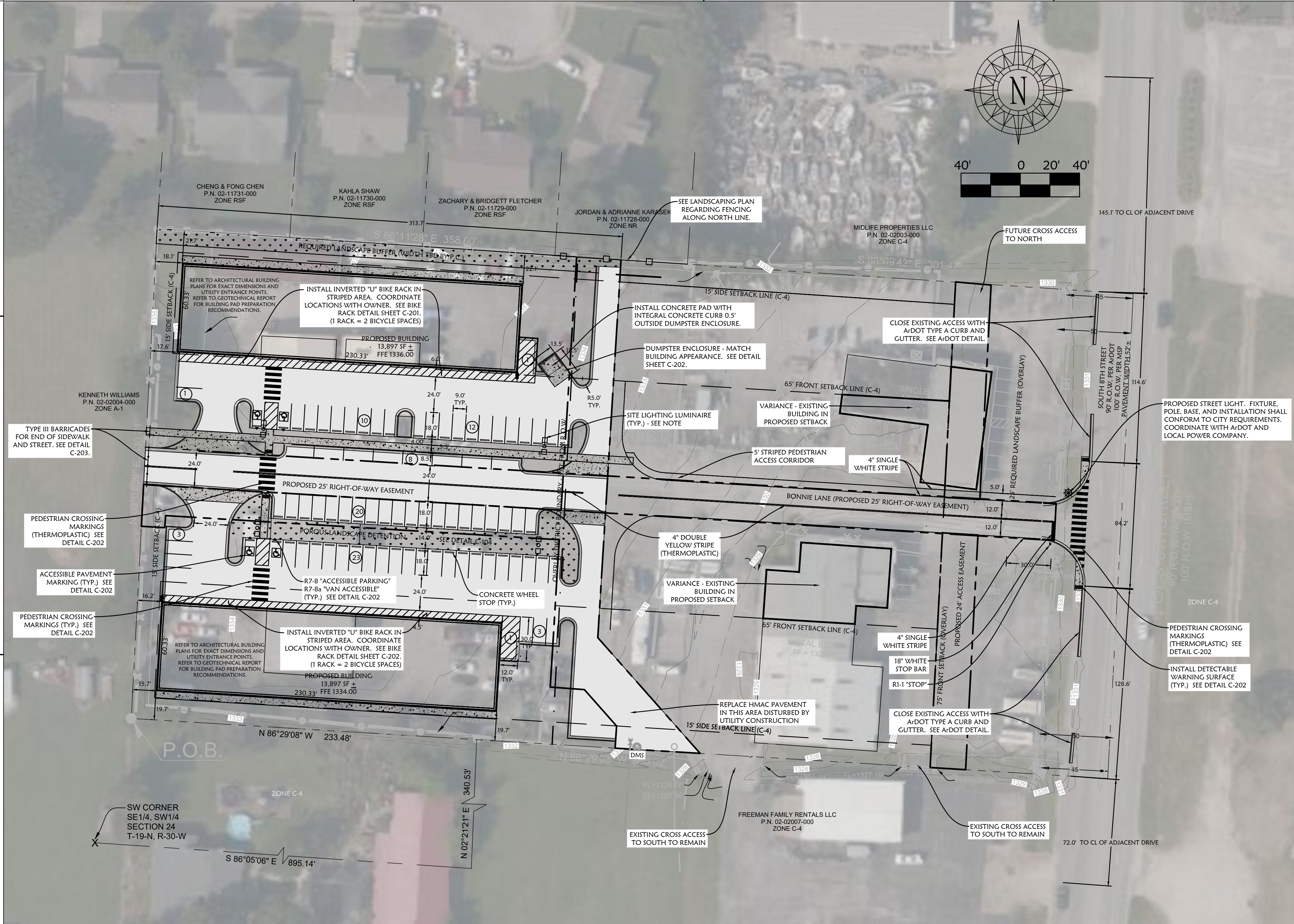
c: Owner
File

D

C

B

A



THE FOLLOWING APPLIES ONLY TO THE AREA PROPOSED FOR REDEVELOPMENT:

PARKING:

Parking requirement based upon floor area in C-4 zone: - General Business/Retail Sales (1 space per 250 SF required) (90% based on floor size)

Proposed building gross floor area = 30,030 SF / 250 per SF x 90% = 100 spaces required
2 loading spaces required - 2 shown

80 spaces shown - a variance has been requested
4 accessible spaces required (1 van accessible), 4 shown (4 van accessible)

MINIMUM OPEN SPACE REQUIREMENT / MAXIMUM IMPERVIOUS AREA LIMIT:

103,093 sf shown developed (rear portion only)

Open space 25,287 sf (25.5%)

Impervious area 74.5% (80% max.)

WQCV (per Rogers' worksheet):

Percent impervious 74.5%

Tributary area 103,093 square feet

WQCV 3,516 cubic feet

At 1' depth, porous landscape detention area of 3,516 square feet is required

3,873 sf shown

Flood Plain

Portions of this property are subject to a Special Flood Hazard Area (Zone AE, elevation 1331 feet), per FEMA Flood Insurance Rate Map (FIRM) panel 05007C0270K, effective June 5, 2012.

ALL SIGNS (OTHER THAN TRAFFIC SIGNS) REQUIRE A SEPARATE PERMIT FROM THE CITY PRIOR TO INSTALLATION.

LEGEND	
	EXISTING TREE (DECIDUOUS)
	EXISTING TREE (EVERGREEN)
	FIRE HYDRANT
	YARD HYDRANT
	WATER VALVE
	TAPPING SLEEVE/SADDLE
	PROPOSED WATER METER
	PROPOSED AIR RELEASE VALVE
	PARKING STRIPING
	ACCESSIBLE PARKING SYMBOL
	ACCESSIBLE PARKING SIGN
	ACCESS AISLE
	RAMP
	TACTILE WARNING
	WHEEL STOP
	PARKING COUNT
	SPOT ELEVATION
	PROPOSED STREET LIGHT
	BUILDING (EXISTING)
	BUILDING (PROPOSED)
	PROPERTY BOUNDARY
	RIGHT-OF-WAY
	EASEMENT
	BUILDING SETBACK
	CURB AND GUTTER
	WATER LINE (SEE PLAN FOR SIZE)
	DRAINAGE PIPE
	EXISTING CONTOUR
	PROPOSED CONTOUR

General Site Notes

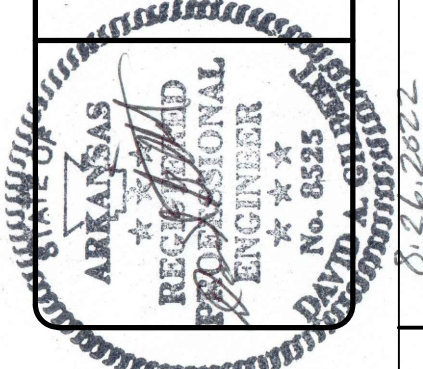
- All dimensions are to face of curb or sidewalk, unless noted otherwise.
- Contractor shall be responsible for all staking.
- All traffic signage and pavement markings shall conform to the Manual on Uniform Traffic Control Devices (MUTCD). All pavement markings shall consist of 4" traffic white, traffic grade paint unless noted otherwise. Thermoplastic markings shall be used where indicated on the plans.
- Gross site area: 4.99 acres, more or less
Net site area (less street ROW): 4.99 acres, more or less
Construction area: 2.37 acres, more or less
- Parking requirement based upon floor area in C-4 zone: General Business/Retail Sales
Proposed building gross floor area = 27,794 SF
Parking reduced to 90% based on floor area over 20,001 to 30,000 SF
1 space per 250 SF x 0.90 = 100 spaces required. 80 spaces provided.
4 accessible space required (1 van accessible), 4 provided (4 van accessible)
Two off-street loading space required, two provided.
- Dumpster location shown on site plan.
- Basis of Bearings: Arkansas-North State Plane Grid
Basis of Elevations: NAVD 88

Onsite benchmark: Finished Floor elevation of the existing building closest to the southeast corner of the site (outside the redevelopment area - building to remain): 1328.75'.
- APPROPRIATE PERMITS SHALL BE OBTAINED FROM THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR ANY WORK IN THE RIGHT-OF-WAY OF SOUTH 8TH STREET (US HIGHWAY 71B) PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. COPIES OF THE APPROVAL MUST BE PROVIDED TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO THE ISSUANCE OF BUILDING PERMIT.
- All HVAC and other mechanical equipment must be screened from public view.
- Zero horizontal light trespass is permitted from outdoor lighting when adjacent to residential. Contractor shall provide shielded fixtures and external shields as required. Contractor shall provide photometric printout once lighting vendor is selected and prior to construction of poles or foundations.
- Trash dumpsters and/or containers shall be stored inside the individual units or shall be surrounded with screening of solid-type construction that is consistent with the architectural style of the building. Dumpsters on permanent foundations may not be located in setbacks or easements.
- All construction shown in these plans shall be completed in one phase. Redevelopment of the eastern half of the lot requires separate approval and shall be constructed at a later date.

SITE DATA	
OVERALL SITE AREA	4.99 ACRES
REDEVELOPMENT AREA	2.37 ACRES
BUILDING AREA	27,794 SF
BUILDING COVERAGE	29.1%
OPEN SPACE	25,287 SF, 24.5%
IMPERVIOUS AREA	77,806 SF, 75.5%
ZONING	C-4
PARKING REQUIRED	90% OF 1/250 SF = 100
PARKING PROVIDED	80
ACCESSIBLE SPACES REQUIRED	4
ACCESSIBLE SPACES PROVIDED	4
VAN ACCESSIBLE SPACES REQUIRED	1
VAN ACCESSIBLE SPACES PROVIDED	4
BICYCLE SPACES REQUIRED	1:20 SPACES = 5
BICYCLE SPACES PROVIDED	6
LOADING SPACES REQUIRED	2
LOADING SPACED PROVIDED	2
BUILDING SETBACKS	
NORTH (INTERIOR SIDE)	15'
EAST (FRONT, OVERLAY)	75'
SOUTH (INTERIOR SIDE)	15'
WEST (REAR)	15'
SETBACKS ALONG NEW STREET (FRONT)	65'
MAX. ALLOWABLE BUILDING HEIGHT	85'
PROPOSED BUILDING HEIGHT (ABOVE FFE)	28'
PROPOSED BUILDING HEIGHT (ABOVE ADJACENT GRADE)	28.5'
CONSTRUCTION TYPE	II B
OCCUPANCY CLASSIFICATION	BUSINESS / STORAGE
CUP	PL202200710

Reserved for City of Rogers

Plymouth Engineering PLLC
5714 Walden Street
Lowell, Arkansas 72745
(479) 595-5934
www.plymoutheng.com



Freeman Family Rentals, LLC
2318 South 8th Street
Rogers, AR 72756
Large-Scale Development Plans

M	ADH comments	8/26/2022
L	RWU conditional approval comments	8/18/2022
K	Fourth full day review comments	8/17/2022
J	Third full day review / RWU 2nd	7/22/2022
I	Third full day review / RWU 2nd	7/8/2022
H	Street concept for day review	6/10/2022
G	First day review comments	5/20/2022
F	Large-scale development submitted	4/14/2022

Designed by:	David A. Gilbert, P.E.	Rev.	M
Date:	8/26/2021	Design file no.	
Drawn by:	Cld by:	Drawing code:	
COPYRIGHT NOTICE: These drawings are instruments of service of Plymouth Engineering PLLC. All rights reserved.			
File name:	Freeman 8th Street	File date:	8/26/2021
Plot date:	8/26/2021	Plot scale:	1"=40'

Site Plan

Sheet
reference
number:
C-103
Sheet 4 of 15

FREEMAN FAMILY RENTALS, LLC

2318 SOUTH 8TH STREET

PARCEL 02-02006-000

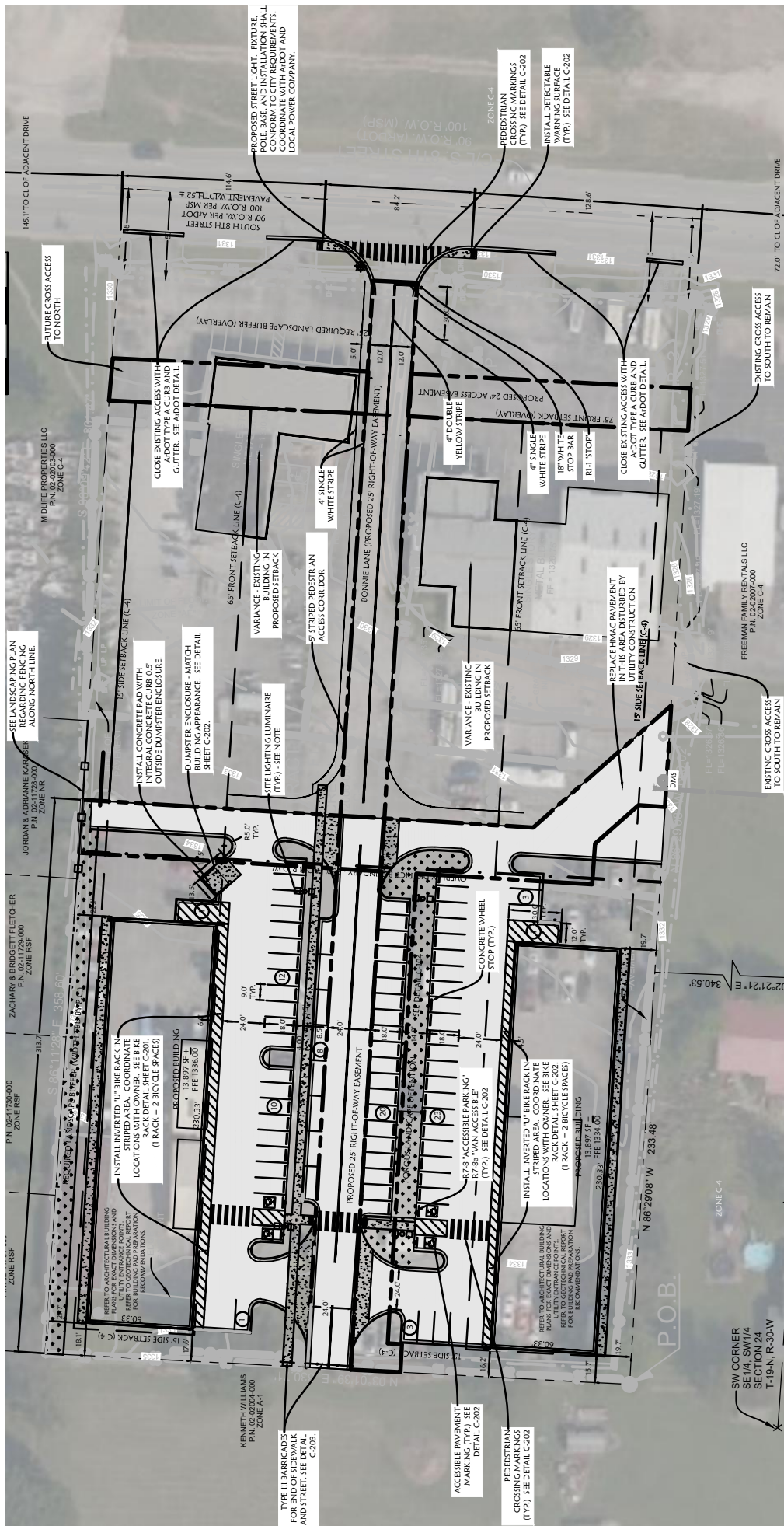
LEGAL DESCRIPTION (FROM SURVEY)

"THE NORTH HALF (N1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SW CORNER OF THE SE1/4 OF THE SW1/4 OF SAID SECTION 24; THENCE S 86°05'06" E 895.14 FEET; THENCE N 02°21'21" E 340.53 FEET; THENCE N 86°29'08" W 233.48 FEET TO THE POINT OF BEGINNING; THENCE N 03°01'39" E A DISTANCE OF 330.71 FEET; THENCE S 86°11'28" E A DISTANCE OF 358.60 FEET; THENCE

S 86°09'42" E A DISTANCE OF 301.47 FEET; THENCE S 03°01'39" W A DISTANCE OF 327.17 FEET; THENCE N 86°29'08" W A DISTANCE OF 660.02 FEET; TO THE POINT OF BEGINNING,

WITH AN AREA OF 217132.67 SQUARE FEET, OR 4.99 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT."





2318 SP3

**OFF PUBLIC HEARING
VARIANCE**

PUBLIC HEARING
VARIANCE

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

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COMMUNITY DEVELOPMENT
PLANNING DIVISION
1000 15th St. N.E.
Atlanta, GA 30309

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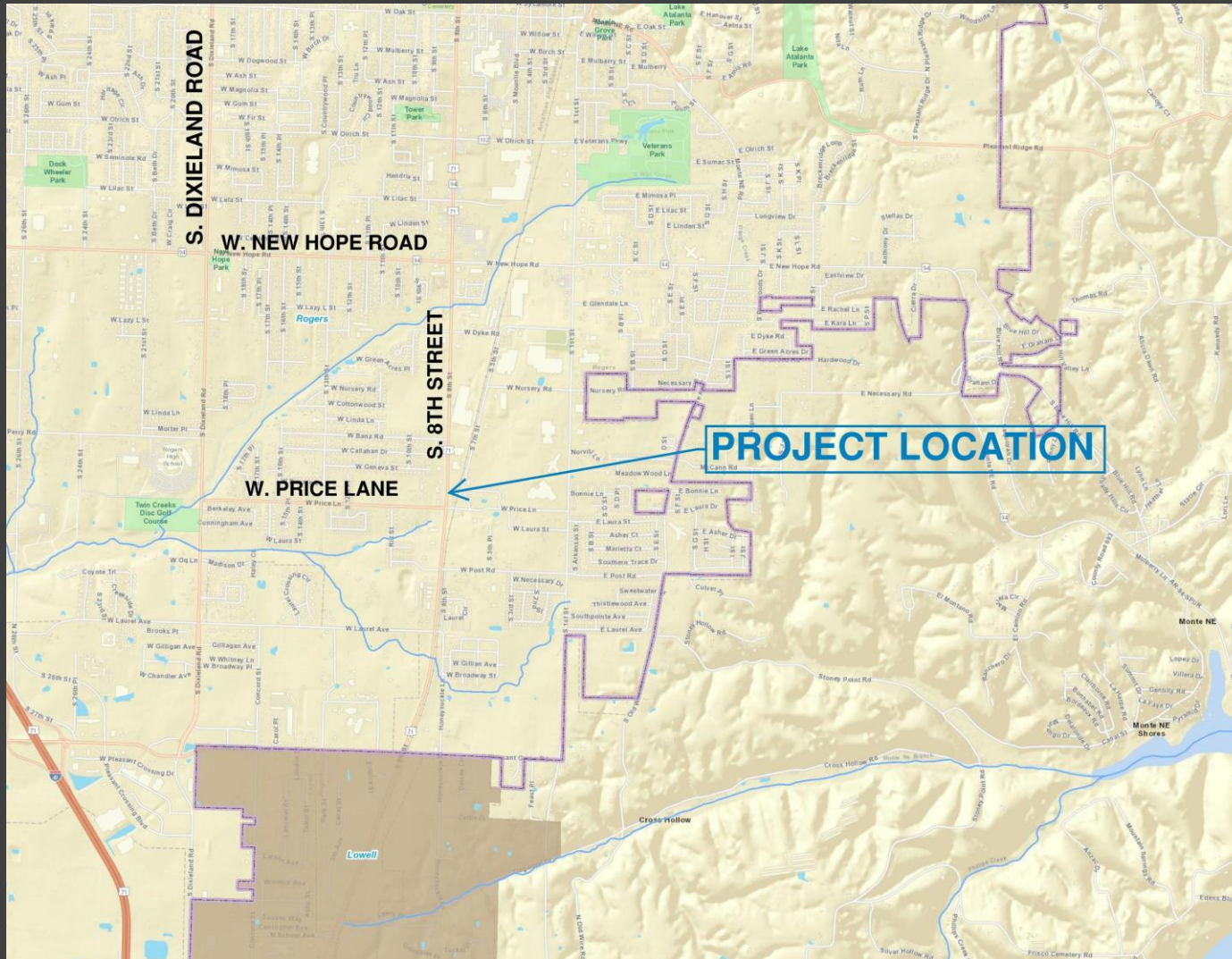


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152

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Variance: Freeman Redevelopment #00842



Vicinity Map

Summary

Representative

David Gilbert, Plymouth Engineering

Location

2326 S 8th Street

Parcel 02-02006-000

Nature of Request

Reduction of Off-Site Parking

Zoning

C-4 (Open Display Commercial) &
Overlay District

Current Use

Warehousing and Storage

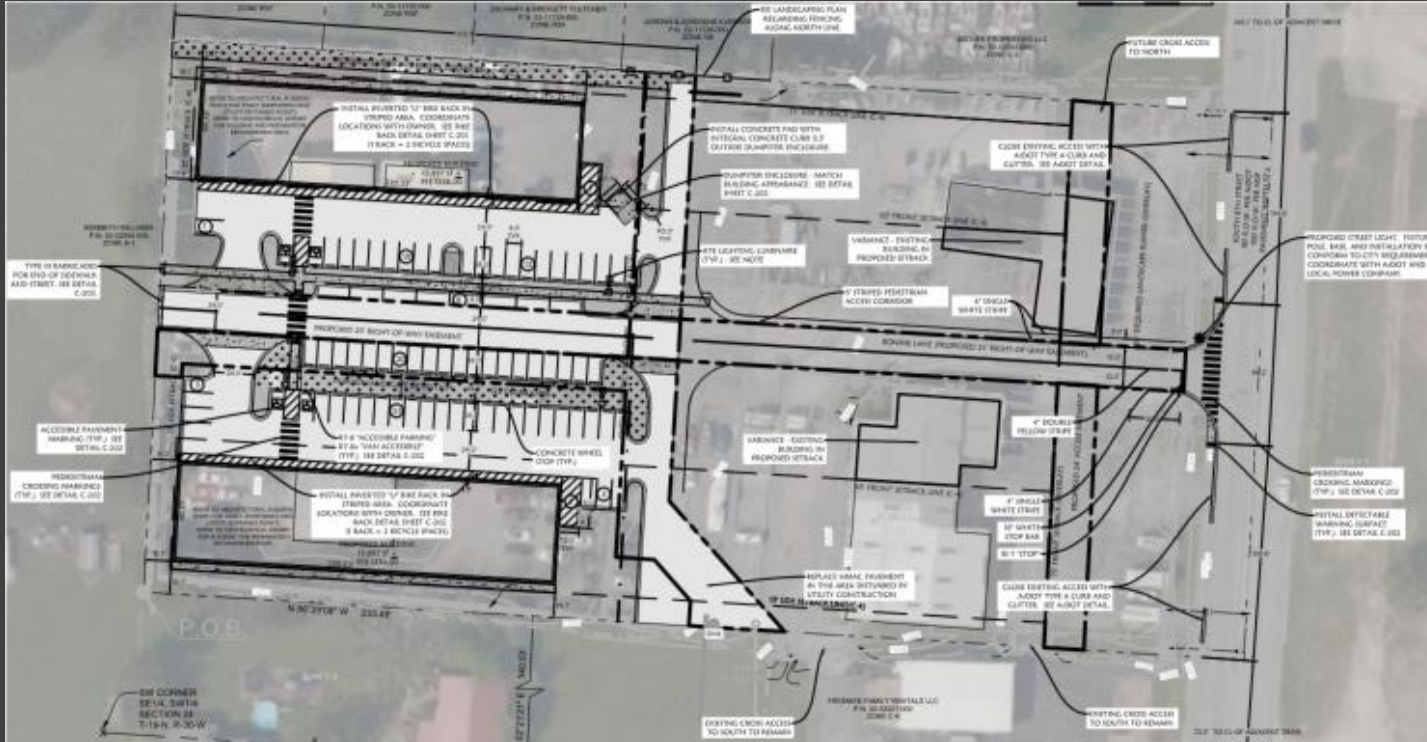
Variance: Freeman Redevelopment #00842



Summary Continued:

- **Subject Request**

- The applicant is requesting a variance to reduce the off-street parking from 100 to 80 parking spaces for a large scale development.



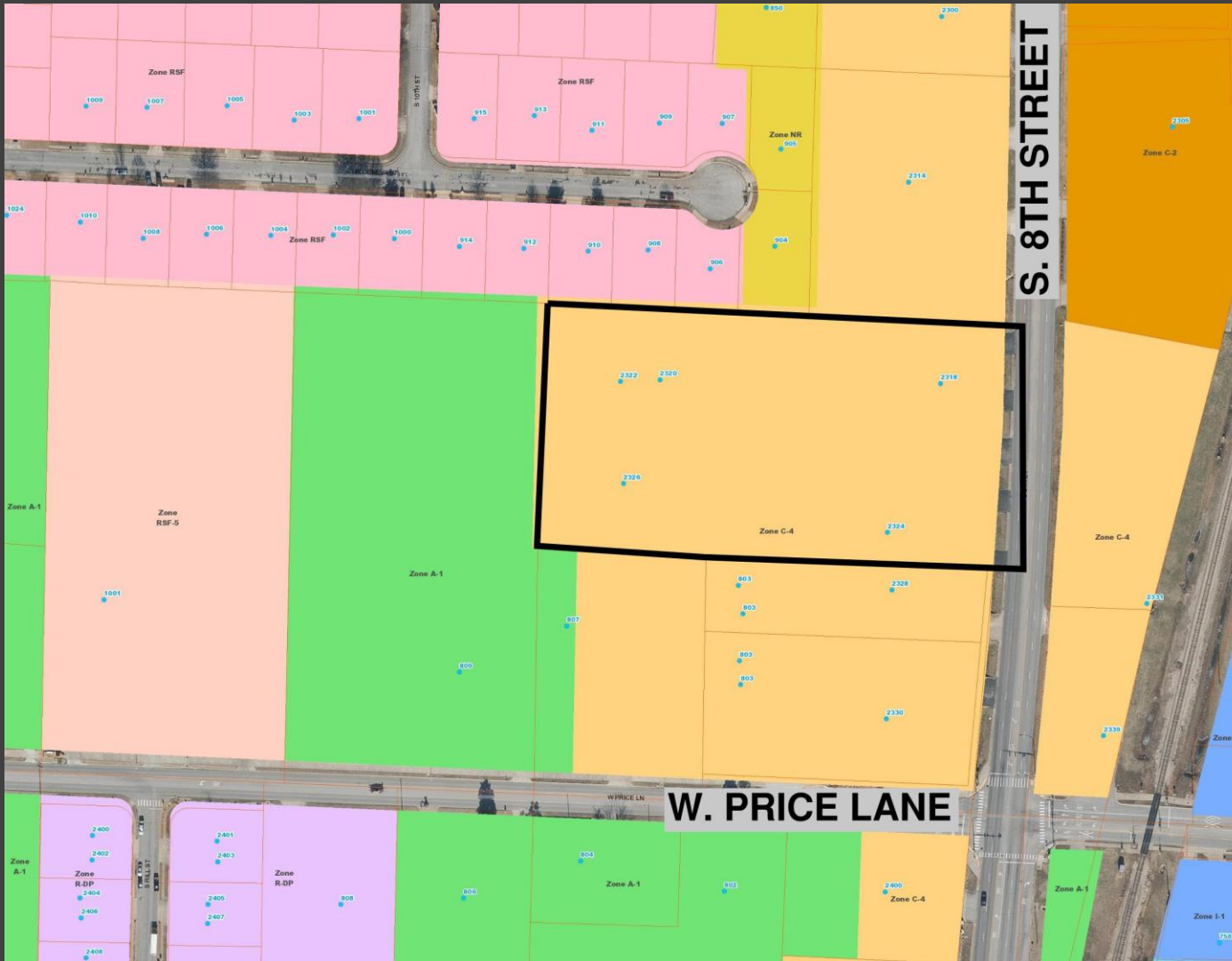
Variance: Freeman Redevelopment #00842



Summary Continued:

- **Subject Request**

- Off-street parking space requirements are set out in Rogers Sec. 14-711(h), at 100 spaces for the Warehousing and Storage use in C-4 zoning.



Zoning Map



- Staff has not identified any circumstances unique to the individual property where strict enforcement of the zoning ordinance would cause undue hardship.

Variance: Freeman Redevelopment #00842



STAFF RECOMMENDATION:

Approve.



Aerial Image

Variance: Freeman Redevelopment #00842



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.

Zoning:

- a) *C-4 (Open Display Commercial): The purpose and intent of this district is "business uses which provide essential commercial services and support activities and may have higher environmental impacts in terms of noise, dust, glare, etc., which make them incompatible with the office or retail character of the other business districts. This district is intended for on-site production of handcrafted items in conjunction with retail sales. This district is also intended for businesses that combine wholesale and retail sales and that conduct extensive outdoor activities. This district is intended to function as a transition between industrial development and commercial development." (Sec. 14-711(a)).*

Public Input Received:



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

OFFICE USE ONLY

Permit Fee: \$100 (\$100)
Zoning: C-4, Overlay
App Number: 22-34
CityView Application: PL202200842
Date: 8/30/2022

VARIANCE APPLICATION

APPLICANT: Plymouth Engineering, PLLC on behalf of Freeman Family Rentals, LLC

ADDRESS: 2326 South 8th Street SUITE #: _____

GENERAL LOCATION OF PROPERTY: South 8th Street, approximately 600 feet north of Price Lane, west side

PHONE #: (479) 595-5934 EMAIL: david@plymoutheng.com

PROPERTY OWNER: Freeman Family Rentals, LLC PHONE #: _____

REQUEST to ALLOW: a reduction in parking from 100 spaces to 80 spaces (20%)

HARDSHIP JUSTIFICATION to VARY FROM CODE: Site lies in location where a street is required for connectivity under 14-604, but lot is not sufficiently wide to allow for standard street section and redevelopment with 100 spaces and commercial driveway entrances.

[Signature] 8/26/2022
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: 8/29/2022 PUBLIC HEARING DATE: 9/20/2022

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT DATE



Plymouth Engineering, PLLC

5714 Walden Street · Lowell, AR 72745
(479) 595-5934 · www.plymoutheng.com

August 26, 2022

City of Rogers
301 W. Chestnut Street
Rogers, AR 72756

Re: LSDP Variance - Parking
2318 South 8th Street - PL220200390

Ladies and Gentlemen of the Planning Commission:

We are currently pursuing approval of the large-scale development plans for redevelopment of part of the property located at 2318 South 8th Street, approximately 600 feet north of Price Lane, on the west side of 8th Street. This property was once occupied by Benton County Chrysler-Dodge. Our client is Freeman Family Rentals, LLC. This site presents several unique challenges which would make strict compliance with the Code of Ordinances into a hardship for the proposed development. We respectfully request variances of the following nature as part of the Large-Scale Development Process:

1. A variance from 14-711 et al., requiring the installation of 100 parking spaces, and permission to instead install 80 parking spaces. This represents a 20% reduction.

REQUEST TO ALLOW: a reduction in parking from 100 spaces to 80 spaces (20%.)

HARDSHIP JUSTIFICATION TO VARY FROM CODE: The site lies in a location where a public street is required for connectivity by Section 14-604, but the lot is not sufficiently wide to allow for construction of a standard street section, commercial driveway entrances, and redevelopment with 100 spaces.

This redevelopment will improve the property significantly from its current condition. We believe the impact from the requested variances, if granted, will be minimal and that the project as proposed represents a significant improvement to the City's south entry corridor.

We appreciate your consideration.

Sincerely,

David A. Gilbert, P.E.
Plymouth Engineering, PLLC

c: Owner
File

FREEMAN FAMILY RENTALS, LLC

2318 SOUTH 8TH STREET

PARCEL 02-02006-000

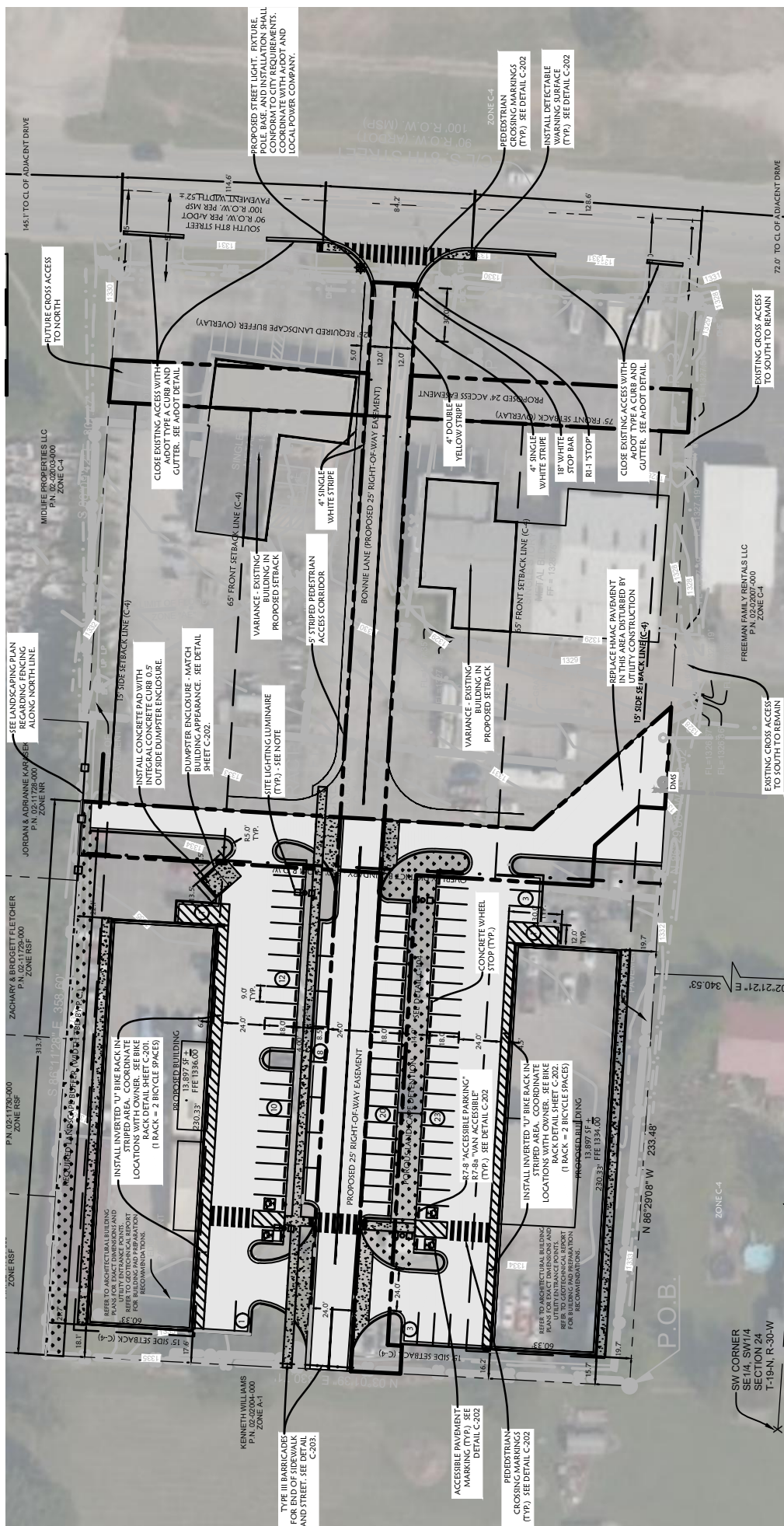
LEGAL DESCRIPTION (FROM SURVEY)

"THE NORTH HALF (N1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SW CORNER OF THE SE1/4 OF THE SW1/4 OF SAID SECTION 24; THENCE S 86°05'06" E 895.14 FEET; THENCE N 02°21'21" E 340.53 FEET; THENCE N 86°29'08" W 233.48 FEET TO THE POINT OF BEGINNING; THENCE N 03°01'39" E A DISTANCE OF 330.71 FEET; THENCE S 86°11'28" E A DISTANCE OF 358.60 FEET; THENCE

S 86°09'42" E A DISTANCE OF 301.47 FEET; THENCE S 03°01'39" W A DISTANCE OF 327.17 FEET; THENCE N 86°29'08" W A DISTANCE OF 660.02 FEET; TO THE POINT OF BEGINNING,

WITH AN AREA OF 217132.67 SQUARE FEET, OR 4.99 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT."





NOTICE OF PUBLIC HEARING

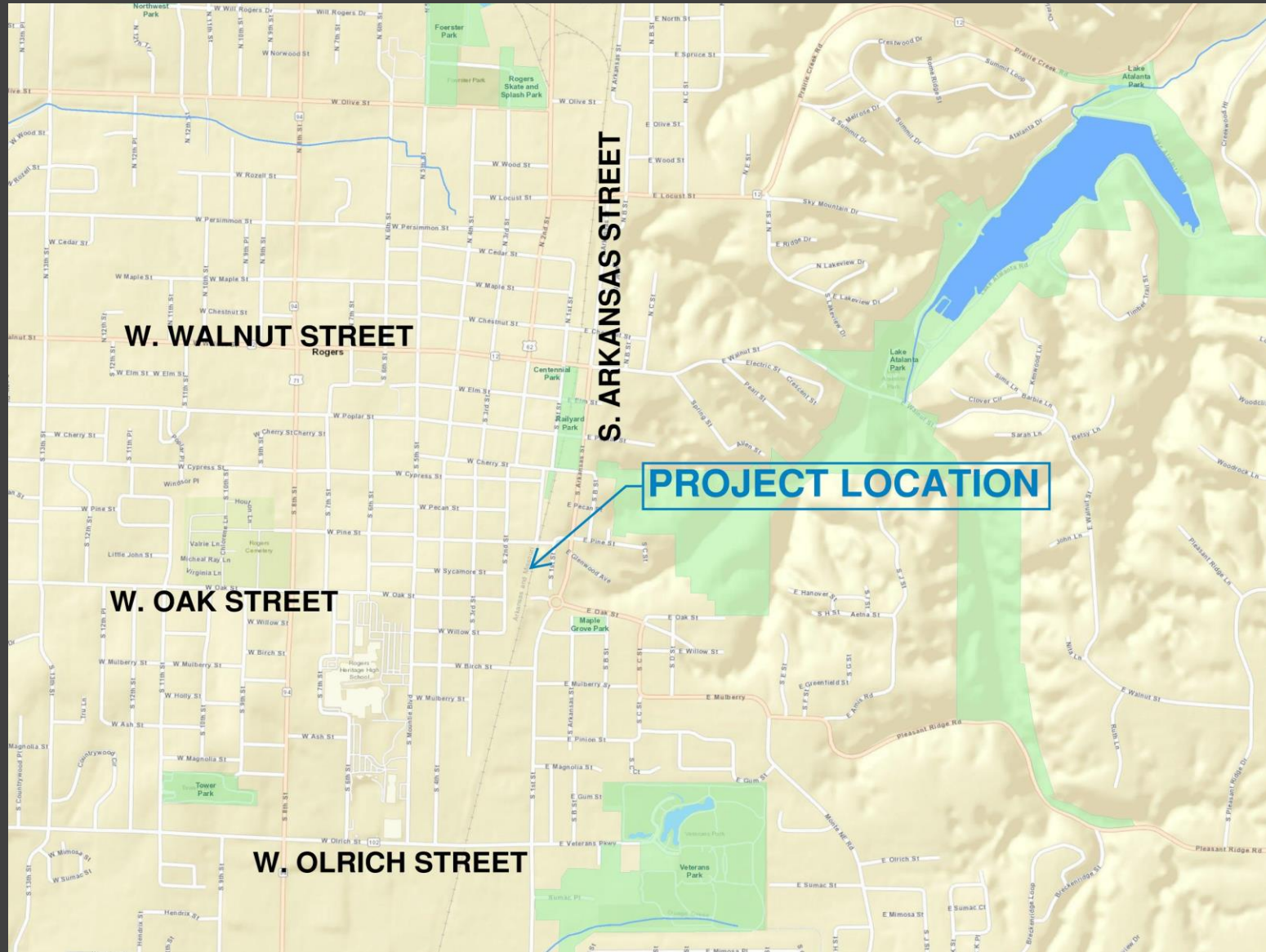
NOTICE OF PUBLIC HEARING VARIANCE

Description	Request
To allow a variance from the parking space requirement of 2019 S. 40' to the C-4 parking district.	Board of Adjustment
2019 S. 40' to the C-4 parking district.	September 25, 2012 at 4:00 PM
2019 S. 40' to the C-4 parking district.	Raleigh City Hall
2019 S. 40' to the C-4 parking district.	City of Raleigh



CITY OF RALEIGH
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
100 SOUTH RALEIGH STREET, SUITE 200
RALEIGH, NC 27601
919.977.1234

Variance: Blue Barn Renovation



Vicinity Map

Summary

Representative

Carter Smith

Location

719 S. 2nd Street

Parcel 02-05227-000

Nature of Request

Building Setback Reduction

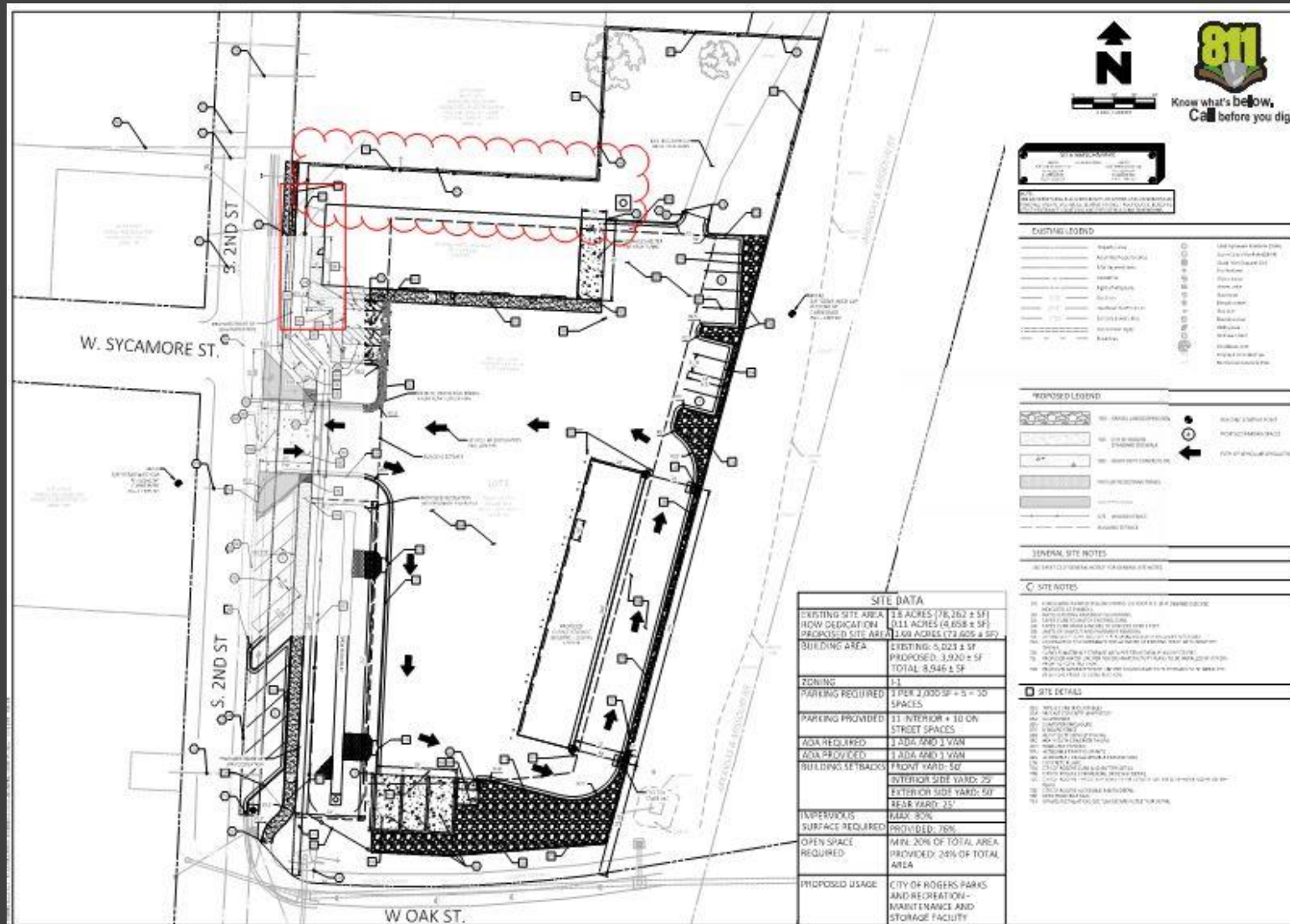
Zoning

I-1 (Light Industrial)

Current Use

Commercial

Variance: Blue Barn Renovation

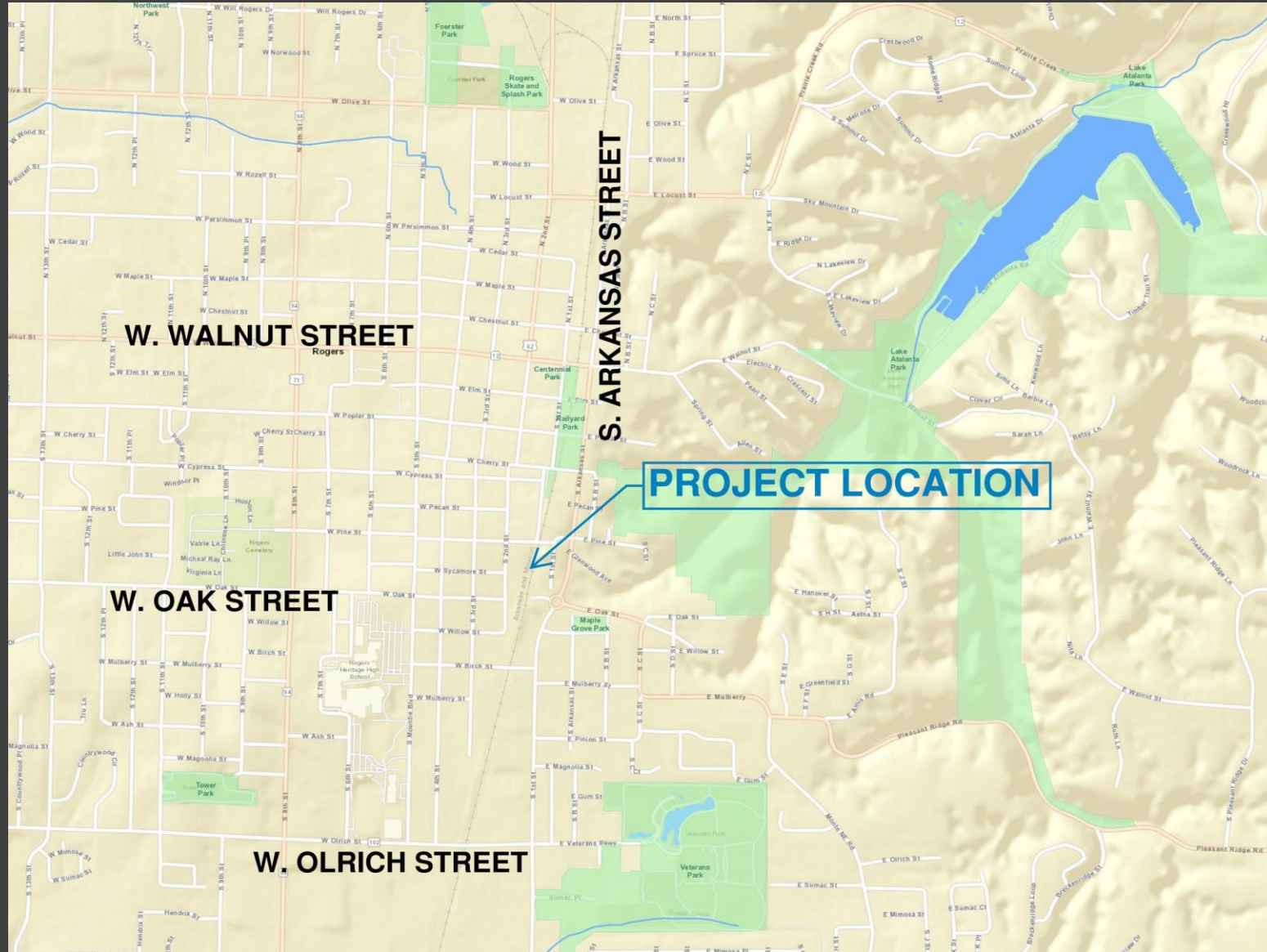


Site Plan

Summary:

- Reduce the front setback by 40 feet and the interior side setback by 15 feet.
- The proposed setback reductions about property also zoned I-1.
- I-1 front setbacks are 50 feet and interior setbacks are 25 feet.

Variance: Blue Barn Renovation



Vicinity Map

Summary

Representative

Carter Smith

Location

719 S. 2nd Street

Parcel 02-05227-000

Nature of Request

Building Setback Reduction

Zoning

I-1 (Light Industrial)

Current Use

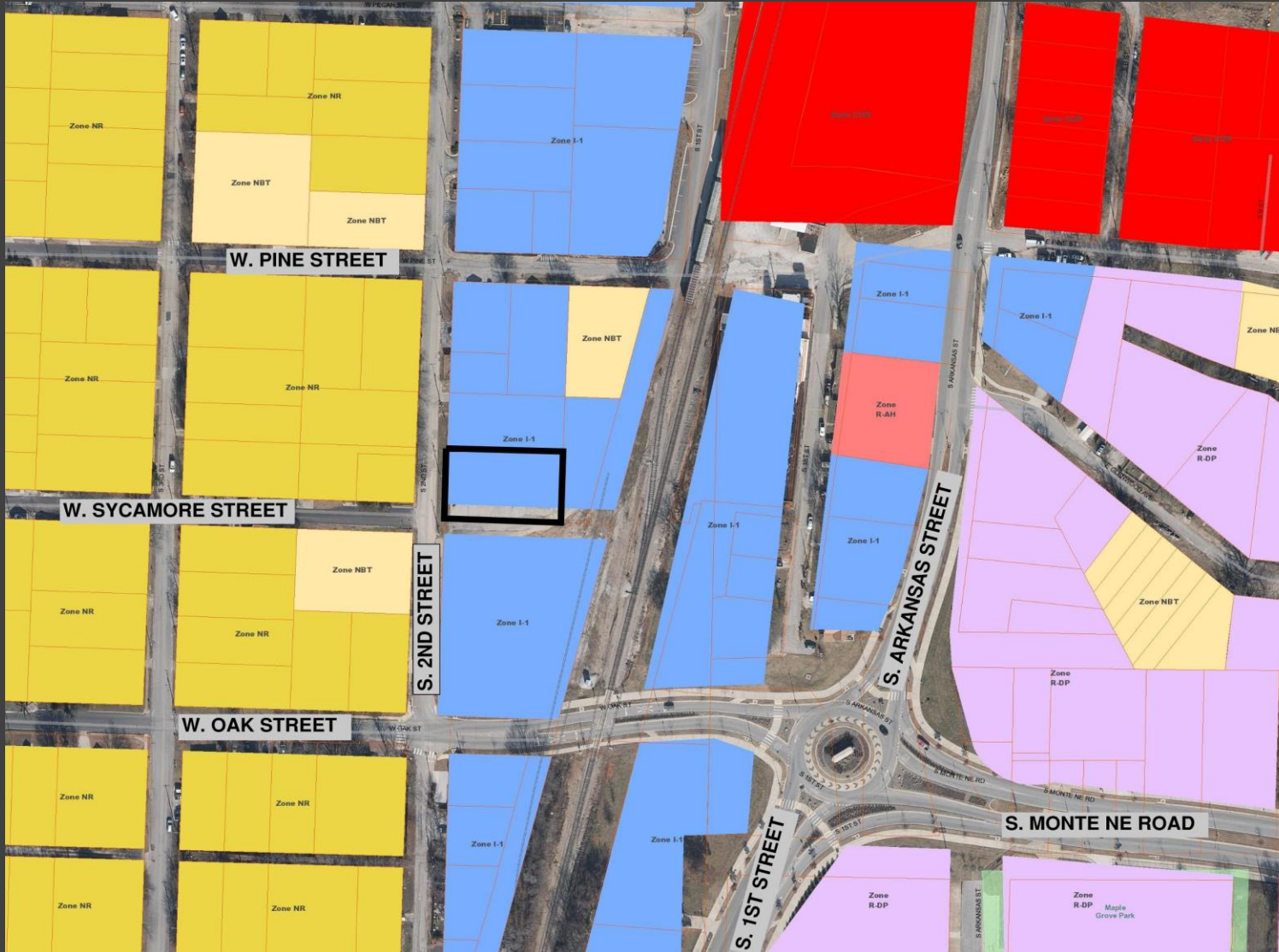
Commercial

Staff: Kyle Belt, Planner (kbelt@rogersar.gov)



- # Site Plan

Variance: Blue Barn Renovation



Summary Continued:

- The hardship is required right-of-way dedication.
- A reduction would not create any additional adverse impact as the building already exists.
- There are no proposed additions or changes to the structure's footprint.
- If approved, a recorded setback reduction will be required on the Easement Plat for the proposed LSDP.

Variance: Blue Barn Renovation



Staff Recommended Motion:
Approve



Aerial Image

Variance: Blue Barn Renovation



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.

Zoning:

- a) *I-1 (Light Industrial)*: The purpose and intent of this district is “to allow industrial operations and activities that do not create appreciable nuisances or hazards. It also is to provide areas within the City for the storage and transfer of goods. All industrial operations and activities are permitted provided they are conducted inside a building, although related outdoor storage and display are permitted. This district is situated close to heavy commercial and industrial areas and is intended to be located along rail lines and arterial and collector streets as identified by the master street plan.” Sec. 14-713(a)

Public Input Received:

- a) No input has been received from the public.



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: I-1
App Number: 22-35
CityView Application: PL202200821
Date: 8/30/22

Blue Barn Reno VARIANCE APPLICATION

APPLICANT: Carter Smith - Project Manager - CEI Engineering Associates, Inc.

ADDRESS: 719 S 2nd Street SUITE #: _____

GENERAL LOCATION OF PROPERTY: NE corner of S 2nd Street and W Oak Street

PHONE #: 479.367.6269 EMAIL: cartersmith@ceieng.com

PROPERTY OWNER: City of Rogers, attn. David Hook PHONE #: 479.621.1117

REQUEST to ALLOW: Front Yard Building setback reduced by 40 linear feet and Interior Side Yard Building Setback reduced 15 linear feet.

HARDSHIP JUSTIFICATION to VARY FROM CODE: The building on this property is an existing structure and is not proposed to be removed or relocated. ROW dedication is required for this property development which relocates the building setback along S 2nd Street.

C. Smith

Date: 2022.08.05 15:12:24-05'00'

Applicant Signature

Date

Attachment Checklist:

- ☒ Legal description of property
- ☒ Survey or sign proofs as needed

PLANNING STAFF PROVIDES:

DATE FILED: 8/30/22

PUBLIC HEARING DATE: 9/20/22

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT

DATE



*Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management*

3108 SW Regency Parkway
Bentonville, AR 72712
Office: 479.273.9472
Toll-free: 1.800.433.4173
ceieng.com

August 29, 2022

Rogers Board of Adjustment
301 W. Chestnut Street
Rogers, AR 72756

**RE: Blue Barn Renovation – Variance Request
719 S 2nd Street
CEI Project # 32690
CityView# PL202200650**

Dear Rogers Board of Adjustment,

On behalf of David Hook and the City of Rogers, CEI respectfully requests the following variance as part of the development of land near the intersection of S 2nd Street and W Oak Street. The text below provides the requirements of the ordinance and building setback requirements along with our response in bold to each of the sections in consideration of the variance request.

Sec. 14-713 I-1 Light Industrial District

Based on the City of Rogers district regulations, Minimum yard requirements for this project site are as follows:

- a. Font Yard: 50 feet
- b. Interior side yard: 25 feet
- c. Exterior side yard: 50 feet
- d. Rear yard: 25 feet

We request a variance of this code section to allow the reduction of the Front Yard by 40 feet and Interior Side Yard by 15 feet. This would adjust the requirements for both the Front Yard and Interior Side Yard Setbacks to 10'. The project proposes renovation of the existing metal building that is nonconforming to the yard requirement code, as it is currently located. Also, additional ROW will be granted with this project that will relocate the yard requirements further to the interior of the site. This will allow for the existing structure to be utilized by the City of Rogers Parks and Recreation department. Our client's preference is to renovate the existing building rather than demolish and construct a new structure that meets the yard requirements.

City of Rogers
Blue Barn Renovation Variance Request
August 29, 2022

We appreciate your consideration of our request and look forward to discussing any questions you may have. Contact me at your convenience in the office at 479-367-6269, or by email: cartersmith@ceieng.com for further discussion as needed.

Respectfully requested,
CEI Engineering Associates, Inc.

Carter Smith, PLA, ASLA
Project Manager



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 **September 20, 2022 at 4:00 p.m.** at Rogers City Hall regarding an application by **Carter Smith for Blue Barn** under the provisions of the City of Rogers Code of Ordinances, for a variance **to allow a reduction of 40 feet in the front building setback and a reduction of 15 feet in the interior side building setback** at **NE Corner of S. 2nd Street and W. Oak Street**, in the I-1 (Light Industrial) zoning district more particularly described as follows:

PARCEL NUMBER:

02-05227-000

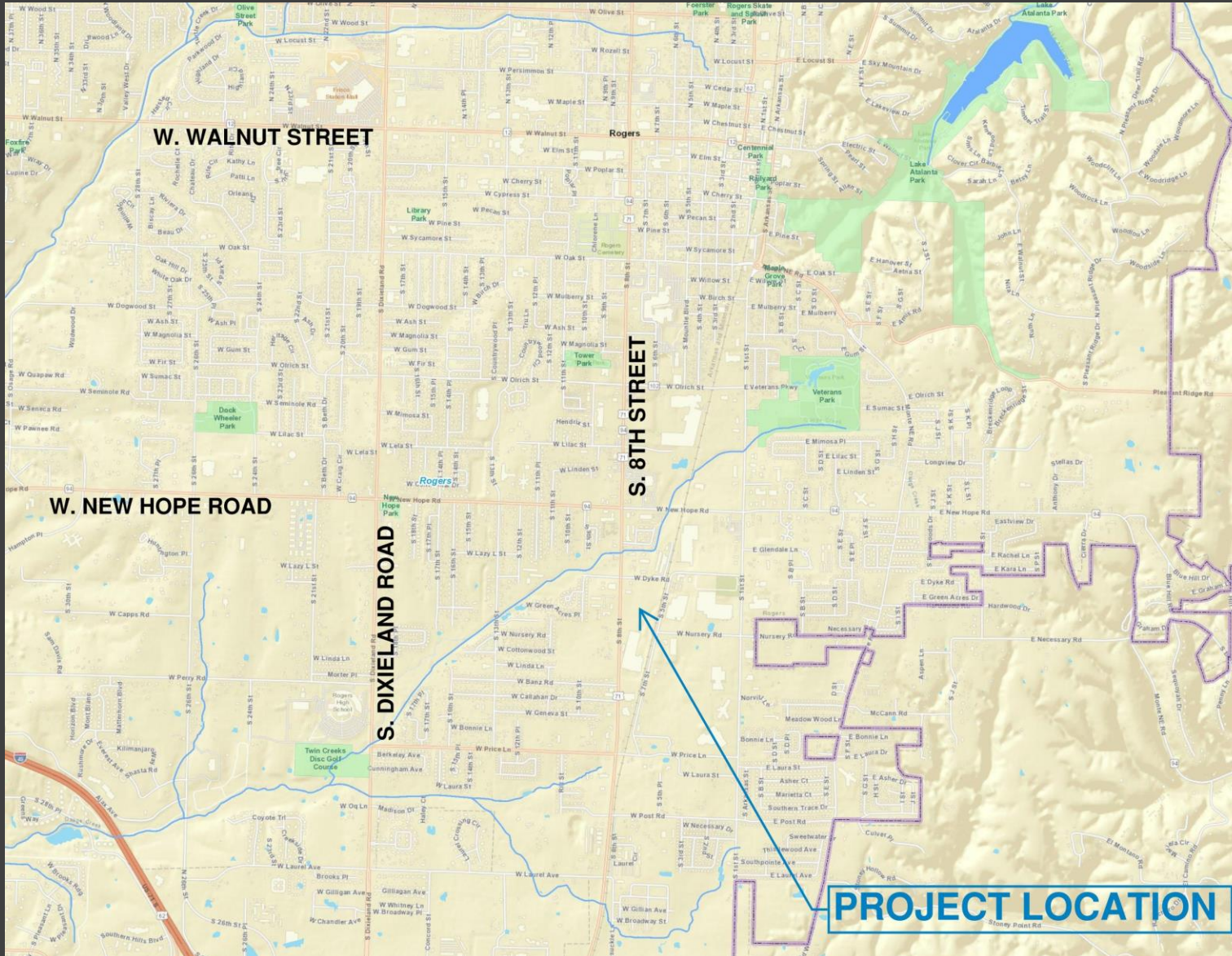
LOCATION:

NE Corner of S. 2nd Street and W. Oak Street

Matt Loos, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **Sunday September 4, 2022**
BILL THE CITY OF ROGERS

Variance: MK Properties



Summary

Representative

Candice Anderson

Location

2103 S. 8th Street

Parcel 02-05295-001

Nature of Request

Building Setback Reduction

Zoning

I-1 (Light Industrial) – not reflected on zoning map yet. Approved by Council on 12/8/2021, Ord. 21-78.

Current Use

Commercial

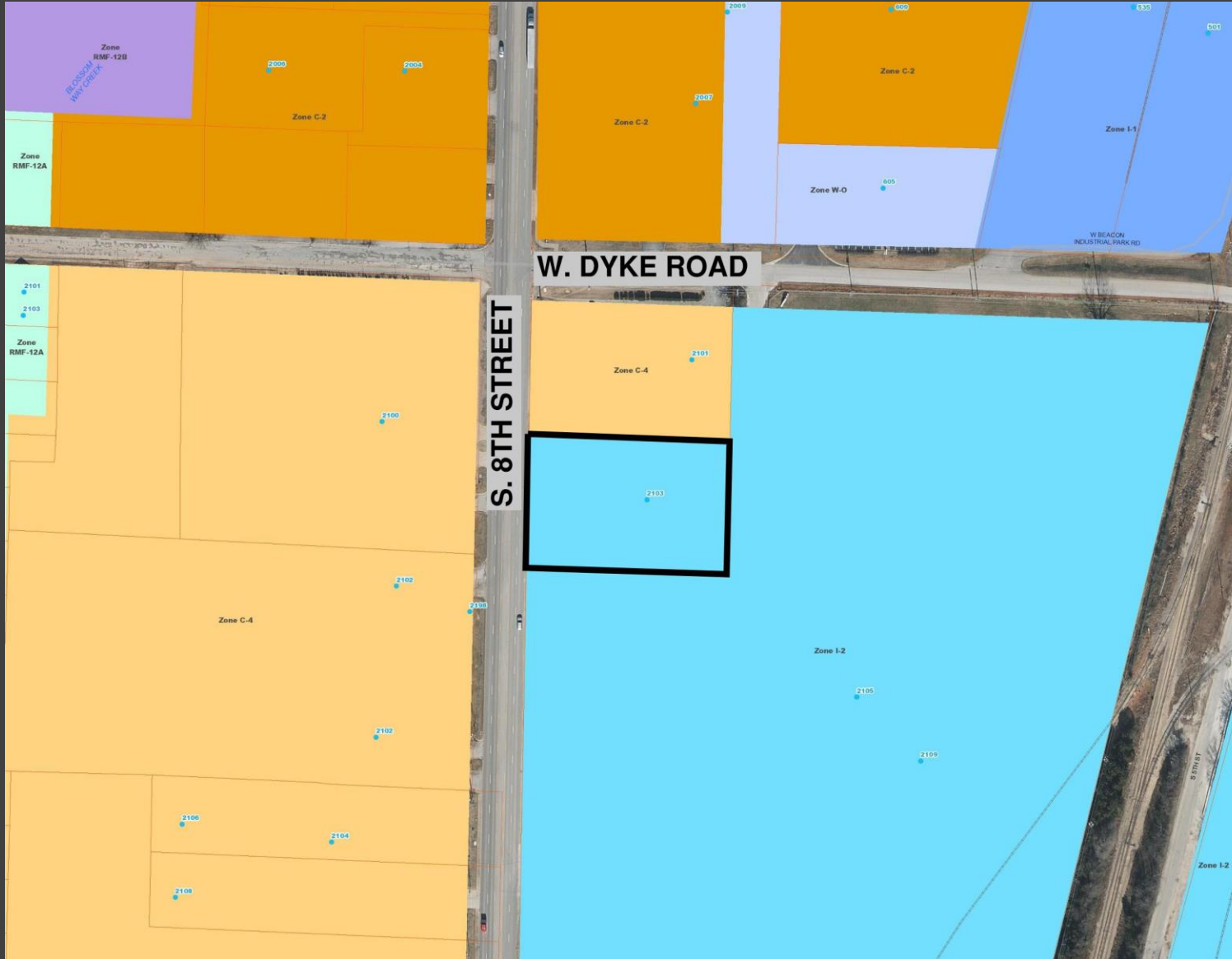
Vicinity Map

Staff: Kyle Belt, Planner (kbelt@rogersar.gov)



- # Site Plan

Variance: MK Properties



Zoning Map

Summary Continued

- The hardship voiced by the applicant is that they are being required to dedicate right-of-way for a Large Scale Development that will shift their front property line approximately 10' toward the existing building.
- A reduction of the front setback would not adversely impact the character and context of the subject property or its surroundings.
- If approved, the a recorded setback reduction will be required on the Easement Plat for this project.

Variance: MK Properties



Staff Recommended Motion:
Approve



Aerial Image

Variance: MK Properties



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.

Zoning:

- a) *I-1 (Light Industrial)*: The purpose and intent of this district is “to allow industrial operations and activities that do not create appreciable nuisances or hazards. It also is to provide areas within the City for the storage and transfer of goods. All industrial operations and activities are permitted provided they are conducted inside a building, although related outdoor storage and display are permitted. This district is situated close to heavy commercial and industrial areas and is intended to be located along rail lines and arterial and collector streets as identified by the master street plan.” Sec. 14-713(a)

Public Input Received:

- a) No input has been received from the public.



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: 1-2
App Number: 22-36
CityView Application: PL202200855
Date: 8/30/22

VARIANCE APPLICATION

APPLICANT: CEI ENGINEERING - CANDICE ANDERSON

ADDRESS: 3108 SW REGENCY PKWY BENTONVILLE, AR 72712 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 2103 S 8th Street, Rogers AR

PHONE #: 479.268.8465 EMAIL: canderson@ceieng.com

PROPERTY OWNER: Matt Phillips PHONE #: 479-295-2217

REQUEST to ALLOW: An existing building setback at 70'.

HARDSHIP JUSTIFICATION to VARY FROM CODE: _____

The existing building is 5'0" less than the required setback of 75'. The proposed development will not consist of demolishing the existing building, but rather than to redevelop the existing building at the site.

Candice Anderson
Applicant Signature

8.30.2022

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: 8/30/22

PUBLIC HEARING DATE: 9/20/22

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT

DATE



Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management

3108 SW Regency Parkway
Bentonville, AR 72712
Office: 479.273.9472
Toll-free: 1.800.433.4173
ceieng.com

August 30, 2022
City of Rogers
301 W. Chestnut St.
Rogers, AR 72756

RE: 2103 S. 8th St. – Variance Request: Building Setback
CEI Project No. 32415

City of Rogers Committee:

On behalf of MK Properties of NWA, LLC, CEI is requesting waivers for the following:

The proposed facility located at 2103 S. 8th St. is being redeveloped as a commercial multiunit space, which includes a wash bay, storage space, and office space. The property is currently zoned I-1 and is within the Overlay District.

BUILDING SETBACK

- **Section 14-285(2) Design standards, regulations and required improvements for developments within overlay districts.**
Front yards for all principal and accessory buildings or structures shall be no less than 75 feet from the property line abutting the highways and primary corridors designated in [section 14-284](#).

The existing building lies 80' from the existing property line but when the required street right of way is dedicated it will only be 70' from the property line abutting the 8th St./highway. The footprint of the existing building will remain the same and will not be demolished or rebuilt for this redevelopment.

We appreciate your consideration of our request and look forward to discussing any questions you may have. Contact me at your convenience in the office at 479-273-9472, or by email: canderson@ceieng.com.

Respectfully requested,

A handwritten signature in black ink that reads 'Candice Anderson'. The signature is fluid and cursive, with a large loop at the end.

Candice Anderson
Assistant Project Manager – Local Development



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 **September 20, 2022 at 4:00 p.m.** at Rogers City Hall regarding an application by **MK Properties** under the provisions of the City of Rogers Code of Ordinances, for a variance **to allow an existing building setback at 70 feet at 2103 S. 8th Street**, in the I-2 (Heavy Industrial) zoning district more particularly described as follows:

PARCEL NUMBER:

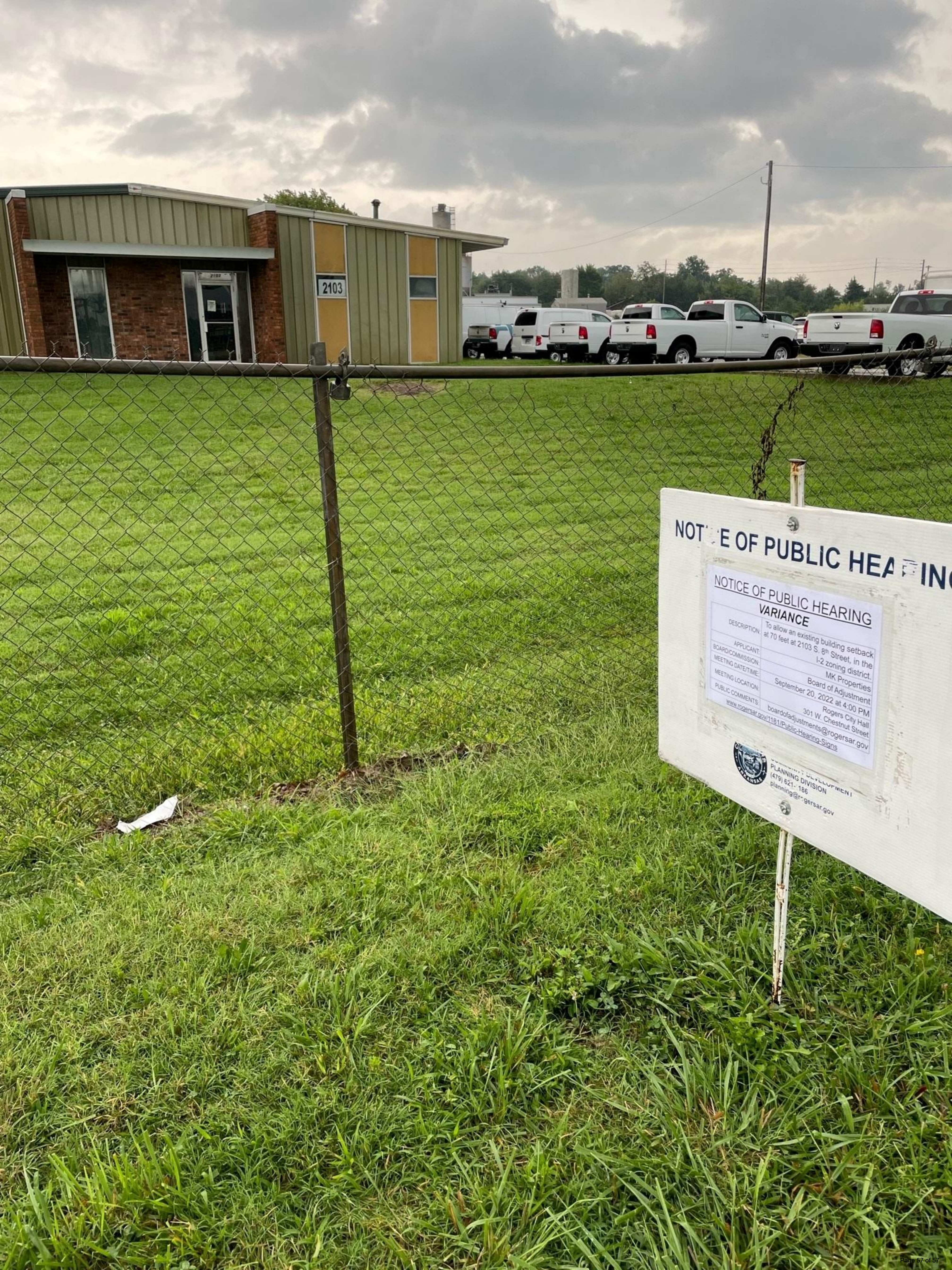
02-05295-001

LOCATION:

2103 S. 8th Street

Matt Loos, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **Sunday September 4, 2022**
BILL THE CITY OF ROGERS



NOTICE OF PUBLIC HEARING

**NOTICE OF PUBLIC HEARING
VARIANCE**

DESCRIPTION:	To allow an existing building setback at 70 feet at 2103 S. 8 th Street, in the I-2 zoning district.
APPLICANT:	MK Properties
BOARD/COMMISSION:	Board of Adjustment
MEETING DATE/TIME:	September 20, 2022 at 4:00 PM
MEETING LOCATION:	Rogers City Hall 301 W. Chestnut Street
PUBLIC COMMENTS:	boardofadjustments@rogersar.gov www.rogersar.gov/1181/Public-Hearing-Signs

 **PLANNING DIVISION**
(479) 621-186
planning@rogersar.gov