

FILED

2019 NOV 18 PM 2: 21



Benton County Planning Board  
Public Hearing  
Technical Advisory Committee Meeting

BETSY HARRELL  
PROBATE CLERK  
BENTON COUNTY, AR

September 18, 2019  
6:00 p.m.

Quorum Court Room  
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, Ashley Tucker

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

**Staff present:** Taylor Reamer – Director of Planning, Tracy Backs – County Planner

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

**Disposition of Minutes:** September 4, 2019

Mr. Williams motioned to approve the September 4, 2019, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein

Motion approved: 7 – 0

**General Public Comment:** None

**Old Business:** None

**New Business:**

- I. **DuRocher Setback Variance, case no. 19-188, 8585 Stoner Lane, Rogers; 15-11710-000**

Representative: Jeff DuRocher, 8585 Stoner Lane, Rogers

Staff gave a presentation on the DuRocher Setback Variance, case no. 19-188, 8585 Stoner Lane, Rogers; 15-11710-000

Mr. DuRocher presented a photo of the side yard of his property claiming that there were no utilities in that side yard. He had called 811 to have utilities marked and there were no utilities contained in this area. Therefore, no building would be on top of any utilities.

Mr. DuRocher emphasized that only a 4' section of the southwest corner of the proposed building would be in the building setback. Mr. DuRocher's neighbor has no objection to Mr. DuRocher building the building within the side building setback and is in attendance at this meeting.

Public comment: None

Mr. Bracy pointed out that there was a utility easement on the opposite side of the dwelling so that utilities could get to the rear of the property if necessary. Since these properties were platted by the developer as reserved area for utilities, not necessarily as a dedicated easement to the utility, that were ever formally 'accepted' by the utility.

Mr. Torrez made a motion to approve the DuRocher Setback Variance. Mr. Maienschein seconded the motion.

Motion approved: 7 – 0 (subject to conditions as written)

**II. Terra Rose Properties, LLC Site Plan Review, case no. 19-191, 11427 North Highway 59, Gravette; 18-15179-000**

Representatives: Dirk Thibodaux, Gray Rock, LLC, 5204 Village Parkway, Suite II, Rogers and Jackson Bird, ONECON, LLC, 3902 East Central Avenue, Bentonville

Staff gave a presentation on the Terra Rose Properties, LLC Site Plan Review, case no. 19-191, 11427 North Highway 59, Gravette; 18-15179-000

Mr. Thibodaux asked for clarification of Outstanding Item #1a (*Fire Code Compliance notes and include plan components complying with code requirements.*) Mr. Reamer explained that through notation on the site plan, detail either pods being developed with fire walls or a supply line servicing the structure for the fire suppression system. Basically, note on the site plan the number of bays the building is broken in to.

Mr. Williams asked if the plans were designed by an architect. Mr. Thibodaux responded that they were designed by multiple architects, a landscape architect, a civil engineer and a structural engineer. Mr. Williams asked if the structure was going to be sprinklered or not. Mr. Bird stated that the structure would not be sprinklered but would use fire walls within separated bays.

Mr. Bracy reviews with the applicants how semi-truck traffic would enter, unload and exit the property onto Highway 59. Also discussed was

the truck traffic drive aisle. Mr. Tucker felt that a truck turning template would be necessary to review.

Public comment:

Alicia Bayley, P.O. Box 81, 11531 Bright Valley Road, Gravette, AR  
*Focus of comments: warehouse was existing when she moved into her house; requested maximum building setback and landscaping all along the west side of the existing and proposed building.*

Mr. Tucker asked Ms. Bayley what the terrain was like between her house and the property in question (wooded but is there a ravine, is Ms. Bayley at a higher/lower elevation than the warehouse?, etc.)

*Ms. Bayley said that there was a decline then an upgrade that goes into a wooded hillside behind the building.*

Mr. Tucker asked the applicant about extending planned landscaping as this would be correcting an outstanding issue with current ordinances. Mr. Thibodaux said that they could do that but the west side of the existing building contains lateral lines. Mr. Tucker suggested placing vegetation on the property line, away from the lateral lines. The existing tree line would remain intact. Mr. Tucker suspected that the existing trees are going down the hillside and may not be at the height of the existing building today. Focus is the southwest corner of the existing building. Mr. Reamer pulled up Google Street View of the property. Discussion of best vegetation to use in this circumstance.

Mr. Williams asked about the height of the proposed structure. Per Mr. Thibodaux, the proposed structure will be an even height with the existing structure as the two buildings are on two different elevations.

Mr. Reamer will add a 1 d. for an improved landscaping plan. Item 1 b. already addresses the truck turning template and circulation issues. Mr. Tucker mentioned that a site plan modification would be needed to reduce the parking by four spaces and slide those spaces to the south.

Mr. Homeyer motioned to approve the Terra Rose Properties, LLC Site Plan Review subject to the written conditions as amended. Mr. Maienschein seconded the motion.

Motion approved: 7 – 0

**2019 3702**

<sup>4</sup>  
TERRA ROSE PROPERTIES



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2019 NOV 18 PM 2:21

TECHNICAL ADVISORY COMMITTEE

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

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

- I. **Steinbroner Setback Variance, case no. 19-198, 18700 Coppermine Road, Rogers; 15-01719-000**

Representatives: Jonathan Steinbroner, 6918 West Altamonte Drive, Rogers

Staff gave a presentation on the Steinbroner Setback Variance, case no. 19-198, 18700 Coppermine Road, Rogers; 15-01719-000

Mr. Steinbroner stated that this property will be used as a weekend place with a small cabin and metal garage used to house his boat, side by side and mower. Previously, there was a house in this location that was torn down. A slab, driveway, propane tank, well and drainage system is existing. The County installed a new 15" culvert at the road. Attempting to keep the new house parallel to the street. Per the AR Department of Health, there an in-ground septic system is not feasible on this property due to poor soil and lack of space. The only septic option is an above-ground Eco-John incinerator system which will be installed behind the house or possibly in the house itself. Trying to avoid cutting down an existing pine tree.

Mr. Bracy asked why the applicant was not attaching the garage to the house. Mr. Steinbroner stated that it was undetermined as to when the home would be built but there is a need for the garage space now. The garage will be a completely enclosed, covered building built off of chat. Mr. Steinbroner also plans to build a retaining wall.

Mr. Maienschein was if the well was the only source of water. Mr. Steinbroner stated that he has County water and that he is working with the AR Department of Health to receive a water meter. Currently using neighbor's water when the Steinbroner's visit the property.

Mr. Steinbroner stated that two of his closest neighbors have no objections to this setback variance request. However, the neighbor who would be most affected by the setback variance is out of the country at this time.

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Mr. Tucker stated that he felt Mr. Steinbroner's biggest challenge with this setback variance is the closeness to the property line given that there is space between the garage and the proposed house. A 2-1/2' clearance is not even enough to maintain the garage structure and stay on your own property.

Mr. Steinbroner stated that the garage would be 2' – 3' from the house. Mr. Bracy asked Mr. Reamer would the firewall rating needed to be between a garage and a house. Mr. Reamer thought that it needs to be a two-hour firewall, or an extra sheet or two thickness of sheet rock. Mr. Reamer stated that fire code requires a 10' separation between buildings. Mr. Tucker stated that from a fire code perspective, the garage and house either need to be physically connected or be 10' apart.

Mr. Homeyer asked if Mr. Steinbroner had a survey done of the property. Mr. Steinbroner stated that a surveyor found property pins for him so that he could string it out to see where the property fell.

Mr. Tucker asked if Mr. Steinbroner would use the existing foundation. Mr. Steinbroner stated that he would not.

Mr. Maienschein asked Mr. Steinbroner if the house had been designed yet. Mr. Steinbroner stated that it was not yet designed. Mr. Maienschein suggested simply making the house 5' shorter. Mr. Steinbroner stated that the rear of the property slopes fairly steeply and is not buildable.

In summary, Mr. Torrez stated that a 2-1/2' setback variance would be very close to the property line. Mr. Tucker stated that they are seeing the site constraints on this property but he felt that a 2-1/2' setback was too close to maintain the building without having to be on the neighbor's property.

**4. Other Business: None**

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5. Staff Updates - Administrative Approvals:

2019 NOV 18 PM 2: 23

- I. Sims Minor Subdivision, case no. 19-156, Canal Street, Rogers; 18-04030-000
- II. Holt Minor Subdivision, case no. 19-178, 23903 AR Highway 102, Maysville; 18-16368-000
- III. Myers & Stogsdill Tract Split, case no. 19-186, 16390 Wann Road, Sulphur Springs; 18-16423-000
- IV. Allred Minor Subdivision, case no. 19-194, Meadow Lane, Lowell; 15-04371-000

BETSY HARRELL  
CLERK & PROBATE CLERK  
BENTON COUNTY, AR

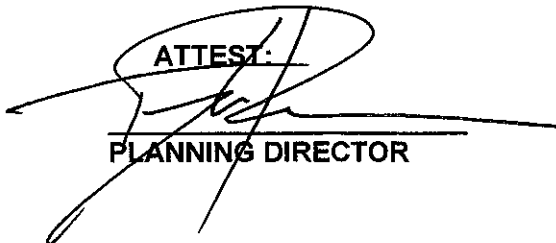
6. Discussion Item: None

Meeting Adjourned: 7:20 p.m.

Next Meeting: October 2, 2019

APPROVED THIS 2nd DAY OF October, 2019.

ATTEST:

  
PLANNING DIRECTOR

APPROVED:

  
PLANNING BOARD CHAIR or  
PLANNING BOARD VICE CHAIR

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2019 NOV 18 PM 2:21

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