



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

JUNE 26, 2019

TO: BOARD OF ADJUSTMENT

RE: **STAFF SUMMARY REPORT**
VARIANCE – TAYLOR JOHNSON

STAFF: ELIZABETH JOHNSON, PLANNER II

REQUEST INFORMATION:

ADDRESS/LOCATION:	705 S 13 th Street
SUBDIVISION:	N/A
CURRENT ZONING:	R-SF (Residential Single-Family)
CURRENT USE:	Single-Family Residential

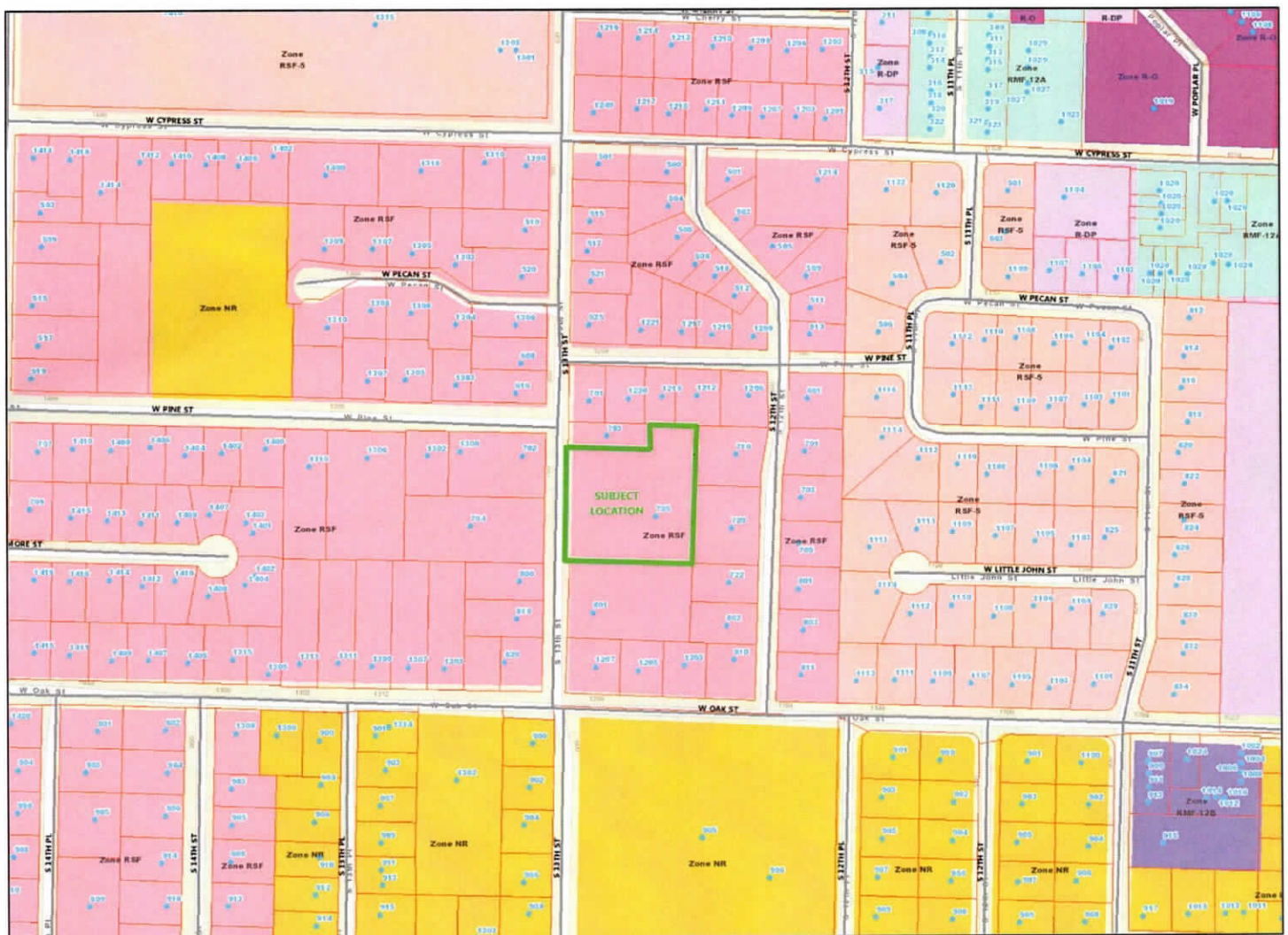
APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	Taylor Johnson
PROPERTY OWNER:	Taylor Johnson
REQUEST:	Accessory Structure Height Increase

CITY INFORMATION:

CGM GROWTH DESIGNATION:	Neighborhood
GROWTH DESIGNATION CHARACTER:	Single-use residential areas connected by collector and local streets that may feature community-oriented non-residential uses such as schools, resource centers, and places of worship. Goals include preserving locations for low-density residential while limiting its proliferation in areas proposed for higher-intensity development.
ZONING DISTRICT INTENT:	Per Sec. 14-699(a), "This district is intended primarily for single-family detached dwellings at low residential densities. Certain other structures and uses necessary to serve governmental, educational, religious, recreational, and other needs of neighborhood areas are allowed as permitted or conditional uses subject to restrictions intended to preserve and protect the single-family residential character of the district. Internal stability, harmony, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and by consideration of proper functional relationship and arrangement of the different uses permitted in this district."
AUTHORITY:	Sec. 14-724, Rogers Code of Ordinances

VICINITY MAP:



BACKGROUND:

- Per Sec. 14-699(f), accessory structures are to be 16' in height or less. The applicant requests to increase the accessory structure height from 16' to 18'.

PLANNING REVIEW:

1. LAND USE: N/A
2. DISPOSITION OF STRUCTURES: The proposed accessory structure would exceed the height limit by 2'.
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 2' accessory structure height increase to build a detached garage. Per Sec. 14-724(e), the Board of Adjustments has the authority to "*hear requests for variances from the literal provisions of the zoning ordinance in instances where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property.*" This request is not in keeping with the spirit and intent of the provisions of the zoning ordinance, since the applicant has not provided any site specific hardship to justify a reduction. Therefore, staff recommends denial of this variance request.
5. REPORTS FROM OTHERS: The Planning Division has received one opposing comment to date.
6. RECOMMENDATIONS:
 - a) Deny.

ENGINEERING REVIEW: N/A

STAFF SIGNATURES:

BETH JOHNSON — EH 7/5

ELIZABETH JOHNSON, Planner II
City of Rogers Planning Division

SUGGESTED MOTIONS:

1. FOR APPROVE: "Move to approve the variance request to allow an 18' tall accessory structure."
2. FOR DENY: "Move to deny the request as presented."
3. FOR TABLE: "Move to table the request [indefinite or date certain]."

DIRECTOR'S COMMENTS:

1. Agree with recommendations.



JOHN C. McCURDY, Director
City of Rogers Community Development

TABS:

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



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

CH 1981

OFFICE USE ONLY

Permit Fee: \$100 (\$100)
Zoning: R-SF
App Number: 19-40
CityView Application: PL201900441
Date: 06/26/19

VARIANCE APPLICATION

APPLICANT: Taylor Johnson
ADDRESS: 705 S. 13th St. Rogers AR SUITE #: _____
GENERAL LOCATION OF PROPERTY: off 13th between Pine & Oak St.
PHONE #: 479 899 5249 EMAIL: Taylor-Marie-Johnson@hotmail.com
PROPERTY OWNER: Taylor Johnson PHONE #: 479 418 2962

NATURE OF APPEAL:

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

EXPLAIN REQUEST: would like to build a accessory building
with loft storage

[Signature] 6-25-19
Applicant Signature Date

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: 06/26/19 PUBLIC HEARING DATE: 07/11/19

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT

DATE

To Board of Adjustment,

We are requesting variance of height of two extra feet to match the existing home structure of eighteen feet. The accessory building will be enclosed and used for personal use only. The architectural structure of the building will match our surrounding homes and buildings in our area. The loss of two extra feet makes the extra storage space impractical for standing up height and overall cost benefit for us and the building itself.

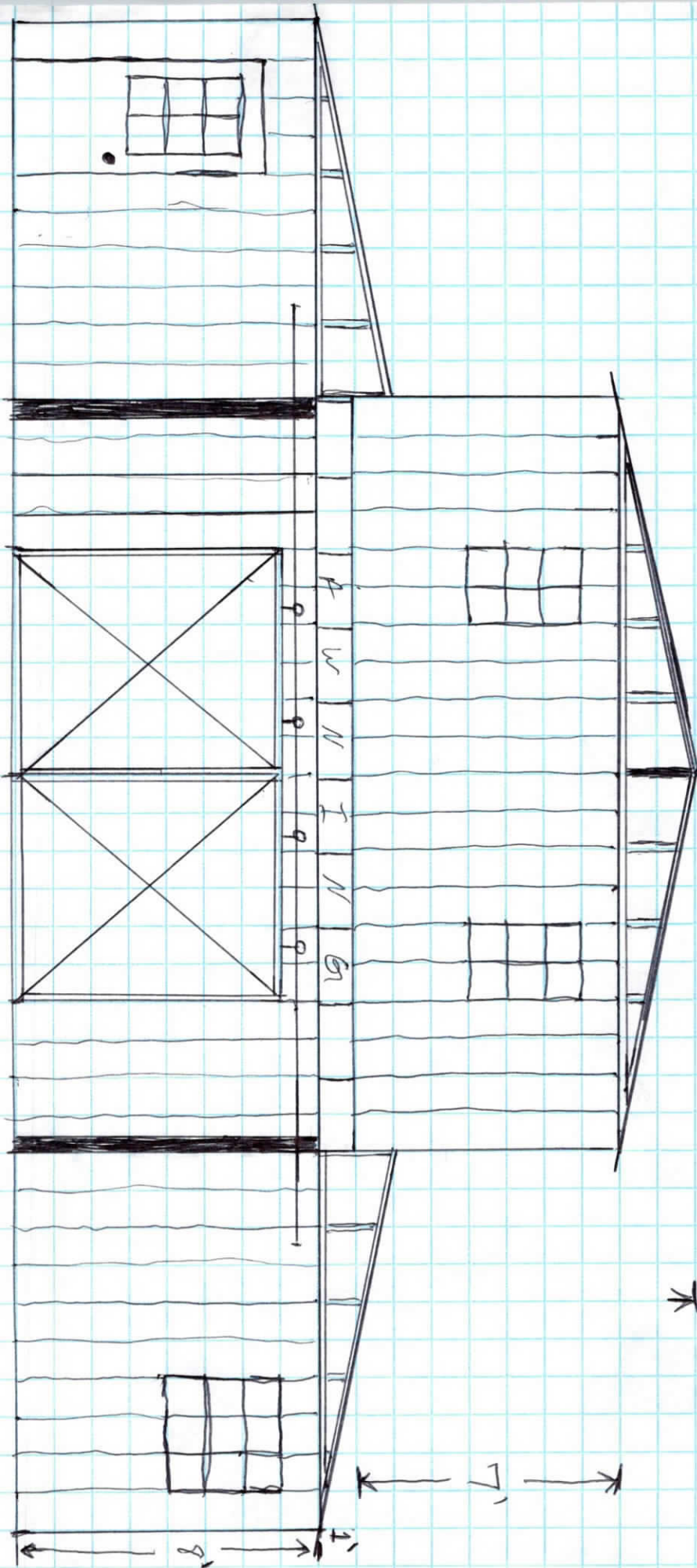
Request is for 705 S 13th street in Rogers

LEGAL DESCRIPTION:

PART OF LOT 3 OF THE SUBDIVISION OF THE WEST ½ OF THE SW ¼ OF SW ¼ OF SECTION 12, TOWNSHIP 19TH NORTH, RANGE 30 WEST IN THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS, WITH SAID SUBDIVISION PLAT BEING SHOWN IN PLAT RECORD "A" AT PAGE 46 OF THE COUNTY RECORD, AND WITH THE HEREON PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOS, TO-
WIT: BEGINNING AT A POINT LOCATED 337.57 FEET NORTH 00°19'53" WEST AND 30 FEET EAST OF THE SOUTHWEST CORNER OF THE SW ¼ OF THE SW ¼ OF SAID DESCRIBED SECTION 12; THENCE NORTH 00°19'53" WEST 256.99 FEET; THENCE NORTH 89°52'57" EAST 181.38 FEET; THENCE NORTH 00°13'45" WEST 60.00 FEET; THENCE NORTH 89°46'22" EAST 108.47 FEET TO THE NORTHWEST CORNER OF LOT 2 IN OAK LAWN SUBDIVISION; THENCE SOUTH 00°04'12" WEST 317.79 FEET ALONG THE WEST LINE OF LOTS 1 AND 2 IN OAK LAWN SUBDIVISION TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE WEST 207.73 FEET ALONG THE NORTH LINE OF LOT 15 IN OAK LAWN SUBDIVISION TO THE POINT OF BEGINNING.

LAYMAN'S DESCRIPTION:

705 S 13th Street



18'

7'

8'



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PLANNING DIVISION
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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 **July 2, 2019** at **4:00 p.m.** on the application by **Taylor Johnson** under the provisions of the City of Rogers Code of Ordinances, for a variance **to allow additional height for an accessory structure (16' to 18')** at **705 S. 13th Street** in the city's **R-SF** (Residential Single Family) zoning district more particularly described as follows:

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LAYMAN'S DESCRIPTION:

705 S. 13th Street

Roger Clark, Secretary
Board of Adjustment

PUBLISH ONE TIME ONLY: **July 1, 2019**
BILL THE CITY OF ROGERS