



Benton County Planning Board Agenda

Public Hearing Technical Advisory Committee

January 20, 2021

6:00 p.m.

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

Due to health concerns related to COVID-19, and the current Federal recommendations to avoid gatherings of 10 or more people, some or all of the members of the Planning Board, as well as County staff members, may attend this meeting by phone or other remote means. That being said, the County Administration Building will be open for the public to attend. Those that do attend will be asked to watch/listen to the meeting from the lobby outside the meeting room. Attendees will only be allowed into the meeting room to make a public comment or to speak during any public hearing items on the agenda.

Those who do attend should observe the CDC recommendation concerning hygiene, the use of masks or other facial coverings, and social distancing (keeping at least 6 feet away from other persons present at the meeting). Moreover no one should attend this meeting if they are experiencing any type of illness involving a fever, sneezing, coughing, or shortness of breath.

Those wishing to make public comments who do not want to attend the meeting may do so in written form, submitted to planningboardmembers@bentoncountyar.gov by at least 4:30 p.m. on the day of the meeting and those comments will be communicated to the members of the Planning Board. While emailed comments are encouraged, accommodation has been made to allow Benton County citizens to make 'live' public comments orally in the event they cannot or do not feel comfortable attending the meeting in person. Those who prefer to participate in this fashion may get details about doing so by contacting Taylor Reamer at 479-464-6166 by at least 4:00pm on the day of the meeting. Making comments will require you to register with your name, address, phone number, and email address. The pre-existing limitations and procedures with respect to oral public comments will still apply.

PUBLIC HEARING

1. **Call to Order**
2. **Roll Call**
3. **Disposition of Minutes:** Minutes for December 2, 2020
4. **General Public Comment**
5. **Old Business:**
 - I. Schroeder Site Plan Review, case no. 20-227, Coppermine Rd, Rogers; 18-00920-001
6. **New Business:** None

TECHNICAL ADVISORY COMMITTEE

1. **Call to Order**
2. **Old Business/Ongoing Applications:** None
3. **New Business:**
 - I. Schorpp Waiver, case no. 21-002, Admiral Nimitz Dr., Rogers; 15-06598-000
4. **Other Business:** None
5. **Staff Updates - Administrative Approvals:**
 - I. Johnston Minor Subdivision, case no. 20-242, 19424 Shinn Springs, Siloam Springs; 18-12621-000
 - II. Ramos Property Line Adjustment, case no. 20-244, 16642 Styles Rd, Sulphur Springs; 18-15477-000
 - III. Smith Minor Subdivision, case no. 20-254, Cherokee Rd, Gentry; 18-16024-000
 - IV. Duggar Minor Subdivision, case no. 20-267, 17562 Old Hwy 68, Springdale; 18-10475-010
 - V. Wilkerson Minor Subdivision, case no 20-268, Russell Yates Rd, Pea Ridge; 18-05407-002
 - VI. Butler Property Line Adjustment, case no. 20-269, 1696 Timberlake Tr, Rogers; 15-07685-000
 - VII. Five B's Minor Subdivision, case no. 20-272, Bentonville; 18-16460-001
 - VIII. Self Minor Subdivision, case no. 20-278, 22706 Floyd Moore Rd, Gentry; 18-14656-005
 - IX. Vestal Minor Subdivision, case no. 20-279, 11527 AR 279 HWY, Bentonville, 18-09747-000
 - X. Snelling Minor Subdivision, case no. 20-282, Meadowlark Ln, Gravette; 15-07308-000
 - XI. Song Replat, case no. 20-285, 9992 Jims Trl, Rogers; 15-03658-001
 - XII. Corman Minor Subdivision, case no. 20-290, 16050 Old Hwy 68, Siloam Springs; 18-10410-000
 - XIII. Smith Lot Combination, case no. 20-297, Oak Ln, Rogers; 15-02242-000
6. **Discussion Items:** None

Benton County Planning Board

Stephen Torrez, Chair
Bob Bracy, Vice Chair
Vacant, Member
Rick Williams, Member
Terry Maienschein, Member
Sean Collyge, Member
Bethany Rosenbaum, Member



Benton County Planning Department

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**SITE PLAN REVIEW
PLANNER'S PUBLIC HEARING REPORT (CONTINUATION)
Schroeder Site Plan Review
19040 Coppermine Road, Rogers 72756**

EXECUTIVE SUMMARY

Based on the applicant's cover letter, the intended use of the accessory structure is to contain an aspect of the property owner's marine service and maintenance business. The cover letter states that a portion of the business is completed remotely on the water, but a portion of the diagnostics and certain types of service require the use of an indoor space. The property owner proposes to utilize the existing accessory structure for the portion of the business that requires an indoor workspace.

PROJECT INFORMATION

Owner: Adam and Karen Schroeder

Applicant: Adam Schroeder

Address of subject property (as assigned): 19040 Coppermine Road, Rogers

Parcel IDs: 18-00920-001

Parcel Area: 0.36 +/- acres

Current Land Use(s): Single Residential

Proposed Land Use(s): Marine Repair and Maintenance (Heavy Commercial)

Attachments: The following drawings and documents are attached:

1. Vicinity Graphic
2. Context Map
3. Site Aerial
4. Site Plan

PLANNING ANALYSIS

Description of Property and Surrounding Area:

The subject property consists of one tax parcel located on the east side of Coppermine Road, approximately 0.25-mile north of the Hwy 303 and Coppermine Road intersection. Primary vehicular access is proposed via one existing access apron. The property is not located within the FEMA 100-yr. floodplain, nor within the County designated Urbanized MS4 area. The immediately surrounding land uses are as follows:

- North: Residential
- East: Residential
- South: Residential
- West: Residential

Background information:

The applicant submitted a Site Plan Review application and accompanying information meeting Staff's requirements. On November 5, 2020, an inter-departmental review form was sent to the following agencies: Planning Department, Health Dept., Road Dept., Building Dept., Fire Marshal, Assessor's GIS Mapping Manager, and Benton County E-911 Administration.

TECHNICAL REVIEW OF SITE PLAN

Parcel Information:

Site inspection and research against State assessment records show the property as containing one residentially assessed improvements.

Noticing Requirements:

On November 18, 2020, the applicant submitted USPS certified mail receipts showing that written notice was sent to surrounding property owners regarding the December 2 Public Hearing.

On November 18, 2020, the applicant submitted the required photographs verifying that the required public hearing notice signage along the property's frontage has been conspicuously posted on site.

Standard Building Setbacks:

Required: Fifty (50) feet measured from the center line of the fronting road (Coppermine) or twenty-five (25) feet from the fronting property lines, whichever is greater is required; A side and rear yard, building to property line setback of ten (10) feet is required.

Comments: The site plans detail the existing structure in compliance with current building setbacks.

The existing structure is not compliant with current County setbacks, but may continue under the County's Noncompliance Clause.

Parking Requirements:

'Marine Repair Services':

Required: 1 space per employee plus 3 spaces per bay
Calculation: 1 employee plus 2 bays @ 3 spaces per bay
Required: 7 spaces

Total Parking Required: 7 standard parking spaces, inclusive of 1 ADA compliant space.

The property owner has filed a variance (case no. 21-005) from the County's parking requirements per Chapter 6 – Site Plan Review.

The Variance request is as follows: The project to provide one standard parking space plus one ADA compliant parking space in lieu of the required 7 parking spaces.

Site Features - Loading area:

The site plans designate an area of loading/unloading in front of the existing structure.

Site Features – Lighting:

The Site Plan provides a note that all outdoor lights will be 'full cut-off lighting' including the existing fixture on the structure.

Parking / Landscape Buffer:

Required: Adjoining incompatible uses should be screened with landscaping, walls, berms, or similar treatments. Section 4.6.16.c states that all required vegetative screening must have a minimum height of five (5) feet. All trees should be wire basket, B & B, or container grown. Smaller flowering trees and ornamentals will be centered at four (4') feet maximum. Coniferous trees will be centered at four (4') feet to five (5') feet depending on desired effect. All shrubs are to be planted in continuous planting beds. Planting beds will be mulched to a minimum depth of three (3") inches and will be maintained weed free. Plantings consisting of trees and shrubs will be a minimum of 50% coniferous plantings. All required setbacks are required to be maintained as landscaped open space, per §4.6(16).

Comment: Land Use Compatibility analysis, per sec. 6.7, shows that the proposed use is classified as 'Heavy Commercial', and is immediately adjacent to County classified High Density Residential to the north, south, and west. This places the proposed use as being Questionably Compatible – 'Major' with adjacent properties—and as such, will require some level of mitigation efforts in order to buffer the proposed commercial use. Specifically, table 6.6 (Compatibility Levels and Criteria) indicates 15 - 20 ft. of additional setback, buffering up to 40 ft. in depth, and may require wall/fence and 2-3 tier plantings.

The revised site plans include the installation of a wooden privacy fence along the public right of way Coppermine Road.

All outdoor storage of customer marine equipment, operating materials/tools, and customer trailers shall be placed out-of-view from adjacent roadways and adjacent residential structures by placing items behind privacy fencing or inside the existing structure.

Access Driveways/Internal Circulation:

Required: The design and construction shall be in accordance with the standards as presented in the Benton County Road Plan.

Comment: The applicant proposes to utilize an existing access drive from the public right-of-way.

Site Services - Drainage/ Stormwater Management Plan:

Required: Applicant is required to indicate on plan storm drainage infrastructure and to provide an off-site drainage study. If study indicates an increase in peak flow discharge downstream, the developer shall construct a detention facility or an alternative LID methodology that shall control the peak runoff rate. The County also recommends minimizing impervious surface to limit the need for such facilities.

Comment: The subject property is not located in the urbanized MS4 area. The current site plans do not detail any additional development on the site.

Site Services - Solid Waste Disposal:

The applicant provided that curbside solid waste disposal will continue to be utilized for the structure.

Site Services - Electrical Power Supply:

The applicant provided written confirmation of existing service to the site for the proposed use.

Site Services – Septic System:

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 (ADH) in accordance with Act 402 of 1977 as amended.

Comment: The structure is not currently connected to an onsite individual septic system.

Site Services - Water Service:

The structure is not currently connected to a public or private water supply.

Site Services - Fire & EMS:

The Benton County Emergency 911 Administration verified the address 14090 Coppermine Road.

The project shall adhere to formal comments received by the County Fire Marshal and Building Permitting Division related to fire code compliance, structure permitting, utility upgrade requirements, and design plans for the permit application.

Site Services – Hazardous Chemical Storage

In accordance with §4.6. B #5, all proposed commercial and industrial developments must submit written confirmation of hazardous materials to be used and stored on-site. Documentation is to be forwarded to the County Office of Emergency Services.

The property owner submitted documentation providing no hazardous chemicals are to be stored on site.

OUTSTANDING ITEMS:

1. All outdoor storage of customer marine equipment, operating materials/tools, and customer trailers shall be placed out-of-view from adjacent roadways and adjacent residential structures by placing items behind privacy fencing or inside the existing structure.

CONSIDERATIONS FOR THE BOARD:

- I. Schroeder Variance, case no. 21-005 as follows;
 - a. The project to provide one standard parking space plus one ADA compliant parking space in lieu of the required 7 parking spaces.
- II. Schroeder Site Plan Review, case no. 20-227 conditioned upon the following;
 1. All outdoor storage of customer marine equipment, operating materials/tools, and customer trailers shall be placed out-of-view from adjacent roadways and adjacent residential structures by placing items behind privacy fencing or inside the existing structure.
 2. The project shall adhere to Standard Conditions of Site Plan Review.

Prepared by: Taylor Reamer – Planning Director

Reviewed by: Madison Kienzle – County Planner

Taylor S. Reamer

From: All 'Bout Water <allboutwater35@gmail.com>
Sent: Tuesday, January 5, 2021 7:16 PM
To: Taylor S. Reamer
Subject: Request for parking variance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To:
Benton County Board Review

This letter for All Bout Water LLC request for a variance on parking requirements at 19040 Coppermine Rd, Rogers, AR 72756 for our small operation closed to public Jet Ski Repair business, All Bout Water LLC

We are requesting a variance on the required amount of parking spaces for a couple reasons first, much of our work is done mobile also we do not advertise on our building to cause drop ins or traffic or inquiring people, we do not do any type of advertisement for that matter because our customers were built over many years and we have plenty of work dealing with our current customers and their word of mouth. We are a very small operation and a closed shop. Any customer coming to drop a jet ski we are expecting and I already have a work order made with what the needs of customer are already documented on work order so upon arrival they are assisted to drop zone, as Adam unhooks customers watercraft, customer signs my work form and drives off, as the same happens upon pick up, once a job is complete there watercraft is put in pick up zone customer arrives to pick up at appointed time as Adam hooks their watercraft back up to there vehicle while I collect moneys due, customer drives off.

Which seems to work out well with the new "Normal" with the COVID crisis. So we are requesting a variance for these parking spaces for people or customers that do not just drop in as we are a appointment only closed shop.

We have a designated spot for ADA parking on the top of our adjoining lot that our home is on to be compliant with ADA parking regulations.

We respectfully thank you for your time and consideration in this matter.

Thank you,

Adam and Nickole Schroeder

All Bout Water LLC



Nicollette Derr <nderr73@gmail.com>

Letter of description for rural family home occupation

2 messages

Nicollette Derr <nderr73@gmail.com>

Tue, Oct 13, 2020 at 2:02 PM

To: Madison Kienzle <Madison.Kienzle@bentoncountyar.gov>

To whom it may concern:

This letter is provide Benton County with a summary of All-Bout Water Boat & Jet Ski Repair. After 20 years of apprenticeship expecting to one day take over the company him and his father had built, well that probability turned impossible as his father was diagnosed with aggressive lower esophagus cancer n sadly as that horrible disease does, it destroyed all plans and lives were changed in a very short time leaving hundreds of boaters left with no ability to maintain there watercrafts. The demand for a service so many used was gone ! We do much remote work, but the demand to have a shop for certain jobs that just can not be done on the water or requires a computer diagnostics test and other tools needed that are not mobile can be performed. Basically garage type tools in a large space to repair. The service provided by our company is unique in many ways we do many service calls, that is a great service to many who do not have means of transporting there watercraft, but the biggest reason to make sure we took the necessary steps to be able to provide a service to the tri state area and that is a simple fact that we are the absolute only repair service that will and can fix older watercraft that are no longer under warranty and it is found to be at best 3 years w extended to 5 year warranty on a new craft. But once that is up there is no one that will work on them? Also, in these parts, including surrounding areas when people call repair shops and they will likely refer them to us as we are friends and help other surrounding shops with sometimes questions on something they may be working on. Since much of our work is mobile, we found a home to buy that incorporated all our needs, both personal and to keep this service available to hundreds of our existing customers. Thus we found our place at 19040 Coppermine rd. and within months was equipped with a beautiful home and very very large shop (50x60 ft.) with a business lic and LLC . To be able to get back to work and meet the community needs and do what we love ! To add to that I will also mention how we have adapted in our new community up here on the lake, we have made it our mission to put our neighbors needs before even our customers on our waiting list, we service our neighbors first who have watercraft , we have and will continue permitted by this review, continue making them priority and keep all happy and satisfied. I must say we were surprised that we even had a complaint as through channels of our church and speaking with our closest neighbors there is just no indication that we are doing anything to upset anyone and this may be a more personal assault towards us and not our business or its happenings here.

Thank you for your time in this matter I hope this letter has answered what is required for us to get back to work!

Sincerely,

Adam Schroeder

Nickole Schroeder

Madison Kienzle <Madison.Kienzle@bentoncountyar.gov>

Tue, Oct 13, 2020 at 3:05 PM

To: Nicollette Derr <nderr73@gmail.com>

Thanks Nickole. Once I have your application I can begin processing.

From: Nicollette Derr <nderr73@gmail.com>**Sent:** Tuesday, October 13, 2020 2:03 PM**To:** Madison Kienzle <Madison.Kienzle@bentoncountyar.gov>**Subject:** Letter of description for rural family home occupation

Schroeder Site Plan Review



1:60,000

1 in = 5,000 feet

Schroeder Site Plan Review



1:600

1 in = 50 feet

Schroeder Site Plan Review



1:300

1 in = 25 feet

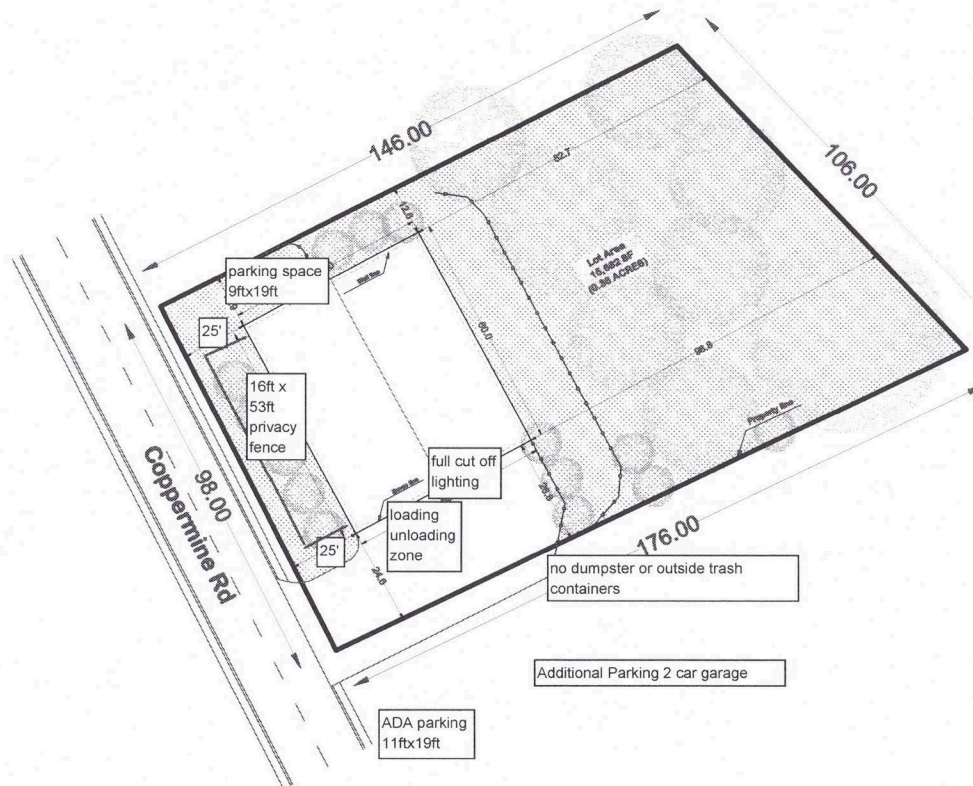


Parcel No. 18-00920-001
Address for site plan : 19040 Coppermine Rd
City ,State ,ZIP: Rogers ,AR 72756

Purpose of site plan:
Per.request of Benton county planning board ,To approve the building on our
property to continue to use it for our business that is a jet ski repair shop

Owner:
BANK ,ARVEST
Legal Info :

LOT C OF A PARCE OF LAND LYING IN TH NE 1/ 4OF THE
NE 1/ 4OF SECTION 16,TOWNSHIP 19,RANGE 28WEST ,
BENTON COUNTY ARKANSAS,
Land use cat : Residential Scale 1"= 30'



Benton County Planning Board

Stephen Torrez, Chair
Bob Bracy, Vice Chair
Vacant, Member
Bethany Rosenbaum, Member
Rick Williams, Member
Terry Maienschein, Member
Sean Collyge, Member



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**VARIANCE REVIEW
PLANNER'S TECHNICAL ADVISORY COMMITTEE REPORT
Schorpp Waiver
Admiral Nimitz Dr, Rogers AR 72756**

EXECUTIVE SUMMARY

The Benton County Planning and Development Regulations require any individual septic system servicing an improvement be located on the same legal property as the improvement. According to the owners, placing a septic on the lot with the proposed improvement (Lot 16) is impossible due to the proximity to the lake and the Arkansas Department of Health's setback requirements.

The property owner is seeking a waiver allowing them to place their septic system on a different lot than the improved lot (19).

PROJECT INFORMATION

Owner: Michael & Barbara Schorpp

Address of subject property (as assigned): Admiral Nimitz Dr

Parcel IDs: 15-06598-000, 15-06600-003

Parcel Area: 0.48 & 0.48 +/- acres

Current Land Use(s): Single Family Residential

Proposed Land Use(s): Single Family Residential

Attachments: The following drawings and documents are attached:

1. Vicinity Graphic
2. Context Map
3. Site Aerial
4. Applicant's Site Plans and Justification Statement

TECHNICAL REVIEW OF SITE PLAN

Parcel Information:

Site inspection and research against State assessment records show the property as a residentially assessed property.

Noticing Requirements:

On or before January 20, 2021, the applicant shall submit USPS certified mail receipts showing that written notice was sent to surrounding property owners regarding the February 3, 2021 Public Hearing.

On or before January 20, 2021, the applicant shall submit the required photographs verifying that the required public hearing notice signage along the property's frontage has been conspicuously posted on site.

Site Services – Sewerage Disposal:

All disposal system criteria must meet or exceed septic requirements as established by the Arkansas Department of Health.

Comment:

ADH has no objection to the the waiver as long as steps are taken to keep the parcels deeded together so that they can't be split from each other in the future. ADH specialists have determined that lot 16 is unsuitable, and the only option for building would be to place the septic on lot 19.

OUTSTANDING ITEMS:

1. On or before January 20, 2021, the applicant shall submit USPS certified mail receipts showing that written notice was sent to surrounding property owners regarding the January 20, 2021 Public Hearing.

2. On or before January 20, 2021, the applicant shall submit the required photographs verifying that the required public hearing notice signage along the property's frontage has been conspicuously posted on site.
3. Property owner shall complete the County require Minor Replat administrative review.

Prepared by: Madison Kienzle – County Planner

Reviewed by: Taylor Reamer – Planning Director

- f. Proposed development and variance required: in your own words, briefly specify the provision of the regulations where relief is sought and a justification for the request.

We purchased Lot 16 in 2001 with the intent to build our dream home there. We had the Septic permit revised & approved in 2004 by the AR dept of health so the Lot would be ready when time to build. Fast forward to 2020 and all of the rules have changed and ADH is saying permit ^{is} no longer good. We now need a 100' Setback from lake which makes a septic on Lot 16 impossible. We bought Lot 19 across Street from Lot 16 in 2020 and deeded the 2 lots together. Waiver needed to put septic on Lot 19.

Michael Schopp Barbara Schopp
Owner / Applicant

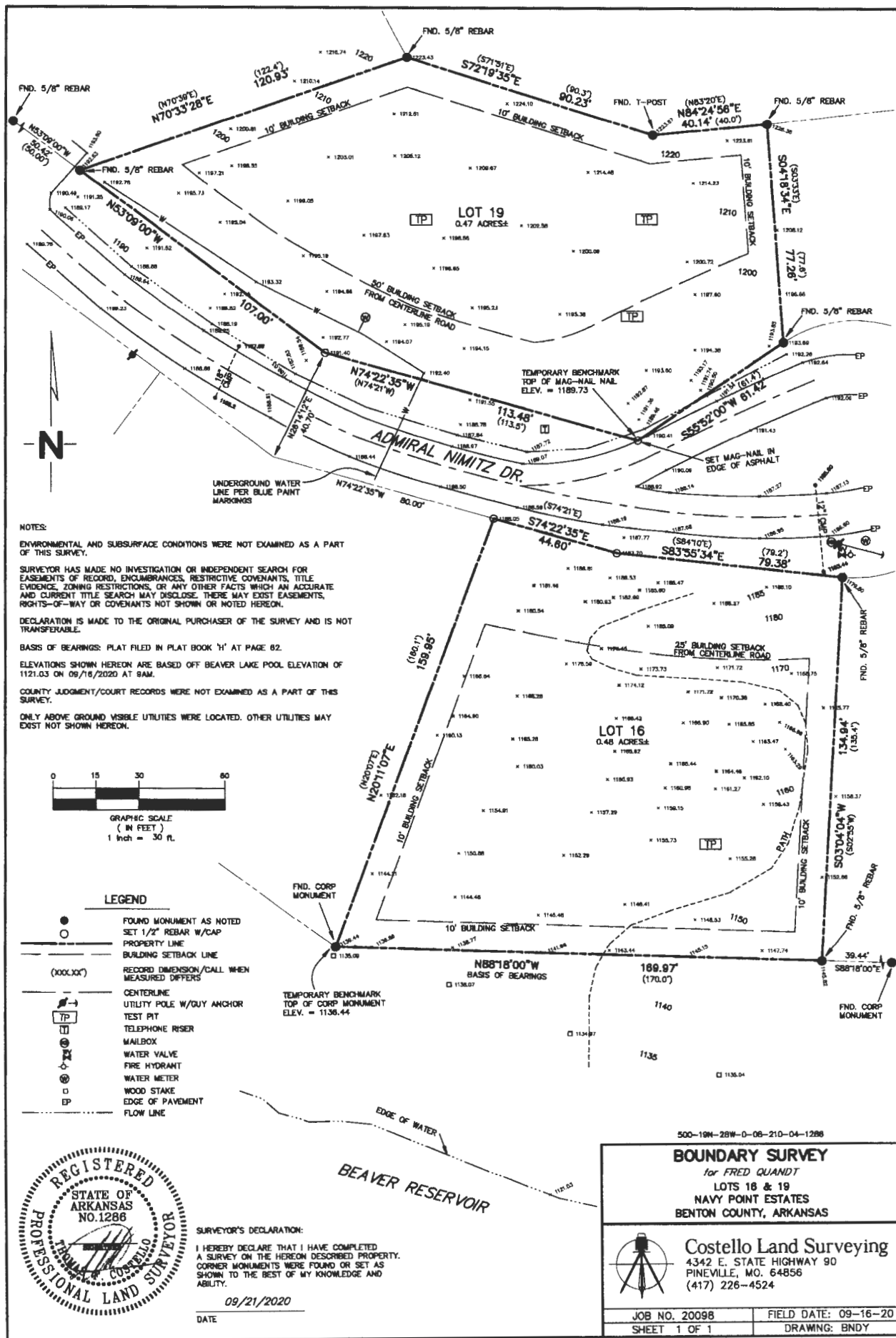
12-14-2020
Date

Schorpp Waiver
Vicinity Graphic



Schorpp Waiver
Vicinity Graphic





Here is a crude drawing to illustrate:

