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**Benton County Development  
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**Planning Division**

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**VARIANCE REVIEW PLANNER'S PUBLIC HEARING REPORT**  
**Hollis Property**  
**18618 Shaddox Mountain Road, Rogers AR 72756**

**EXECUTIVE SUMMARY**

The applicant, Samuel Hollis, proposes to construct two new residential additions to the existing home. The first new proposed addition would be a two-story living space addition encompassing 1491 sq. ft. (915 sq. ft. upper level and 576 sq. ft. lower level). The second addition would be the construction of a drive-through carport attached to the front of the current home. The carport would replace the current covered porch attached to the home. The 1491 sq. ft. living space addition would be attached to the eastern side of the existing home (replacing the current storage area). The new proposed living space addition would be 51 ft. by 26 ft. in size and be directly attached to the existing home. The proposed carport would be 20 ft. by 24 ft. in size and replace the current covered porch located on the front of the existing home.

The living space addition is proposed to be 44 ft. 4 in. from the centerline of Shaddox Mountain Road, within the 50 ft. County building setback for local roads. The carport is proposed to be 31 ft. 7 in. from the centerline of said road, within the 50 ft. County building setback for local roads.

The applicant is requesting two (2) variances for the property.

1. 44 ft. building to centerline setback in lieu of the required 50 ft. setback for local roads to accommodate the proposed 26 ft. x 51 ft. two-story living space addition to the existing home.
2. 31 ft. building to centerline setback in lieu of the required 50 ft. setback for local roads to accommodate the proposed 20ft. x 24 ft. carport addition to the existing home.

On February 3, 2015 the applicant provided a variance requests.

On February 18, 2015 the applicant attended the TAC meeting to discuss the variance request with the Board.

Variance request is from Section 4.3.B – Lot Size and Building Setbacks

1. Minimum Setbacks – No structures shall be constructed or other improvements undertaken within the following minimum setback lines:
  - Local Roads – Fifty (50) feet measured from the centerline of the fronting local road or twenty-five (25) feet from the fronting property line, whichever is greater.

**PROJECT INFORMATION**

**Applicant/Owner:** Samuel Hollis

**Address of subject property:** 18618 Shaddox Mountain Road, Rogers AR 72756

**Parcel ID:** 15-09550-000

**Parcel Size:** .69 acres

**Current Land Use:** Existing residential

**Proposed Land Use:** Residential

**Request for a Variance:** The applicant is requesting two (2) variances for the property.

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2. 31 ft. building to centerline setback in lieu of the required 50 ft. setback for local roads to accommodate the proposed 20 ft. x 24 ft. carport addition to the existing home.

**Attachments:** The following drawings and documents are attached:

1. Site Graphic – Proposed additions
2. Location Map
3. Front elevation profile of proposed improvements

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**PLANNING ANALYSIS**

**Description of Property and Surrounding Area**

The subject property is east of the City limits of Rogers. The subject parcel is .69 acres and the current land use is residential. The surrounding land use is residential and vacant timber land. The property is located in close proximity to Beaver Lake Reservoir.

According to staff research, the property is not located in a 100 year floodplain. The subject property is not located in a MS4 designated area.

**Background information:**

On February 3, 2015 the applicant submitted a variance request. An interdepartmental review form was sent on 02/06/2015 to the following: Planning Division, Health Dept., Road Dept., Building Dept., Fire Marshal, Administrator of General Services, Administrator of Public Safety, and Benton County 911 Administration.

## **TECHNICAL REVIEW OF SITE PLAN**

### **Parcel Information**

The proposed project area consists of one existing parcel of .69 acres. The subject parcel currently contains one residential dwelling approximately 1,920 sq. ft. in area. The applicant is proposing to construct a 20 ft. by 24 ft. carport and 51 ft. by 26 ft. two-story living space addition to the existing home.

### **Noticing Requirements**

Applicant submitted certified mail receipts on February 17, 2015 verifying that the required mailings were sent to property owners within 500 feet of the subject property.

The applicant provided photographs of the required public hearing signage posted conspicuously on the property's frontage along Shaddox Mountain Road on February 17, 2015.

### **Building Setback**

Required: Minimum setbacks: Local Roads – Fifty (50) feet measured from the centerline of the fronting local road or twenty-five (25) feet from the fronting property line, whichever is greater. The minimum side setbacks shall be ten (10) feet.

Comments: The applicant is requesting two (2) variances for the property.

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Staff verified that the side setback would not be encroached. In an email dated February 3, 2015, the applicant stated the proposed living space addition would extend one (1) foot beyond the existing storage area. The current storage area is 13 ft. +/- from the eastern property line.

### **Access Driveways**

Required: The design and construction shall be in accordance with the standards as presented in the Benton County Road Plan.

Comment: The applicant is not proposing a new access drive from Shaddox Mountain Road. The Benton County Roads Department provided 'no comment' on this project proposal.

### **Site Services - Drainage/ Stormwater Management Plan**

Required: Applicant is required to comply with ADEQ for Stormwater Management due to the location within the County's Unincorporated Urbanized MS4 area.

Comment: The property is not located in Unincorporated Urbanized MS4 designated area.

### **Site Services - Sewerage Disposal**

Required: Regardless of development size, a state-approved septic disposal method is required of all commercial and industrial developments. All disposal system criteria must meet or exceed septic requirements as established by the Arkansas Department of Health in accordance with Act 402 of 1977 as amended.

Comment: In an email dated February 9, 2015 representative Caroline Eastman from the Arkansas Department of Health provided the following comment on the Hollis Variance request.

1. The proposed additions cannot exceed the original septic design capacity. The system is rated for a two-story 3-bedroom home; as long as the proposed living space addition does not exceed the approved system capacity the ADH does not have any concern for the variance request.

### **OUTSTANDING ITEMS:**

- None

### **CONCLUSION**

The proposed setback variances were reviewed by Planning Staff to ensure compliance with the Benton County Planning and Development Regulations. The applicant is requesting two (2) variances for the property.

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2. 31 ft. building to centerline setback in lieu of the required 50 ft. setback for local roads to accommodate the proposed 20ft. x 24 ft. carport addition to the existing home.

### **CONSIDERATIONS FOR THE BOARD:**

1. 44 ft. building to centerline setback in lieu of the required 50 ft. setback for local roads to accommodate the proposed 26 ft. x 51 ft. two-story living space addition to the existing home.
2. 31 ft. building to centerline setback in lieu of the required 50 ft. setback for local roads to accommodate the proposed 20ft. x 24 ft. carport addition to the existing home.

**Prepared by: Taylor Reamer, Planning Manager**

**Reviewed by: Kevin M. Gambrill, AICP – Planning Director**

**Caitlynn Kimbrough, County Planner**

**Kelsey Kreher, Senior Planner**

Site Graphic – Hollis Variance





Front Elevation Profile – Proposed Improvements

