

**Benton County Planning Board**

Starr Leyva, Chair  
Mark Curtis, Vice Chair  
Jim Cole, Member  
Ashley Tucker, Member  
Rick Williams, Member  
Sean Collyge, Member  
Ron Homeyer, Member



**Benton County Development Department**

**Planning Division**

905 NW 8<sup>th</sup> Street  
Bentonville, AR 72712  
Phone: (479) 271-1003  
Fax: (479) 464-6170  
Email:  
[taylor.reamer@bentoncountyar.gov](mailto:taylor.reamer@bentoncountyar.gov)

---

**VARIANCE REVIEW PLANNER'S TECHNICAL REPORT**

**Wills Property**

**21000 Sunrise Cove Road, Garfield AR**

**EXECUTIVE SUMMARY**

The surveyor, Gene Buescher (Survey 1 Inc.), for the property owner Kathy Wills submitted a Variance application and property survey for the proposed addition to the existing home. The proposed residential addition will be constructed to connect the two (2) existing residential dwellings.

The existing dwellings are currently 20 ft. from the centerline of Sunrise Cove Road. The proposed addition would encroach no further on the setback than the existing dwellings.

The applicant is requesting a 20 ft. building to centerline setback lieu of the required 50 foot setback for local roads to accommodate the existing residences and the proposed addition.

On June 9, 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:** John and Kathy Wills  
**Surveyor:** Gene Buescher, Survey 1 Inc.  
**Address of subject property:** 22100 Sunrise Cove Rd., Garfield  
**Parcel ID:** 18-00197-010  
**Parcel Size:** 4.78 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 centerline setback lieu of the required 50 foot setback for local roads to accommodate the existing residences and proposed addition.

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

1. Site Graphic
2. Site Survey

---

**PLANNING ANALYSIS**

**Description of Property and Surrounding Area**

The subject property is east of the City limits of Garfield. The subject parcel is 4.78 acres and the current land use is residential. The surrounding land use is residential and 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 June 9, 2015 the applicant submitted a variance request. An interdepartmental review form was sent on June 16, 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 4.78 acres. The subject parcel currently contains two residential dwellings approximately 1500 sq. ft. in total area.

The applicant is proposing to construct a living space addition between the two dwellings. The existing dwellings and the proposed addition are within the County required 50 ft. building to centerline setback.

### **Noticing Requirements**

Applicant submitted certified mail receipts on June 16, 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 Sunrise Cove Road on or before July 1, 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 centerline setback lieu of the required 50 foot setback for local roads to accommodate the existing residences and proposed addition.

### **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 Sunrise Cove 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 concerning this proposal ‘It (the permit) was approved for a three bedroom (home). As long as the addition will not take them (property owners) over three bedrooms then we (ADH) are fine with that.

**Benton County Emergency 911 Administration**

Benton County E911 office issued the dwellings on site the address of 22100 Sunrise Cove Rd.

**Benton County Fire Marshal**

Ben. Co. Fire Marshal Marc Trollinger provided ‘no comment’ on the project proposal.

**OUTSTANDING ITEMS:**

1. The applicant shall provide photographs of the required public hearing signage posted conspicuously on the property’s frontage along Indian Bluff Road on or before July 1, 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. 20 ft. building to centerline setback lieu of the required 50 foot setback for local roads to accommodate the existing residences and proposed addition.

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

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

**Caitlynn Kimbrough, County Planner**

Site Graphic – Wills Variance



Dwelling Site Survey – Wills Variance

