

**NORTH LITTLE ROCK**  
**BOARD OF ADJUSTMENT AGENDA**

**AUGUST 25, 2016**

**1:30 P.M.**

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**Agenda Meeting:**            Roll Call

**Reminder:**                    Turn off cell phones

**Administrative:**

**Approval of Minutes:**    July 28, 2016

**Public Hearings:**

1. BOA Case 2016-7. To install an accessory structure (outdoor kitchen facility) next to the garage and within 10' of the primary structure and pool located at 2 Lakewood Drive.

**Public Comment/Adjournment**

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# North Little Rock Board of Adjustment

## Minutes

July 28, 2016

The meeting of the North Little Rock Board of Adjustment was called to order by Chairman Carl Jackson at 1:30 P.M. in the Planning Office (Conference Room B).

### Members Present

Carl Jackson, Chairman  
Tom Brown  
Steve Sparr  
Andy Hight

### Members Absent

Mike Abele

### Staff Present

Shawn Spencer, Director of Planning  
Jimmy Pritchett, City Planner  
B.J. Jones, Secretary

### Others Present

Paula Jones, City of North Little Rock Legal Department  
Judy Monroe, 5509 Kari Hill Place, NLR, AR 72118  
Jason Burnett, 2208 Kansas Ave, NLR, AR 72118

### Approval of Minutes

Mr. Sparr formed a motion to approve minutes from the previous meeting of the Board in March.

Mr. Hight seconded the motion and there was no dissent.

Mr. Hight formed the motion to excuse Mr. Abele's absence.

Mr. Sparr seconded the motion and there was no dissent.

**Old Business**

None

**New Business**

1. **BOA Case 2016-5.** To allow a 17-foot front yard setback at an R-1 property located at 2208 Kansas Avenue.

Chairman Jackson swore in the applicant's representative, Jason Burnett.

Mr. Spencer showed pictures of the property and explained the applicant's request.

Mr. Burnett explained that the owners of the property are elderly and one has suffered from cancer and going through the chemotherapy treatments. He is in need of the wheelchair ramp and is requesting to enlarge and enclose an existing front porch so he can sit without being drained by the heat.

Mr. Spencer explained that the addition requested would extend the existing front porch eight feet, reducing the front building line by that amount.

Chairman Jackson asked for staff recommendations.

Mr. Spencer replied that there had been no objections from any neighbors and none were in attendance today, therefore staff supports the applicant's request.

Chairman Jackson asked why staff supported the request.

Mr. Spencer replied that the correct answer is because of the hardship. He added that it is not a problem as there are no sight issues created and it is not blocking any neighbors' view. If any neighbors had objected, it would be a different matter.

Mr. Hight formed a motion to approve the applicant's request.

Mr. Sparr seconded the motion and it was passed with a unanimous vote.

2. **BOA Case 2016-6.** To allow an 8-foot privacy fence in an R-1 property located at 5509 Kari Hill Place.

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Chairman Jackson swore in the applicant.

Mr. Spencer showed video of the property and explained that the request by the applicant would have been allowed if the adjacent apartment owners had asked for the same fence, as it would have been their rear yard fence. They would not get the permit for the fence so the applicant is left to deal with the apartment nuisance without their cooperation. The requested fence is in her side yard, requiring a variance.

Ms. Monroe added that her request is necessitated for safety and privacy as children from the apartments climb on the fence and roam through her yard and the rest of the neighborhood.

Mr. Hight formed the motion to approve the applicant's request.

Mr. Sparr seconded the motion and it passed with a unanimous vote.

**Administrative:**

None

**PUBLIC COMMENT/ADJOURNMENT:**

Mr. Hight moved for the Board to adjourn at 1:45pm.

Mr. Sparr seconded the motion and there was no dissent.

**PASSED: \_\_\_\_\_ RESPECTFULLY SUBMITTED:**

\_\_\_\_\_  
**CARL JACKSON, CHAIRMAN**

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**SHAWN SPENCER, DIRECTOR**

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CASE: BOA #2016- 7

REQUEST: to install an accessory structure (outdoor kitchen facility) next to the garage and within 10' of the primary structure and pool.

LOCATION OF THE REQUEST: 2 Lakewood Drive

APPLICANT/OWNER: Gene Riley

SITE CHARACTERISTICS: Residential Lot

ZONING: R-1

**SURROUNDING USES:**

- NORTH: Residential Single Family
- SOUTH: Residential Single Family
- EAST: Residential Single Family
- WEST: Residential Single Family

SUMMARY: The applicant has requested to allow construction of outdoor kitchen facility in the rear yard of the property. The proposed location is next to the existing garage which is north of the primary structure and is within the 10' foot setback requirements. North Little Rock Fire Marshal has approved the outdoor kitchen based upon proposed installation of a stainless steel heat deflector between the garage and the outdoor kitchen.

STAFF RECOMMENDATION: Approval with Fire Marshal's support.

**Conditions:**

1. Allow outdoor kitchen to be located next to the garage and within 10' of the primary structure and pool.
2. Provide stainless steel heat deflector between garage and outdoor kitchen.
3. Building permit to be obtained within 90 days.

**BOARD MEMBER'S CONSIDERATION**

1. Does the request authorize a use not allowed in the zone? No
2. Does the zoning ordinance, if literally interpreted deny the reasonable use of property? No
3. Is there something unique about the property that necessitates the variance? No.
4. Will the request injure the planned or appropriate use of adjoining property? No.
5. Will the variance weaken the general intent and purpose of the land use and zoning plan? No.
6. Will the variance be in harmony with the spirit of the ordinance? Yes.
7. Will a variance adversely impact health, safety and general welfare? The Fire Marshal is in support of this request.

August 1, 2016

City of North Little Rock Board of Adjustment  
North Little Rock Community Planning  
120 Main Street  
North Little Rock, Arkansas 72114

RE: Application for Variance for 2 Lakewood Drive, North Little Rock, AR 72116

Dear Members of the Board of Adjustment,

Please accept this letter of hardship in support of my application for a variance for my property located at 2 Lakewood Drive, North Little Rock, Arkansas 72116. I am seeking a variance for the purpose of constructing an outdoor kitchen in the back yard of my property. Due to the layout of my backyard, the only feasible and appropriate location for the outdoor kitchen is the planned location. The Assistant Fire Marshal, David Wilson, approved the plans for the project based on his conclusion that the planned outdoor kitchen would not create a fire safety hazard.

I appreciate the Board's consideration of this request.

Respectfully,

A handwritten signature in blue ink that reads "Gene Riley Jr". The signature is written in a cursive style with a large, stylized "R" and "Jr".

Gene Riley, Jr.



# North Little Rock Board of Adjustment



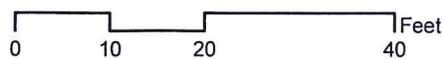
Proposed Cover

LAKEWOOD DR

**BOA CASE #2016-7**

Date: 7/28/2016

1 inch = 20 feet



User: jhale













