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**Benton County Development
Department**

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VARIANCE REVIEW PLANNER'S PUBLIC HEARING REPORT
Stoddard Property
21995 Indian Bluff Road, Garfield AR

EXECUTIVE SUMMARY

The applicant/surveyor, WR Consulting LLC, for the property owner Richard Stoddard submitted a Minor Subdivision application to split the existing 5.98 acre parcel into two (2) tracts. Proposed tract one (1) would be 1.62 acres in area, and contain the existing residence. Proposed tract two (2) would be 4.36 acres, containing the residual lands and be vacant / unimproved. To proceed with the Minor Subdivision (Tract Split) application, a building to centerline setback variance is required for the current nonconforming home. The existing residence on the subject parcel is completely within the required 50 foot building to centerline setback.

The applicant is requesting a 31.88 ft. building to centerline setback lieu of the required 50 foot setback for local roads to accommodate the existing residence.

On April 21, 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:
 - 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: Richard and Donna Stoddard
Applicant/Surveyor: WR Consulting, LLC
Address of subject property: 21995 Indian Bluff Rd., Garfield
Parcel ID: 18-00204-000
Parcel Size: 5.98 acres (To be subdivided)
Current Land Use: Residential
Proposed Land Use: Residential (continued)

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

1. 31.88 ft. building to centerline setback lieu of the required 50 foot setback for local roads to accommodate the existing residence.

Attachments: The following drawings and documents are attached:

1. Site Graphic
 2. Site Survey
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PLANNING ANALYSIS

Description of Property and Surrounding Area

The subject property is east of the City limits of Garfield. The subject parcel is 5.98 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 April 21, 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, Army Corps of Engineers, and Benton County 911 Administration.

TECHNICAL REVIEW OF SITE PLAN

Parcel Information

The proposed project area consists of one existing parcel of 5.98 acres. The subject parcel currently contains one residential dwelling approximately 2,100 sq. ft. in area.

The applicant is proposing to subdivide the parent parcel and must legitimize the currently nonconforming home prior to the Minor Subdivision application.

Noticing Requirements

Applicant submitted certified mail receipts on May 5, 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 Indian Bluff Road on May 5, 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. 31.88 ft. building to centerline setback lieu of the required 50 foot setback for local roads to accommodate the existing residence.

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 provided the following comment: ‘the current proposed split is separating the existing secondary septic field from the home. The secondary septic field is on the south side of Indian Bluff Road.

The applicant shall update the current tract split survey to detail a septic easement for the secondary field for the subject home site.

OUTSTANDING ITEMS:

1. Applicant shall submit an updated site survey detailing septic easement on south side of Indian Bluff Rd.

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. 31.88 ft. building to centerline setback lieu of the required 50 foot setback for local roads to accommodate the existing residence.

CONSIDERATIONS FOR THE BOARD:

Approval of Stoddard Variance request case #15-041, conditioned upon the following:

1. Updated site survey detailing septic easement for secondary field on south side of Indian Bluff Rd. prior to issuance of a decision letter.

Prepared by: Taylor Reamer, Planning Manager

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

Caitlynn Kimbrough, County Planner

Site Graphic – Stoddard Variance



