



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
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**BOARD OF ADJUSTMENT
MINUTES
February 21st, 2023**

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on February 21st, 2023 at 5:55 P.M. The meeting was called to order by Chairman Mandel Samuels.

ROLL CALL

Board members attending: Ed McClure, John Schmelzle, and Mandel Samuels.

ACTION ON MINUTES

Previous minutes: February 7th, 2023

Motion by McClure to accept the prepared minutes for the February 7th, 2023 meeting of the Board of Adjustment as presented. Second by Schmelzle.

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

APPROVED

NEW BUSINESS

- 1. (VAR 23-11) A request by Mercy for an additional wall sign at 4667 S. Dixieland Road in the C2-CU, RO-CU, and RMF-12A (Highway Commercial, Residential Office, Residential Multifamily 12 units per acre) zoning district.**

Planning Technician Karen Perez reported the request was to allow an additional wall sign when the sign allowance for C-2 zoning is one sign per business/street frontage. The applicant has not site-specific hardship but cites it is required by CMS (Centers for Medicare and Medicaid Services) to make sure that patients are able to easily locate the facility. This building has two street frontages but Mercy's tenant space is in the middle of the building with no exterior wall signage. If approved, the sign would take the building right at the maximum allowed; therefore, staff recommended approval.

Caleb Murry, applicant, had nothing to add.

Samuels opened the public hearing. There were no comments.
The public hearing was closed.

Board members discussed.

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

Voice vote: YES-UNANIMOUS Motion carried

APPROVE

2. (VAR 23-13) A request by Saddlebrooke Lane for a variance to reduce the density, lot size, and setback requirements at 2720 S. Dixieland Road in the N-R (Neighborhood Residential) zoning district.

Planner Kyle Belt stated the variance included three separate requests to reduce the lot size, lot width, and the rear building setback to allow for a lot split. The applicant claimed the strict adherence to the applicable standards of the N-R zoning code prevents them from utilizing available unused land within their subdivision. Staff found that the requests met the purpose and intent of the N-R zoning by providing for “low-to medium-density housing throughout the City” in an already platted subdivision. Staff recommended consideration.

McCurdy spoke on the layout of the existing house and how it was configured to have the rear or entertainment area on their side yard. Due to this configuration the reduction of the rear setback goes along with the N-R zoning, with the 6-foot side setbacks.

Aaron Wade with Bespoke reiterated they felt they could use available unused land.

Samuels opened the public hearing. There were no comments.

The public hearing was closed.

Samuels questioned the fence and property line of the existing house. Aaron answered the property line extended three feet beyond the fence. He added the approval of the request would allow for a smaller version of the Villas that have been very popular in the subdivision.

Motion by McClure to APPROVE the variance. Second by Schmelzle

Voice vote: 3 YES-UNANIMOUS Motion carried

APPROVED

3. (VAR 23-14) A request by Patrick & Carmen Brown to allow an accessory building at 22 feet in height at 5287 S. Morning Star Road in the R-SF (Residential Single Family) zoning district. (WITHDRAWN BY APPLICANT)

Withdrawn by applicant.

ADJOURNMENT

Meeting adjourned at 6:11 PM by Chairman Mandel Samuels.

As recorded by:

Karen Perez

Planning Technician
Community Development Department
City of Rogers

Approved by vote of the Board of Adjustment on:

Ed McClure, BOA Secretary