O-21-88

ORDINANCE NO. ____

AN ORDINANCE GRANTING WAIVERS OF THE ZONING ORDINANCE TO ALLOW VARIANCES OF BUILDING REQUIREMENTS AND GRANTING A CONDITIONAL USE TO ALLOW AN ACCESSORY DWELLING UNIT IN AN R2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3123 NORTH OLIVE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, a request was duly made by Peggy J. Grenard, seeking variances to allow improvements on an existing building on the herein described land (see Construction Narrative attached hereto as Exhibit A), was duly considered and recommended for approval (8 affirmative votes; 1 against) by the North Little Rock Planning Commission at a regularly scheduled meeting held thereof on September 14, 2021.; and

WHEREAS, the applicant is also seeking a conditional use for property located at 3123 North Olive Street to allow an accessory dwelling unit in an R2 zone, which application was duly considered and approved (8 affirmative votes; 1 against) by the North Little Rock Planning Commission at a regularly scheduled meeting held on September 14, 2021.

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

SECTION 1: That the waivers to allow certain variances are hereby approved for the improvements of an existing building on property located at 3123 North Olive Street (more particularly described as Lot 11 and the North 1/2 of Lot 12, Block 30 in the Park Hill Addition to the City of North Little Rock, Pulaski County, Arkansas) (see maps attached hereto as Exhibit B) as follows:

(a) The requirement for the structure to be 10 feet from the property lines is hereby waived.
(b) The requirement for the structure to be built as a dwelling unit is hereby waived.

SECTION 2: That a Conditional Use is approved for an accessory dwelling unit in a R2 zone for the subject real property located at 3123 North Olive Street in the City of North Little Rock, Pulaski County, Arkansas.

SECTION 3: That this Conditional Use shall be subject to the following:

1. Building Codes: meet all residential building codes listed in Chapter 4, Section 1.1.1 of the North Little Rock Municipal Code.
2. Zoning Districts: only be permitted within R1, R2, R3, and R4 Zoning Districts.
3. Existing Dwelling: only be permitted on a platted lot with one (1) existing owner-occupied, single-family dwelling.
4. Lot Size: only be permitted on platted lots of nine thousand (9,000) square feet or greater.
5. Location: be located in the rear yard of the platted lot.

6. Setbacks: be located ten (10) feet from any other structure or property line. ***(variance – existing structure sits 4' 5" from the side property line and 5' 5" from the rear property line.)***
7. Lot Coverage: be limited to no more than fifty (50) percent lot coverage of the rear yard buildable area.
8. Construction Limitation: only be permitted within a single-story structure designed and constructed for the intended use as an accessory dwelling unit and must contain kitchen and bath facilities to facilitate habitation independent from the principal building. ***(variance – building is an existing accessory structure)***
9. Maximum Occupancy: be limited to an occupancy of one (1) family.
10. Number Allowed: be limited to one (1) accessory dwelling unit per platted lot.
11. Parking: provide one (1) off-street parking space that is located adjacent and abutting to the existing required parking lot area for the owner-occupied, single-family dwelling.
12. Utilities: require gas, water and electric utilities to be metered with the owner-occupied single-family dwelling.
13. Any structures located on the lot shall meet all applicable Federal, State, County, and City requirements and codes.

SECTION 4: That all ordinances or parts of ordinance in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5: 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 6: It is hereby found and determined that the conditional use as described herein is compatible with other businesses in the area and 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 Terry C. Hartwick

SPONSOR:

Debi Ross

Council Member Debi Ross

ATTEST:

Diane Whitbey, City Clerk

Nathan Hamilton

Council Member Nathan Hamilton

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:45 A.M. _____ P.M.

By A. Fields

DATE 9.21.21

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

RECEIVED BY S. Lissery

EXHIBIT

tabbies

A

19 JULY 2021

PROJECT: OLIVE STREET ADU

TOPIC: CONSTRUCTION NARRATIVE

REFERENCE DOCUMENTS:

- SITE PLAN
- AS-BUILT FLOOR PLAN
- FLOOR PLAN

- **General Comments:**

This narrative is intended to better explain the full scope of the accessory dwelling unit (ADU) project before a full construction set is produced. It will provide better insight into the conditions of the existing building as well as providing detailed information on the future assemblies for both the existing building and the addition. Last, it will broadly describe the types of finishes and fixtures for the final building.

- **Existing Building & Demolition**:

The existing building was originally built as a workshop and storage building by a previous owner of the property. For this project, we would remove the exterior siding, interior drywall, and existing insulation leaving only the framed walls in place. This will allow us to rough in for new electrical and plumbing more easily. It also allows us to reinsulate the building more thoroughly and verify it meets current codes. The existing roof is framed with prefabricated 2x4 roof trusses tightly spaced together. Budget permitting, we would remove the existing roof and reframe a clear spanning gable roof to allow for vaulted ceilings inside the space. All existing windows, doors, and other relevant building materials will be carefully removed and donated as possible. There is an existing concrete slab along the east side of the existing building that will be removed and replaced with a lawn and landscaping.

- **Foundation**:

The existing foundation is a slab on grade construction that appears to be in good condition (i.e. no large cracks, no evidence of uneven settling on a major scale). The future load on the foundation will be almost identical to the one-story load it is currently supporting. The addition will require a new concrete slab foundation that will match the floor level of the existing slab. The addition has been designed to house all the plumbing for the building which will be incorporated

into the new slab design. This allows us to keep the existing slab intact which keeps costs down and doesn't undermine existing structural capacity.

- **Structure**:

  As possible, the existing framed walls will remain in place and be modified to allow for new windows and doors. The east wall will be almost entirely removed to allow for the addition. The addition will be framed with 2x4 wood studs to match the existing building. The new interior walls will be framed with 2x6 wood studs to better accommodate the new plumbing. All exterior walls will receive new insulation to meet current building codes. The roof will also receive new R-38 insulation whether we are able to reframe or leave the existing in place.

- **Windows and Doors**:

  All existing windows and doors will be carefully removed and donated. New double paned, low-E windows and a new full lite door will be installed. The window and door frames will likely be wood, fiberglass, or thermally broken aluminum. The north face of the roof will receive two skylights over the bedroom area and one over the bathroom.

- **Electrical:**

  The ADU will be metered with the existing main residence. The main house currently has a 100-amp service. As part of this project, the main house's service will be upgraded to a 200-amp service at a minimum. The existing workshop currently contains a sub panel fed from a single 240V circuit installed underground from the main house's panel. As part of this project, additional circuits will be added as needed to handle additional load, as the existing sub panel in the ADU will be expanded. Existing wiring will be replaced as needed to ensure all current electrical codes are met. Additionally, new outlets will be added in any locations where required by code. Kitchen appliances, laundry facilities, and the mechanical system will be electrical; no natural gas will be supplied to the building.

- **Mechanical:**

  The existing building is being conditioned by a window unit A/C which will be removed during demo. The new ADU will receive a new HVAC system, most likely a mini-split heat pump unit best sized to meet the demands of the building. If budget allows, an under floor radiant heat system will be installed as well.

- **Plumbing:**

  The existing building currently has no plumbing. All the new plumbing will be housed in the addition to allow for new water lines and drains as needed. The ADU will contain a kitchen complete with sink, dishwasher, and refrigerator with ice maker. There will also be a full bathroom with sink, toilet, shower, and washer/dryer combo. There will also be a new hose bib to accommodate exterior water needs.

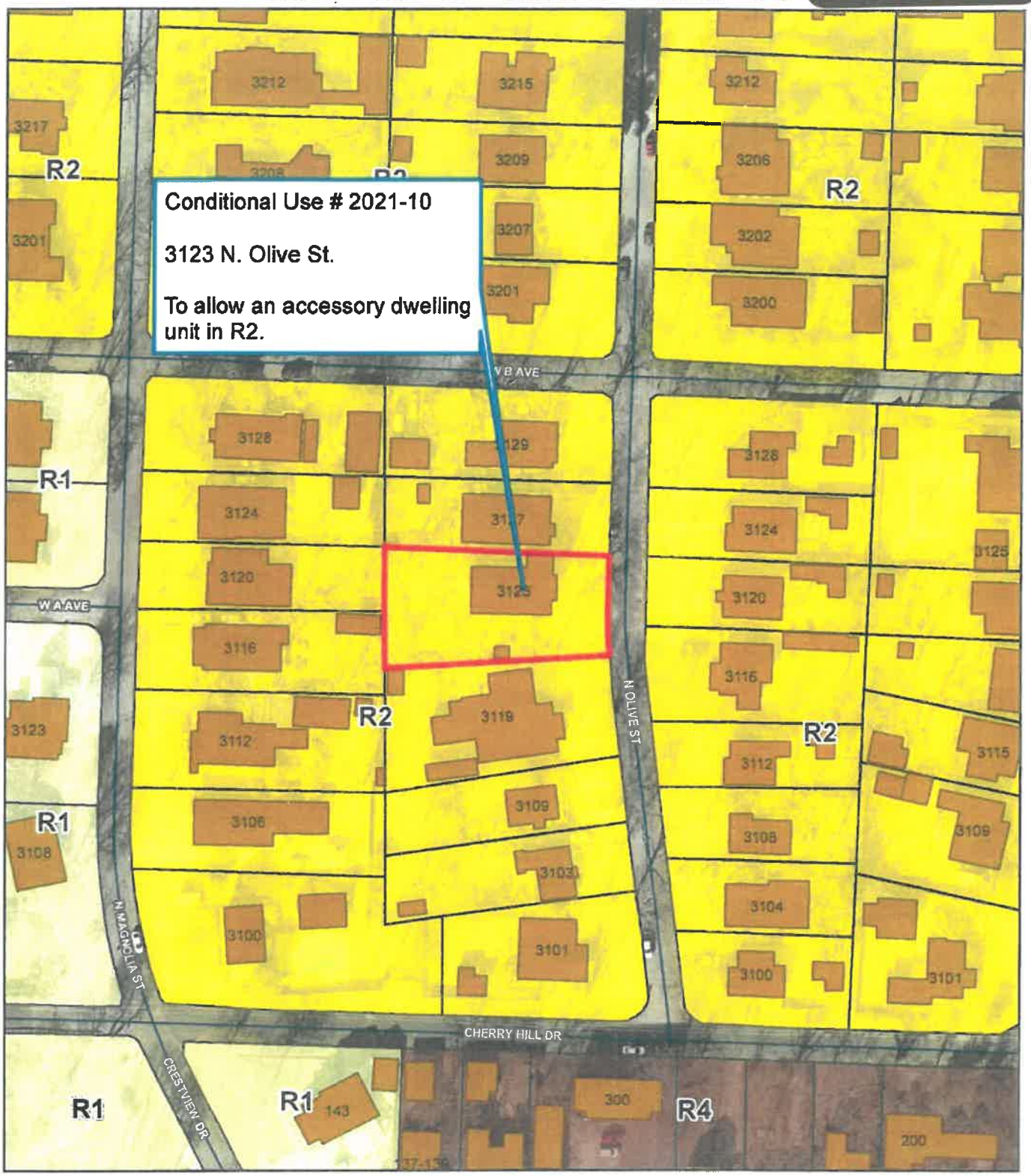
- **Exterior and Landscape:**

  The new ADU will have parking provided in the front of the main residence via an existing concrete parking area adjacent to the existing driveway. This allows for two tandem parking spots for the main residence. The existing wood privacy fence will be modified to accommodate a new entry gate for the resident of the ADU. There will be a new wood deck on the south side to provide access to the front door. The exterior of the building will be covered with stucco, budget permitting, to match the exterior accents on the main residence. The alternate selection would be a horizontal siding such as wood or cementitious board.

EXHIBIT

B

Conditional Use # 2021-10



Zoning Map

1 inch = 100 feet

0 45 90 180 Feet

N W E S

Date: 7/20/2021

Map is not to survey accuracy

Conditional Use # 2021-10

Ortho Map

1 inch = 30 feet

0 15 30 60 Feet

N W E S

Date: 7/20/2021

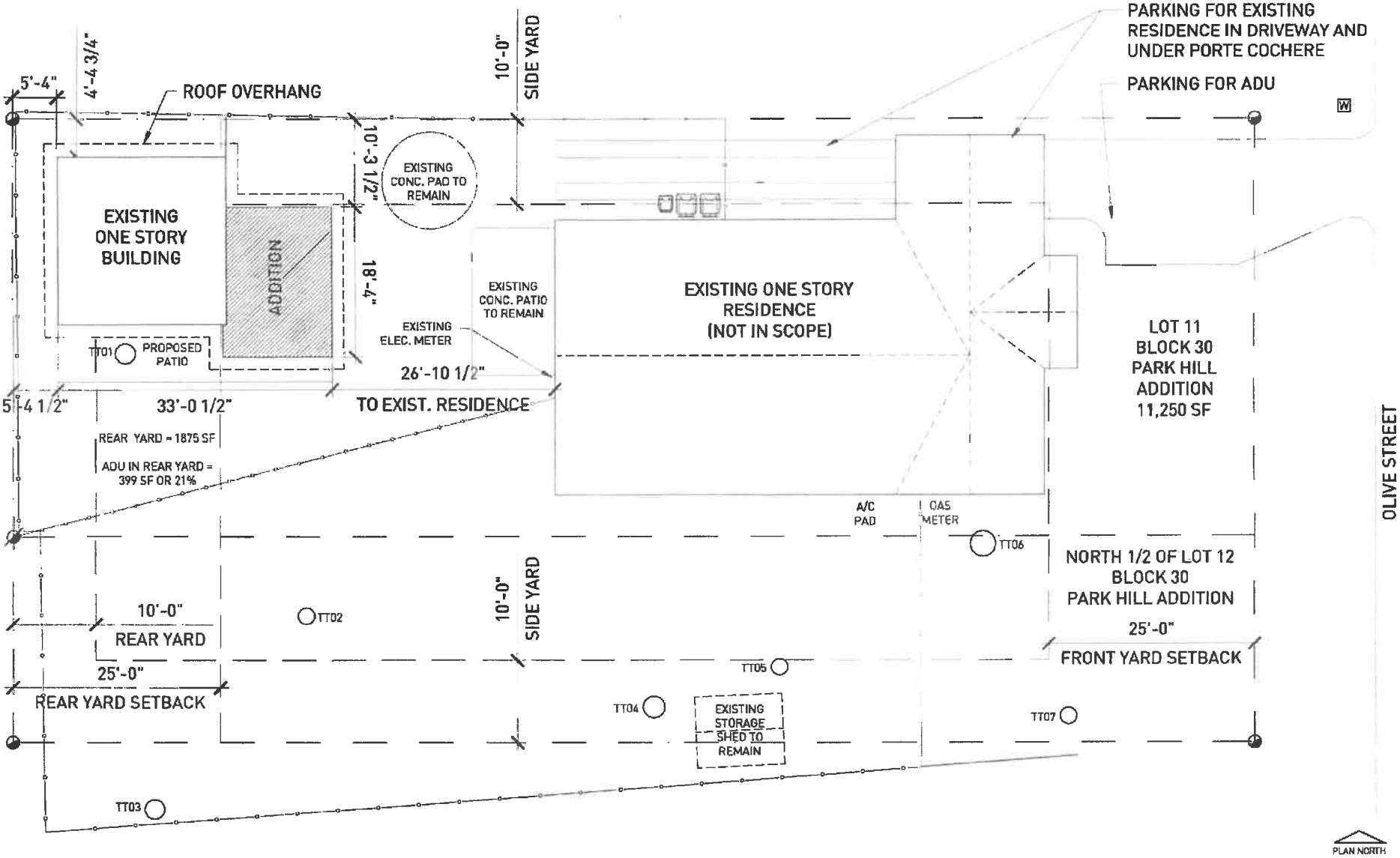
Map is not to survey accuracy

LEGAL DESCRIPTION

LOT 11 AND THE N 1/2 OF LOT 12, BLOCK 30, PARK HILL ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS.

THIS PROPERTY IS NOT IN THE 100 YEAR FLOOD PLAIN AS PER PANEL 6 OF 9 FOR NORTH LITTLE ROCK, AR. COMMUNITY-PANEL #050182 006 D, DATED SEPTEMBER 5, 1990 IN ZONE X.

ZONING DISTRICT: R2

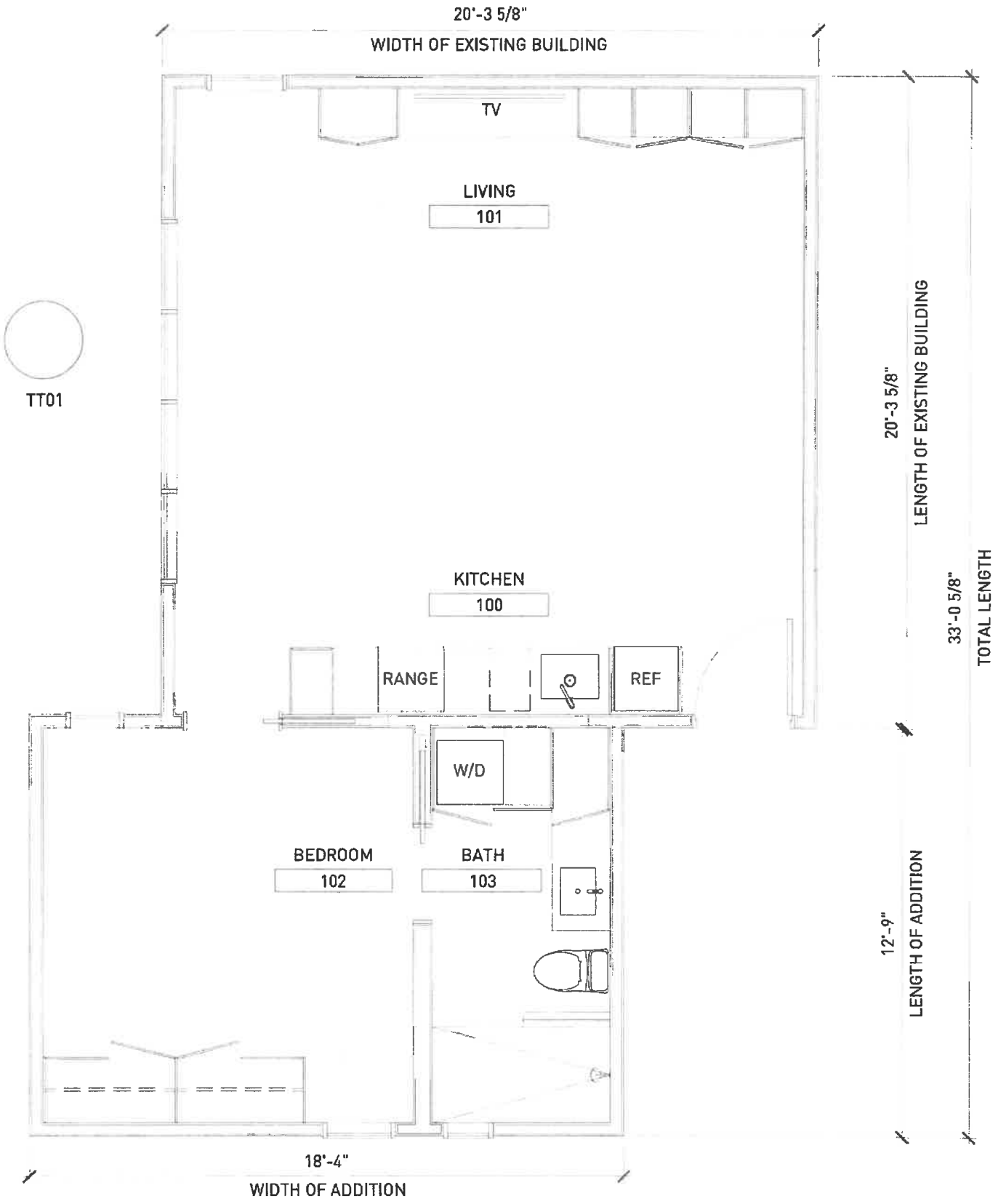


3123 N. OLIVE STREET

NORTH LITTLE ROCK, AR 72116

SITE PLAN

SCALE: 1/16" = 1'-0"



3123 N. OLIVE STREET

NORTH LITTLE ROCK, AR 72116

PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"

PLAN NORTH

NORTH