



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

## PLANNING COMMISSION MEETING AGENDA

DECEMBER 2, 2025

5:30 PM

VIEW ONLINE

PLANNING COMMISSION: [HTTPS://US02WEB.ZOOM.US/J/83479441981](https://us02web.zoom.us/j/83479441981)

BOARD OF ADJUSTMENT: [HTTPS://US02WEB.ZOOM.US/J/83479441981](https://us02web.zoom.us/j/83479441981)

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[IGNORE\_INDENT]

## AGENDA

### CALL TO ORDER PLANNING COMMISSION:

### ROLL CALL:

### ACTION ON MINUTES:

- a. Approving November 18, 2025 meeting minutes.

### PUBLIC FORUM:

Public testimony on any issue not listed on the agenda may be provided at this time. **Public hearing** is offered at this time for **consent agenda** items noted below.

### CONSENT AGENDA:

Items listed under the Consent Agenda are considered routine and may be approved by a **single motion**. If you wish to provide testimony on any item, please notify the Commission prior to vote so that the item may be moved to **New Business** for separate consideration.

- a. No items.



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## **PUBLIC HEARINGS:**

**OLD BUSINESS** - Items previously discussed and tabled.

a. No items.

**NEW BUSINESS** - Any items removed from Consent Agenda.

**a. BCS Hopper Common Signage Plan**

A request by BCS Hopper for a Common Signage Plan at 206 S. Promenade Boulevard in the T5.2 (City Medium Intensity) zoning district.

STAFF: Christina Moore, Planner I

REPRESENTED BY: Lee Reinhardt

**b. The Visionary Common Signage Plan**

A request by The Visionary for a Common Signage Plan at 3800 S. JB Hunt Drive in the T6.1 (Regional Low Intensity) zoning district.

STAFF: Christina Moore, Planner I

REPRESENTED BY: Tom Allen

## **REPORTS :**

a. COMMISSONERS

i. 2026 voting of Planning Commisson officers.

b. STAFF

## **ADJOURN PLANNING COMMISSION:**

## **CALL TO ORDER BOARD OF ADJUSTMENT:**

## **ACTION ON MINUTES:**

a. Approving November 4, 2025 meeting minutes.

## **OLD BUSINESS :**

No items.

## **NEW BUSINESS:**

**a. Metro by T-Mobile Variance**

Requesting a variance from the Unified Development Code at 302 S. 8<sup>th</sup> Street in the T5.2 (City Medium Intensity) zoning district.



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STAFF: Laural Scates, Planner I  
REPRESENTED BY: Rebecca Steakley

## **ADJOURN BOARD OF ADJUSTMENT:**



COMMUNITY DEVELOPMENT  
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301 W. CHESTNUT  
planning@rogersar.gov  
(479) 621-1186

## **ROGERS PLANNING COMMISSION MINUTES**

The Rogers Planning Commission met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on November 18, 2025 at 5:30 P.M. The meeting was called to order by Chairman Steve Lane followed by the Pledge of Allegiance.

### **ROLL CALL**

Commissioners attending: Jorge Andrade, Samantha Best, Hannah Cicioni, Kevin Jensen, Steve Lane, Ed McClure, Isaac Stevens and Ezequiel Tovar.

### **DECLARATION OF ABSTENTION**

Chairman Lane asked that any Commissioners needing to abstain on agenda items state so and not participate in discussion or vote on the item. There were none.

### **ACTION ON MINUTES**

Motion by McClure, second by Jensen to approve the November 4, 2025 Planning Commission meeting minutes as presented.

Voice Vote: Unanimous – Yes. Motion carried.

**APPROVED.**

### **PUBLIC FORUM**

Community Development Director John McCurdy encourages commissioners to visit [cnu.org](http://cnu.org) to read an article by Commissioner Isaac Stevens titled "Lets Build Age-Friendly Communities". He also mentions that CNU will host a conference in Rogers next year from March 12-14.

### **CONSENT AGENDA**

### **PUBLIC HEARINGS**

**Old Business – None**

### **New Business**

#### **a. Mach 1 Common Signage Plan**

A request by Mach 1 for a Common Signage Plan at 2255 W. Hudson Road in the T5.2 (City Medium Intensity) zoning district.

Planner Zachery Birdsong provides an overview of the Common Signage Plan process, including its purpose and evaluation criteria. The Mach 1 Common Signage Plan is proposing 10 wall signs for the development, in addition to a pole sign containing fixed and digital copy. The proposal takes up approximately 10" of the building's façade, however there are a couple signs that exceed the square footage of those in the surrounding area and the pole sign exceeds the maximum height by seven feet. Birdsong outlines the deviations from the code, including sign size, height, and digital copy requirements.

The proposal is not in a way that presents a danger to public safety and there has been no public comment. Staff recommends consideration of the request.

Commissioner Samantha Best expresses concerns about maintaining flexibility while being consistent with the code.

Matt Reese with Sign Studio and KC Nix with Mach 1 represented the request. Nix explains the multi-use facility, including a full-service restaurant, performance area, and motor clothes. The client emphasizes the need for specific signage requirements due to branding and franchise rules for BMW and Ducati.

Commissioners discuss the multi-use building and the proposed signage plan. Commissioner Kevin Jensen raises concerns about the height of the pole sign. The applicant expresses willingness to lower the sign if necessary.

Community Development Director John McCurdy and Planner Zachery Birdsong discuss the evaluation process and the importance of considering the surrounding context.

The Chairman opened the public hearing for comments.

- Mark Daniels – clarified the pole sign is actually 24' tall not 31'.

The public hearing was declared closed.

Motion by Jensen second by Stevens, to approve the request as presented with the condition that the pole sign be limited to a maximum height of 24 feet.

Voice Vote: 7 – Yes, 1 – No (Best). Motion carried.

**APPROVED.**

## **REPORTS**

## **ADJOURN**

There being no further business, the Chair adjourned the meeting at 5:58 p.m.

**ATTEST:**

**APPROVED:**

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Derek Burnett, Secretary

---

Steve Lane, Chairman

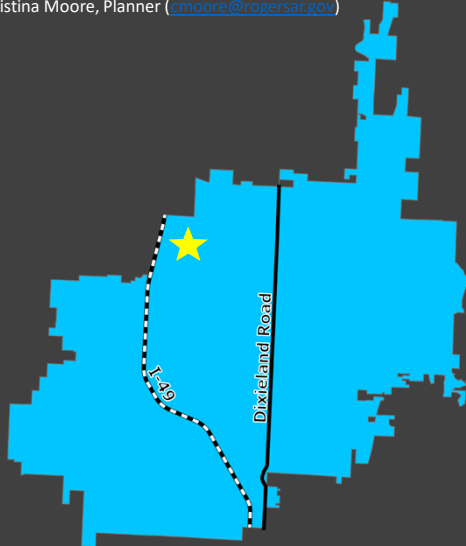


## Common Signage Plan

**PLANNING**

### BCS Hopper

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



Vicinity Map

#### Location

206 S Promenade Blvd

#### FLUM Place Type

Regional Corridor

#### Zoning

T5.2

#### Representative

Lee Reinhardt

#### Nature of the Request:

The following request is for a common signage plan at 206 S Promenade Blvd

#### Request Details:

- Proposal: The applicant is proposing new signage for two new tenants for a shopping center in T5.2 zoning in the Regional Corridor placetype.



### Aerial View



The subject area is located on the south west corner of Walnut Street and Promenade Blvd.

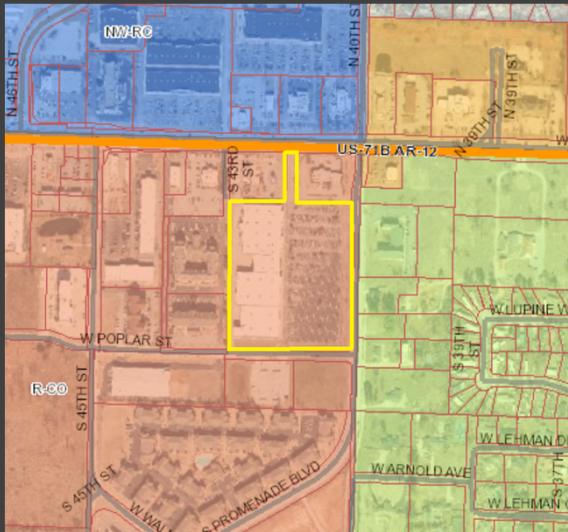
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## Common Signage Plan

### BCS Hopper

**PLANNING**



#### Regional Corridor Placetype Description

“Regional Corridors are intensive areas with a high concentration of housing, services, and amenities. Developments include tall, compact buildings and parking located primarily at the side or rear of the site. Streets are multimodal, supporting the easy movement of single drivers, transit, and active transportation users between Regional Centers in Rogers, high-intensity areas in Bentonville, and nearby lower-intensity neighborhoods.” – Rogers Future Land Use Placetypes pg. 5

Regional Corridors are dense, mixed use areas with tall, compact buildings and rear or side located parking, offering housing, services, and amenities. Their multimodal streets support smooth travel for drivers, transit, and active transportation between major centers and nearby neighborhoods.

#### Nature of Request

Common Signage Plan

#### Placetype Description

Regional Corridor (R-CO): “Regional Corridors are intensive areas with a high concentration of housing, services, and amenities. Developments include tall, compact buildings and parking located primarily at the side or rear of the site. Streets are multimodal, supporting the easy movement of single drivers, transit, and active transportation users between Regional Centers in Rogers, high-intensity areas in Bentonville, and nearby lower-intensity neighborhoods.” – Rogers Future Land Use Placetypes pg. 5

#### Current Zone (T5.2)

“A medium-low intensity mixed-use district where medium to large-scale buildings line streets in corridor and city center placetypes.” (UDC Section 4.2).



# Common Signage Plan

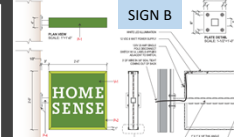
## BCS Hopper

PLANNING

### Signs Compared to Code



- Wall signs:
  - The maximum allowed size of a wall sign is 30 square feet. The wall signs at locations A, C, and E all exceed this maximum.
  - Only one wall sign is allowed per tenant. Home Sense is proposing 2 wall signs.
- Blade sign:
  - The maximum area of any blade sign shall not exceed four (4) square feet. Sign B meets this requirement.
- Pylon sign:
  - The code does not allow pylon signs. The pylon sign is existing and the new tenants want to update Sign D with their logos.



### Signs Compared to Code:

- Wall signs:
  - The maximum allowed size of a wall sign is 30 square feet. The wall signs at locations A, C, and E all exceed the allowable size.
  - Only one wall sign is allowed per tenant. Home Sense is proposing 2 wall signs.
- Blade signs:
  - The proposed blade sign meets the sign code by not exceeding 4 square feet.
- Pylon sign:
  - The code does not allow pylon signs. The pylon is an existing nonconformity and the new tenants want to replace the plates with their logos.



## Common Signage Plan

BCS Hopper

**PLANNING**

### Applicant's Responses

|                                                                                          |                                                                                                   |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Is the proposal compatible with the surrounding area?                                    | "Yes, this proposal is consistent with existing signage in this area."                            |
| Is the proposal consistent with the intended character of the placetype?                 | "Yes, this proposal is standard to retail signage."                                               |
| Does the proposal minimize visual clutter and maximize readability and aesthetic appeal? | "Yes, the proposal minimizes visual clutter by using a consistent design with appropriate scale." |
| Does the proposal present a clear and public danger to public safety?                    | "No, in fact it will reduce hazards for legibility from the ROW for vehicular traffic."           |

### **Applicant's Responses:**

#### **Is the proposal compatible with the surrounding area?**

The proposal is consistent with existing signage in the area.

#### **Is the proposal consistent with the intended character of the placetype?**

The proposal is standard for retail signage.

#### **Does the proposal minimize visual clutter and maximize readability and aesthetic appeal?**

The proposal minimizes visual clutter by using consistent design and appropriate scale to other signs in the shopping center.

#### **Does the proposal present a clear and public danger to public safety?**

The proposal does not increase danger to public safety. The proposal helps drivers find the stores from the roadway.



## Common Signage Plan

### BCS Hopper

PLANNING

#### Staff Analysis

##### Is the proposal compatible with the surrounding area?

Yes. This site is an existing nonconformity. The property is zoned T5.2 where the buildings are intended to sit very close to the front property line (between 0 and 10ft), to create a walkable urban frontage. However, this site has buildings located 350ft from the property line. Under normal conditions, signage in T5.2 is scaled for pedestrians and slow moving traffic close to the building. But because these buildings are set so far back, the typical 30 sqft max wall sign would not be legible from the street.



#### **Staff Analysis:**

##### Is the proposal compatible with the surrounding area?

Yes. The site is zoned T5.2, which is a true urban transect zone. Buildings in this zone are intended to sit very close to the front property line—within zero to ten feet, this build to area is shown in the yellow box—to create a walkable urban frontage. However, this site was developed with buildings located approximately 350 feet back from the property line. Because of this, the site is legally nonconforming in form and does not function like a T5.2 urban site.

Under normal conditions, signage in T5.2 is scaled for pedestrians and slow-moving traffic immediately adjacent to the building. But because these buildings sit so far back, the typical 30-square-foot maximum wall sign would not be visible or legible from the public right-of-way. The Common Signage Plan accounts for this unusual condition by allowing larger wall signs. This does not conflict with the purpose of the sign code—it actually restores the functional visibility the T5.2 standards intend when buildings are placed correctly.



## Common Signage Plan

### BCS Hopper

## PLANNING

### Staff Analysis

**Is the proposal consistent with the intended character of the placetype?**

No, but this site is an existing nonconformity. The regional corridor is meant for higher intensity development will tall, compact buildings close to the street, parking located at the side or rear of buildings, multimodal access and a visually active, urban environment consistent with connections between major activity centers. The site would need to be redeveloped in order to meet the character of the placetype.



### **Staff Analysis:**

#### **Is the proposal consistent with the intended character of the placetype?**

The existing site conditions do *not* reflect the intended Regional Corridor placetype. Because the buildings were constructed approximately 350 feet back from the front property line, the site functions more like a highway commercial placetype rather than a compact corridor development. This deep setback is inconsistent with the placetype's goals for building placement, walkability, and multimodal access. The site would need to be redeveloped to have buildings in the area boxed in yellow.



## Common Signage Plan

### BCS Hopper

PLANNING

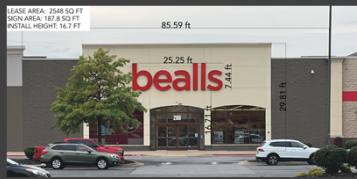
#### Staff Analysis

**Does the proposal minimize visual clutter and maximize readability and aesthetic appeal?**

Yes. The proposed signs are compatible in size to adjacent signs and are readable from the street. Because the buildings are set 350ft from the roadway, the signs need to be larger than 30 square feet to maximize readability.

**Does the proposal present a clear and public danger to public safety?**

No. There is not a present and clear public danger to public safety.



#### **Staff Analysis:**

**Does the proposal minimize visual clutter and maximize readability and aesthetic appeal?**

The proposed signs are proportionate to the size of signs already in the shopping center.

**Does the proposal present a clear and public danger to public safety?**

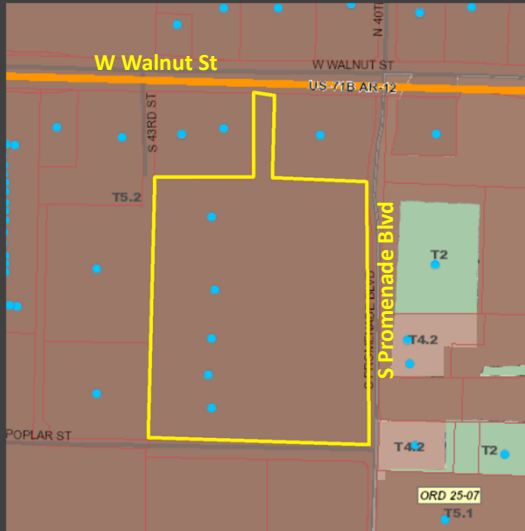
No sign is this proposal is presented in a way that presents a clear danger to public safety.



## Common Signage Plan

### BCS Hopper

**PLANNING**



*Aerial View*

#### Recommendation:

*Consider*

#### **PUBLIC INPUT:**

No public input received.

#### **RECOMMENDATIONS:**

Staff recommends **considering** this request.

#### **5.8.9 Common Signage Plan**

##### **5.8.9(E) Authority and Function of the Common Signage Plane**

#### Binding Authority:

Upon approval, the Common Signage Plan (CSP) establishes the authoritative framework for all signage within the associated development site.

(2) The CSP remains in effect until it is either formally amended by the landowner through the standard approval processes outlined in this section or superseded by a future ordinance.

#### Application of Sign Permits

All sign permit applications for signage within the site covered by the CSP must include a copy of the approved CSP.

Signage within the development must comply with the approved CSP unless explicitly authorized through an amendment or a special sign permit process.

Sign permits must meet the application requirements of Section 5.8.11(B).

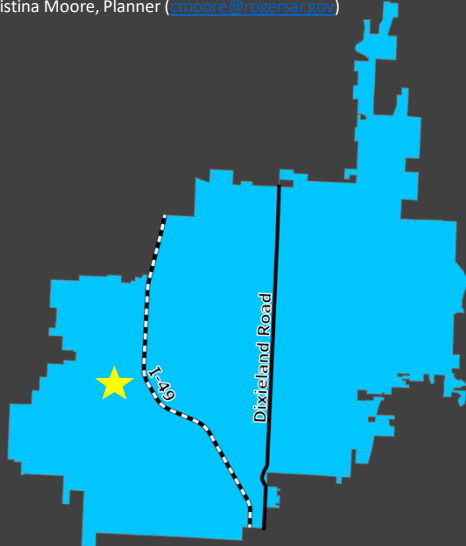


## Common Signage Plan

**PLANNING**

### The Visionary

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



Vicinity Map

#### Location

3800 S. JB Hunt Drive

#### FLUM Place Type

Uptown Regional Center

#### Zoning

T6.1

#### Representative

Tom Allen

#### Nature of the Request:

The following request is for a common signage plan at 3800 S JB Hunt Drive

#### Request Details:

- Proposal: The applicant is proposing new wall signs and a monument sign



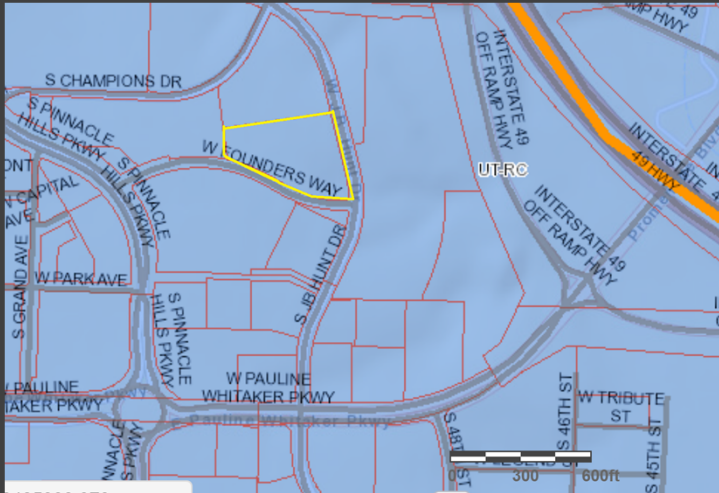
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## Common Signage Plan

### The Visionary

## PLANNING



FLUM

#### Uptown Regional Center Placetype Description

“Uptown Regional Center is one of the region’s most productive hubs for dining, shopping, entertainment, employment, healthcare services and urban housing. It will continue to develop with new streets, parking structures, civic spaces, dedicated transportation facilities for non-drivers, and intensive buildings with activity along their ground floors.” – Rogers Future Land Use Placetypes pg. 3

The Uptown Regional Center is a major hub for dining, shopping, entertainment, jobs, healthcare, and urban housing. It is planned to grow with new streets, parking structures, civic spaces, better transportation options for non-drivers, and active, mixed-use buildings.

#### Nature of Request

Common Signage Plan

#### Placetype Description

Uptown Regional Center (UT-RC): “Uptown Regional Center is one of the region’s most productive hubs for dining, shopping, entertainment, employment, healthcare services and urban housing. It will continue to develop with new streets, parking structures, civic spaces, dedicated transportation facilities for non-drivers, and intensive buildings with activity along their ground floors.” Rogers Future Land Use Placetypes pg. 3

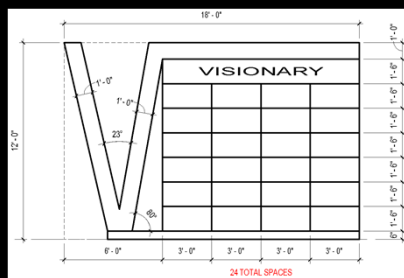
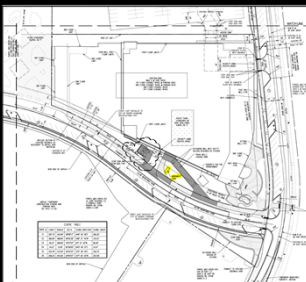
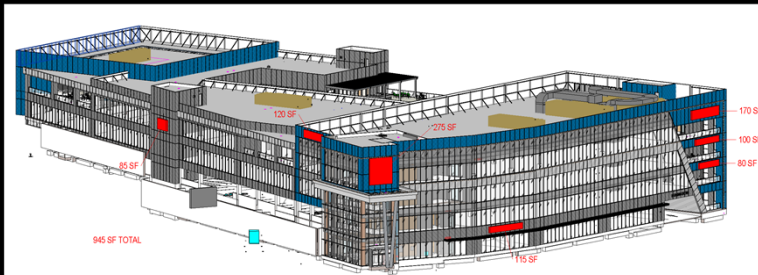
#### Current Zone (T6.1)

“A medium-low intensity mixed-use, pedestrian-oriented district where tall buildings line streets in center placetypes.” (UDC Section 4.2).



## Common Signage Plan The Visionary

**PLANNING**



### Visionary Proposed Signage Plan

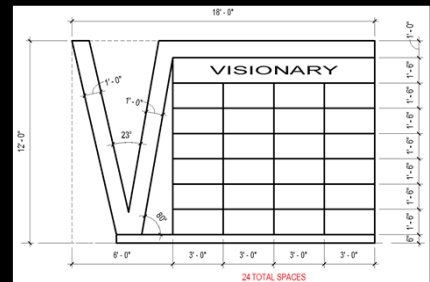
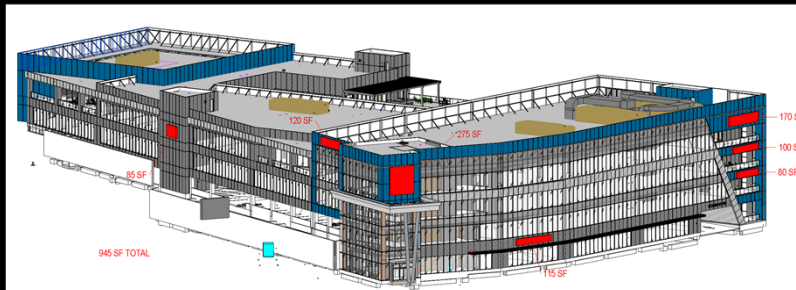
- 7 Wall Signs and 1 Monument Sign
- One of the larger signs will be for the development's Key Tenant.
- The Key Tenant often becomes the name or primary identifier for the entire building.
- These signs will provide clear identification and support wayfinding for a 4 story building with 195,000-sf of leasable space.

The signage plan indicates 7 wall signs and 1 monument sign for a 4 story building with 195,000 square feet of leasable space.



## Common Signage Plan The Visionary

**PLANNING**



### Signs Compared to Code

- Wall signs:
  - The maximum allowed size of a wall sign is 30 square feet. The 7 wall signs range from 80 square feet to 275 square feet.
- Monument sign:
  - The maximum area of any monument sign shall not exceed forty-eight(48) square feet.
    - The proposed monument sign is 288 square feet.
  - The maximum height of any monument sign shall not exceed six (6) feet.
    - The height of the propose monument sign is 12 feet.

### Signs Compared to Code:

- Wall signs:
  - The maximum allowed size of a wall sign is 30 square feet. The proposed 7 wall signs range in size from 80 square feet to 275 square feet.
- Monument sign:
  - The code allows monument signs that are a maximum of 48 square feet in area and 6 feet tall. The proposed monument sign has an area of 288 square feet and is 12 feet tall.



## Common Signage Plan The Visionary

**PLANNING**

### Applicant's Responses

|                                                                                          |       |
|------------------------------------------------------------------------------------------|-------|
| Is the proposal compatible with the surrounding area?                                    | "Yes" |
| Is the proposal consistent with the intended character of the placetype?                 | "Yes" |
| Does the proposal minimize visual clutter and maximize readability and aesthetic appeal? | "Yes" |
| Does the proposal present a clear and public danger to public safety?                    | "No"  |

#### Applicant's Responses:

The proposal is compatible with the surrounding area.

The proposal is consistent with the intended character of the placetype.

The proposal does minimize visual clutter and maximize readability and aesthetic appeal.

The proposal does not present a clear and public danger to public safety.



## Common Signage Plan

**PLANNING**

### The Visionary

#### Staff Analysis

|                                                                          |                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is the proposal compatible with the surrounding area?                    | The proposal for larger signage is compatible within the Uptown District due to the scale, intensity, and character of the development within this area. Uptown contains taller buildings, wider streets, and large entertainment venues such as Topgolf and The AMP. Larger structures and sightlines naturally require larger signage so signs don't appear out of proportion. |
| Is the proposal consistent with the intended character of the placetype? | Yes. Regional Uptown District is intentionally designed to accommodate more intense commercial uses. Standard sign sizes often appear too small or get lost when placed on a multi-story building or large developments.                                                                                                                                                         |

#### **Staff Analysis:**

##### **Is the proposal compatible with the surrounding area?**

*Yes. The larger signage fits the Uptown District's scale and character where tall buildings, wide streets, and large venues naturally call for proportionally larger signs.*

##### **Is the proposal consistent with the intended character of the placetype?**

Yes. The Regional Uptown District is designed for intense commercial activity, where standard sign sizes are often too small for multi-story buildings and large developments.



## Common Signage Plan The Visionary

**PLANNING**

### Staff Analysis

|                                                                                                 |                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Does the proposal minimize visual clutter and maximize readability and aesthetic appeal?</b> | Yes. The architectural character of the Regional Uptown District can support more prominent signage without harming the aesthetics. Larger signage supports wayfinding for visitors, accommodates higher vehicle/pedestrian speeds, and they contribute to the vibrant urban feel the district aims to create. |
| <b>Does the proposal present a clear and public danger to public safety?</b>                    | No. No sign in this proposal is presented in a way that presents a danger to public safety.                                                                                                                                                                                                                    |

### **Staff Analysis:**

#### **Does the proposal minimize visual clutter and maximize readability and aesthetic appeal?**

Yes. The district's architectural character supports prominent signage that enhances wayfinding, suits higher travel speeds, and contributes to a vibrant urban atmosphere.

#### **Does the proposal present a clear and public danger to public safety?**

No sign in this proposal is presented in a way that presents a clear danger to public safety.



*Consider*



### Aerial View

**PUBLIC INPUT:**

No public input received.

**RECOMMENDATIONS:**

Staff recommends **considering** this request.

### **5.8.9 Common Signage Plan**

### **5.8.9(E) Authority and Function of the Common Signage Plan**

Binding Authority:

Upon approval, the Common Signage Plan (CSP) establishes the authoritative framework for all signage within the associated development site.

(2) The CSP remains in effect until it is either formally amended by the landowner through the standard approval processes outlined in this section or superseded by a future ordinance.

## Application of Sign Permits

All sign permit applications for signage within the site covered by the CSP must include a copy of the approved CSP.

Signage within the development must comply with the approved CSP unless explicitly authorized through an amendment or a special sign permit process.

Sign permits must meet the application requirements of Section 5.8.11(B).



DEPT. OF COMMUNITY DEVELOPMENT  
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## BOARD OF ADJUSTMENT MINUTES

The **Rogers Board of Adjustment** met for a public meeting at Rogers City Hall at 301 W. Chestnut Street on November 4, 2025 at 6:06 P.M. The meeting was called to order by Chairwoman Cicioni.

### **ROLL CALL**

Board members attending: Isaac Stevens, Kevin Jensen, and Hannah Cicioni.

Not present: Derek Burnett

### **ACTION ON MINUTES**

Motion by Jensen, second by Stevens, to approve 10/21/25 Board of Adjustment minutes.

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

### **APPROVED**

### **NEW BUSINESS**

#### **a. Randall Hurban Variance**

Requesting a variance from the Unified Development Code at 9 S. Queensborough Lane in the T3.1 (Neighborhood Very Low-Intensity) zoning district.

Planner Nicholas Little explained the request for a variance from Table 4.5 to allow a six-foot encroachment into the thirty-foot exterior yard setback from the Pinnacle Subdivision Ph. VI plat. The variance request is not from the UDC, but from the final plat for Pinnacle Subdivision Phase 4. The final plat for Pinnacle Subdivision Phase 4 was filed with Benton County Circuit Clerk on July 9, 2004. The applicant's stated hardship is that if the garage addition were to be placed within the existing setbacks, the slope of the land would make construction particularly difficult and would potentially create structural issues for the home. The platted setback is 10' greater than the underlying zone's setback, so staff doesn't feel the additional 10' of setback is necessary. The site also slopes significantly to the south, making any addition to either side of the home, other than the front, feasibly difficult.

This site does have significant sloping to the south, as well as large drainage and utility easements that make up most of the lot on the south side. Staff finds the applicants stated hardship valid and agrees that the hardship is unique to this property. The variance requested is done so to the most minimum degree, and there is no other way to avoid the variance given the proposed addition. No public input has been received regarding this request, but a letter of support from the pinnacle subdivision POA was submitted with the variance application. All application notification requirements were met by the applicant. Staff recommends approval of the request.

Applicant Randall Hurban had nothing to add.

Chairwoman Cicioni opened the public hearing for comments.  
There was none.  
The public hearing was declared closed.

Commissioners Jensen spoke in favor of request due to neighbor's support and the topography of the land.

Motion by Jensen, second by Stevens to approve the request as presented.

Voice Vote: – Unanimous. **Motion carried.**

**APPROVED**

**b. Rex Bair Variance**

Requesting a variance from the Unified Development Code at 4107 W. Mocking Lane in the T3.2 (Neighborhood Low Intensity) zoning district.

Planner Nicholas Little explained the request was for a variance from Section 4.5.9.2(A) to allow a driveway area exceeding 33% of the front exterior yard, and a variance from Section 4.5.9.2(B) for exceeding the maximum driveway width of 20' for single family residential driveways. The applicant's hardship refers to the lack of existing depth and narrow streets that serve their neighborhood as being an inhibitor to the desired parking situation. They also state, and included images, of nearby homes with driveways that exceed the standard for width. While this proposal doesn't present a real site-specific hardship, Staff sees this as a reasonable request. The 20' width requirement is rooted in pedestrian safety, where sidewalks cross the driveway. There is no sidewalk present here. The 33% driveway-exterior yard coverage is more of an aesthetic standard and a best practice to minimize the excessive presence of cars in between the street and a home's façade. This request is narrowly exceeding that coverage percentage.

Applicant Rex Bair explained the need for additional driveway space due to having four young kids and the existing driveway's small size.

Chairwoman Cicioni opened the public hearing for comments.

Connie Hoffman- against the request. Testimony included concerns about neighborhood compliance with city ordinances and the potential for the neighborhood to turn into a parking lot.

Cleo Wright- in favor of request- Testimony included safety issues due to the existing driveway's proximity to a stop sign and the need to park on the lawn or street.

The public hearing was declared closed.

Commissioner Jensen and Chairwoman Cicioni discussed the request noting the size of the side yard and the hazard of parking on the street near the stop sign.

Motion by Stevens, second by Jensen to approve the request as presented.

Voice Vote: – Unanimous. **Motion carried.**

**APPROVED**

**ADJOURN**

There being no further business, the Chairwoman Cicioni adjourned the meeting at 6:25 p.m.

**Approved by vote of the Board of Adjustment on:**

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**Kevin Jensen, BOA Secretary**

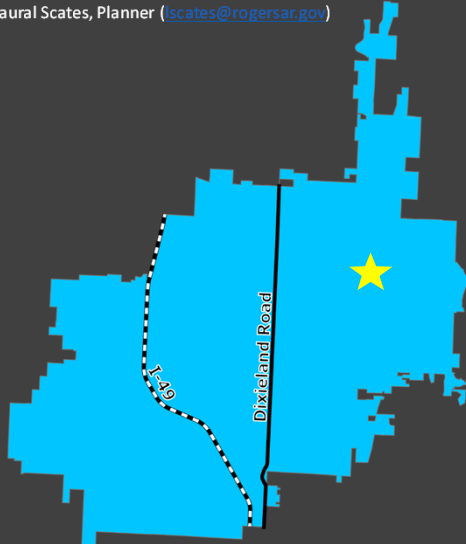


## Variance

**PLANNING**

### Metro by TMobile Sign

Staff: Laural Scates, Planner ([lscales@rogersar.gov](mailto:lscales@rogersar.gov))



*Vicinity Map*

#### Location

302 S 8<sup>th</sup> Street

#### Nature of Request

Maximum size and quantity allowed for wall mounted signs

#### Zoning

T5.2

#### Existing Use

Commercial

#### Representative

Rebecca Steakley

#### **Summary:**

This request is for a variance from Table 4.5.A Max fence or wall height, to allow a fence that exceeds 4' in height within the exterior yard.

Parcel: 2613 W Green Acres Road

Site Acreage: ±0.66 acres



### Section 2.12 Variances

#### 2.12.1 Purpose & Intent

The Board of Adjustment is authorized to grant a variance or waive from any provision of this UDC where strict enforcement of the provision would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances or waivers only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the UDC.

#### 2.12.2 Review Criteria

The Board of Adjustment shall consider the following in determining whether or not to grant a variance or waiver:

- A. Would the variance or waiver cause undue hardship to the property owner due to circumstances unique to the property; and
- B. Is the hardship a result of any action taken by the property owner or on their behalf; and
- C. Is the variance or waiver requested the minimum amount necessary to carry out the project; and
- D. Is there another reasonable method of avoiding the need for a variance or waiver; and
- E. Any other factor the Board feels is important to consider in keeping with the purpose and intent of this UDC.

### **Section 2.12 Variances:**

#### **2.12.1 Purpose & Intent**

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- Is the variance or waiver requested the minimum amount necessary to carry out the project; and
- Is there another reasonable method of avoiding the need for a variance or waiver; and
- Any other factor the Board feels is important to consider in keeping with the purpose and intent of this UDC.



## Variance

**PLANNING**

### Metro by TMobile Sign



*Vicinity Aerial View*

**Site Area:**

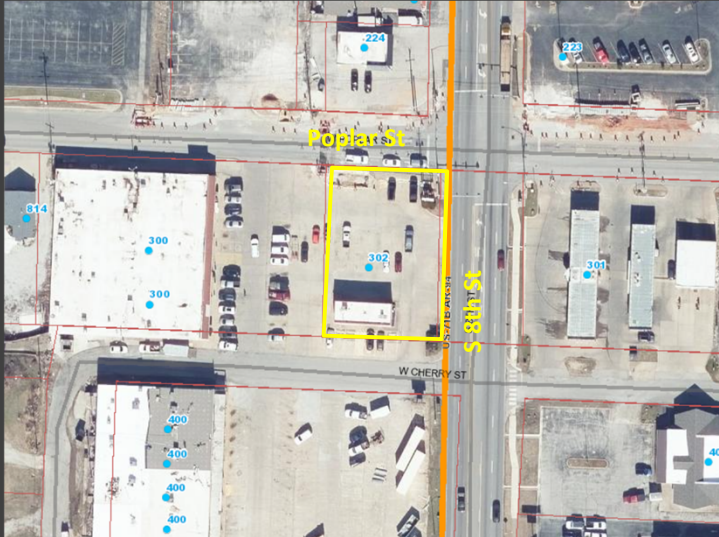
This site is located in a residential subdivision near S 26<sup>th</sup> street in between W Perry and W New Hope Road



## Variance

### Metro by TMobile Sign

## PLANNING



#### Existing Conditions

- The subject property contains a street on three sides of property.
- The building is 15 feet tall and 49.6 feet wide with parking on the north and south.
- The building currently has no signage.

#### **Existing Conditions:**

The subject property contains a street on both the north and south sides of the property, creating a through lot. Due to this, both north of the residence (the backyard) and the south of this residence (the front yard) of the residence is deemed the exterior yard. This limits the height of a fence to 4' within the backyard of the property.



## Variance

## PLANNING

### Metro by TMobile Sign

Sign Location



North Elevation



South Elevation

#### Variance Request

- Table 5.8.12.G limits wall signs to 30 square feet in area. It allows for one sign per tenant.
- The applicant is requesting two signs, one on the north wall and one on the south.
- One of the signs is proposed to be 48.83sf. The other would be 50.35sf

#### Variance Summary:

This request is for a variance from Table 4.5.A Max fence or wall height, to allow a fence that exceeds 4' in height within the exterior yard. The applicant desires a fence height of 7' to appropriately shield their backyard from the street and adjacent neighbors.



## Variance

**PLANNING**

### Metro by TMobile Sign

#### Applicant's Stated Hardship

|                                                                                                                     | Applicant's Response (Summary)                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| How does strict enforcement of the code cause undue hardship due to circumstances that are unique to this property? | "Due to the location of the building to the road and the quick moving traffic, the signs need to be larger for customers to located the business." |

#### **Summary of Applicant's Hardship:**

The applicant states that the nature of the property being a through lot creates an undue hardship because it results in the backyard being deemed an exterior yard. He also states that strict enforcement of the code would result in the property having no real private outdoor space.



## Variance

**PLANNING**

### Metro by TMobile Sign

#### Applicant's Stated Hardship

|                                                                                                         | Applicant's Response            |
|---------------------------------------------------------------------------------------------------------|---------------------------------|
| How will approval of this variance be in keeping with the "spirit and intent" of the code being varied? | No response from the applicant. |

**Summary of Applicant's Hardship:**

The applicant states that because this is the backyard, there are no lines of sight concerns for traffic. The spirit and intent is therefore still being met.



## Variance

## PLANNING

### Metro by TMobile

#### Staff Analysis

|                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Would strict application of the code cause an undue hardship due to circumstances that are unique to this property?</b> | No. Due to the size of the building, its proximity to the street, and location near a signaled intersection, the requested size of the proposed signs is not warranted. The current banner on the building advertising the business is much smaller than the proposal, but it is still visible from the street for people driving by. The building is significantly closer to the street compared to the other surrounding businesses that have much smaller signs. |
| <b>Is the hardship a result of any action taken by the property owner or on their behalf?</b>                              | No. Before the 2024 tornado, there were other identifying marks on the building, but they had to rebuild. The sign code changed before the applicant applied for a sign permit, so the new code would apply to the request.                                                                                                                                                                                                                                         |



| Table 5.8.12.G Wall Signs |                |
|---------------------------|----------------|
| Quantity                  | One per tenant |
| Area (square feet)        | 30             |
| Projection (inches)       | 10             |

#### Staff's Response:

- See slide for responses to the variance criteria.



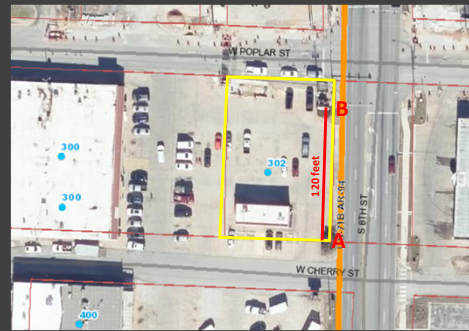
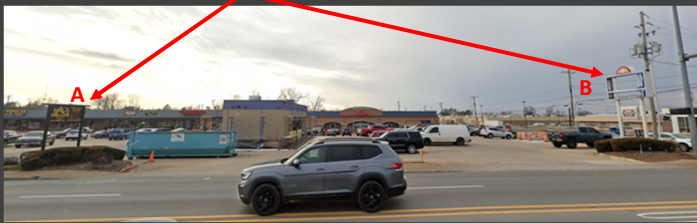
## Variance

### Metro by TMobile

PLANNING

#### Staff Analysis

|                                                                                            |                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is the variance or waiver requested the minimum amount necessary to carry out the project? | No. In addition to requesting more wall signs than the code would allow, both of the signs are much larger than the allowable square footage.                            |
| Is there another reasonable method of avoiding the need for a variance or waiver?          | Yes. There are two existing, non-conforming signs on the northeast and southeast corners of the property that could be removed and replaced with a sign for this tenant. |



#### Staff's Response:

- See slide for responses to the variance criteria.



## Variance

## PLANNING

### Metro by TMobile Sign



#### Recommendation

- Deny the variance to allow two signs that exceed the allowable square footage on the building.
- Staff would recommend approval of a max of one sign.
- Staff would also recommend that a condition be placed on the property that before a wall sign could be approved, they need to remove existing non-conforming signage.

#### Public Input:

Staff did receive a few phone calls from adjacent property owners inquiring about the nature of the request. There was no opposition of the request expressed.

#### Recommendation:

- Staff recommends the Board consider the variance to allow a maximum fence height of 7' in the exterior yard.
- Staff would recommend approval of a max height of 6'.