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**Benton County Development  
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**Planning Division**

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**VARIANCE REVIEW PLANNER'S TECHNICAL REPORT**

**Landis Property**

**12 Reynolds Road, Rogers AR 72756**

**EXECUTIVE SUMMARY**

The applicant, Dan Landis, proposes to construct a new residential addition to the existing home (3 car garage) and an exterior, 5 ft. fascia extension to the existing garage. The proposed garage addition would encompass 1050 sq. ft. The proposed fascia extension is being proposed to make the home look conforming across the existing and proposed additions. The existing garage will be converted into living space for the existing home.

The three (3) car garage and remodel to exterior fascia are both proposed to be twenty (20) ft. from the fronting property line, which is within the 25 ft. front yard, building to property line setback.

The applicant is requesting one (1) variance for the property.

1. 20 ft. building to property line setback in lieu of the required 25 ft. setback to accommodate a proposed 24 ft. x 44 ft., three car garage addition to the existing home, as well as a proposed fascia extension to the existing garage.

On March 19, 2015 the applicant provided a variance request. The applicant submitted a revised variance request per the request by Staff.

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**

**Owner:** Dan and Kate Landis  
**Applicant:** Shawn Gaddy  
**Address of subject property:** 12 Reynolds Road, Rogers AR 72756  
**Parcel ID:** 18-00627-000  
**Parcel Size:** .40 acres  
**Current Land Use:** Residential  
**Proposed Land Use:** Residential (continued)

**Request for a Variance:** The applicant is requesting one (1) variance for the property.

1. 20 ft. building to property line setback in lieu of the required 25 ft. setback to accommodate a proposed 24 ft. x 44 ft. three (3) car garage addition to the existing home and a proposed remodel extension of the fascia to the existing garage.

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

1. Site Graphic – Proposed additions
2. Location Map

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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 .40 acres and the current land use is residential. The surrounding land use is residential and Army Corps 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 March 19, 2015 the applicant submitted a variance request. An interdepartmental review form was sent on April 6, 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 .40 acres. The subject parcel currently contains one residential dwelling approximately 2,200 sq. ft. in area. The applicant is proposing to construct a 24 ft. by 44 ft. three (3) car garage addition and a 5 ft. fascia extension to the existing home.

### **Noticing Requirements**

Applicant submitted certified mail receipts on April 6, 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 Reynolds Road on April 14, 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 one (1) variance for the property.

1. 20 ft. building to property line setback in lieu of the required 25 ft. setback to accommodate a proposed 24 ft. x 44 ft. three (3) car garage addition to the existing home and a proposed remodel extension of the fascia to the existing garage.

Staff verified that the side setback would not be encroached upon by the proposed improvements. In a consultation meeting March 19, 2015, the applicant stated the proposed three car garage addition would be orientated parallel to the 10 ft. side setback.

### **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 Reynolds Road. The Benton County Roads Department did not provide 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: ADH did not provide comment on this project.

### **OUTSTANDING ITEMS:**

- None

### **CONCLUSION**

The proposed setback variance was reviewed by Planning Staff to ensure compliance with the Benton County Planning and Development Regulations. The applicant is requesting one (1) variance for the property.

1. 20 ft. building to property line setback in lieu of the required 25 ft. setback to accommodate a proposed 24 ft. x 44 ft. three car garage addition to the existing home and a proposed remodel extension of the fascia to the existing garage.

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

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

**Caitlynn Kimbrough, County Planner**

Site Graphic – Landis Variance (approximate size/location)





