

# **North Little Rock Board of Adjustment**

## **Minutes**

**February 25, 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  
Mike Abele  
Andy Hight

### **Members Absent**

None

### **Staff Present**

Jimmy Pritchett, City Planner  
B.J. Jones, Secretary

### **Others Present**

Paula Jones, City of North Little Rock Legal Department  
Joe Fawcett, 4100 Dunkeld, North Little Rock, AR  
Elisei Cojocar, 3800 E. Broadway, North Little Rock, AR

### **Old Business**

None

**New Business**

1. **BOA Case #2016-3:** To allow a front and side yard 6' chain link fence with vertical or inclined inward barb wire (total 7' tall) located at 3800 East Broadway.

Chairman Jackson swore in the applicant and asked him to state his name and address for the record.

Mr. Pritchett showed pictures of the property.

Chairman Jackson asked the applicant to point out on the drawings what he is asking permission to install.

Mr. Brown asked to see the existing fence in the pictures.

Chairman Jackson asked the applicant to state a hardship.

Mr. Cojocaru explained that he needed the requested fencing for security. He added that there is a lot of traffic in the area and much of it uses his property as a way to shortcut. He explained that they use the property as a street and he needs to protect his equipment.

Mr. Brown asked the applicant to specify where he wanted to install the barb wire.

Mr. Cojocaru noted that the neighboring property has barb wire. He noted that he is not installing barb wire on Broadway and is not enclosing his third building, but only the middle section of the property.

Mr. Brown asked what kind of business operated at the location.

The applicant replied that he is a stucco contractor.

Mr. Abele asked if the drawing in the Board's packet is an accurate representation of what the applicant is requesting.

The applicant replied in the affirmative.

There was additional discussion regarding the fence placement and location of gates with the applicant indicating on the drawings what his intentions are.

Chairman Jackson noted several properties with similar fencing in the area, but was not sure how recently any had been approved.

He added that the Fire Marshal office would need to approve any requests to be sure their lock box access is included.

Mr. Hight added that staff shows they recommend approval of the applicant's request.

Chairman Jackson informed the applicant of conditions staff had placed on their favorable recommendation and the applicant agreed to the terms.

Chairman Jackson asked staff if the applicant should contact the Fire Marshal office.

Mr. Pritchett replied in the affirmative.

Chairman Jackson asked staff to assist the applicant in the process.

Mr. Pritchett agreed.

Mr. Hight formed a motion to approve the applicant's request with the condition he must meet staff recommendations.

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

2. **BOA Case #2016-1:** To allow a 10' front yard building setback located at 3709 Phyllis Court.

Chairman Jackson swore in the applicant and asked him to state his name and address for the record.

Mr. Fawcett responded that he is in attendance to represent Mr. Guzman.

Chairman Jackson asked the City Planner to display the photographs of the property and asked the applicant to state his hardship.

Mr. Fawcett replied that the expansion of the business building is needed due to growth in the business and to enhance the appearance of the entrance to the business.

Mr. Brown asked why they would not simply expand to the rear of the property, where it is allowed without the variance.

Mr. Fawcett responded that the pictures are not a good representation of what is going on at the property.

Mr. Brown asked if they might consider moving the entrance and building in the rear.

Mr. Fawcett replied that he was not sure without Mr. Guzman's input.

There was additional discussion about other options to relocate the entrance or build in the rear of the property.

Mr. Sparr noted that the existing building already encroaches on the forty foot building line.

Mr. Brown asked how long the business has been at the present location.

Mr. Fawcett replied that they had been there for three years.

Chairman Jackson noted that staff has stated they cannot support the applicant's request, as the request also includes building over a sewer easement.

Mr. Brown explained that building over a sewer easement required the owner to remove the structure in the event of sewer issues / problems.

Mr. Hight suggested this case be postponed to next month's meeting so Mr. Guzman could attend, considering it seems to be more complicated than the applicant might have anticipated. The owner should have the opportunity to address suggestions from this Board.

Mr. Hight formed the motion to postpone

Mr. Fawcett agreed the sewer easement is a problem and was not sure if the owner is aware of the issue. He added that the property already has sewer problems.

Mr. Pritchett indicated that the owner had previously been in discussions with Mr. Spencer who was not in attendance at today's meeting.

Chairman Jackson suggested the owner contact Mr. Pritchett.

Mr. Abele seconded the motion that was already on the table.

The Board voted unanimously to postpone the case to next month to allow the owner to be in attendance.

**Administrative:**

Chairman Jackson advised the Board that it is time to elect officers of the Board for the new year.

Mr. Brown nominated Carl Jackson to continue as Chairman of the Board. There was unanimous agreement from the Board.

Mr. Sparr nominated Tom Brown to continue to serve as Vice Chairman of the Board. There was unanimous agreement from the Board.

Chairman Jackson noted a needed correction in the minutes from the December 2015 meeting of this Board.

In Case # 2015-2, the second line in the agenda states “within 10” from the primary structure” and should be changed to 10’.

Mr. Hight formed a motion to correct the error.

Mr. Brown seconded the motion and the Board was in unanimous agreement.

**PUBLIC COMMENT/ADJOURNMENT:**

Mr. Hight moved for the Board to adjourn at 2:00pm.

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

**PASSED:** 03/31/16 **RESPECTFULLY SUBMITTED:**



**CARL JACKSON, CHAIRMAN**



**SHAWN SPENCER, DIRECTOR**