

DEPT. OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
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**BOARD OF ADJUSTMENT  
MINUTES  
August 15, 2023**

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on August 15, 2023 at 5:57 P.M. The meeting was called to order by Chairman Mandel Samuels.

**ROLL CALL**

Board members attending: Ed McClure, Hannah Cicioni, and Mandel Samuels.

**ACTION ON MINUTES**

**Previous minutes:** July 18, 2023

Motion by McClure to accept the prepared minutes for the July 18, 2023 meeting of the Board of Adjustment as presented. Second by Cicioni.

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

**APPROVED**

**NEW BUSINESS**

- 1. (VAR 23-27) A request by Brian & Javene Decker under the provisions of the City of Rogers Code of Ordinances, 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.**

Planner Christina Moore stated the request is for a reduction in the side yard setback for garage addition. The applicant is requesting to vary from the 6-foot side yard setback requirement to a 2-foot setback. Their stated hardship is that the proposed location is the only location on the lot that big enough to place the garage without removing trees. The garage edition would meet the spirit and intent of the code as it matches the character of other homes in the historic downtown neighborhood part of our SAP analysis, other homes in this neighborhood have side garages and it matches the character of the neighborhood. This property and the surrounding properties are designated to be zoned in NBT for our downtown regional center zoning map. We recommend approval of the variance to allow for reduction the side yard setback.

Representative Jim Mayor added that the reduction of the setback would allow there to be enough separation between the garage and home that would permit a walkway. This would help maintain the existing character of the historic home.

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

Board discussed.

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

Voice vote: APPROVE-UNANIMOUS Motion carried

**APPROVE**

**2. (VAR 23-28) A request by Assembled Products Corporation under the provisions of the City of Rogers Code of Ordinances, for a variance to allow a reduction in parking at 405 W. Easy Street in the I-2 (Heavy Industrial) zoning district.**

Planner Zachery Birdsong stated the applicant is requesting to vary from the minimum parking requirements. They are proposing 96 parking spaces a six percent reduction from the 102 spaces that are required. The stated hardship by the applicant is that the site lies in a location with a significant floodplain covering its Northeast corner. The applicant states that the proposed number of parking spaces are sufficient for this development, meeting the intent of the minimum parking requirement. Staff would also like to make a note that the site contains floodplain that is being impacted by the proposed design. During the large-scale process, the applicant will need to show that there's adequate space for compensatory storage in order for their plans to meet code and be approved. Staffs analysis is the following; the minimum parking requirement is to ensure that adequate parking is being provided, and the applicant has stated that this will be the case per their purposes. The purpose of the zoning article is for the promotion of the Public Health Safety piece and general welfare. The reduction in parking contributes to the public health and general welfare by reducing the amount of impervious area and allowing for more green space staff also generally supports reductions in impervious area. We are therefore recommending approval of the variance request.

Representative David Gilbert stated 1/3 of the lot is within a floodplain. They could add more parking spaces in the back but would be very close to the floodway. This would cause the area to be regularly inundated. Gilbert is hesitant to invite people to park in a place that's going to be flooded about a foot or two.

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

Board discussed.

Motion by Cicioni to APPROVE the variance. Second by McClure.  
Voice vote: APPROVE-UNANIMOUS Motion carried  
**APPROVE**

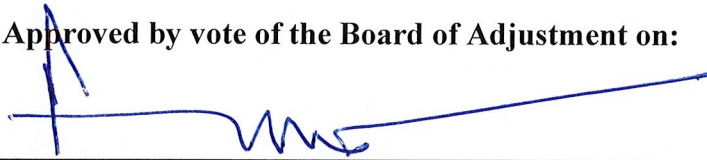
**ADJOURNMENT**

**Meeting adjourned at 6:08 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:**



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**Ed McClure, BOA Secretary**