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VARIANCE REVIEW PLANNER'S PUBLIC HEARING REPORT

Berens Property

8280 Ozark Ridge Dr., Rogers AR 72756

EXECUTIVE SUMMARY

The applicant, Steve Berens, submitted a variance application with supporting property site plan for the proposed 525 sf. addition to the existing residential dwelling.

The proposed addition is within the current County required 10 ft. rear property line-to-building setback and requires a setback variance.

The applicant is requesting a 2.5 ft. rear property line-to-building setback in lieu of the required 10 ft. to accommodate the proposed 525 sf. addition.

On September 2nd, 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 Yard Setbacks – The minimum side setbacks shall be ten (10) feet. All properties and tracts shall observe a minimum ten (10) foot setback from side and rear lot lines. The street side yard on a corner lot shall have twenty-five (25) foot setback.

PROJECT INFORMATION

Owner: Steve & Shannon Berens
Address of subject property: 8280 Ozark Ridge Dr., Rogers, 72756
Parcel ID: 15-15903-000
Parcel Size: 3.088 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. 2.5 ft. in lieu of the required 10 ft. rear building-to-property line setback to accommodate the proposed 525 sf. addition to existing dwelling.

Attachments: The following drawings and documents are attached:

1. Site Graphic
2. Building Sketch Diagram

PLANNING ANALYSIS

Description of Property and Surrounding Area

The subject property is east of the City limits of Rogers and within the Rogers Planning Area. The subject parcel is 3.088 acres and the current land use is residential. The surrounding land use is residential.

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 September 2nd, 2015 the applicant submitted a variance request. An interdepartmental review form was sent on September 30, 2015 to the following: Planning Division, Assessor's Office, 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 3.088 acres. The subject parcel currently contains a single 2,630 sq. ft. residential structure.

The applicant is proposing to construct a 525 sq. ft. addition to the existing residential building. The proposed addition would be within the County required 10 ft. rear building-to-property line setback.

Noticing Requirements

Applicant submitted certified mail receipts on or before October 7th verifying that the required mailings were sent to property owners within 500 feet of the subject property.

The applicant provided date stamped photographs of the required public hearing signage posted conspicuously on the property's frontage along Ozark Ridge Drive on or before October 7th, 2015.

Building Setback

Required: Minimum setbacks: side and rear building-to-property line setbacks shall be ten (10) feet.

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

1. 2.5 ft. rear building-to-property line setback to accommodate 525 sf. proposed residential 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 Ozark Ridge Rd. 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 for small sites and disturbances under their Notice of Automatic Coverage (NOC).

Comment: Given the property is not located in the Unincorporated Urbanized MS4 designated area, local Stormwater Permits are not required

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 ‘no comment’ on this project proposal.

Benton County Emergency 911 Administration

Benton County E911 office verified the dwelling on site the address as 8280 Ozark Ridge Dr., Rogers

Benton County Fire Marshal

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

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. 2.5 ft. rear building-to-property line setback to accommodate 525 sf. proposed residential addition.

CONSIDERATIONS FOR THE BOARD:

Approval of the Berens Variance, case #15-149, 8280 Ozark Ridge Drive, Rogers

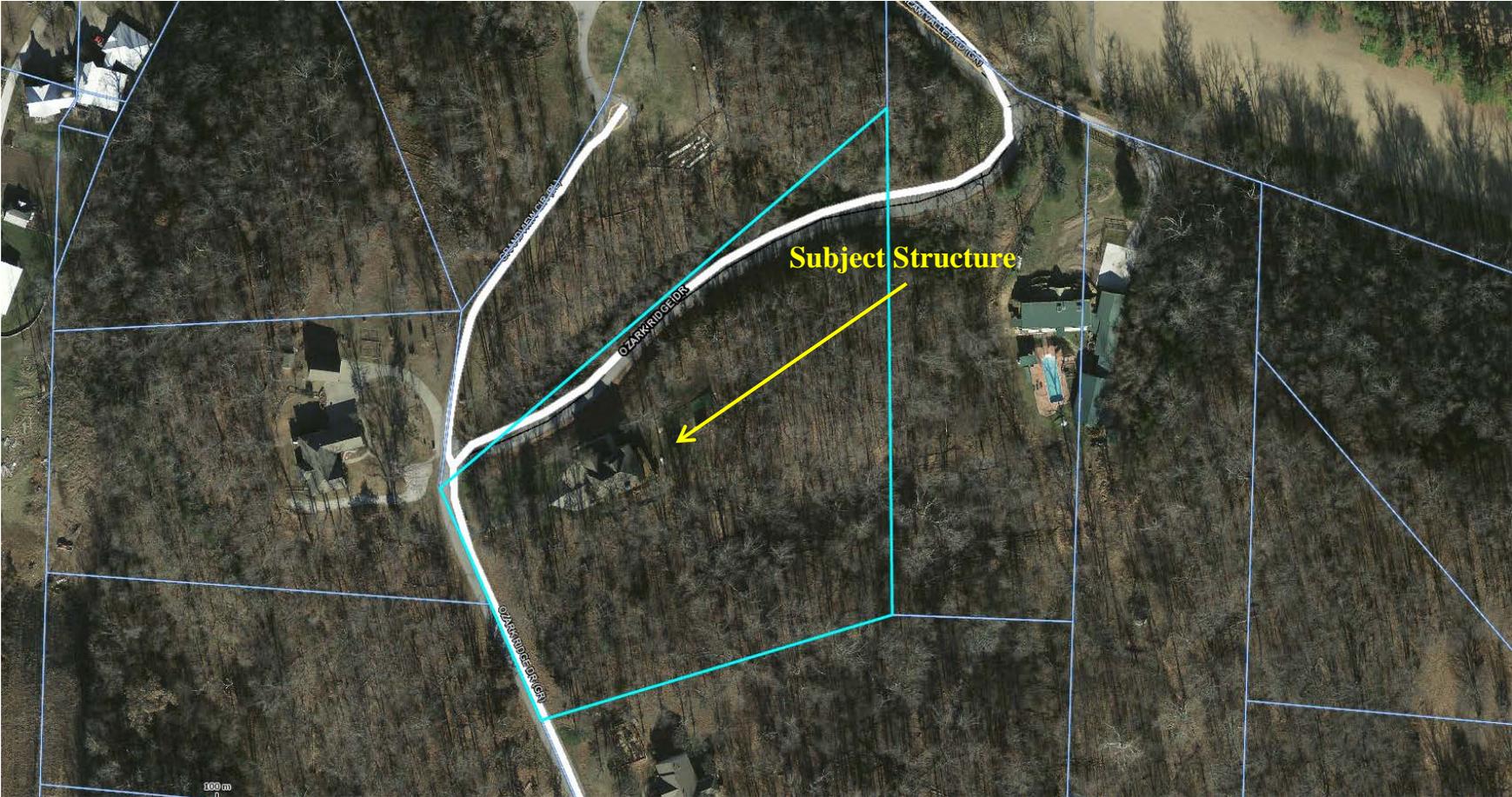
- 2.5 ft. rear building-to-property line setback to accommodate 525 sf. proposed residential addition.

Prepared by: Caitlynn Kimbrough - County Planner

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

Taylor Reamer - Planning Manager

Berens Variance – Site Graphic:



Structure Site Survey – Berens Variance:

