



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

## BOARD OF ADJUSTMENT MEETING AGENDA

AUGUST 15, 2023

5:30 PM

DATE: AUGUST 15, 2023

LOCATION: CITY HALL, 301 W. CHESTNUT STREET

REGULAR SESSION: 5:30 PM

ONLINE VIEWING: [HTTPS://US02WEB.ZOOM.US/J/85188794771](https://us02web.zoom.us/j/85188794771)

**DISCLAIMER: THE CITY OF ROGERS MAKES NO CLAIMS, PROMISES, OR GUARANTEES REGARDING THE PARTICIPANTS' ABILITY TO ATTEND ANY PUBLIC MEETING VIRTUALLY. TECHNOLOGY RESOURCES, VIRTUAL MEETING PLATFORMS, AND THE INTERNET MAY OCCASIONALLY BE INTERRUPTED OR MADE UNAVAILABLE BY CAUSES BEYOND THE CITY'S REASONABLE CONTROL. THE CITY CANNOT GUARANTEE THAT PARTICIPANTS WILL HAVE THE OPPORTUNITY TO PARTICIPATE VIRTUALLY AT ALL TIMES. PUBLIC FORUMS, PUBLIC HEARINGS, AND SCHEDULED ITEMS OF BUSINESS WILL NOT BE TABLED OR POSTPONED DUE TO TECHNOLOGICAL ISSUES. IF YOU ARE REPRESENTING A PUBLISHED ITEM OF BUSINESS OR WISH TO SPEAK AT A PUBLIC HEARING, IN PERSON ATTENDANCE IS REQUIRED.**

## AGENDA

### CALL TO ORDER:

### ROLL CALL:

### NEW BUSINESS:

1. (VAR 23-27) A request by Brian and Javene Decker for a variance to allow a reduction of the interior side setback at 612 S. 6<sup>th</sup> Street in the N-R (Neighborhood Residential) zoning district.
  - *STAFF: Christina Moore*
  - *REPRESENTED BY: Jim Mayer, JKJ Architects*
2. (VAR 23-28) A request by Assembled Products Corporation for a variance to allow for a reduction in parking at 405 W. Easy Street in the I-2 (Heavy Industrial)



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**zoning district.**

- *STAFF: Zachery Birdsong*
- *REPRESENTED BY: David Gilbert, Plymouth Engineering*

**ACTION ON MINUTES:**

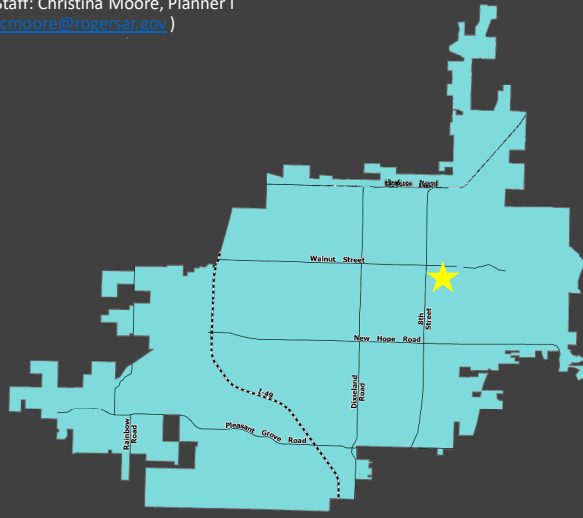
**ADJOURN:**



# Variance Decker

PLANNING

Staff: Christina Moore, Planner I  
([cmoore@rogersar.gov](mailto:cmoore@rogersar.gov))



Vicinity Map

**Location**

612 S 6<sup>th</sup> Street

**Nature of Request**

To allow for a reduction in the side yard setback for a garage addition

**Zoning**

N-R (Neighborhood Residential)

**Proposed Use**

Residential

**Representative**

Jim Mayer, JKJ Architects

**Summary:**

This request is for a reduction in the side yard setback for a garage addition.

**Zoning:**

NBT (Neighborhood Transition): The purpose of the Neighborhood Transition zone is “to support appropriate transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas. The intent is to support the character of the neighborhoods around downtown.” Sec. 14-715(1.1)(a)(iv).

**Growth Designation:**

Regional Center

**Growth Designation Purpose:**

To focus urban development in three areas – Downtown, Midtown, and Uptown – that serve as centers of gravity for the greater Northwest Arkansas region. (CGM PAGE 1)

**Growth Designation Character:**

Mixed-use urban cores that function as regional activity hubs for commerce, arts and entertainment, living, recreation, and retail. Intensity supported by well-connected, high-capacity, pedestrian-oriented street network. Goals include high-quality design and efficient use of land. (CGM PAGE 1)

**Allowed Zoning Districts:**

NBT



### *(e) Appeals; powers and duties. Sec. 14-724(e)(1)(a)(b)*

(1) The Board of Adjustment shall hear the following appeals as provided by state law:

- 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.

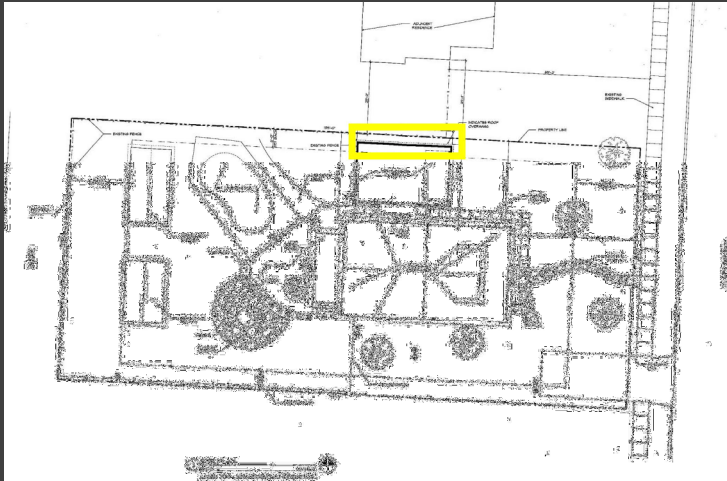
### **Board of Adjustment Duties Per Sec. 14-724(e)(1):**

- 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.



## Variance Decker

**PLANNING**



*Site Plan*

### Request

- To vary from the side setback requirement.
- N-R zoning requires a 6' side yard setback. The applicant proposes reducing the side yard setback to 2' for a garage addition.

### **Request:**

- The applicant is requesting to vary from the side yard setback requirement.
- The side yard setback requirement is 6'. The applicant is proposing to reduce the side yard setback to 2' for the addition of a garage.





CGM Map



Zoning Map

**Analysis**

- The garage addition is in-line with the character of the neighborhood in Downtown Rogers.
- This property is designated to be zoned NBT per the Downtown Regional Center Zoning Plan (CGM, page 3).
- NBT zoning would allow for 0' setback lines if the bordering properties are zoned NBT. However, when NBT abuts any other residential district the required setback is 10'.
- We expect this inconsistency in the Code to be addressed in the next revision.

**Analysis:**

- Other homes in this neighborhood have side garages and it matches the character of the neighborhood.
- This property and the surrounding properties are designation to be zoned NBT per our Downtown Regional Center Zoning Plan.
- NBT would allow for 0' setback lines if the surrounding properties were also zoned NBT.
- The surrounding properties are zoned N-R (neighborhood Residential). The surrounding residentially zoned properties would require a 10' residential transition zone for the subject property if it were rezoned.



## Variance Decker

**PLANNING**



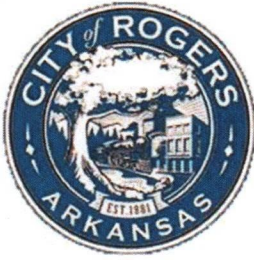
*Aerial Map*

### Recommendation

- **APPROVE** variance allowing for a reduction of the side yard setback.

### **Recommendation:**

- Staff recommends approval of the request.



DEPT. OF COMMUNITY DEVELOPMENT  
 PLANNING DIVISION  
 301 W. CHESTNUT  
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OFFICE USE ONLY	
Permit Fee: _____ (\$100)	Zoning: <u>NR</u>
App Number: <u>23-27</u>	
CityView Application: <u>PL202300751</u>	
Date: <u>7/20/23</u>	

**VARIANCE APPLICATION**

APPLICANT: JKJ Architects Decker Variance

ADDRESS: 116 B West Walnut St. Rogers, AR SUITE #: \_\_\_\_\_

GENERAL LOCATION OF PROPERTY: 612 South Sixth Street

PHONE #: 479-246-0055 EMAIL: jmack@jkjarchitects.com

PROPERTY OWNER: Brian & Javene Decker PHONE #: 479-276-5325

REQUEST to ALLOW: 20'x31' Garage Addition

**Sec. 14-724(e)(1)(b) requires variance applicants to respond to these two questions for variance consideration:**

How does strict enforcement of the code cause undue hardship due to circumstances that are unique to this property?

In order to have a two car garage this is the only location that has enough open area and will not require the removing of trees. The site has two structures and a pool, built in the late 70's, that prevents access from the alley and the West part of the lot.

How will approval of this variance be in keeping with the "spirit and intent" of the code being varied?

Traditionally, this historic neighborhood has several examples of attached / detached garages, carriage houses, and outbuildings. The scale of the garage would complement the large mass of the residence. We would match materials with the 6" lap siding and wood shingle accents.

[Handwritten Signature]

Applicant Signature

7.12.23

Date

**Attachment Checklist:**

- Legal description of property
- If needed, additional sheet for above required responses
- Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

BOARD OF ADJUSTMENT DECISION: \_\_\_\_\_

SECRETARY, BOARD OF ADJUSTMENT

DATE of PUBLIC HEARING



Future Carriage House Site

July 12, 2023

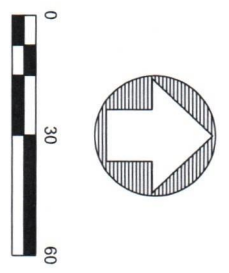
Brian & Javene Decker Residence

612 South Sixth Street

Legal Description

**LOT 10, THE NORTH HALF OF LOT 11, AND THE  
SOUTH 10 FEET OF LOT 9, ALL IN BLOCK 1,  
DUCKWORTH'S ADDITION TO THE CITY OF  
ROGERS, BENTON COUNTY, ARKANSAS.**

JUSTIN & BRYANNE BULLA  
P.N. 02-0359-000



**TOTAL TRACT**  
15,725.00 SQ. FT.  
0.36 ACRES ±  
P.N. 02-04000-000  
ZONE NR

- NOTES:
- EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
  - BASIS OF BEARINGS, ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
  - DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
  - THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
  - THE PROPERTY SHOWN HEREON IS ZONED NR (NEIGHBORHOOD RESIDENTIAL), AND IS WITHIN THE CITY LIMITS OF ROGERS, ARKANSAS. THE FRONT, SIDE AND REAR YARD REGULATIONS ARE AS FOLLOWS:  
FRONT YARD: 20 FEET  
SIDE YARD: 6 FEET  
REAR YARD: 20 FEET  
\* THE INTERIOR SIDE YARD SETBACK MAY BE REDUCED TO 0 FEET ON ONE SIDE IF THE FOLLOWING CRITERIA ARE MET:  
a. A DENSITY CONCEPT PLAN IS REQUIRED BASED ON THE COMPREHENSIVE GROWTH MAP.  
b. THE DEVELOPMENT IS LOCATED WITHIN 300 FEET OF A HIGHER-INTENSITY GROWTH DESIGNATION, AND  
c. THE HOUSES ARE CLUSTERED TOGETHER TO PROVIDE USABLE, SHARED OPEN SPACE.
  - THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, ATLAS MAPS AS MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPLETE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
  - SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
  - THIS SURVEY DOES NOT PROVIDE SURVEY CONTROL FOR FUTURE CONSTRUCTION.

- LEGEND**
- FOUND REBAR
  - ⊙ SET 1/2" REBAR W/CAP
  - ⊙ WATER METER
  - ⊙ CLEANOUT
  - ⊙ GAS METER
  - ⊙ UTILITY POLE
  - PROPERTY LINE
  - FENCE LINE
  - CENTERLINE
  - DH OVERHEAD LINE
  - DH CONTOUR LINE
  - DECIDUOUS TREE

**LEGAL DESCRIPTION:**  
LOT 10, THE NORTH HALF OF LOT 11, AND THE SOUTH 10 FEET OF LOT 9, ALL IN BLOCK 1, DUCKWORTH'S ADDITION TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS.

**FLOOD CERTIFICATION:**  
I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0280K (EFFECTIVE DATE 06/05/2012) 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 ENCROACHMENTS 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: 4-14-23  
CERTIFICATE OF AUTHORIZATION  
CON. CERTIFICATE NUMBER: 3049

**CASTER & ASSOCIATES**  
LAND SURVEYING, INC.

2715 SE T Street, Suite 5  
Bentonville, AR 72712  
(479) 258-4464

REGISTERED  
PROFESSIONAL LAND SURVEYOR  
STATE OF ARKANSAS  
NO. 1370

SCALE: 1" = 30'

DATE: 4/14/23

TOPOGRAPHIC/BOUNDARY SURVEY  
LOT 10, N/2 LOT 11, & S 10' OF LOT 9  
BLOCK 1, DUCKWORTH'S ADDITION

612 SOUTH 6TH STREET  
ROGERS, BENTON COUNTY, ARKANSAS

JOB #	DRAWN BY	CHK'D BY	PAGE
23-047	ASG/ASD	RJC	1 OF 1



J. K. J. Architects

116B West Walnut  
Rogers, Arkansas  
Phone: 479-246-0055  
Fax: 479-246-0086

Preliminary  
NOT FOR CONSTRUCTION

ALL ARCHITECTURAL AND  
ENGINEERING DRAWINGS AND  
COMMENTS SHALL BE MADE  
ON THE BASIS OF FAILURE TO REVIEW THE  
CONTRACT SET OF DOCUMENTS.  
DOCUMENTS SHALL BE DEEMED TO  
SHOWN ON ALL PARTIAL SETS SHALL NOT BE USED.

CARRIAGE HOUSE FOR  
DECKER RESIDENCE  
ROGERS, ARKANSAS

REVISION DATES

ISSUE DATE

MM-DD YYYY

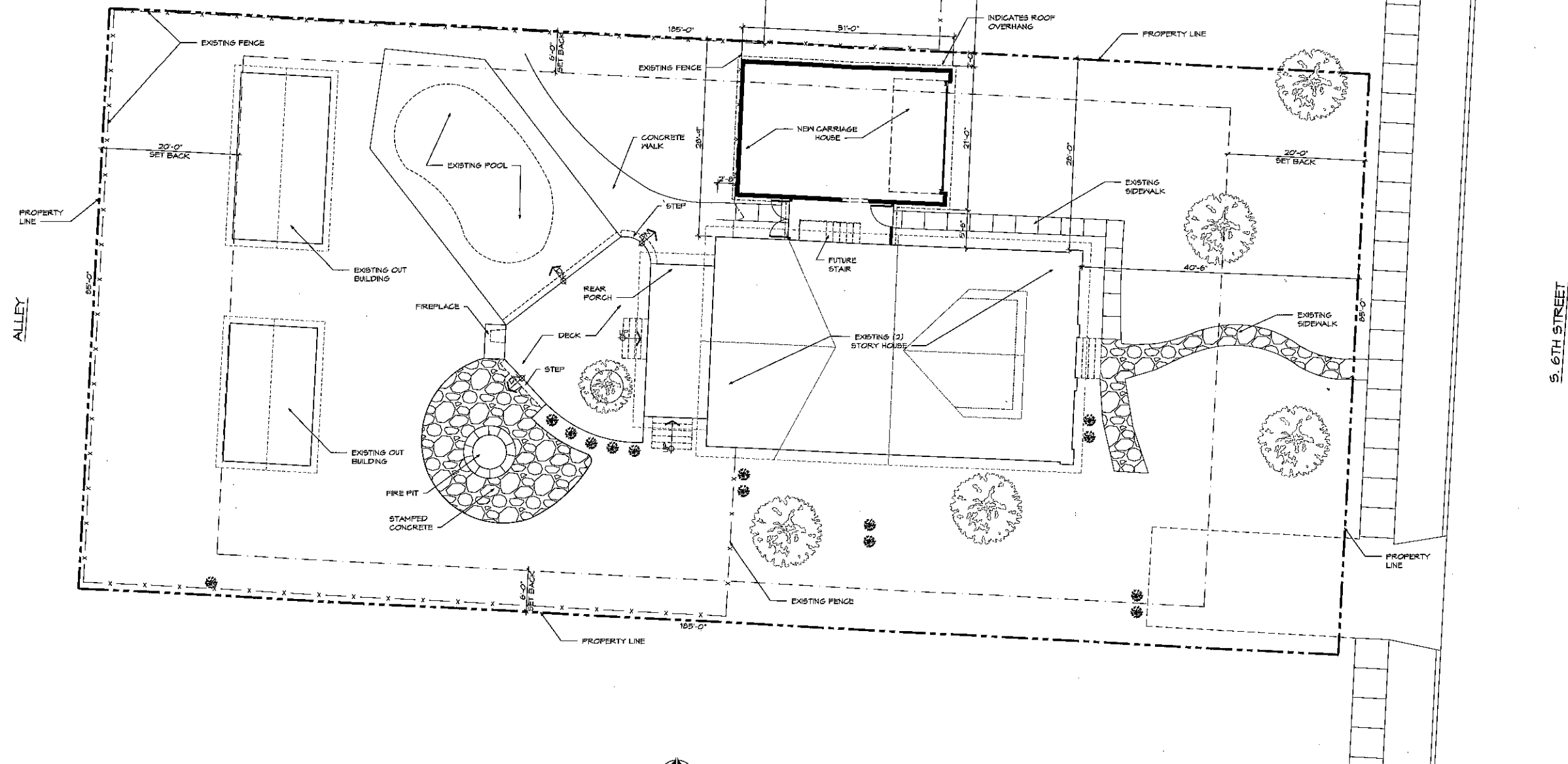
SHEET TITLE

SITE PLAN

PROJECT NUMBER

2023-0001

C-101



1 SITE PLAN  
SCALE: 1/8" = 1'-0"  
ZONED 'NR' - NEIGHBORHOOD RESIDENTIAL

SITE PLAN LEGEND

- Boundary Line
- - - Building Offset
- x - x - x - Fence Line
- Existing Structures
- Proposed Building

July 20, 2023

RE: Variance Request for New Construction

City of Rogers

Department of Community Development

ATTN: Mr. Kyle Belt

301 West Chestnut St

Rogers, AR 72756

Dear Mr. Belt,

Please find attached a Variance Request for our personal residence at 612 South Sixth Street in Rogers. We have retained JKJ Architects and Caster & Associates to prepare the required documents.

This request is to allow a reduced building setback for the new garage addition of 6 feet to 2 feet along our North Boundary. Please note the attached site plan C-101. The Encroachment will be for 31 feet as indicated.

Thank you for your consideration of the Variance Request.



Brian Decker



Javene Decker

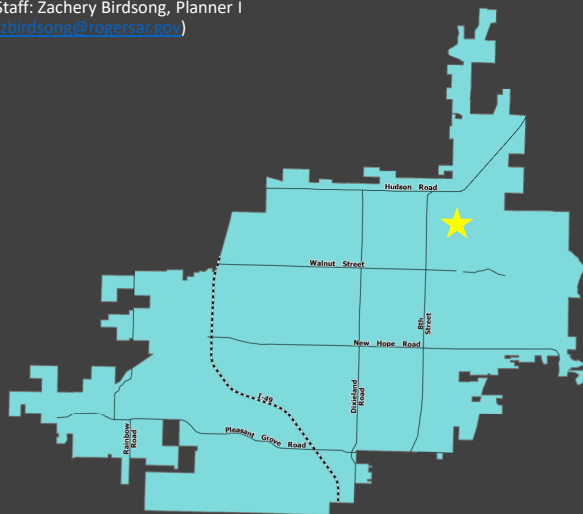


# Variance

# PLANNING

## Assembled Products

Staff: Zachery Birdsong, Planner I  
([zbirdsong@rogersar.gov](mailto:zbirdsong@rogersar.gov))



Vicinity Map

### Location

405 W Easy Street

### Nature of Request

To allow for a reduction in the minimum parking requirements

### Zoning

I-2 (Heavy Industrial)

### Proposed Use

Wholesaling, Distribution and Storage

### Representative

David Gilbert, Plymouth Engineering

### **Summary:**

This project is located at 405 West Easy Street, near the northwest corner of North 2<sup>nd</sup> Street and West Easy Street.

### **Zoning:**

I-2 (Heavy Industrial): “The district is intended for heavy industrial uses and other uses not otherwise provided for in the other industrial districts. The intensity of uses permitted in this district makes it necessary to separate it from all residential districts wherever possible with good accessibility provided to major rail, air facilities and highways, areas zoned I-2 are intended to be at least five acres in size” Sec. 14-714(a).

### **Growth Designation:**

Employment Center

### **Growth Designation Purpose:**

To maintain existing industrial activity while providing a location for activities like vehicle repair, construction yards, technology centers, and other physically and visually intense uses with high environmental impacts. (CGM PAGE 1)

### **Growth Designation Character:**

Single-use areas in proximity to major arterials and rail intended for industrial and commercial uses with substantial site activity. Physical separation and landscape screening necessary for compatibility with adjacent areas. Goals include responsibility organizing uses with like impacts and maintaining capacity for industry and service. (CGM PAGE 1)

### **Allowed Zoning Districts:**

C-4, W-O, I-1, I-2



### *(e) Appeals; powers and duties. Sec. 14-724(e)(1)(a)(b)*

(1) The Board of Adjustment shall hear the following appeals as provided by state law:

- 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.

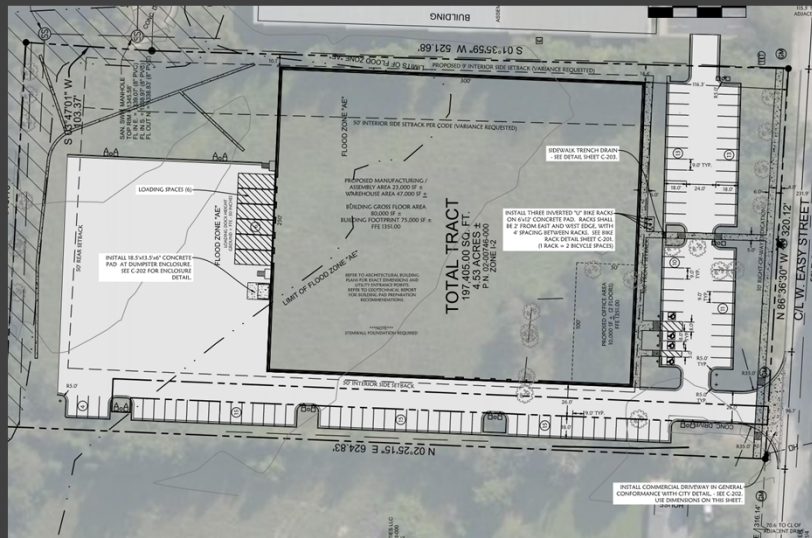
### **Board of Adjustment Duties Per Sec. 14-724(e)(1):**

- 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.



# Variance Assembled Products

**PLANNING**



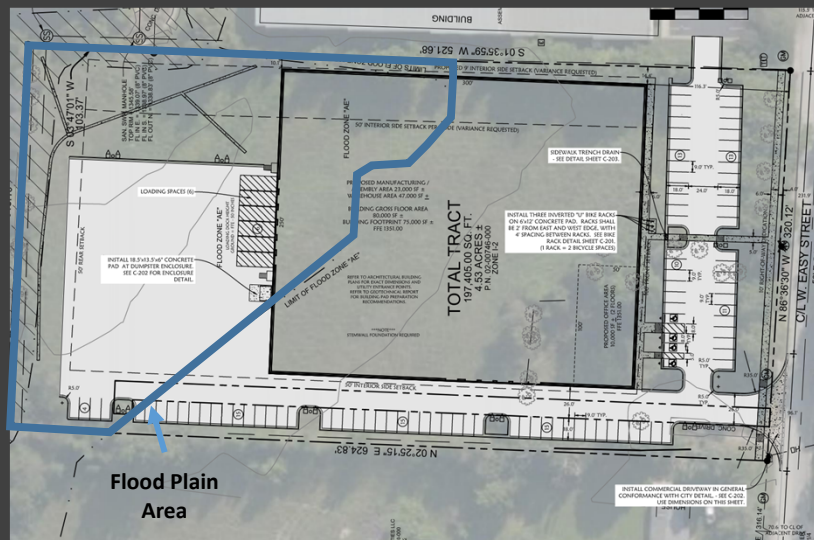
Site Plan

**Request**

- To vary from the minimum parking requirements.
- A total of 102 parking spaces are required for this development. The applicant is requesting to reduce this requirement by 6, proposing 96 parking spaces.

**Request:**

- The applicant is requesting to vary from the minimum parking requirements.
- This development requires a total of 102 parking spaces. The applicant is requesting a reduction of 6 parking spaces to provide 96 spaces.



Site Plan

**Applicant Hardship**

The site lies in a location with a significant flood plain covering its northeast corner. Spaces above 96 would have to be located within the flood plain, reducing the ability to provide compensatory storage for fill placed in the flood plain.

**Applicant Spirit and Intent**

Current requirements are fairly broad-based to cover a variety of uses within a category. The owner believes that 96 spaces are sufficient to support the intended use in this location.

**Stated Hardship:**

- The applicant states that the site lies in a location with a significant flood plain covering its northeast corner as seen on the site plan. Spaces above 96 would have to be located within the flood plain, reducing the ability to provide compensatory storage for fill placed in the flood plain.

**Spirit and Intent:**

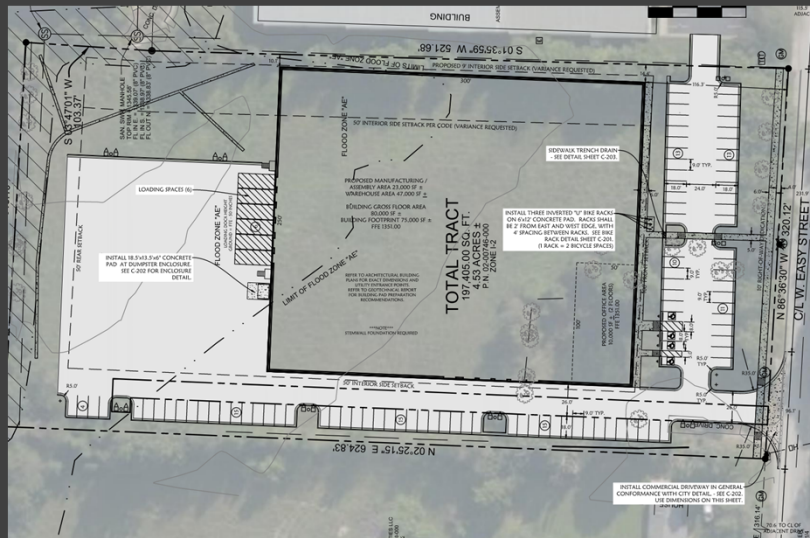
- The applicant also states that the proposed number of parking spaces are sufficient for this development.

**Note:** This site contains floodplain that is being impacted by the proposed design. It has not yet been shown that the development can meet code as currently proposed.



# Variance Assembled Products

**PLANNING**



Site Plan

### Staff Analysis

- The minimum parking requirements are intended to ensure enough parking is provided for the development.
- The zoning article is enacted for the purpose of “promotion of the public health, safety, peace, and general welfare”. The reduction in parking allows for more greenspace contributing to the general welfare.
- Staff generally supports reductions in impervious area.

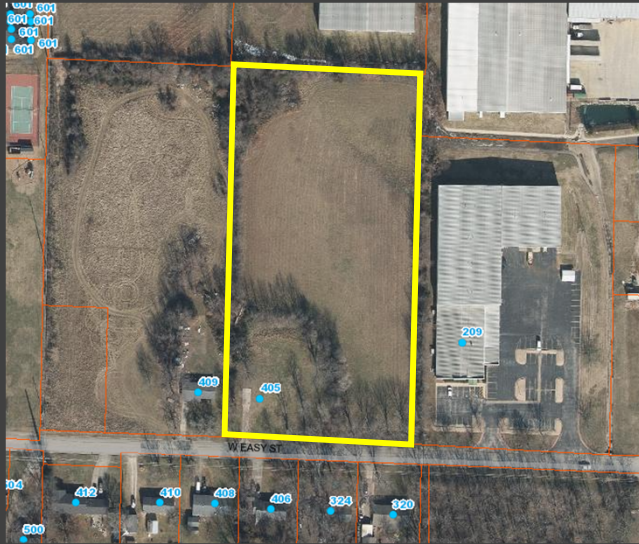
### Analysis:

- The minimum parking requirements are intended to ensure enough parking is provided for the development. The applicant states that the proposed parking will meet the needs of the development.
- The zoning article is enacted for the purpose of “promotion of the public health, safety, peace, and general welfare”. The reduction in parking allows for more greenspace, contributing to the public health and general welfare. The applicant is providing more greenspace than the minimum requirement.
- Staff generally supports reductions in impervious area.



# Variance Assembled Products

**PLANNING**



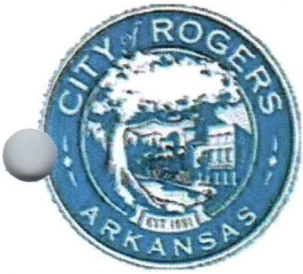
*Aerial Map*

### Recommendation

- **APPROVE** variance allowing for a reduction in parking spaces

### **Recommendation:**

- Staff recommends approval of the request.



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OFFICE USE ONLY

Permit Fee: \_\_\_\_\_ (\$100) Zoning: 1-2  
 App Number: 23-28  
 CityView Application: PL202300753  
 Date: 7/21/23

### VARIANCE APPLICATION

APPLICANT: Plymouth Engineering, PLLC on behalf of Assembled Products Corporation

ADDRESS: 405 W. Easy Street SUITE #: \_\_\_\_\_

GENERAL LOCATION OF PROPERTY: North side of Easy Street, approximately 830 feet west of N. 2nd Street

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

PROPERTY OWNER: Assembled Products Corporation PHONE #: (479) 636-5776

REQUEST to ALLOW: a reduction in parking from 102 spaces to 96 spaces (6%)

**Sec. 14-724(e)(1)(b) requires variance applicants to respond to these two questions for variance consideration:**

How does strict enforcement of the code cause undue hardship due to circumstances that are unique to this property?

Site lies in a location with a significant flood plain covering its northeast corner. Spaces above 96 would have to be located within the flood plain, reducing the ability to provide compensatory storage for fill placed in that flood plain as required by the Code of Ordinances.

How will approval of this variance be in keeping with the "spirit and intent" of the code being varied?

Current planning standards are moving towards lower parking requirements. Current requirements are fairly broad-based to cover a variety of uses within a category. The Owner believes that 96 spaces are sufficient to support the intended use in this location.

*[Signature]*  
 Applicant Signature

7.21.2023  
 Date

**Attachment Checklist:**

- Legal description of property
- If needed, additional sheet for above required responses
- Survey, elevations, sign proofs and/or other documents as needed to illustrate request

PLANNING STAFF PROVIDES:

BOARD OF ADJUSTMENT DECISION: \_\_\_\_\_

SECRETARY, BOARD OF ADJUSTMENT

8/15/23  
 DATE of PUBLIC HEARING



## Plymouth Engineering, PLLC

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

July 21, 2023

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

Re: LSDP Variance - Parking  
405 W. Easy Street – PL (not yet assigned)

Ladies and Gentlemen of the Planning Commission:

We are currently pursuing approval of the large-scale development plans for development of a parcel located at 405 W. Easy Street, adjacent to the existing facility of Assembled Products Corporation, west of Second Street and on the north side of Easy Street. This property was previously occupied by a single-family home, but has been vacant for some time. Our client is Assembled Products Corporation. This site is constrained by the presence of a large area of flood plain covering its northeast corner. Current ordinances require construction of compensatory storage to offset any fill placed in that flood plain. In addition, current planning standards are moving in the direction of requiring less parking, rather than more, to reduce environmental impacts. 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 102 parking spaces, and permission to instead install 96 parking spaces. This represents a reduction of approximately 6%.

REQUEST TO ALLOW: a reduction in parking from 102 spaces to 96 spaces (6%.)

HARDSHIP JUSTIFICATION TO VARY FROM CODE: The site lies in a location with a significant flood plain covering its northeast corner. Reducing the amount of parking would improve the ability of the Owner to provide compensatory storage to offset any fill placed within the flood plain, in accordance with the Code of Ordinances, while still providing adequate parking for the building's intended use.

This redevelopment will improve the property significantly from its current condition and add to the City's industrial base. We believe the impact from the requested variances, if granted, will be minimal, and that adequate parking will still be provided to serve the facility.

We appreciate your consideration.

Sincerely,

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

c: Owner  
File

# ASSEMBLED PRODUCTS CORPORATION

## LARGE-SCALE DEVELOPMENT PLANS

### 405 WEST EASY STREET; ROGERS, ARKANSAS

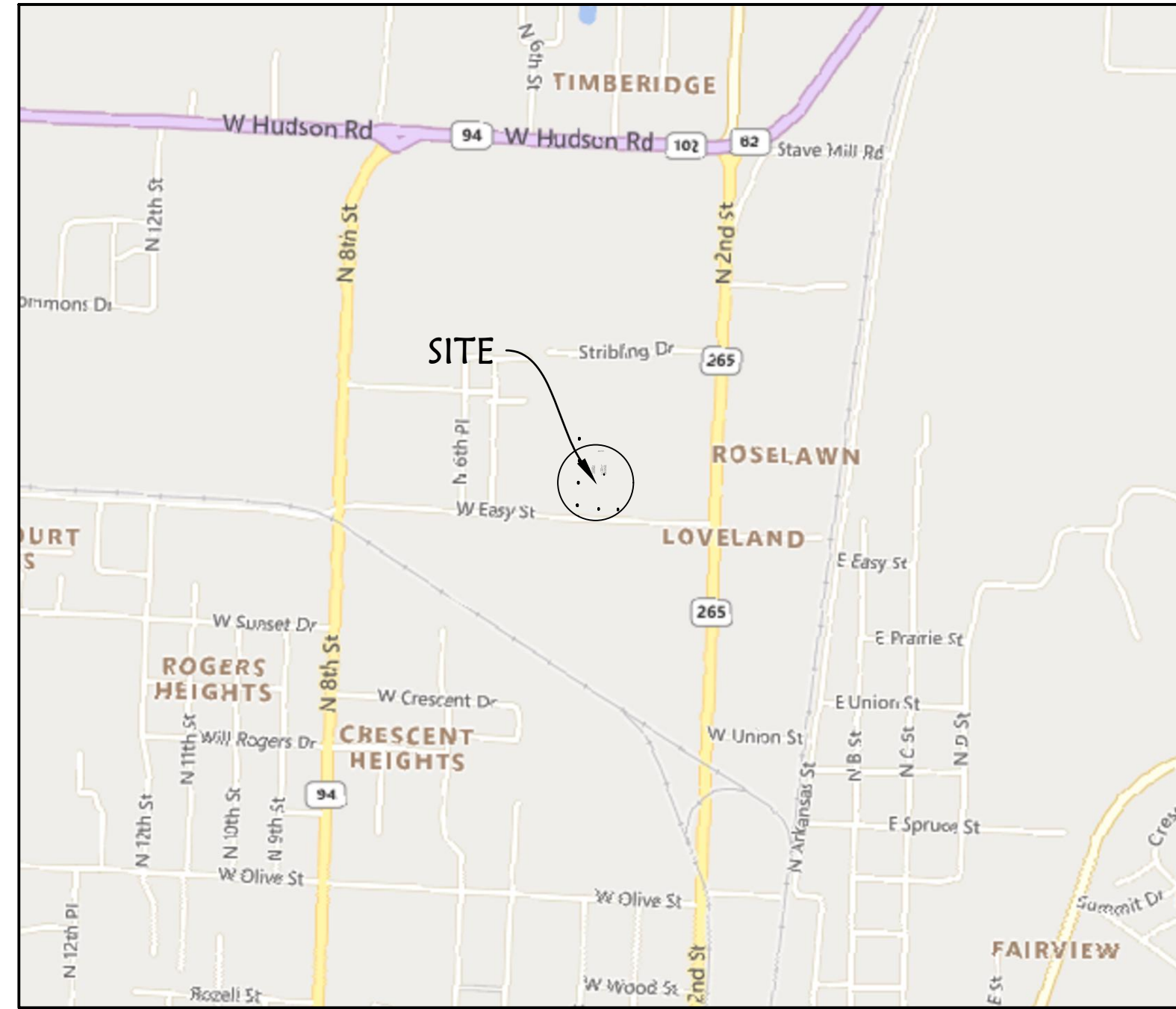
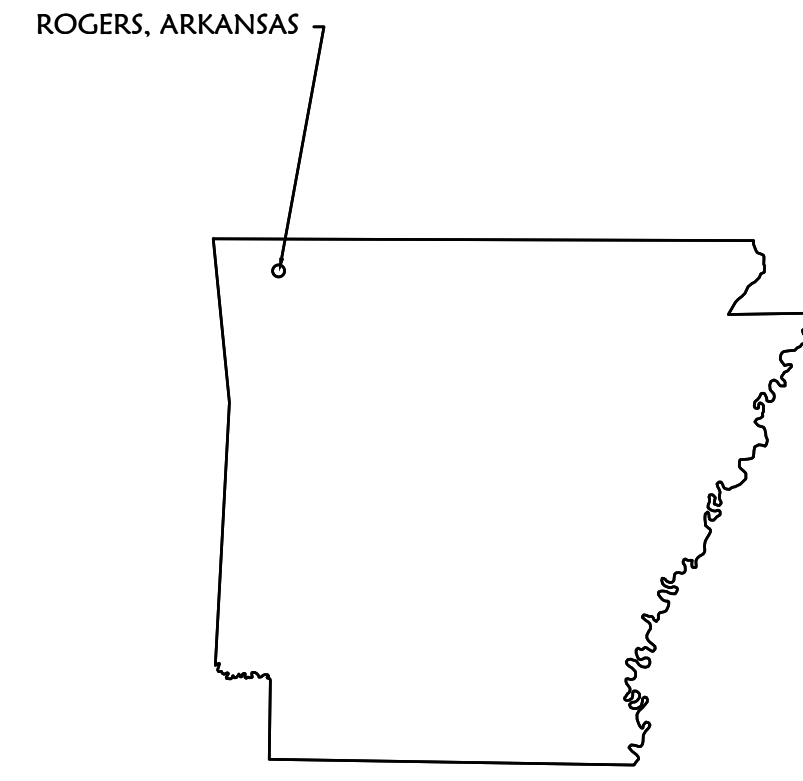
CityView Project #PL-



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

PRELIMINARY  
NOT FOR CONSTRUCTION

Assembled Products Corporation  
405 West Easy Street  
Rogers, AR 72756  
Large-Scale Development Plans



**SURVEY DESCRIPTION:** (BENTON COUNTY PARCEL 02-00746-000)  
PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 1, 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 NE1/4 OF SAID SECTION 1; THENCE N 02°25'15" E 25.00 FEET; THENCE S 86°32'35" E 316.14 FEET TO THE POINT OF BEGINNING; THENCE N 02°25'15" E A DISTANCE OF 624.83 FEET; THENCE S 86°37'04" E A DISTANCE OF 315.10 FEET; THENCE S 03°47'01" W A DISTANCE OF 103.37 FEET; THENCE S 01°35'59" W A DISTANCE OF 521.68 FEET TO THE NORTH RIGHT-OF-WAY LINE OF W. EASY STREET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 86°36'30" W A DISTANCE OF 320.12 FEET; TO THE POINT OF BEGINNING, WITH AN AREA OF 197,405.00 SQUARE FEET, OR 4.53 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

LEGEND	
	EXISTING TREE (DECIDUOUS)
	EXISTING TREE (EVERGREEN)
	FIRE 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

LEGEND	
	FOUND REBAR
	UTILITY POLE
	WATER VALVE
	FIRE HYDRANT
	SANITARY SEWER MANHOLE
	GAS METER
	TELEPHONE RISER
	TELEPHONE VAULT
	SANITARY SEWER LINE
	PROPERTY LINE
	CENTERLINE
	FENCE
	OVERHEAD LINE
	FLOOD ZONE "AE" (FLOODWAY)
	DECIDUOUS TREE

#### General Notes

- The Contractor shall be responsible for payment of all construction and permit fees.
- The Contractor shall take all precautions necessary to avoid damage to adjacent properties.
- The Contractor shall be responsible for the protection of survey monuments. When removal of a survey monument is necessary, the Contractor shall inform the Owner in writing seven days prior to commencement of any construction activity which would disturb the monument.
- The Contractor shall be responsible for removal and lawful disposal of all construction debris, including excess soil, rock and other debris or trash created by the construction process.
- The location of all existing underground utilities shown is approximate and based upon the best available information. No responsibility for the accuracy of such information is assumed by the Engineer or the Owner. The Contractor shall determine the exact location and depth of utilities prior to construction. Prior to beginning any type of excavation, the Contractor shall contact the various utility companies and make arrangements for the location of the utility on the ground. It shall be the responsibility of the Contractor to maintain the utility location markings until they are no longer needed.
- The Contractor shall coordinate closely with the respective utility companies when connecting to existing facilities.
- In accordance with generally accepted construction practices, the Contractor shall be solely responsible for conditions of the job site, including safety of all persons and property during performance of the work. This requirement shall apply continuously and shall not be limited to working hours.
- The duty of the Engineer or Owner to conduct review of the Contractor's performance is not intended to include review of the adequacy of the Contractor's safety measures in, on, or near the construction site.
- The Contractor shall coordinate the submission of all submittals to the Owner for materials review and approval.
- The Contractor shall notify the Owner and the City a minimum of 48 hours prior to conducting field tests. The Contractor shall also be responsible for notifying and arranging for inspections by state and local governments and utility companies having jurisdiction.
- The Contractor shall maintain, at the job site, a record copy of construction drawings and specifications on which all field changes are to be shown. These record documents are to be made available to the Owner and Engineer during construction and shall be delivered to the Owner upon completion of the project.
- The Contractor shall notify the Owner immediately upon discovery of any discrepancies in the plan, or any variation of field conditions from those shown.
- The Contractor shall possess a valid Arkansas Contractor's license.
- Unless noted otherwise on the Drawings, all concrete shall have a minimum 28-day compressive strength of 3,500 PSI, a slump of 1 to 4 inches, and 2 to 4 percent entrained air.
- Reinforcing bars shall conform to ASTM A15 and A305, with a minimum yield strength of 60 ksi.

#### CITY STANDARD NOTES

- It is the responsibility of the Engineer of Record to include all items required by ordinance. If approved plans conflict with ordinance requirements, the ordinance takes precedence unless a waiver or variance has been granted.
- Stockpiles with excess construction site materials, including but not limited to excess topsoil stockpiles, must be removed from site prior to project completion. Grading beyond the approved limits is prohibited.
- A pre-construction meeting with the Rogers Building Department is required prior to issuance of a building permit.
- A pre-construction meeting with Rogers Planning Department is required prior to issuance of a grading permit. All Phase I erosion control measures must be installed prior to the meeting and a reduced set of approved construction plans will be required.
- Easement plat must be approved and recorded prior to certificate of occupancy.
- All civil plans used on site must include most current stamp by Rogers Planning.
- If project costs exceed \$20,000, a state contractor's license is required per Rogers Code Sec 14-228(6).
- Where public streets end for future stubouts, install MUTCD Class 3 Barricade with "Future Street Extension" sign centered at the end of the right-of-way.
- Where public sidewalk, trails, or sidepaths end, include "Sidewalk Ends" sign.
- Public streets and alleyways shall have 20-ft of drivable surface for two way traffic. This does not include the curb and gutter and is measured from edge of asphalt to edge of asphalt.

#### Flood Plain

Portions of this property are subject to a Special Flood Hazard Area (Zone AE, elevation 1347 feet), per FEMA Flood Insurance Rate Map (FIRM) panel 05007C0280K, effective June 5, 2012; as revised by Letter of Map Revision 14-06-1977P, effective February 20, 2015.

SITE DATA	
OVERALL SITE AREA	4.53 ACRES
DEVELOPMENT AREA	4.53 ACRES
BUILDING AREA	75,000 SF
BUILDING COVERAGE	38.0%
OPEN SPACE	49,705 SF, 25.2%
IMPERVIOUS AREA	147,598 SF, 74.8%
ZONING	I-2
PARKING REQUIRED	102
PARKING PROVIDED	96
ACCESSIBLE SPACES REQUIRED	4
ACCESSIBLE SPACES PROVIDED	4
VAN ACCESSIBLE SPACES REQUIRED	1
VAN ACCESSIBLE SPACES PROVIDED	2
BICYCLE SPACES REQUIRED	1:20 SPACES = 5
BICYCLE SPACES PROVIDED	6
LOADING SPACES REQUIRED	3
LOADING SPACES PROVIDED	6
BUILDING SETBACKS	
NORTH (REAR)	50'
EAST (INTERIOR SIDE) PER CODE	50'
EAST (INTERIOR SIDE) PER VARIANCE REQUESTED	9'
SOUTH (FRONT)	100'
WEST (INTERIOR SIDE)	50'
MAX. ALLOWABLE BUILDING HEIGHT	75'
PROPOSED BUILDING HEIGHT (ABOVE FFE)	30'
PROPOSED BUILDING HEIGHT (ABOVE ADJACENT GRADE)	34'-2"
CONSTRUCTION TYPE	
OCCUPANCY CLASSIFICATION	F-1 - MODERATE-HAZARD FACTORY

#### DRAWING LIST

Cover and Notes	Rev.
Survey	A
Demolition / Tree Removal Plan	
Site Plan	
Grading Plan	
Erosion Control Plan	
SFHA Plan	
Utility Plan	
Landscape Plan	
Details	
RWU Water Details	
RWU Sewer Details	

**Owner and Developer:**  
Assembled Products Corporation  
115 East Linden Street  
Rogers, AR 72756  
(479) 636-5776  
Erin Keifer

**Engineer:**  
Plymouth Engineering, PLLC  
5714 Walden Street  
Lowell, Arkansas 72745  
(479) 595-5934  
David A. Gilbert, P.E.

**Surveyor:**  
Caster & Associates Land Surveyors, Inc.  
2715 SE I ST, Suite 5  
Bentonville, AR 72712  
(479) 268-4464  
Robert Caster, P.S.

Reserved for City of Rogers

Date:	Rev.
12/9/2022	A
Design file no.	
Drawing code:	
File name: 405 W. Easy St	
Plot date:	
Plot code:	None

Designed by:	Checked by:	Approved by:
David A. Gilbert, P.E.		

Cover and Notes	
Sheet reference number:	C-101
Sheet 1 of 15	







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 15, 2023** at **5:30 p.m.** at Rogers City Hall regarding an application by **Assembled Products Corporation** under the provisions of the City of Rogers Code of Ordinances, for a variance **allow a reduction in parking** at **405 W. Easy Street** in the I-2 (Heavy Industrial) zoning district more particularly described as follows:

**PARCEL NUMBER:**

02-00746-000

**LOCATION:**

**405 W. Easy Street**

Ed McClure, Secretary  
Board of Adjustment

**PUBLISH ONE TIME ONLY:** **Sunday July 30, 2023**  
**BILL THE CITY OF ROGERS**