

2020 MAY 12 AM 9:44

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR



**Benton County Planning Board  
Public Hearing  
Technical Advisory Committee Meeting**

March 4, 2020  
6:00 p.m.

Benton County Administration Building  
215 East Central Avenue  
Bentonville, AR 72712

**Meeting Minutes**

**PUBLIC HEARING:**

**Call to Order:** The meeting was convened at 6:00 p.m. by the Planning Board Chair, Mr. Tucker.

**Roll Call:** Bob Bracy, Ron Homeyer, Terry Maienschein, Stephen Torrez, Ashley Tucker and Rick Tucker were present. Sean Collyge was absent.

**Staff present:** Taylor Reamer – Director of Planning, Madison Kienzle – County Planner

**Public Present:** 12 people signed the Sign In sheet

**Disposition of Minutes:** February 19, 2020

Mr. Williams motioned to approve the February 19, 2020, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein

Motion approved: 6 – 0

**General Public Comment:** None.

**Old Business:** None

**New Business:**

- I. VanDusen Setback Variance, case no. 20-023, 20564 Wellhouse Road, Rogers; 15-09250-000***

Representative: Guy VanDusen, 20564 Wellhouse Road, Rogers (property owner)

Staff gave presentation on the VanDusen Setback Variance, case no. 20-023, 20564 Well house Road, Rogers; 15-09250-000

Mr. Tucker: Do you have anything to add?

Mr. VanDusen: The reason why we want the addition is to improve access. Currently, we have to walk out to wellhouse road to access our existing garage

2020 MAY 12 AM 9:44

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

which can be quite difficult in bad weather conditions. I am just trying to plan ahead because we need better access into the house.

Public comment: none.

Mr. Torrez motioned to approve the setback variance for the VanDusen case no. 20-023. Mr. Maienschein seconded.

*The property owner proposes to construct a residential building addition. The property owner is requesting setback variance of the 50-ft. front setback requirement as follows: Proposed building addition to be located 35.8-ft. from road centerline in lieu of the required 50-ft.*

Motion approved: 6 – 0

**TECHNICAL ADVISORY COMMITTEE**

- 1. Call to Order
- 2. Old Business / Ongoing Applications: None
- 3. New Business:

*1. Martyn Site Plan Review, case no. 20-024, 8389 Campground Circle, Rogers; 18-00843-000*

Representative: Phil Swope 3511 SE J Street, Bentonville.

Mr. Swope: This is an existing campground, and the proposal is for a new wedding chapel that would take the place of six cabins. The wedding chapel would hold 220 seats. Therefore, we are required to have 44 parking stalls, and so we are showing those in the areas where some RV rentals were located. We are looking for your approval.

Staff gave presentation on the Martyn Site Plan Review, case no. 20-024, 8389 Campground Circle, Rogers; 18-00843-000

Mr. Swope: Are the parking stalls required to be paved?

Mr. Reamer: No. Timber or ties would suffice to mark the parking areas.

Mr. Swope: What is the requirement for drive aisle width?

Mr. Reamer: By county code it is 24 feet. You may want to speak with the interim Fire Marshal, to determine if that needs to be wider.

2020 MAY 12 AM 9:44

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Mr. Tucker: If they consider the road to be a fire apparatus conduit the width increases to 26 feet.

Mr. Swope: Considering the location of the proposal in the center of the property, is additional buffering needed?

Mr. Tucker: Are you buffered with existing vegetation?

Mr. Swope: Yes, I think the 15-25 feet is easily covered, and I think the plantings are as well.

Mr. Tucker: Do you feel that additional landscaping is needed?

Mr. Reamer: If we could just have it noted where the additional setback is, just as a line weight on the plans.

Mr. Tucker: Do you have a dumpster on site?

Ms. Martyn: Yes. We have two. They are towards the front of the property.

Mr. Tucker: Will it be the responsibility of anyone who rents the space to carry the trash to the front?

Mr. Martyn: No. We will be providing that service.

Mr. Tucker: The dumpster will need to be enclosed. Also, where is the existing septic field? Also, where is the existing septic field?

Mr. Swope: I don't think that it is shown on the existing plan, so we will add that.

Mr. Tucker: Yes, please indicate the primary and secondary septic fields. A barrier around the septic field is also required.

Mr. Reamer: Hours of operation need to be clarified.

Ms. Martyn: The hours will be from 8 a.m. till 11 p.m. They must be out no later than midnight. These are standard hours for event centers. We are open year-round.

Mr. Tucker: Will you have a beer, wine, liquor license?

Ms. Martyn: No, if a bride wants that she will hire a private bartender who carries their own license.

Mr. Tucker: The egress for this property is good.

2020 MAY 12 AM 9:44

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Mr. Swope: Yes, and the 24 ft. will have to be maintained throughout the loop I'm assuming.

Mr. Tucker: Yes, unless it is a fire conduit, in which case it is 26 ft.

Mr. Reamer: You may want to check the radii by the facility at the end of the loop and make sure they are wide enough.

Mr. Swope: Is that a 50 ft. radius?

Mr. Tucker: WD50 turning template.

Mr. Bracy: The ADA parking needs to be put on the plans.

Mr. Reamer: That will need to be hard surface. Meeting the requirements of the ADA.

Mr. Tucker: Less than 300 occupants, and less than 12000 square feet, so no fire flow is required.

Mr. Reamer: That is to be determined at this point. Based on what I have seen, these occupancies being an A2 classification, any occupancy over 100 patrons will require some level of suppression system. If that does involve a connection for a sprinkler system, those flow testing will have to be handled through the Fire Marshall's office and the responding fire department.

Mr. Tucker: So, we would recommend that you get with the Fire Marshall as soon as you can?

Mr. Homeyer: Do you receive public water?

Ms. Martyn: There is public water at the front of the property.

Mr. Homeyer: Do you know what size line it is?

Ms. Martyn: I know that the fire truck fills up there.

Mr. Tucker: Is the pool on public water, or on the well?

Ms. Martyn: It is on the well, but we do have a contract with the fire department that they can fill up with it at any time.

**II. Tillery Subdivision, case no. 20-030, Ventris Road, Garfield; 18-01600-006**

2020 MAY 12 AM 9:44

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Representative: Zach Sample P.O. Box 223 Bentonville, AR

Staff gave presentation on the Tillery Subdivision, case no. 20-030, Ventris Road, Garfield; 18-01600-006

Mr. Torrez: Why have there been so many splits?

Mr. Sample: Initially the lot was split six times to make the land more sellable. Now with the subdivision completed in May, the 24-acre lot did not have a prospective buyer. Now there is a person interested in buying a 10-acre lot.

Mr. Bracy: Will the split obstruct any access to the road from the existing 1-4?

Mr. Reamer: No, because there is a County road that touches all of the lots.

**iii. Lohrengel Setback Variance, case no. 20-039, 21559 Indian Creek Drive, Garfield; 15-10311-000**

Representative: Ron Hefty 14255 Arrowhead Lane Garfield, AR

Staff gave presentation on the Lohrengel Setback Variance, case no. 20-039, 21559 Indian Creek Drive, Garfield; 15-10311-000

Mr. Hefty: The homeowners are wanting to build a garage. There is not one currently. This location is the most practical due an existing driveway, location of the septic, and other things in the way. In addition, behind the house there are rock ledges and outcrops, so there is no way to add a structure there.

Mr. Tucker: Can you rotate the structure and square it with the road line.

Mr. Hefty: No, it physically won't fit.

Mr. Bracy: Is this the project which received a comment via email?

Mr. Tucker: Yes.

Mr. Williams: Are there any covenants in the subdivision?

Mr. Hefty: Not to our knowledge.

Mr. Bracy: What is the dimension from the center line of the road to the structure?

Mr. Reamer: I couldn't accurately answer that question at this time. Scaling it, it looks like 40 ft.

Mr. Bracy: That space, is it easement?

2020 MAY 12 AM 9:44

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Mr. Reamer: It is public right-of-way.

Mr. Maienschein: It does not appear to be obstructing any view.

Mr. Tucker: It slopes down from the front of the house. So, the only obstructed view is when you're travelling East and turn North, but you should be far enough North by the time you are looking to turn left. Also, the obstruction is uphill above you to the left.

Mr. Hefty: Yes, there is a significant drop.

Mr. Bracy: Will the power line and tree remain?

Mr. Hefty: Yes.

Mr. Lohrengel: Yes, the tree is still there, which is more of an obstruction than the garage will be.

Mr. Tucker: Tell us why you can't build on the opposite side of the house.

Mr. Lohrengel: The opposite side of the house has a steep ledge, would require foundation work, and would be less aesthetically pleasing due to the natural features of that side such as rock ledges. Also, the well is on that side.

Mr. Tucker: So that is not an old foundation, it is a rock ledge.

Mr. Homeyer: Where is the septic field? On the lower side.

Mr. Torrez: How big is the garage?

Mr. Hefty: 28 x 30

Mr. Homeyer: What is the elevation of the garage in relation to the front door?

Mr. Hefty: It is much lower. I would guess it to be in excess of 12ft.

Mr. Tucker: How many cars?

Mr. Hefty: Two and a half cars. It will have two single doors.

Mr. Torrez: Can you access it from Indian Creek Road?

Mr. Hefty: No, we would access it from the existing driveway down below.

Mr. Torrez: So, you wouldn't use the circle drive off Indian Creek to access the structure?

Mr. Hefty: No, due to the elevation difference.

2020 MAY 12 AM 9:44

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Mr. Torrez: So, you would add or remove dirt regardless of whether you access from Indian Creek Drive?

Mr. Hefty: Yes, they are also wanting to take advantage of a bonus room or additional living space above the garage.

Mr. Torrez: So, you are building a 28ft x 30ft garage, with a bonus room. So, is it a two-story garage?

Mr. Hefty: Yes.

Mr. Torrez: What is the elevation of the second story in relation to the house?

Mr. Hefty: Yes, the bonus room would walk out to the existing drive-way, very close to the house.

Mr. Torrez: It seems to me that there is a lot of activity occurring on this very tight lot, and the current site plan does not depict what is happening. The survey is lacking information, such as the entrance or height of the building.

Mr. Maienschein: It needs to show the driveway.

Mr. Hefty: We can add that information. I have an additional plan that I didn't submit that I could pass around.

Mr. Tucker: If you put it on the West side of the you could drive straight through.

Mr. Hefty: It would require an enormous amount of excavation into solid rock.

Mr. Torrez: Why is the garage at an angle to the road?

Mr. Hefty: We are trying to make it visually appealing with the house.

Mr. Bracy: The elevation changes from the lower right-hand corner of the garage to the house is nearly 4 ft. Is the second floor at the same elevation as the house?

Mr. Hefty: Yes.

Mr. Torrez: I agree that the way the garage is designed is aesthetically appealing, however, it is coming at the cost of a setback variance when I believe there might be other solutions. However, we have many cases where we approve variances. Could the length of a car fit in the driveway without sticking in the road?

Mr. Hefty: Yes. Most likely two cars. The frontage right-of-way is much greater than



2020 MAY 12 AM 9:44

BETSY HARRELL  
CO. & PROBATE CLERK  
BENTON COUNTY, AR

any other place on the property.

Mr. Reamer: The right-of-way on the on the right-hand side of this graphic is 40ft. We require a 25ft setback from any property line that faces a street.

Mr. Torrez: What happens if this road is developed in future, if that structure is so close to the road.

Mr. Reamer: \*shows the right-of-way to which improvements could be made to the road.

Mr. Bracy: I'd feel more comfortable if we could see a sight plan all on one piece of paper which shows the driveway, shows distance from road.

Mr. Reamer: We will add dimensions to the site plan, I think that will be helpful.

4. **Other Business: None**

5. **Staff Updates - Administrative Approvals:**

- I. Dunn Tract Split, case no. 20-016, 15999 Bethel Heights Road, Gentry; 18-11517-000

6. **Discussion Item:**

- I. New Planning Department Location: 2113 W. Walnut Street, Rogers

Meeting Adjourned: 7:00 p.m.

Next Meeting: March 18, 2020

APPROVED THIS 15<sup>th</sup> DAY OF April, 2020.

ATTEST:

  
 \_\_\_\_\_  
 PLANNING DIRECTOR

APPROVED:

  
 \_\_\_\_\_  
 PLANNING BOARD CHAIR or  
 PLANNING BOARD VICE CHAIR