



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
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**BOARD OF ADJUSTMENT
MINUTES
February 11, 2021**

MEMBERS PRESENT:

Hunter Fry
Andrew Curry
Hannah Cicioni
Aaron Smith
Mandel Samuels

OTHERS ATTENDING:

Lori Ericson, Zoning Administrator
Gloria Garcia, Zoning Technician

Hunter Fry called the meeting to order at 4:00 pm.

NEW BUSINESS:

21-04: Variance request by Chad White of White Mountain Construction on behalf of Brian Diessner to allow a retaining wall within the side setbacks at 60 W. Buckingham in Pinnacle Subdivision and the City's R-SF (Residential Single Family) zoning district.

Staff presented the request noting that extensive retaining wall is needed to level out the property for a pool and pool house.

Brian Diessner, property owner, stated that he wanted to maximize the amount of usable property, noting the steep slope of the lot. He said he'd like to reduce the setbacks to 2 feet on each side of the lot. He pointed out a similar retaining wall on the adjacent lot.

Chairman Fry asked if anyone in the public wanted to speak regarding the request. There were none. The public hearing was declared closed.

Andrew Curry inquired about the quorum needed and stated he may have a conflict that will cause him to recuse.

Mandel Samuels asked if neighbors had any objections to the planned retaining wall. Diessner stated that he had discussed his plans with the neighbor and there were no objections. He said the neighbor is also a member of the Pinnacle Homeowners Association committee on landscape and design that will review the plans if the city approves the request and will have a vote on that.

Citing no negative push-back from the neighbor most affected by the retaining wall, Hannah Cicioni made a motion to approve the variance.

Aaron Smith asked for clarification on the motion, noting the staff report is different from the two feet the applicant stated he wanted for the new setback. The Board discussed the site plan submitted that showed a 5-foot setback on the east side and a 4-foot setback on the west side.

Builder Chad White joined the discussion stating that a sewer line on the west side and the need for room for the footer for the retaining wall determined the numbers shown on the site plan. Diessner and the Board discussed procedure if he should decide to reduce the setbacks more.

Cicioni reiterated her motion for approval of the side setback reductions as listed in the staff report at 4 ft. and 5 ft., 1 in. Second by Smith.

Voice vote: 4-yes (Curry, disqualified) ***Motion carried***

APPROVED

ACTION ON MINUTES:

Previous minutes: January 28, 2021

Curry motioned to approve the minutes from January 28, 2021. Second by Smith.

Voice vote: Unanimous ***Motion carried***

APPROVED

Meeting adjourned at 4:23 pm.

As recorded by:

Gloria Garcia
Zoning Tech
Community Development Department
City of Rogers

Approved by vote of the Board of Adjustment on: Feb. 25, 2021