



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

October 15, 2018

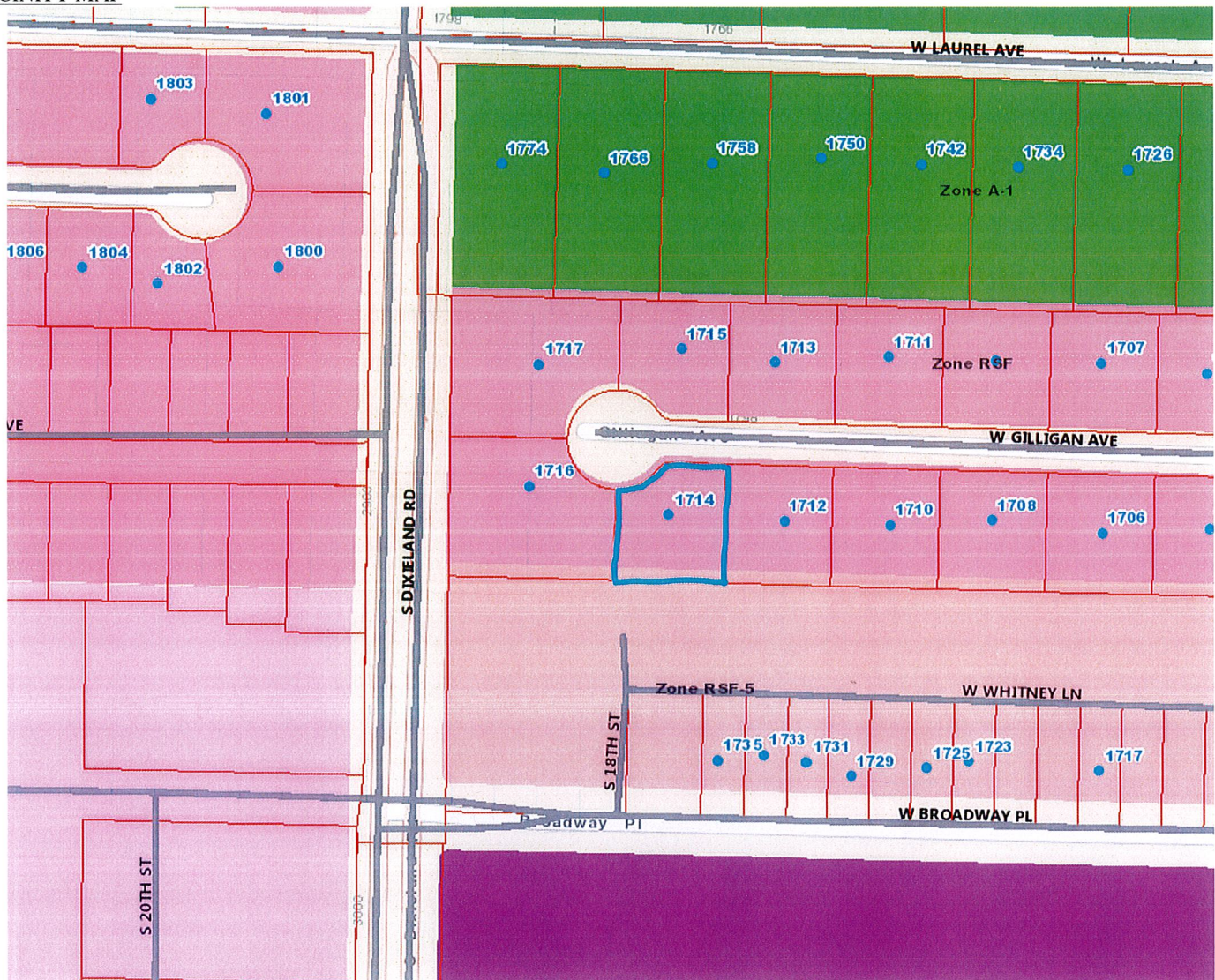
STAFF SUMMARY REPORT

TO: BOARD OF ADJUSTMENT

SUBJECT: VARIANCE #18-59 – JOSEPH ADAM YANCEY

ADDRESS:	1714 W Gilligan Avenue
LAND OWNER:	Joseph Adam Yancey
APPLICANT/REP:	Joseph Adam Yancey
ZONING DISTRICT:	R-SF (Residential Single-Family)
REQUEST:	Rear Yard Setback and Utility Easement Reduction
AUTHORITY:	Sec. 14-724, Rogers Code of Ordinances

VICINITY MAP



BACKGROUND

- Per Sec. 14-699(f) the subject lot shall have a 20' rear yard setback. The applicant request to reduce the rear yard setback and utility easement from 20' to 10'.

STAFF REVIEW

ENGINEERING REVIEW: N/A

PLANNING REVIEW:

- 1) Land Use: N/A
- 2) Disposition of Structures: Portions of the proposed pool would encroach the rear yard setback and utility easement.
- 3) Site-Specific Hardship: Staff has not identified any circumstances unique to the individual property where strict enforcement of the zoning ordinance would cause undue hardship.
- 4) General Findings: The applicant requests a rear yard setback and utility easement reduction to build a pool. The applicant's house is 31.85' from the property line, which would leave them with only 11.85' of room to build a pool. This variance would not negatively impact adjacent property, nor would it violate the spirit of the zoning ordinance. Overall, staff supports this request.
- 5) Views of Others: No supporting or opposing comments have been received by the Planning Division to date.
- 6) RECOMMENDATIONS:
 - a) Approve. If approved, the applicant must provide the City with a recorded setback and utility easement reduction survey.



ELIZABETH JOHNSON, Planner II
City of Rogers Planning Division

ADMINISTRATOR'S SUGGESTED MOTION:

- 1) Motion to **approve/deny/table** the variance request for a rear yard setback and utility easement reduction from 20' to 10' as presented.

DIRECTOR'S COMMENTS:

- 1) Agree with recommendations and suggested motion.



JOHN C. McCURDY, Director
City of Rogers Department of Community Development

Tabs:

1. Variance application and required supplements
2. Map and/or photos

Note: staff recommendations are based on technical review of city code and may not reflect all information made available to officials during discussion and public input.





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OFFICE USE ONLY

Permit Fee: \$100 CC (\$100)
Zoning: R-SF
App Number: 18-59
CityView Application: PL201800873
Date: 10/5/2018

VARIANCE APPLICATION

APPLICANT: Joseph Adam Yancey

ADDRESS: 1714 W. Gilligan Ave SUITE #: _____

GENERAL LOCATION OF PROPERTY: Rogers, AR 72758

PHONE #: 919-423-6796 EMAIL: adam.yancey@gmail.com

PROPERTY OWNER: Joseph Adam Yancey PHONE #: 919-423-6796

NATURE OF APPEAL:

- ☐ Appeal from decision of enforcement officer
☒ Variance from zoning ordinance

EXPLAIN REQUEST: Requesting a 10-foot rear setback/
easement reduction for pool installation.

Applicant Signature: Adam Yancey Date: 10-4-18

Attachment Checklist:

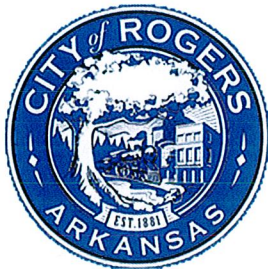
- ☒ Letter explaining hardship or reason for request
☒ Legal description of property
☒ Relevant supporting documents
☒ Survey or sign proofs as needed

PLANNING STAFF PROVIDES:

DATE FILED: 10/5/2018 PUBLIC HEARING DATE: 10/05/2018

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT _____ DATE _____



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NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the **Board of Adjustment** in the **Community Room** at City Hall at 301 W Chestnut Street on **October 25, 2018** at **4:00 p.m.** on the application by **Joseph Adam Yancey** under the provisions of the City of Rogers Code of Ordinances, for a **variance to reduce the rear yard setback and utility easement (from 20' to 10')** at **1714 W Gilligan Ave** in the city's **R-SF** (Residential Single Family) zoning district, more particularly described as follows:

LEGAL DESCRIPTION:

Lot 8, The Grove Phase III, a Subdivision to the City of Rogers, Benton County, Arkansas, as shown on Plat Book 2007 at Page 862.

LAYMAN'S DESCRIPTION:

1714 W Gilligan Ave

Roger Clark, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **October 15, 2018**
BILL THE CITY OF ROGERS

J. Adam Yancey, M.D.

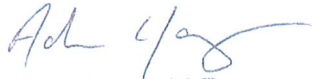
1714 W Gilligan Ave
Rogers, AR 72758
919-423-6796
adam.yancey@gmail.com

October 4, 2018

To Whom It May Concern:

My family's home currently has a 20 foot rear setback which doubles as a utility easement. We are requesting a 10 foot setback/easement reduction in order to accommodate installation of an in-ground pool this fall. Given the configuration of our lot and the position of our home and back patio, the current setback imposes a significant hardship and does not allow for the construction of a reasonably sized pool in our desired location.

Thank you for your consideration,

A handwritten signature in dark ink, appearing to read 'Adam Yancey', with a stylized flourish at the end.

J. Adam Yancey, M.D.

