



DEPT. OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
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**BOARD OF ADJUSTMENT  
MINUTES  
January 2, 2024**

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on January 2, 2024 at 6:07 P.M. The meeting was called to order by Chairman Mandel Samuels.

**ROLL CALL**

Board members attending: Mandel Samuels, Derek Burnett, and Hannah Cicioni.

**ACTION ON MINUTES**

**Previous minutes:** November 21, 2023

Motion by Cicioni to accept the prepared minutes for the November 21, 2023 meeting of the Board of Adjustment as presented. Second by Burnett.

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

**APPROVED**

**Previous minutes:** November 7, 2023

Motion by Cicioni to accept the prepared minutes for the November 7, 2023 meeting of the Board of Adjustment as presented. Second by Burnett.

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

**APPROVED**

**NEW BUSINESS**

**1. Election of Chairman and secretary for 2024 Board of Adjustment**

Chairman Samuels stated he would like to serve another term as the Chair of the board. Cicioni agreed. Samuels also proposed that Cicioni serve another term as Vice Chair. This would make Burnett, Secretary.

Motion by Samuels to APPROVED the variance. Second by Cicioni

Voice vote: APPROVED Motion **carried**

**APPROVED**

**2. (VAR 23-35) A request by Meadows Railyard to reduce the building setbacks and**

**parking space reduction at 2331 S. 8<sup>th</sup> Street in the C-4 (Open Display Commercial) zoning district.**

Planner Zachery Birdsong stated the request is located in Southeast Rogers at the northeast corner of S. 8<sup>th</sup> and W. Price Lane. The purposed use for a food truck court, the applicant requested a reduction in the rear and external side setbacks as well as a parking reduction. However, I was informed by the applicant today that they have shifted their layout further to the north and will now be meeting the external side setback. The exterior side reduction is no longer required. This request will only be for the rear setback reduction and the parking reduction. The required setback for the rear is 15 feet and the applicant is proposing zero feet. The applicant stated that their hardship is the shape and size of the lot and the intent is being met because the request provides enough buffering and leaves plenty of visibility for traffic. The C-4 setbacks are to ensure open display uses are adequately separated from dissimilar uses. Along the rear setback to the east, the railroad does not benefit from the 15-foot setback and there is no reason to strictly enforce this requirement. The applicant is also requesting a reduction in the required parking from 33 to 20 parking spaces. The applicant notes that the size, shape and size pose a hardship he states the intent is still being met because the proposed 20 parking spaces are sufficient to meet the business's needs. The minimum parking requirements are to ensure enough spaces are being provided the applicant believes that the proposal is enough and staff generally supports a reduction in impervious area. The following is staff's recommendations, the exterior side setback request is no longer required. And we are recommending approval of the rear setback and parking reduction request.

Applicant Phil Swope has nothing to add.

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

Vice Chair Cicioni question if the rear was the one adjacent to the railroad track? Is that correct?  
Applicant Phil Swope stated that was correct.

Motion by Cicioni to APPROVED the variance. Second by Burnett  
Voice vote: APPROVED Motion carried  
**APPROVED**

**ADJOURNMENT**

**Meeting adjourned at 6:15 PM by Chairman 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**