

North Little Rock Board of Adjustment

Minutes

June 26, 2014

The meeting of the North Little Rock Board of Adjustment was called to order by Chairman Carl Jackson at 1:32 P.M. in the Planning Office (Conference Room B).

Members Present

Carl Jackson, Chairman
Tom Brown, Vice-Chairman
Steve Sparr
Mike Abele
Andy Hight

Members Absent

None

Staff Present

Wade Dunlap, City Planner
B.J. Jones, Secretary

Others Present

Paula Jones, City of North Little Rock Legal Dept
Steve Mitchell, 404 W. 5th St., NLR, AR
Gladys Webb, 3404 Gribble St., NLR, AR

Approval of Minutes

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

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

Old Business

None

New Business

- 1. BOA CASE #1516** – Mrs. Gladys Webb, 2802 Gribble Street, legally described as Lots 1-4, Block 68, Topf's Subdivision – The request is to allow a 6 ft. chain link fence in the front yard.

Chairman Jackson swore in the applicant and asked Mr. Dunlap for video of the property.

Mr. Dunlap showed video of the property noting fencing that had been installed before the applicant had purchased the property. He pointed out a side entrance to the home and explained that the applicant considered the side facing the river to be the front of the home. He read from the zoning ordinance that by definition the front of the home would be the side facing the street. He explained that front yard fences over forty-two inches are not allowed. He added that the property has mixed zones of I-4 and I-2 and that the previous owner had gotten proper approval to build the home.

Mr. Brown asked where the front door is situated.

Ms. Webb replied that the door facing east is considered the main entrance, entering the kitchen.

Mr. Brown asked how tall a fence could be in the side yard.

Mr. Dunlap replied that a side yard fence could be six feet tall.

Mr. Brown express his opinion that the yard where the applicant wants to place the fence is a side yard, therefore she does not need permission from this Board.

Mr. Dunlap read the definition from the zoning ordinance to verify it is a front yard fence being requested.

Chairman Jackson asked the applicant to state her hardship.

She replied that they would like to tie in to existing fence and also to protect personal property parked at the location.

Chairman Jackson asked if the concern is security.

The applicant replied in the affirmative.

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

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

- 2. BOA CASE #1517** – Mr. Stephen Mitchell, 404 W 5th St, legally described as the north 95 ft. of lot 2, except the east 4 feet thereof, Block 4, Faucett's Addition – The request is to allow a rear setback of 16'2" for a room addition to the residence, a variance of 8'10" from the required 25 ft. in the R-2 zoning district.

Chairman Jackson swore in Mr. Mitchell.

Mr. Dunlap showed video of the property and explained that the property is in the Argenta Overlay District which does not require a certificate of appropriateness from the History Commission for projects not visible from the street. He added that staff supports the applicant's request due to the substandard size of the lot in comparison to current subdivision standards.

Chairman Jackson asked if approval is needed from the History Commission even if this Board approves the request today.

Mr. Dunlap replied in the affirmative.

The applicant noted that he had been in touch with the History Commission and there had been some question as to whether he should address the request with the Planning staff first or the History Commission. He plans on having an architect draw the project and that is a substantial investment without knowing if he might be approved or not.

Mr. Mitchell continued by expressing his love of the neighborhood and his home with its historic charm. He explained that that the requested room addition will expand his tiny kitchen and a rear bedroom along with adding an additional bathroom. He noted that all neighbors are in support of his request.

Mr. Brown asked the applicant if his hardship is the substandard lot size.

Mr. Mitchell replied in the affirmative.

Mr. Abele questioned the extended lot space in the rear to an alley.

Mr. Dunlap noted that there is an additional lot between the applicant and the alley, which does not belong to the applicant.

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

Mr. Abele seconded the motion.

Mr. Dunlap asked the applicant if the ninety days allowed to get a permit was adequate for his time schedule.

Mr. Mitchell expressed concern that it might not be enough, considering he needed time to address any concerns the History Commission might have.

Mr. Sparr amended his motion to include a six month extension of time for the applicant to get his permit.

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

Administrative:

Mr. Dunlap advised the Board that he had placed a handout on the table for them. He explained that it was from an APA refresher training the Planning Commission had attended and he thought it might be helpful to members of this Board as well.

PUBLIC COMMENT/ADJOURNMENT:

Mr. Brown moved for the Board to adjourn at 1:55pm. Mr. Sparr seconded the motion and there was no dissent.

PASSED: _____ RESPECTFULLY SUBMITTED:

CARL JACKSON, CHAIRMAN

ROBERT VOYLES, DIRECTOR