

# **North Little Rock Board of Adjustment**

## **Minutes**

**August 25, 2016**

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

### **Members Present**

Mike Abele  
Tom Brown  
Steve Sparr

### **Members Absent**

Carl Jackson  
Andy Hight

### **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  
Gene Riley, #2 Lakewood Dr., NLR, AR

### **Approval of Minutes**

Mr. Sparr formed a motion to approve minutes from last month's meeting of the Board.

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

### **Old Business**

None

## **New Business**

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.

Vice-Chairman Brown swore in the applicant and asked him to state his hardship.

Mr. Pritchett showed pictures of the property and the outdoor kitchen which had been started without a permit.

Mr. Riley explained that he had installed the outdoor kitchen just outside the back door for convenient access to utilities located in the garage wall.

Mr. Brown again asked the applicant to state a hardship.

Mr. Riley added that it would have been more difficult and expensive to pull utility access to the other end of the garage and more difficult for his aging parents to gain access to the outdoor kitchen.

Mr. Brown asked the applicant if he had gotten a permit to do the work.

Mr. Riley replied in the negative.

Mr. Brown asked why he had not gotten a permit for the project.

Mr. Riley explained that he was out of town a lot and the contractor he hired did not get a permit. He added that upon his return home, he noticed a permit at a neighbor's home and asked where the permit for this project is located. Upon learning that there was no permit, he came to the Planning office to obtain one and learned that the footprint for the project would require a variance from this Board.

Mr. Brown advised the applicant that a hardship was needed for a variance and thus far no acceptable hardship had been stated. He asked the Planning Director to read the definition of a hardship.

Mr. Spencer obliged, explaining that a hardship was not created by the owner but was unique to the property.

Mr. Riley noted that he had contacted the Fire Marshal for input and they had asked that he shield the garage from the heat of the grill with a stainless steel heat deflector.

Mr. Spencer added that the topography of the lot and the layout of existing trees limited space for the location of the kitchen.

Mr. Sparr formed a motion to grant the applicant's request as long as he honored the requests made by the Fire Marshal.

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

**Administrative:**

Mr. Spencer referred the Board to the staff recommendations in the packet issued them before the meeting. He explained that approving an applicant's request would be approving those staff recommendations unless they are specifically modified or excluded.

**PUBLIC COMMENT/ADJOURNMENT:**

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

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

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

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**TOM BROWN, VICE-CHAIRMAN**

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**SHAWN SPENCER, DIRECTOR**