

Benton County Planning Board

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**Benton County Development Department
Planning Division**

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WAIVER REVIEW PLANNER'S PUBLIC HEARING REPORT

Jones Septic Waiver (Ch. 4, Sect. 6.8.iii)

12929 Pleasant Hill Rd., Rogers

EXECUTIVE SUMMARY

On April 15, 2016 the applicant provided a waiver request for relief from the Sanitary Sewer System requirements.

Waiver request is from Section 4.6 number 8, subsection iii;

General Requirements of Division and Development of Land – Sanitary Sewer System:

1. Waiver from Chapter 4, Section 4.6, number 8 – Sanitary Sewer System, item iii: only one (1) septic system shall be allowed on any one parcel, tract, or dwelling unit.

The owner wishes to place an additional dwelling unit on the parcel that would need separate septic services, and is requesting relief from the County Regulations that limit one septic tank and system per parcel. The proposal does not comply with:

- Sect. 4.6.8.iii: only one (1) septic system shall be allowed on any one parcel, tract, or dwelling unit.

PROJECT INFORMATION

Owner: Lloyd Jones
Applicant: Jacob Jones
Address of subject property: 12929 Pleasant Hill Road, Rogers, AR
Parcel ID: 15-11484-000
Parcel Size: 4.56 +/- acres
Current Land Use/Status: Residential / Agriculture
Proposed Land Use: Residential / Agriculture

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

1. Waiver from Chapter 4, Section 4.6, number 8 – Sanitary Sewer System, item iii: only one (1) septic system shall be allowed on any one parcel, tract or dwelling unit. **The specific request is to allow one (1) additional septic system to serve a future 1,500sf dwelling unit on the subject parcel.**

Attachments: The following drawings and documents are attached:

1. Context Map
2. Site Plan

PLANNING ANALYSIS

Description of Property and Surrounding Area

The subject property is located just northeast of the Rogers Municipal Airport, along the south side of Pleasant Hill Road, approximately ¼ mile west of the U.S. 62/Pleasant Hill Intersection. The subject parcel is 4.56 acres and the current land use is residential/agriculture. Surrounding land uses: North – agriculture; East – residential, commercial; South – residential/agriculture, and West – residential/agriculture.

According to Staff research, none of the property is located in a FEMA Special Flood Hazard Area (SFHA) – i.e. the ‘100-year floodplain’. The subject property is not located in a MS4 designated area.

Background information:

On April 15, 2016 the applicant submitted a variance/waiver request. An interdepartmental review form was sent on April 21, 2016 to the following: Planning Division, Health Dept., Road Dept., Building Dept., Fire Marshal, Administrator of General Services, Administrator of Public Safety, GIS Mapping Manger, and Benton County 911 Administration.

TECHNICAL REVIEW OF SITE PLAN

Parcel Information

The proposed project area consists of one existing parcel of 4.56 acres. The subject parcel consists of a 1,950 sf residential home, 2,560 sf shop, and smaller sheds as indicated on the County Assessor record.

The owner wishes to place an additional dwelling unit on the parcel that would need separate septic services, and is requesting relief from the County Regulations that limit one septic tank and system per parcel. Staff informed the applicant that a lot split could be provided to allow the property to comply, and that the other remaining option was to apply for a waiver of the regulation.

Noticing Requirements

On May 4, 2016 the applicant submitted USPS certified mail receipts showing that written notice was sent to surrounding property owners regarding the May 18th Public Hearing.

On May 4, 2016 the applicant submitted the required photographs verifying that the required public hearing notice signage along the property's frontage with Bozarth Cemetery Road had been conspicuously posted on site.

Site Services - Drainage/ Stormwater Management Plan

Required: Applicant is required to comply with ADEQ for Stormwater Management if located within the County's Unincorporated Urbanized MS4 area.

Comment: Not applicable. The property is not located in a designated MS4 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: Staff has not received a comment from Arkansas Department of Health.

Benton County Emergency 911 Administration

Required: Prior to issuance of any additional building permits for the property, the applicant shall file for a new address with Benton County E911 Administration.

Comment: Staff received a note of “No Comment” from Benton County E911 Administration.

Benton County Fire Marshal

Staff received a note of “No Comment” from the Benton County Fire Marshal.

OUTSTANDING ITEMS: None

CONSIDERATION FOR THE BOARD:

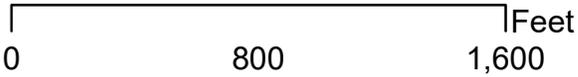
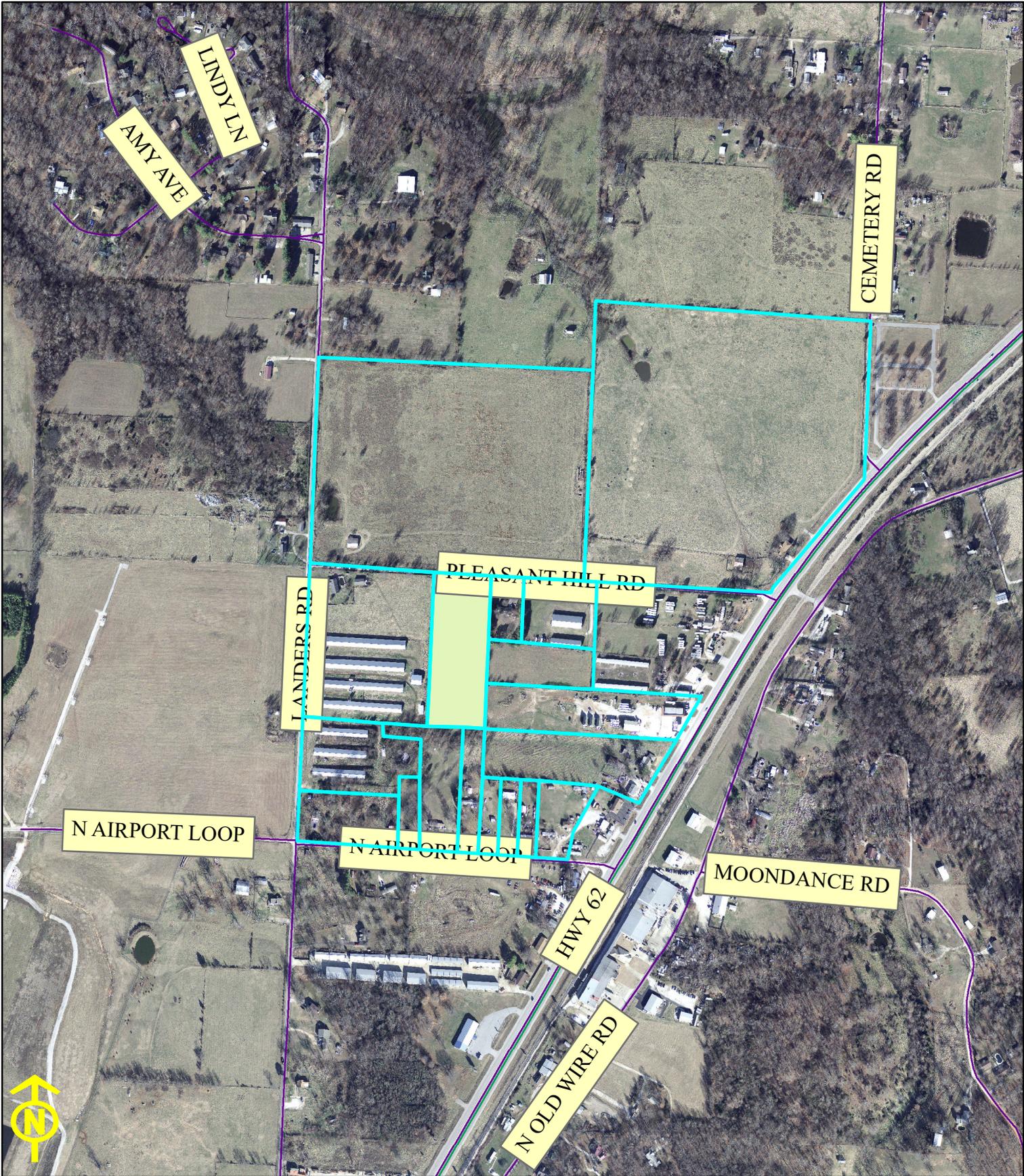
Approval of the Jones Waiver, case number 16-064: Finding in favor of the waiver would allow a second septic system to be installed on the property.

Waiver from Chapter 4, Section 4.6, number 8 – Sanitary Sewer System, item iii: only one (1) septic system shall be allowed on any one parcel, tract or dwelling unit. **The specific request is for relief from the regulation that limits one (1) septic system per parcel.**

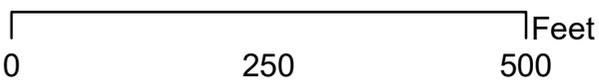
Prepared by: Derek Linn, Senior County Planner

**Reviewed by: Kevin M. Gambrill, AICP – Planning Director
Taylor Reamer, Planning Manager
Tracy Backs, County Planner**

16-064 | Jones Waiver | 500' Buffer Map



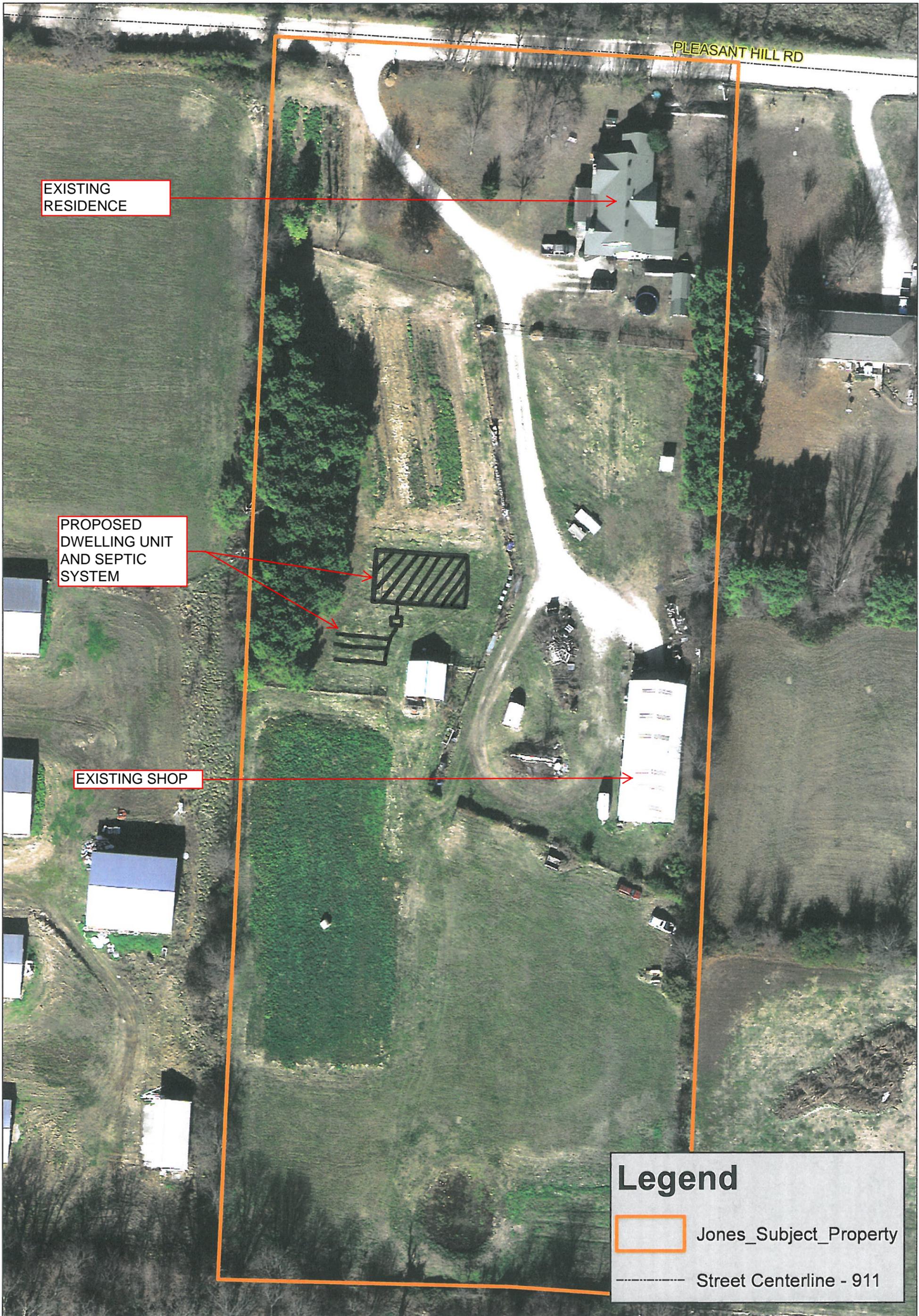
16-064 | Jones Waiver | Context Map



Jones Waiver - 4.6.8.iii
12929 Pleasant Hill Rd.
Rogers, AR 72756



1 inch = 50 feet 1:600



EXISTING RESIDENCE

PROPOSED DWELLING UNIT AND SEPTIC SYSTEM

EXISTING SHOP

PLEASANT HILL RD

Legend

-  Jones_Subject_Property
-  Street Centerline - 911