O-20-71

ORDINANCE NO. ____

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN ELECTRIC FENCE IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 117 S. SMOTHERS STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; GRANTING WAIVERS OF THE ELECTRIC FENCE REQUIREMENTS OF SECTIONS 5.11.10.D, 5.11.10.F, AND SECTION 5.11.10.J OF THE ZONING ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Amarok LLC, 550 Assembly Street, 5th Floor, Columbia, South Carolina 29201, seeking a conditional use for property located at 117 S. Smothers Street to allow a 10-foot tall electric fence in an I-2 zone (see letter of request attached hereto as Exhibit A); and

WHEREAS, the applicant is seeking waiver of the electric fence requirements of Section 5.11.10.D of the Zoning Ordinance, to allow an existing chain link fence to remain, of Section 5.11.10.F, to allow for the electric fence to extend into the front yard, and of Section 5.11.10.J, to allow the electric fence to be extended 4 feet above the perimeter fence; and

WHEREAS, the request has not been reviewed by the Planning Commission, and the applicant is seeking approval from the North Little Rock City Council; and

WHEREAS, a sign was placed on the property and proper notice has been given to property owners within 200 feet of the subject location; and

WHEREAS, a legal advertisement of notice of a public hearing to be held August 10, 2020 at 6:00 p.m. has been placed in the newspaper.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That a conditional use is approved for a 10-foot electric fence in an I-2 zone for the subject real property located at 117 S. Smothers Street in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Lots 7 through 12, Block 5 and Lots 11 and 12, Block 8 in the Loomis Subdivision in the City of North Little Rock, Pulaski County, Arkansas

SECTION 2: That this conditional use shall be subject to the following:

1. Electric fences shall be constructed or installed in conformance with the specifications set forth in International Electro technical Commission (IEC) Standard No. 60335-2-76

2. The energizer for electric fences must be driven by a commercial storage battery not to exceed twelve (12) volts DC. The storage battery is charged primarily by a solar panel. However, the solar panel may be augmented by a commercial trickle charger.
3. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of IEC Standard No. 60335-2-76.
4. There shall be a disarm switch or other device (approved by the Police and Fire Departments) on the outside of the perimeter fence within two (2) feet of the primary gate or opening.
5. Electric fences shall be installed on the interior of a perimeter fence and be located six (6) inches from the perimeter fence.
6. No electric fence shall be installed or used unless it is surrounded by a perimeter fence that is not more than eight (8) feet in height
7. The maximum height for a perimeter fence in the rear or side yard shall be eight (8) feet.
8. Electric fences shall be allowed to extend four (4) feet above the perimeter fence with the maximum height of ten (10) feet. (Changed to reflect alteration of Section 5.11.10.J of the Zoning Ordinance)
9. Fences shall not utilize barbed wire or concertina wire.
10. Warning signs: Electric fences shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of thirty (30) feet with at least one (1) sign on each exterior perimeter side of the fence.
11. No electric fence shall be installed until after commercial plans review from the City that the plans for the fence meet the requirement of this ordinance and an electric fence permit is obtained. The commercial plans review shall be $30.00. An electric fence permit shall cost $150.00.
12. Requests to vary from the above requirements shall be heard by the North Little Rock City Council

SECTION 3: That the following sections of Ordinance No. 9263 (the "Zoning Ordinance") is hereby waived for the subject property to allow an existing chain link abutting residential zoned property to remain:

Section 5.11.10.D – Special Provisions: Electric Fences

D. When abutting a residential zoned property or a residential used property, the perimeter fence shall be an opaque wood privacy fence with the finished side facing the abutting property.

SECTION 4: That the following section of Ordinance No. 9263 is hereby waived for the subject property to allow the electric fence to extend into the front yard of the property:

Section 5.11.10.F – Special Provisions: Electric Fences

F. Electric fences shall be permitted in the rear and side yards of industrial zoned properties with areas of outdoor storage or display.

SECTION 5: That the following section of the Zoning Ordinance is hereby altered for the subject property to allow the electric fence to extend four (4) feet above the perimeter fence:

Section 5.11.10.J – Special Provisions: Electric Fences

J. Electric fences shall be allowed to extend two (2) feet above the perimeter fence with the maximum height of ten (10) feet.

SECTION 6: That all ordinances or parts of ordinance in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 7: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 8: It is hereby found and determined that the electric fence as described herein is compatible with other businesses in the area and that the conditional use is immediately necessary in order to insure the proper and orderly growth and development of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare, THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

Mayor Joe A. Smith

Council Member Maurice Taylor

Council Member Ron Harris

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:35 A.M. _____ P.M.

By Amy Fields, CA

DATE 8-4-20

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY

EXHIBIT
A

AMAROK
ULTIMATE PERIMETER SECURITY

550 Assembly St., 5th Fl. Columbia, SC 29201

July 15, 2020

Mayor and Councilmembers,

RE: 117 S Smother Street
AMAROK, formerly Electric Guard Dog Security Installation
Letter of Request

We are requesting for approval to install a 10' tall, 12V/DC battery operated, pulsed and monitored, electric security fence for SPEC Building Materials located at 117 S Smother Street. Our system will be installed 6 inches inside/behind the existing perimeter fence and marked with warning signs at intervals of 30 feet. The system shall be constructed or installed in conformance with the specifications set forth in International Electro technical Commission (IEC) Standard No. 60335-2-76

The EGD electric fence/security system prevents crime and break-ins nationwide as is needed to protect the above referenced property.

If you have any questions, please feel free to reach out to me by phone or email using the information below.

Thank you for your consideration.

Sincerely,

AMAROK
ULTIMATE PERIMETER SECURITY

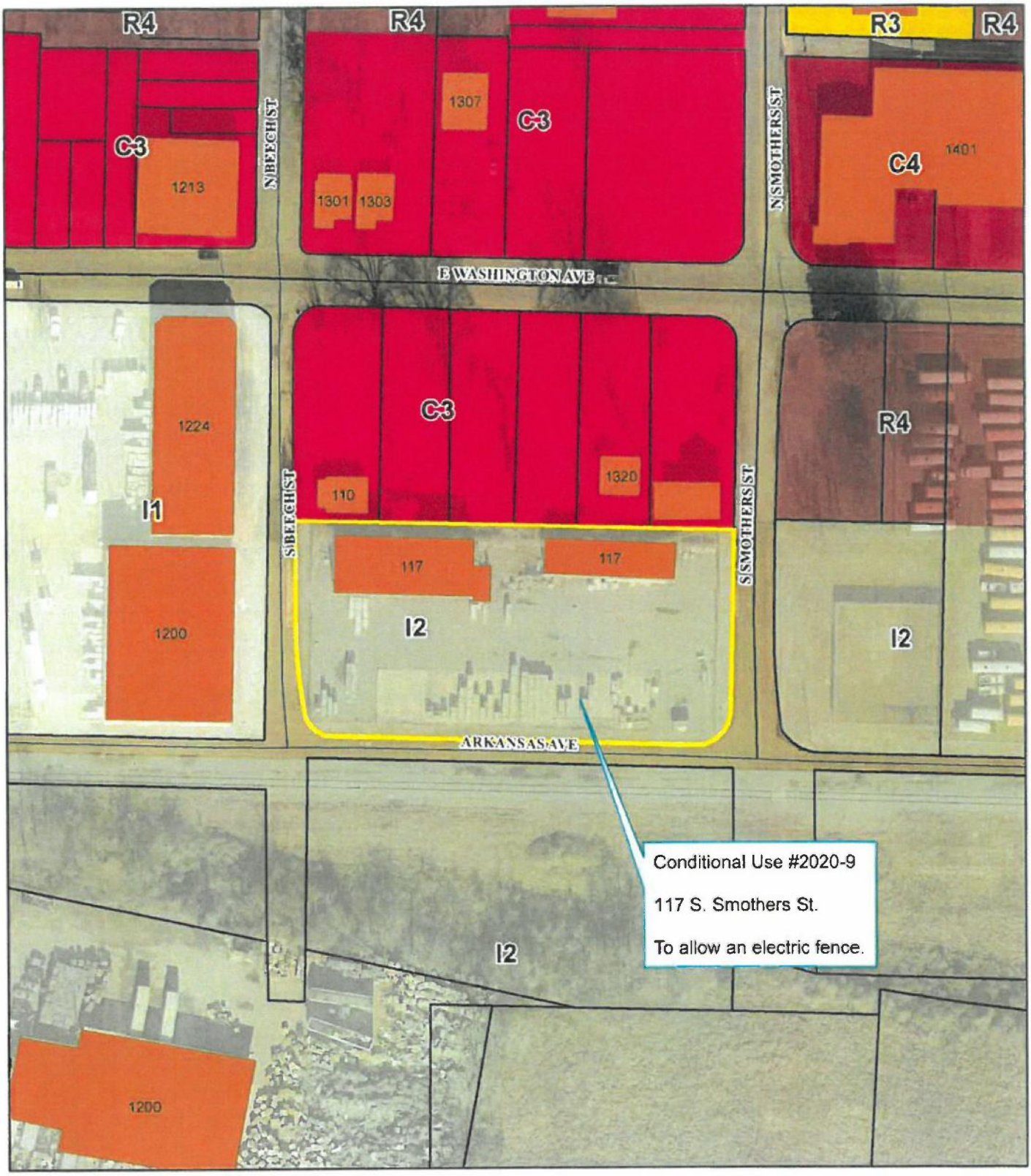
Nikki Huggins
Compliance Manager
AMAROK, LLC
Direct: (803) 978-5828
Cell: (803) 683-1442
nhuggins@amarok.com
AMAROK formerly known as Electric Guard Dog

EXHIBIT

tabbies

B

Conditional Use #2020-9



Zoning Map

1 inch = 100 feet

0 50 100 200 300 Feet

N W E S

Date: 7/22/2020

Conditional Use #2020-9

Ortho Map

1 inch = 50 feet

0 25 50 100 150 Feet

N W E S

Date: 7/22/2020

GRAPHIC SCALE

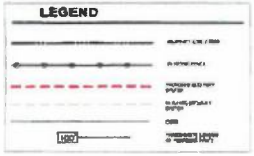
1 inch = 40 ft.

SITE PLAN
REQUEST TO AUTHORIZE A SECURITY SYSTEM FOR: SPEC BUILDING MATERIALS 117 S SMOTHER STREET NORTH LITTLE ROCK, AR 72114

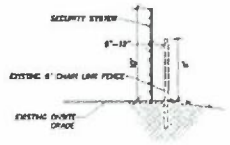
PROJECT DATA

APN:	[illegible]
ACREAGE:	1.07 ACRES
ZONING:	I-3

LEGEND



SITE PLAN
SCALE : 1" = 40'-0"



1 / C1 EXISTING PERIMETER FENCE SECTION
SCALE : NTS.

FULL LEGAL DESCRIPTION

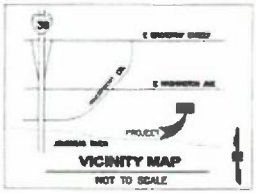
[illegible]

NOTES

POLE LOCATIONS:
STEEL POLES TO BE LOCATED APPROXIMATELY ON EACH SIDE OF GATE(S) & EVERY 40' (OR GREATER) TURN IN FENCE LINE. FIBERGLASS/INTERMEDIATE POLES TO BE LOCATED APPROXIMATELY EVERY 10'

DISCLAIMER:
POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS

STORM DRAIN:
NO STORM DRAIN IS BEING PROPOSED AS PART OF THIS PROJECT.



#	DATE / DESCRIPTION

AMAROK
ULTIMATE PERIMETER SECURITY

PROJECT: SPEC BUILDING MATERIALS
117 S SMOTHER STREET
NORTH LITTLE ROCK, AR 72114

SHEET TITLE: SITE PLAN

DATE: JUN 08, 2020

SCALE: SEE PLAN

SHEET C1 of 3