



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

MEETING DATE
Oct. 22, 2020

TO: BOARD OF ADJUSTMENT
RE: **STAFF SUMMARY REPORT**
VARIANCE – #20-24
PL202000696

STAFF: Lori Ericson, Zoning Administrator

REQUEST DETAILS

ADDRESS/LOCATION:	611 W. Wire Ridge Drive
SUBDIVISION:	Wire Ridge
CURRENT ZONING:	RSF-5
APPLICANT/REPRESENTATIVE:	Devon Ross
PROPERTY OWNER:	Deliropa, LLC
NATURE OF REQUEST:	Approval of Variance for setback reductions
AUTHORITY:	Sec. 14-724, Rogers Code of Ordinances

SUMMARY

This request is to allow a reduction of the 30-foot exterior side setback. The reduction would provide a varying setback of 22 feet to nearly 29 feet.

Community Development recommends approval of the request based on the hardship of the lot shape, extensive utility easements for the corner lot, and a desire by the subdivision developer to build a consistent style of home that would fit on the limited available building area.

STAFF REVIEW

1. BOARD OF ADJUSTMENT DUTIES PER SEC. 14-724(e)(1):

- a) Hear appeals from the decision of the Department of Community Development in respect to the enforcement and application of the zoning ordinance, Chapter 14, and the sign permitting provisions contained in Chapter 44, and may affirm or reverse, in whole or in part, said decision of the Department of Community Development; and
- b) Hear requests for variance 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 under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning ordinance.

2. SUBJECT REQUEST:

- a) An exterior side setback reduction from 30 feet to a varying setback of 22 to 29 feet.

3. GENERAL FINDINGS:

- a) Setbacks for the subject property are as set out in City Code Section 14-699 and per the final plat of the Wire Ridge subdivision, recorded 10-2-2020 and approved by the Rogers City Council on 9-22-2020 per Ordinance 20-84.
- b) Staff has not identified any circumstances unique to the individual property where strict enforcement of the zoning ordinance would cause undue hardship. In fact, staff would note there is a 10-foot sidepath and 6-foot greenspace between the east property line and S. Old Wire Road resulting in little impact for adjoining property.
- c) Staff agrees with the applicant's hardship of the limited building area for the lot,
- d) Staff suggests the reduction be allowed for the desired footprint of the house only as shown on the submitted plot plan, leaving the remaining exterior side setback at 30 feet.

4. ZONING:

- a) RSF-5 (Residential Single Family, 5 units per acre):

The R-SF district is intended for the single-family detached dwellings at low residential densities. City Code Section 14-699

5. PUBLIC INPUT RECEIVED:

Staff has not received any comments from the public regarding this request.

6. RECOMMENDATIONS:

- a) Approve the exterior side setback reduction for area needed for the house construction only.

DIRECTOR'S COMMENTS

- 1. Agree with recommendations.



JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

1. *IF APPROVING AS PRESENTED:*
Move to approve the request as presented.
2. *IF APPROVING SUBJECT TO OTHER ACTIONS:*
Move to approve the request subject to (conditions or contingencies).
3. *IF DENYING:*
Move to deny the request as presented.
4. *IF TABLING:*
Move to table the request (indefinite or date certain).

TABS

1. Vicinity map (aerial)
2. Public Notice
3. Variance application with supplements



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

OFFICE USE ONLY

Permit Fee: \$100 CK# 21728 (\$100)
Zoning: RSF-5
App Number: 20-24
CityView Application: PL202000696
Date: 10-7-2020

VARIANCE APPLICATION

APPLICANT: SIGNATURE BUILDERS

ADDRESS: PO Box 343 Centerton, AR 72719 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 611 E Wire Ridge Dr. Rogers, AR 72758 | Wire Ridge Lot 1

PHONE #: _____ EMAIL: DEVON-ROSS@ICLOUD.COM

PROPERTY OWNER: SIGNATURE PHONE #: 377-2633

NATURE OF APPEAL:

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

EXPLAIN REQUEST: ODD SHAPE OF LOT ~~AND~~ + ENGINEER'S MISTAKE

ON FRONT SET BACK DOES NOT ALLOW FOR A BUILDABLE LOT.

~~EXTENDING EAST ENDMENT 20'~~

MAKING EAST SET BACK 20' WOULD ALLOW FOR A HOUSE THAT MATCHES

Applicant Signature THE REST OF THE Date SUBDIVISION

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: 10-7-20 PUBLIC HEARING DATE: 10-22-20

BOARD OF ADJUSTMENT DECISION: _____

SECRETARY, BOARD OF ADJUSTMENT

DATE

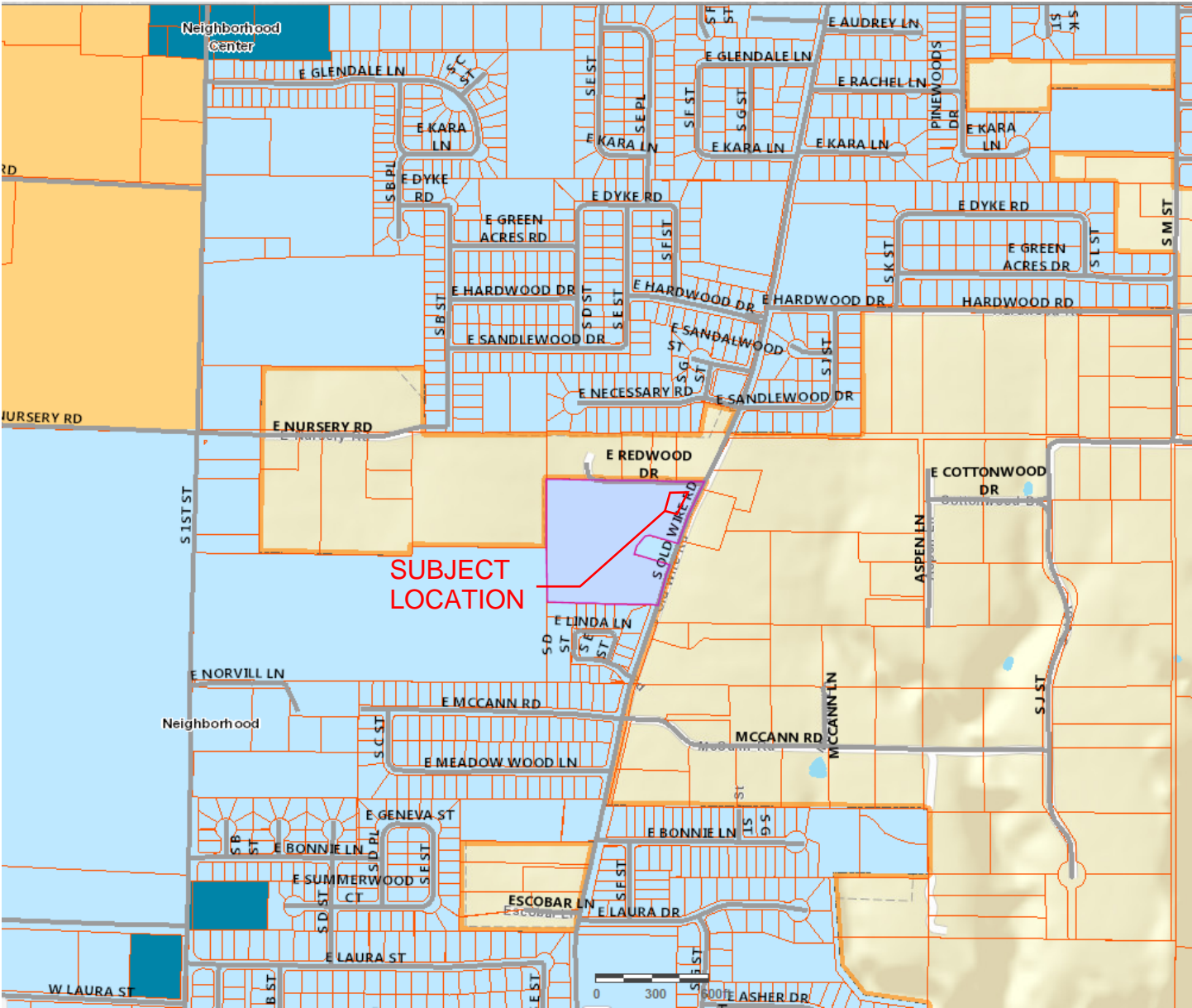
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TAB 1

AERIAL VICINITY MAP



CGM VICINITY MAP



[illegible]



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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 an online meeting on Zoom (instructions to be posted under the BOA at www.rogersar.gov) on **October 22, 2020 at 4:00 p.m.** regarding application by **Signature Builders** under the provisions of the City of Rogers Code of Ordinances, for a variance allowing a **reduction in the exterior side setback at 611 W. Wire Ridge Drive** in the City's **RSF-5 (Residential Single Family, 5 units per acre) zoning district** more particularly described as follows:

LEGAL DESCRIPTION:

Lot 1, Wire Ridge Subdivision, Rogers, AR, as recorded Oct. 2, 2020, Benton County, Arkansas

LAYMAN'S DESCRIPTION:

611 W. Wire Ridge Drive

Roger Clark, Secretary
Board of Adjustment

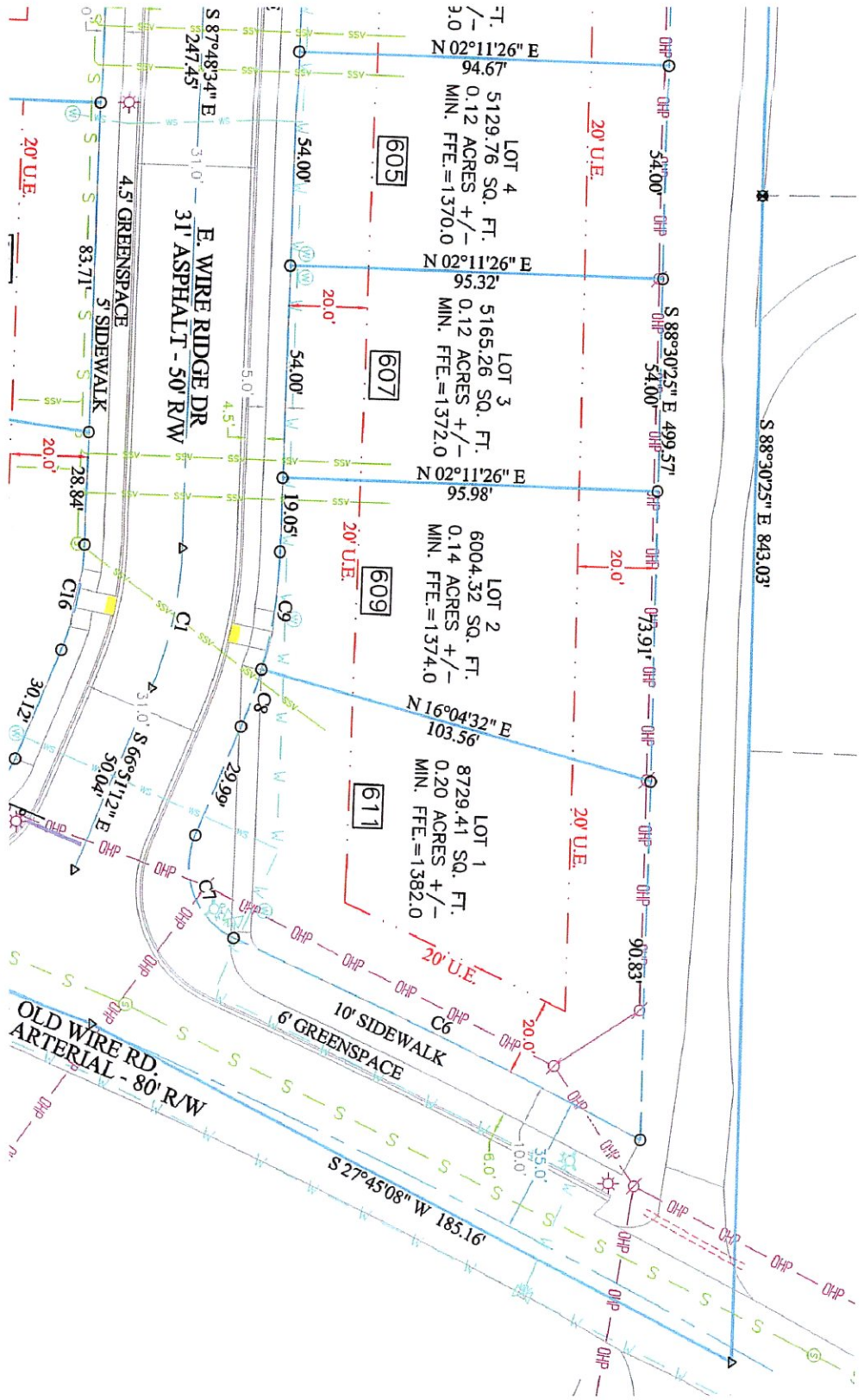
PUBLISH ONE TIME ONLY: **October 11, 2020**
BILL THE CITY OF ROGERS



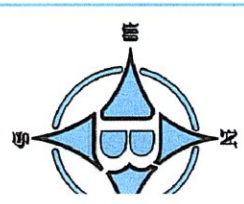
To Whom it may concern,

We are requesting a Variance for Wire Ridge Lot 1 as it is an odd-shaped lot, further magnified by an engineer mistake on Front UE. This mistake does not allow for a suitable lot to build a house. Making the East setback 20' would allow for a house to be built similar in resemblance to all other homes in the subdivision.

Thanks,
Devon Ross



- THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.
- WATER METER
 - FIRE HYDRANT
 - SANITARY SEWER MH
 - POWER POLE
 - WATER VALVE
 - UTILITY EASEMENT
 - WATER MAIN
 - WATER SERVICE



RECORDING NUMBER/DATE

