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**Benton County Development Department**

**Planning Division**

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**VARIANCE REVIEW PLANNER'S TECHNICAL REPORT**  
**Easley Property**  
**8654 Low Chaparral Road, Rogers AR 72756**

**EXECUTIVE SUMMARY**

The property owners Jeff and Laura Easley, propose to construct a new residential home on the existing home site. In a letter dated April 20, 2015, the applicant states the scope of the project is as follows "Demolition of existing house at 8654 Low Chaparral in Rogers, AR and rebuild of house on same site. The existing foundation and lower support structure along with the suspended garage flooring will be preserved. An expanded foundation will be tied into the existing foundation to support the new house."

The new home construction is proposed to be 3 ft. 9 inches on the NW front corner and 6 ft. 11 inches on the NE back corner from the side property line, which is within the 10 ft. side yard building to property line setback.

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

1. 3 ft. 9 inch (NW front corner) and 6 ft. 11 inch (NE back corner) building to side property line setback in lieu of the required 10 ft. building to side property line setback for the proposed new home.

On April 20, 2015 the applicant provided a variance request.

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:
  - Side and Rear Yards – All properties and tracts shall observe a minimum ten (10) foot setback from side and rear lot lines.

**PROJECT INFORMATION**

**Owner:** Jeff & Laura Easley

**Builder:** Corby Bradt

**Address of subject property:** 8654 Low Chaparral Road, Rogers AR 72756

**Parcel ID:** 18-03379-000

**Parcel Size:** .87 acres

**Current Land Use:** Residential

**Proposed Land Use:** Residential – New Construction (continued)

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

1. 3 ft. 9 inch (NW front corner) and 6 ft. 11 inch (NE back corner) building to side property line setback in lieu of the required 10 ft. building to side property line setback for the proposed new home construction.

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

1. Site Graphic
2. Site Plan Survey

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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 .87 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 located in a MS4 designated area.

**Background information:**

On April 20, 2015 the applicant submitted a variance request. An interdepartmental review form was sent on April 22, 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 .87 acres. The subject parcel currently contains one residential dwelling approximately 2,100 sq. ft. in area. The applicant is proposing to demolish the current home and rebuild a new larger home on the site.

### **Noticing Requirements**

Applicant shall submit certified mail receipts on or before May 6, 2015 verifying that the required mailings were sent to property owners within 500 feet of the subject property.

The applicant shall provide photographs of the required public hearing signage posted conspicuously on the property's frontage along Low Chaparral Road on or before May 6, 2015.

### **Building Setback**

Required: The minimum side setbacks shall be ten (10) feet.

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

1. 3 ft. 9 inch (NW front corner) and 6 ft. 11 inch (NE back corner) building to side property line setback in lieu of the required 10 ft. building to side property line setback for the proposed new home.

### **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 located in Unincorporated Urbanized MS4 designated area. The applicant shall apply for a Stormwater permit prior to any land disturbance on site. The scale of this project will require the applicant to submit a grading plan for the site. Applicant shall contact Staff to set up a pre-conference meeting prior to construction activities occurring on site.

### **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:**

1. Applicant shall submit certified mail receipts on or before May 6, 2015 verifying that the required mailings were sent to property owners within 500 feet of the subject property.
2. The applicant shall provide photographs of the required public hearing signage posted conspicuously on the property's frontage along Low Chaparral Road on or before May 6, 2015.

### **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. 3 ft. 9 inch (NW front corner) and 6 ft. 11 inch (NE back corner) building to side property line setback in lieu of the required 10 ft. building to side property line setback for the proposed new home.

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

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

**Caitlynn Kimbrough, County Planner**

Site Graphic – Easley Variance





