



City of North Little Rock
Board of Zoning Adjustment Agenda
Thursday, January 27, 2022 - 1:30 PM
City Council Chambers – 300 Main Street, NLR, AR 72114

Call to Order -

Roll Call and finding of a Quorum -

Approval of Minutes - December 30, 2021

Public Hearing Items -

BOA#2022-01, Waldo's Chicken and Beer, located at 4221 Warden Road, North Little Rock, AR 72116, a variance request from the area provisions of Section 14.25 of the North Little Rock Zoning Ordinance (Sign Ordinance) to allow the placement of a wall sign without public street frontage.

BOA#2022-02, located at 413 W 22nd Street, North Little Rock, AR 72114, a variance request from the area provision of Section 4.1.4.C to allow the placement of an accessory structure within the front yard, a proposed carport structure, of an existing single-family home.

BOA# 2022-03, Count Porkula, located at 10840 Maumelle Boulevard, North Little Rock, AR 72113, a variance request from the area provision of Section 4.2.5.C to allow the placement of an accessory structure within the rear yard setback, a smokehouse, for a restaurant currently in renovation.

BOA# 2021-22, located at 1 Lakewood Drive, North Little Rock, AR 72116, request for a 6-month time extension of the Boards approval to secure a building permit.

Administrative –

Public Comment -

Adjournment –

Reminder -

- Turn off cell phones
- Board of Adjustment Hearing procedures on back of the Agenda
- Visitors sign-in with both name **and** address

Next Board of Zoning Adjustment Hearing – February 24, 2022 - Filing Deadline February 1, 2022

For the Board to grant a variance the applicant must first establish a hardship. A hardship should not be created by the owner, it should be due to unique circumstances existing on the property. For example, it must be demonstrated a strict enforcement of the Zoning Ordinance would prohibit the development of the property or no reasonable use of the property can be made.



**NORTH LITTLE ROCK
BOARD OF ZONING ADJUSTMENT
HEARING PROCEDURES
(1/1/2019)**

Order of the Public Hearing: The regularly scheduled public hearing is generally held on the last Thursday of each month at 1:30 PM in the City Council Chambers, 300 Main Street, North Little Rock, AR. All meetings are open to the public. Typical hearings begin with roll call and finding of a quorum, approval of the previous meeting minutes, correspondence and staff reports, committee reports, unfinished business, new business, public comment and adjournment.

Voting: There are five members of the Board. A quorum consists of three members present. "Robert's Rules of Order" apply unless the Board has outlined alternative procedures. All business must be approved by a minimum of three votes.

Procedure to allow a person to address or approach the Board:

1. No person shall address or approach the Board without first being recognized by the Chair.
2. After being recognized, each person shall state their name and address for the record.
3. All questions and remarks shall be addressed through the Chair.
4. All remarks shall be addressed to the Board as a whole and not to any individual Board member.
5. When a group of citizens are present to speak on an item, a spokesperson may be selected by the group to address the Board. If multiple individuals of the group desires to speak, the Chair may limit each presentation to three minutes.
6. No person other than members of the Board and the person having the floor shall be permitted to enter into any discussion, either directly, indirectly or through a Board member, without permission of the Chair.
7. Once the question has been called, no person in the audience shall address the Board on the matter at hand without first securing permission to do so by a majority vote of the Board.
8. At least 24-hours prior to the public hearing, anyone wishing to submit exhibits for the record shall provide staff with copies of the exhibits for each Board member, one copy of the exhibit for staff to place in the permanent file and one copy of the exhibit for the legal department.
9. At least 24-hours prior to the public hearing, anyone wishing to read a statement into the record shall provide staff with a written copy of the statement.

**North Little Rock Board of Zoning Adjustment
Minute Record – December 30, 2021**

Chairman Tom Brown called the meeting of the North Little Rock Board of Zoning Adjustment to order at 1:30 P.M. in the Conference Room B, City Services Building, 120 Main Street, North Little Rock, AR. Roll call found a quorum to be present; a quorum being three members present.

Members Present

Mr. Tom Brown, Chairman
Mr. Tim Giattina, Vice-Chair
Mr. Mike Abele
Mr. Steve Sparr

Members Absent

Mr. Gardner Burton

Staff Present

Ms. Donna James, City Planner

Others Present

Mr. Ronald Ridgell, 6801 JFK, BLVD, NLR, AR 72116
Ms. Katherine Faulk, 4613 Lockridge Road, NLR, AR 72116

Old Business

None

Approval of Minutes

Mr. Sparr formed a motion to approve the minutes from the previous meeting on November 18, 2021. Mr. Giattina provided a second to the motion. All members voted in the affirmative. The motion was approved.

Public Hearing Items -

BOA 2021-34, a variance request from the area provisions of Section 4.1.2.C to allow a reduced front yard setback for a proposed carport addition to the existing single-family home located at 4613 Lockridge Road, North Little Rock, AR 72116. Ms. Katherine Faulk was present representing the request. She stated she had purchased the home earlier this year and felt the lack of covered parking was not a concern because she felt she could add a carport later. She stated visually she felt there was adequate area to provide covered

North Little Rock Board of Zoning Adjustment

Minute Record – December 30, 2021

Page 2 of 3

parking. She stated she then contacted the City to determine setbacks and was told the attached covered parking was to be located a minimum of 25-feet from the property line, not the street curb. She stated with the current setback she could not achieve the required setback and was requesting a variance to allow for an encroachment into the setback. She stated her hardship was that she did not walk very well and used a wheelchair when outside the home. She stated her current walkway was not covered. She stated she wished to cover the walkway and place the carport to allow shelter when entering and leaving her vehicle. She stated water was not so bad but if there was ice and snow this was a concern. She stated she was unable to clear this herself and would not be able to get out of her home.

Chairman Brown questioned if her hardship was health and safety. Ms. Faulk stated this was the hardship.

Chairman Brown questioned if any of the Board members had any questions or comments. There being none, he stated he would entertained a motion on the item. Mr. Sparr formed a motion to approve the request based on the unique circumstance of health and safety. Mr. Giattina provided a second to the motion. Chairman Brown requested a roll call vote. All members voted in the affirmative.

BOA 2021-21, a request for a time extension for requesting a building permit for the property located at 6801 JFK Boulevard, North Little Rock, AR, Northview Missionary Baptist Church. Mr. Ronald Ridgell of North View Missionary Baptist Church was present to represent the request. He stated the Board approved a variance to allow for a setback reduction for a new activities center at their June 24, 2021, public hearing. He stated with the approval the Church was given 180-days to secure a building permit. He stated there had been a few setbacks and the Church needed additional time to secure the permit. He stated once prices were received for the new construction the cost was over budget. He stated the Church was currently reviewing alternatives for funding the new construction and additional time was necessary to raise these funds.

Chairman Brown questioned the time frame needed for securing the permit. Mr. Ridgell stated an additional 6-months was acceptable to the Church. Chairman Brown questioned the Board members if they felt allowing the Church a 12-month extension was acceptable. The members agreed 12-months would be a better time frame due to current costs and supply chain issues.

Chairman Brown questioned if any of the Board members had any questions or comments. There being none, he stated he would entertained a motion on the item. Mr. Abele formed a motion to approve the request based on the unique circumstance of current cost and supply issues. Mr. Giattina provided a second to the motion. Chairman Brown requested a roll call vote. All members voted in the affirmative.

Administrative -

Mr. Giattina formed a motion to excuse Mr. Burton's absence. Mr. Sparr provided a second to the motion. All members voted in the affirmative.

BOA #2022-01
January 27, 2021

Variance Requested: A variance request from the area provisions of Section 14.25 of the North Little Rock Zoning Ordinance (Sign Ordinance) to allow the placement of a wall sign without public street frontage.

Location of the Request: 4221 Warden Road, North Little Rock, AR 72116

Legal Description of the Property: Lot 4AR, Being a Replat of Lot 4, Block 1, McCain Mall Addition to the City of North Little Rock, Pulaski County, AR

Owner: Waldo's Chicken & Beer

Applicant: Condray Signs, Keri Stewart

Present Use of the Property: Restaurant under construction

Present Zoning of the Property: C3, General Commercial District

Site Characteristics:

The site consist of a restaurant currently under construction on an out-parcel of McCain Mall. West of the site is the McCain Mall. East of the site is I-67/167 and north and south of the site are restaurant uses.

Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	C3, General Commercial District	Restaurant
South	C3, General Commercial District	Access Drive to McCain Mall, adjacent parking, restaurant
East	C3, General Commercial District	I-67/167, Adjacent retail
West	C3, General Commercial District	McCain Mall

Justification: The applicant's justification is presented in an attached letter.

Staff Analysis:

The applicant is seeking a variance from Section 14.25 to allow the placement of a wall sign without direct street frontage. *Section 14.25 of the North Little Rock Sign Ordinance outlines the criteria for the placement of signage on commercially zoned properties. One (1) freestanding or ground-mounted sign per premises, window signs and in addition to the ground and window signs the owner may use one (1) of the following:*

- a. Wall or mansard signs.
- b. One (1) under-canopy sign.
- c. One (1) projecting sign.
- d. One (1) awning sign.

All permitted wall signs are not to exceed ten percent in aggregate sign area for that occupancy's façade area. Wall signs must face required street frontage except in complexes where a sign without street frontage would be the only means of identification for a tenant. This is typically within shopping malls and shopping centers.



The applicant is seeking to place a wall sign on the southern façade of the building adjacent to an entry drive to the mall. The applicant is also seeking to place a smaller logo sign on the north façade of the building. The sign on the south façade is proposed 70.22-inches in height and 192-inches in length. The sign reads "Waldo's Chicken & Beer" for a total sign area of

93.63 square feet. The wall façade on the south side of the building is 81-feet in length and 21-feet in height (170.1-square feet allowed with street frontage).

The logo on the north façade is proposed with 13.9-square feet of sign area. The façade is once again 81-feet by 21-feet in height for a total façade area of signage allowed with street frontage of 170.1-square feet. The applicant note in their letter of hardship, the signage is necessary to "*grab the consumer within the mall parking lot and allowing signage on the north elevation will grab the consumer traveling on Warden Road*". Sign variances were approved in a similar fashion for the newer restaurants to the south, Purple Cow and Tacos-4-Life.



A hardship is a special circumstance, which makes it very difficult for a particular project to meet the Zoning Ordinance requirement. Special circumstances are not interpreted to be something intangible, such as lack of knowledge of the code or misinformation at the time of purchase or construction. A hardship generally occurs when the physical characteristics of a property are such that it cannot be developed as permitted by the zoning ordinance. A hardship may be created by surroundings, shape or topographical conditions particular to the specific property. A hardship cannot be self-imposed, or the result of the property owners own action.

Variations should only be granted when the Board can determine the spirit of the zoning ordinance is observed, public safety is secured and substantial justice is done. Variance may be granted by the Board when the property owner can provide a unique circumstance existing on the property, the unique circumstance was not created by the owner of the property, and is not due to or the result of general conditions in the zoning district in which the property is located. The development or use of the property for which the variance is sought, if limited by a literal enforcement of the provision of the zoning ordinance cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same zoning district.

Board to Consider:

1. Is the variance for which the variance is sought due to unique circumstances existing on the property, the unique circumstances were not created by the owner of the property, and are not due to or the result of general conditions in the district in which the property is located? No, the applicant is constructing a new building on the property fronting Warden Road. The signs are proposed on the elevation adjacent to an access drive entrance to the mall parking lot as well on the façade facing north which is one lot removed from a second mall access entrance drive.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, the adjacent business was constructed in a similar manner and has wall signs on their façade located in a similar layout as the applicant's request, (located without street frontage).
3. Will approval of the variance alter the essential character of the district? No, the district is a developed area.
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, the land use and zoning will not change based on approval of the variance request.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, the ordinance specifically defines the placement of wall signs which are to be located along a building façade with street frontage except in cases where the signs without street frontage would be the only means of identification such as a shopping center or shopping mall. The applicant is seeking to place a wall sign on the Warden Road side of the building similar in size to the sign proposed for the southern wall façade without street frontage and with a separate logo sign on the north facade.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, there will be no impact on the public health, safety and general welfare of the community by approval of this variance request.

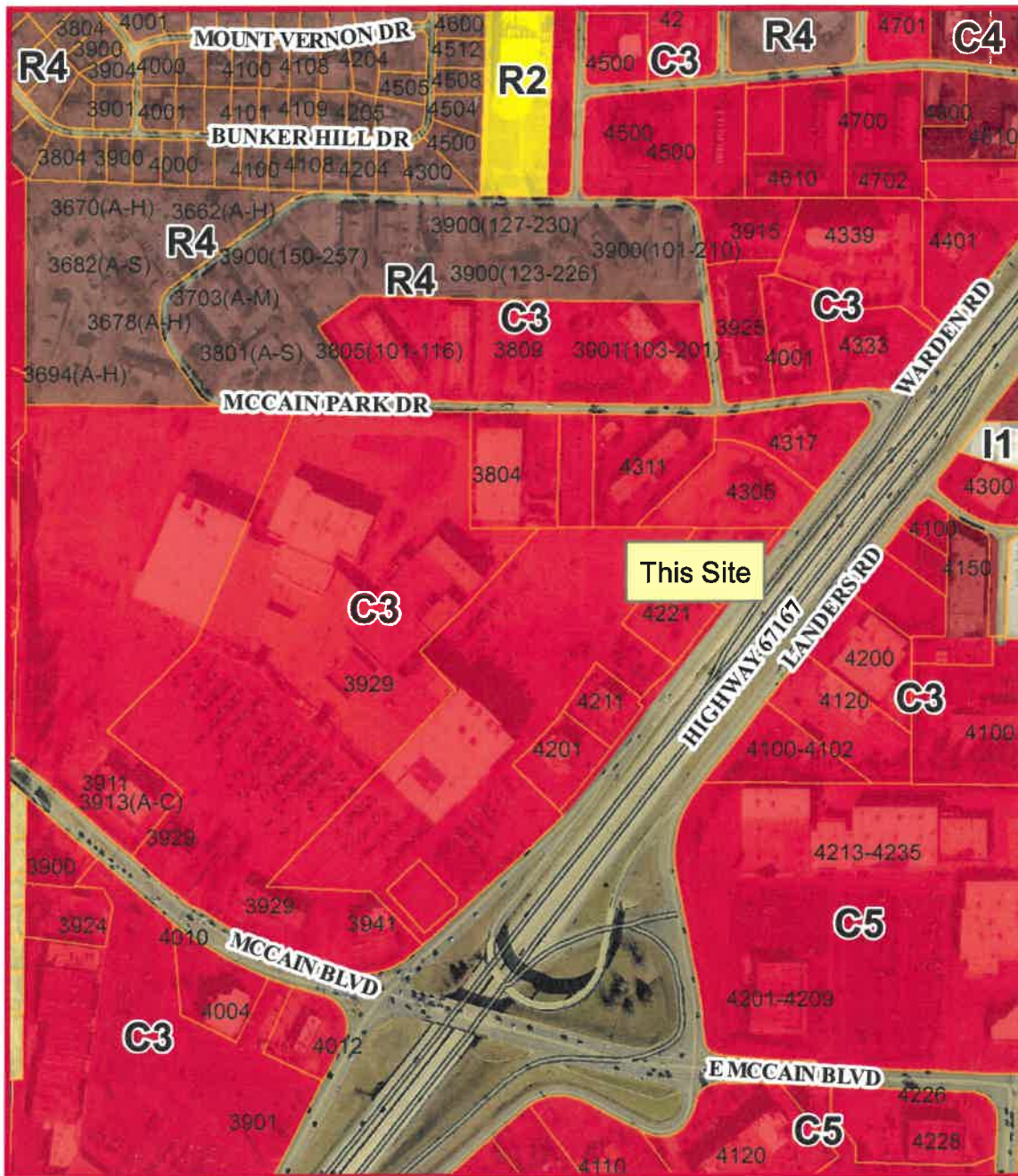
Approval Allows:

1. Approval will allow the placement of wall signs on the north (logo sign 50.5-inches by 50.5-inches) and south (70.22-inches by 192-inches) facades of the building located without street frontage.

2. Approval of this variance request is valid for 180-days from date of approval. If a building permit is not secured within the 180-day period, approval becomes invalid unless, the Board of Zoning Adjustment has approved a request for a time extension. All requests for time extension must be made prior to the expiration of the Board's approval.

North Little Rock Board of Zoning Adjustment

BOA Case # 2022-01



To allow the placement of wall signs located without street frontage

4221 Warden Road



Map Created 01/19/2022

Hearing Date 01/27/2022



North Little Rock Board of Zoning Adjustment

BOA Case # 2022-01



To allow the placement of wall signs located without street frontage

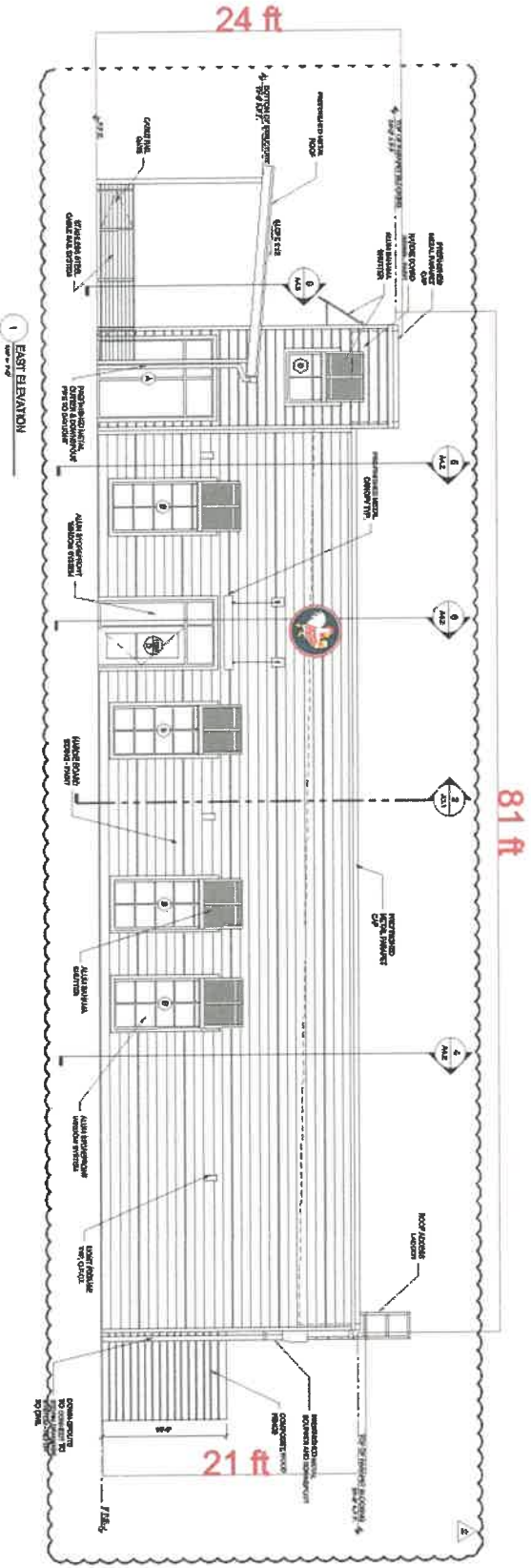
4221 Warden Road



Map Created 01/19/2022

Hearing Date 01/27/2022





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1107 E Harding Ave. Pine Bluff, AR 71601
 Ph: (870) 534-5210

Client: Waldo's Chicken and Beer
 Location: North Little Rock, AR
 Representative: Perry Oldner
 Designer: Jason McGee
 Date: 12-13-21

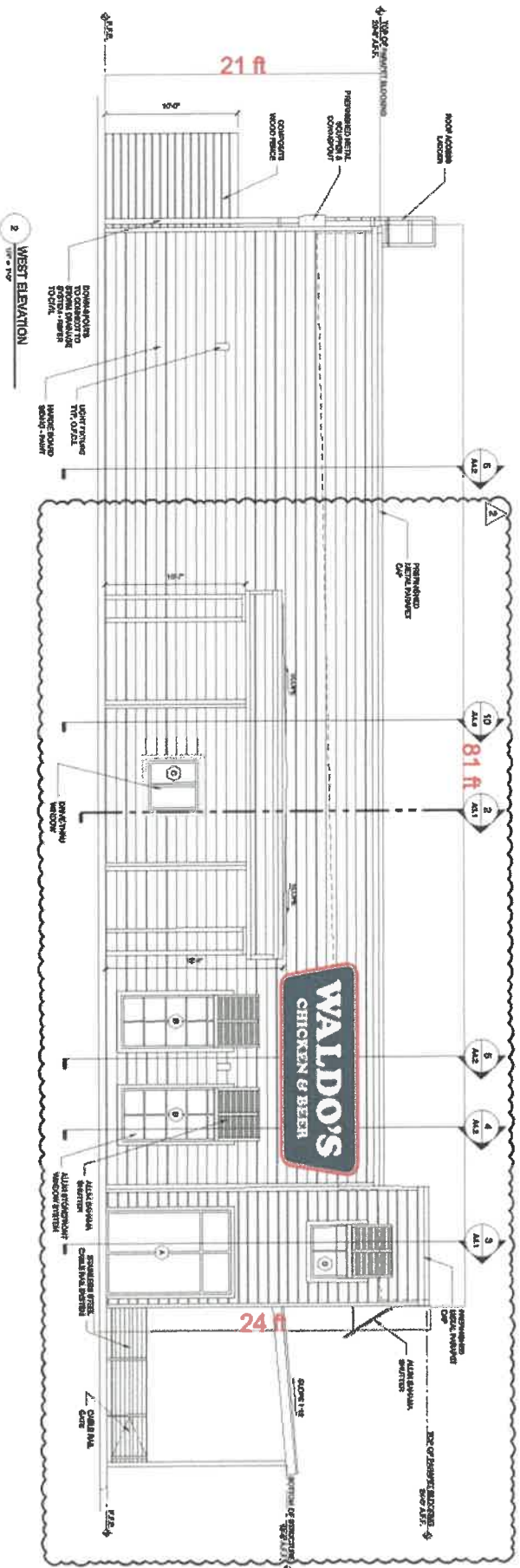
File location: \\DESKTOP-CL9TA201
 Shared Server File\SHARED FOLDER\
 graphic files\W\Waldos Chicken and Beer
 File name: north elevation.fs

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1107 E. Harding Ave. Pine Bluff, AR 71601
ph (870) 534-5210

Client: Waldo's Chicken and Beer
Location: North Little Rock, AR
Representative: Perry Oldner
Designer: Jason McGee
Date: 12-13-21

File location: \IDESKTOP-CL9T\A201
Shared Server Files\SHARED FOLDER\
graphic files\Waldos Chicken and Beer
File name: south elevation diagram.rvs

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12/27/2021

Waldo's Chicken & Beer
4221 Warden Road
N. Little Rock, AR

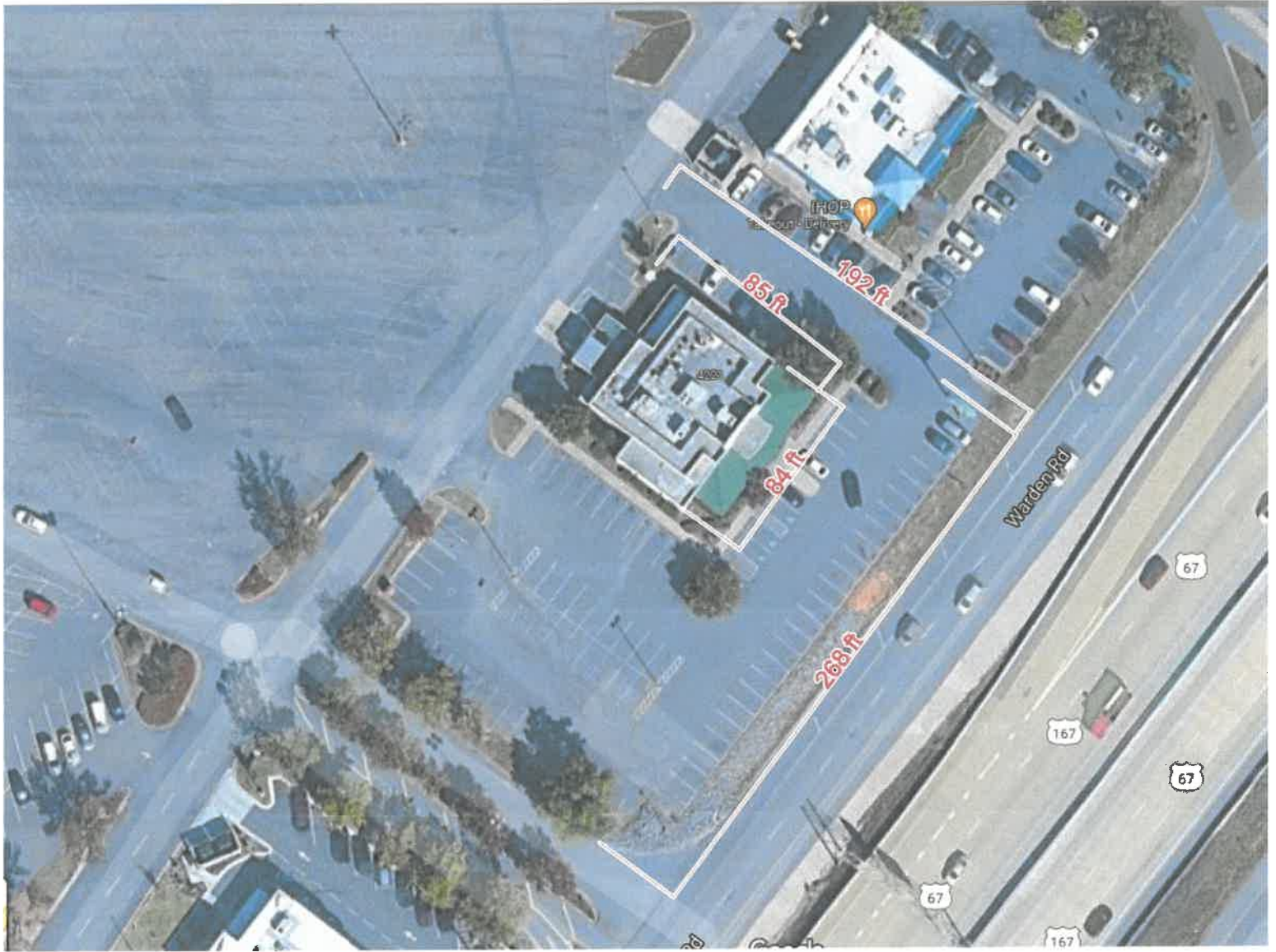
Letter of Hardship

We are requesting a variance to allow Waldo's Chicken & Beer to have signage on the South elevation, facing the entrance into McCain Mall and Taco's for Life, and to allow signage on the North elevation of building. While both elevations do not have actual street frontage, they both face entrances into the mall and Lakewood Village.

Allowing signage to be placed on the south elevation will grab the consumers within the mall parking lot and allowing signage on the north elevation will grab consumers traveling on Warden Road.

4221 Warden Rd

Waldo's
Chicken & Beer



Variance Requested: a variance request from the area provision of Section 4.1.4.C to allow the placement of an accessory structure within the front yard, a proposed carport structure, of an existing single-family home and to allow the structure to be placed with a minimum separation distance between the home and the structure less than 10-feet.

Location of the Request: 413 W 22nd Street, North Little Rock, AR 72114

Legal Description of the Property: Lot 4, Block 20, Military Heights Renewal Addition to the City of North Little Rock, Pulaski County, AR

Owner: Lee Chapel AME Church

Applicant: Ms. Judy Ross

Present Use of the Property: Single-family

Present Zoning of the Property: R3, Duplex District

Site Characteristics:

The area is a single-family neighborhood. There are however, two churches located in the neighborhood. One located immediately west of this site, the Lee Chapel AME Church, which also owns the lot/home of the variance request. The second located Percy Machin Drive, New Creation Baptist Church.

Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R1, Single-family	Single-family
South	R1, Single-family	Single-family
East	R1, Single-family	Single-family
West	R1, Single-family	Single-family

Justification: The applicant's justification is presented in an attached letter.

Staff Analysis:

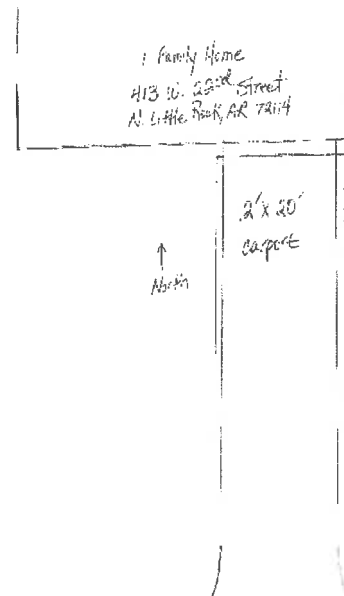
The applicant is requesting a variance to allow the placement of covered parking within the front yard area of the home. The applicant is proposing to place a 12-foot by 20-foot structure over the existing drive to allow shelter when arriving home. Section 4.1.4.C of the



North Little Rock Zoning Ordinance, accessory buildings shall be permitted only within the rear yard, the maximum building size for lots less than 10,000 square feet is 850 square feet or the size shall not exceed 50% of the size of the principal building, the pitch of accessory roofs shall be a 2:12 or greater pitch, and unless otherwise permitted by the Zoning Ordinance, setbacks for accessory buildings are, 5-feet from a property lines, and 10-feet from the principal building or other accessory building.

The applicant is not proposing to attach the carport to the front façade of the home and proposing to place the structure with a minimum separation between the home and the carport structure. In addition to the request to allow the placement of the accessory structure within the front yard area the applicant is seeking to place the structure with a reduced building separation.

The applicant states in her hardship letter, on November 16, 2021, after undergoing a medical procedure at the Heart Hospital in Little Rock she was diagnosed with Diastolic Dysfunction, which is a type of heart failure. She states the condition causes one to retain fluid, which causes swelling in the ankles and feet. Other symptoms are irregular heartbeats, slow reflexes and shortness of breath. She states in December of 2021, when arriving home after grocery shopping and attempting to unload the car in the rain she started having heart palpitations and started to get short of breath from trying to rush and get the groceries in and herself out of the rain. She states all she could do was stand by the car and hold onto the door handle, because with her reflexes now being slower, she could not climb back in fast enough to get out of the rain. She states she was soaking wet by the time her heart palpitations settled down and was able to catch her breath. She states due to the fact of her ongoing heart condition and the condition not allow her to move as quickly as in the past she desperately needs some type of protection when arriving home in inclement weather.



Variances should only be granted when the Board can determine the spirit of the zoning ordinance is observed, public safety is secured and substantial justice is done. Variance may be granted by the Board when the property owner can provide a unique circumstance existing on the property, the unique circumstance was not created by the owner of the property, and is not due to or the result of general conditions in the zoning district in which the property is located. The development or use of the property for which the variance is sought, if limited by a literal enforcement of the provision of the zoning ordinance cannot

yield a reasonable return in service, use or income as compared to adjacent conforming property in the same zoning district.

Board to Consider:

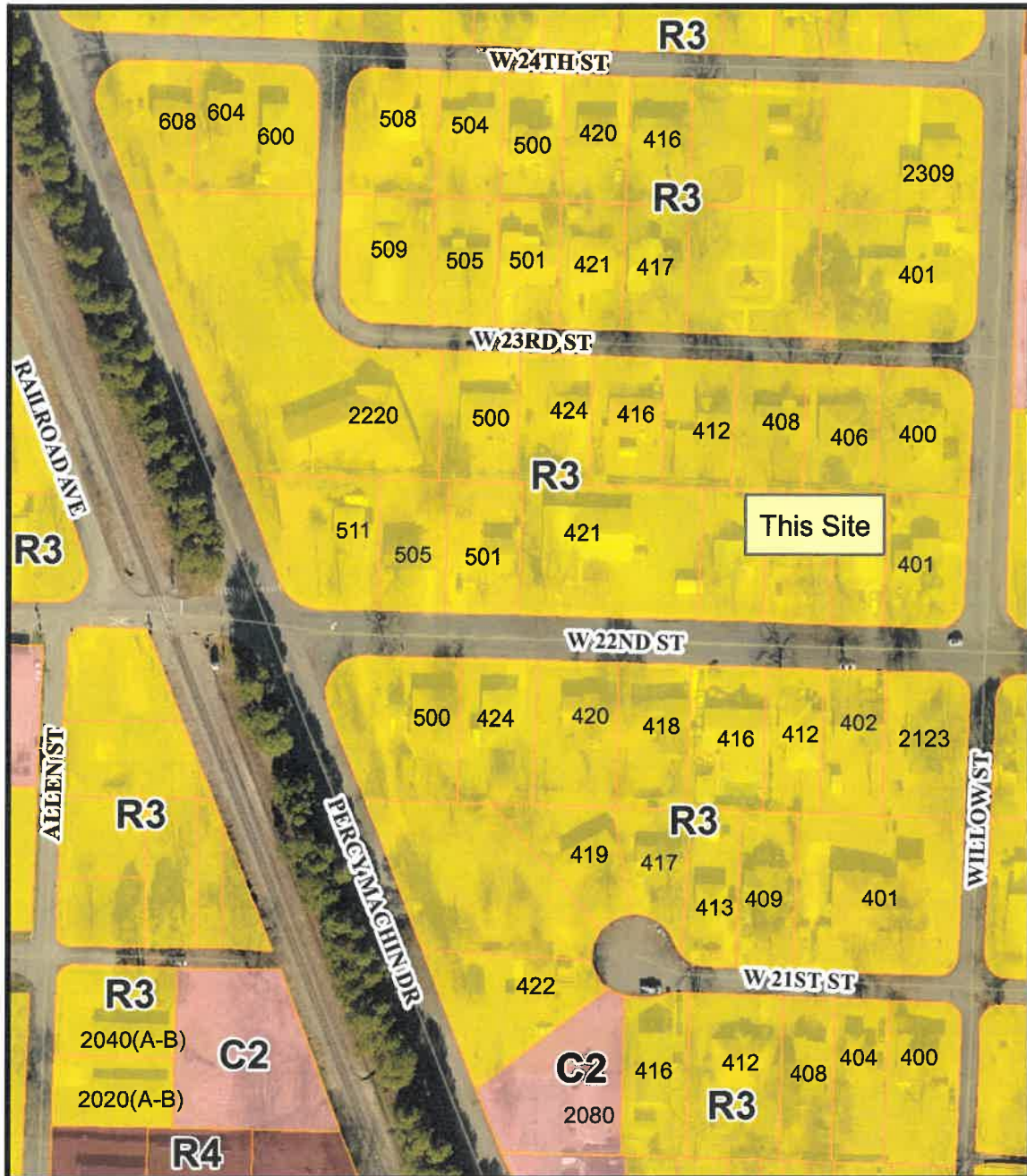
1. Is the variance for which the variance is sought due to unique circumstances existing on the property, the unique circumstances were not created by the owner of the property, and are not due to or the result of general conditions in the district in which the property is located? No, the applicant is seeking a variance to allow the placement of covered parking within the front yard and to allow the structure to not meet the minimum separation requirements of the zoning ordinance.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, similar variances have been approved for other uses located within the area.
3. Will approval of the variance alter the essential character of the district? No, the applicant is seeking the variance to allow the placement of a covered parking structure in the front yard for this existing single-family home. The use and zoning will remain single-family.
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, the zoning and land use for the area will remain the same.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, setbacks within the ordinance are established to protect adjacent properties and uses.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, there will be no impact to the public health, safety or general welfare of the area.

Approval Allows:

1. Approval will allow the construction of a carport structure within the front setback and to allow the structure to not meet the minimum separation requirements of the zoning ordinance.
2. Approval of this variance request is valid for 180-days from date of approval. If a building permit is not secured within the 180-day period, approval becomes invalid unless, the Board of Zoning Adjustment has approved a request for a time extension. All requests for time extension must be made prior to the expiration of the Board's approval.

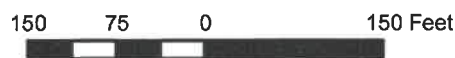
North Little Rock Board of Zoning Adjustment

BOA Case # 2022-02



To allow the placement of a carport within the front yard and to allow a reduction in the building separation

413 W 22nd Street



Map Created 01/19/2022

Hearing Date 01/27/2022



North Little Rock Board of Zoning Adjustment

BOA Case # 2022-02



To allow the placement of a carport within the front yard and to allow a reduction in the building separation

413 W 22nd Street



150 75 0 150 Feet

Map Created 01/19/2022

Hearing Date 01/27/2022



North Little Rock Board of Zoning Adjustment

BOA Case # 2022-02



To allow the placement of a carport within the front yard and to allow a reduction in the building separation

413 W 22nd Street



N

110 55 0 110 Feet



Map Created 01/19/2022

Hearing Date 01/27/2022



1 Family Home
413 W. 22nd Street
N. Little Rock, AR 72114

↑
North

12' x 20'
carport

Letter of Hardship

January 6, 2022

To Whom It May Concern:

On November 16, 2021, after undergoing a medical procedure at The Heart Hospital in Little Rock I was diagnosed with Diastolic Dysfunction which is a type of heart failure. This condition causes you to retain fluid which causes swelling in the ankles and feet. Other symptoms are irregular heartbeats, slow reflexes and shortness of breath.

Back in December 2021, I had arrived home after grocery shopping and was attempting to unload the car in the rain, when I started having heart palpitations and started to get short of breath from trying to rush and get out of the rain. All I could do was stand by the car and hold onto the door handle, because with my reflexes now being slower, I couldn't climb back in fast enough to get out of the rain. I was soaking wet by the time my heart palpitations settled down and I was able to catch my breath.

Due to the fact that my ongoing heart condition will not allow me to move as quickly as I have in the past I desperately need some type of protection when I'm arriving home in bad weather.

Thank you for your consideration.


Judy Ross

501-400-3049

Ross Judy J8@ gmail.com

Variance Requested: a variance request from the area provision of Section 4.2.5.C to allow the placement of an accessory structure within the rear yard setback, a smokehouse, for a proposed restaurant and to allow a reduction in the minimum separation requirements for an accessory structure.

Location of the Request: 10840 Maumelle Boulevard, North Little Rock, AR 72113

Legal Description of the Property: Lot 4, Cock of the Walk Subdivision to the City of North Little Rock, Pulaski County, AR

Owner/Applicant: CP Maumelle REALCO, LLC - Kelly Lovell, Count Porkula

Present Use of the Property: Restaurant

Present Zoning of the Property: C3, General Commercial District

Site Characteristics:

The area is a developed commercial area along Maumelle Boulevard. Within the area there are retail uses, restaurants, apartments, office-warehouse uses, industrial uses and undeveloped lands. The city limits of Maumelle are located just to the west of this site.

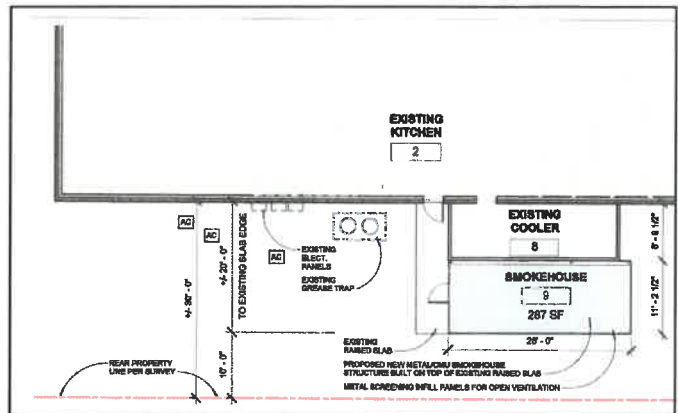
Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	C3, General Commercial District	ACME Brick
South	C3, General Commercial District	Little Scholars Academy Undeveloped parking
East	C3, General Commercial District	Neighborhood Shopping Center
West	C3, General Commercial District	Convenience Store with fuel

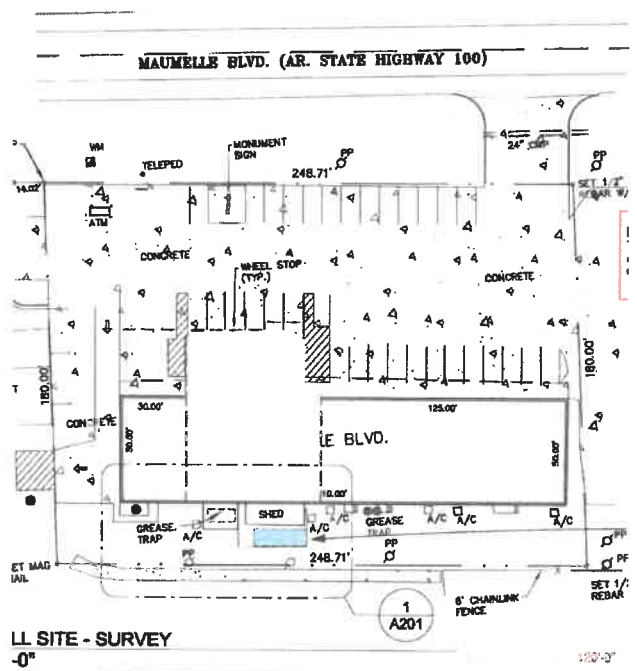
Justification: The applicant's justification is presented in an attached letter.

Staff Analysis:

The applicant is requesting a variance to allow the placement of an accessory structure, a smokehouse, for a restaurant currently under renovation at this location. The building is proposed 28-feet by 11-feet 2 1/2-inches and located 10-feet from the rear property line. The smokehouse is proposed adjacent to an existing cooler on the south side of the existing multi-tenant building. The smokehouse will be constructed on-top of an existing raised slab. The Zoning Ordinance requires a minimum rear yard setback of 10-feet for C3, General Commercial District zoned property. The applicant is also seeking a variance to allow the placement of the building with a reduced building separation between the cooler and the proposed smokehouse. The Zoning Ordinance requires a minimum building separation distance of 10-feet from all buildings. The smokehouse is proposed with a minimum (inches) building separation from the cooler.



A hardship is a special circumstance, which makes it very difficult for a particular project to meet the Zoning Ordinance requirement. Special circumstances are not interpreted to be something intangible, such as lack of knowledge of the code or misinformation at the time of purchase or construction. A hardship generally occurs when the physical characteristics of a property are such that it cannot be developed as permitted by the zoning ordinance. A hardship may be created by surroundings, shape or topographical conditions particular to the specific property. A hardship cannot be self-imposed, or the result of the property owners own action.



Variations should only be granted when the Board can determine the spirit of the zoning ordinance is observed, public safety is secured and substantial justice is done. Variance may be granted by the Board when the property owner can provide a unique circumstance existing on the property, the unique circumstance was not created by the owner of the property, and is not due to or the result of general conditions in the zoning district in which the property is located. The development or use of the property for which the variance is sought, if limited by a literal enforcement of the provision of the zoning ordinance cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same zoning district.

Board to Consider:

1. Is the variance for which the variance is sought due to unique circumstances existing on the property, the unique circumstances were not created by the owner of the property, and are not due to or the result of general conditions in the district in which the property is located? No, the applicant is seeking a variance to allow the placement of a structure within the rear setback located on an existing raised concrete slab.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, similar variances have been approved for other uses located within the area.
3. Will approval of the variance alter the essential character of the district? No, the applicant is seeking the variance to allow a reduced rear yard setback for a smokehouse associated with the restaurant currently under renovation. The use and zoning will remain commercial.
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, the zoning and land use for the area will remain the same.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, setbacks within the ordinance are established to protect adjacent properties and uses.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, there will be no impact to the public health, safety or general welfare of the area.

Approval Allows:

1. Approval will allow the construction of an accessory structure, a smokehouse, within 10-feet of the rear property line and with a minimum building separation from the existing cooler.
2. Approval of this variance request is valid for 180-days from date of approval. If a building permit is not secured within the 180-day period, approval becomes invalid unless, the Board of Zoning Adjustment has approved a request for a time extension. All requests for time extension must be made prior to the expiration of the Board's approval.

North Little Rock Board of Zoning Adjustment

BOA Case # 2022-03



To allow the placement of a
smokehouse within the rear setback
and to allow a reduction in the
building separation

10840 Maumelle Blvd



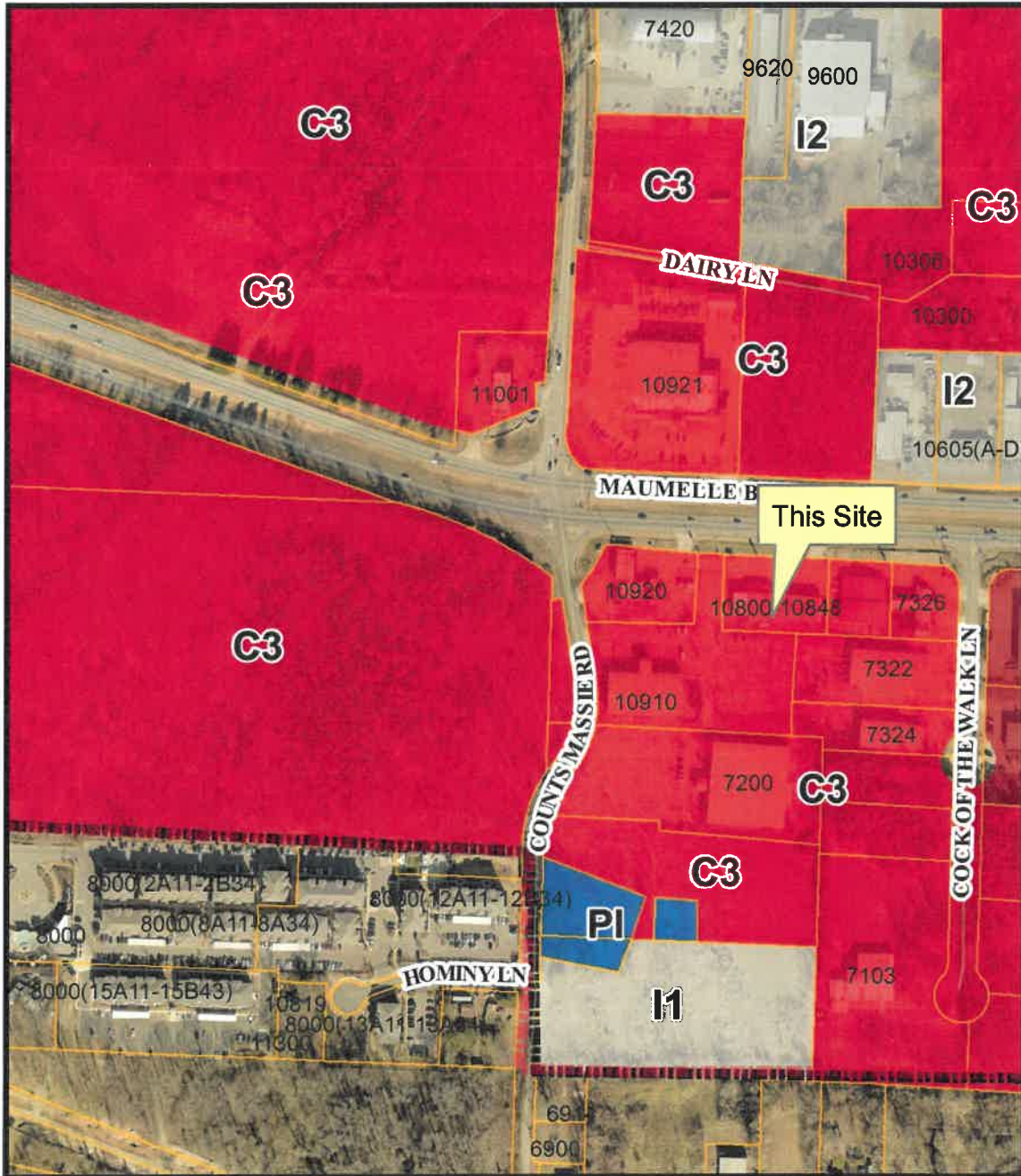
Map Created 01/19/2022

Hearing Date 01/27/2022



North Little Rock Board of Zoning Adjustment

BOA Case # 2022-03



To allow the placement of a
smokehouse within the rear setback
and to allow a reduction in the
building separation

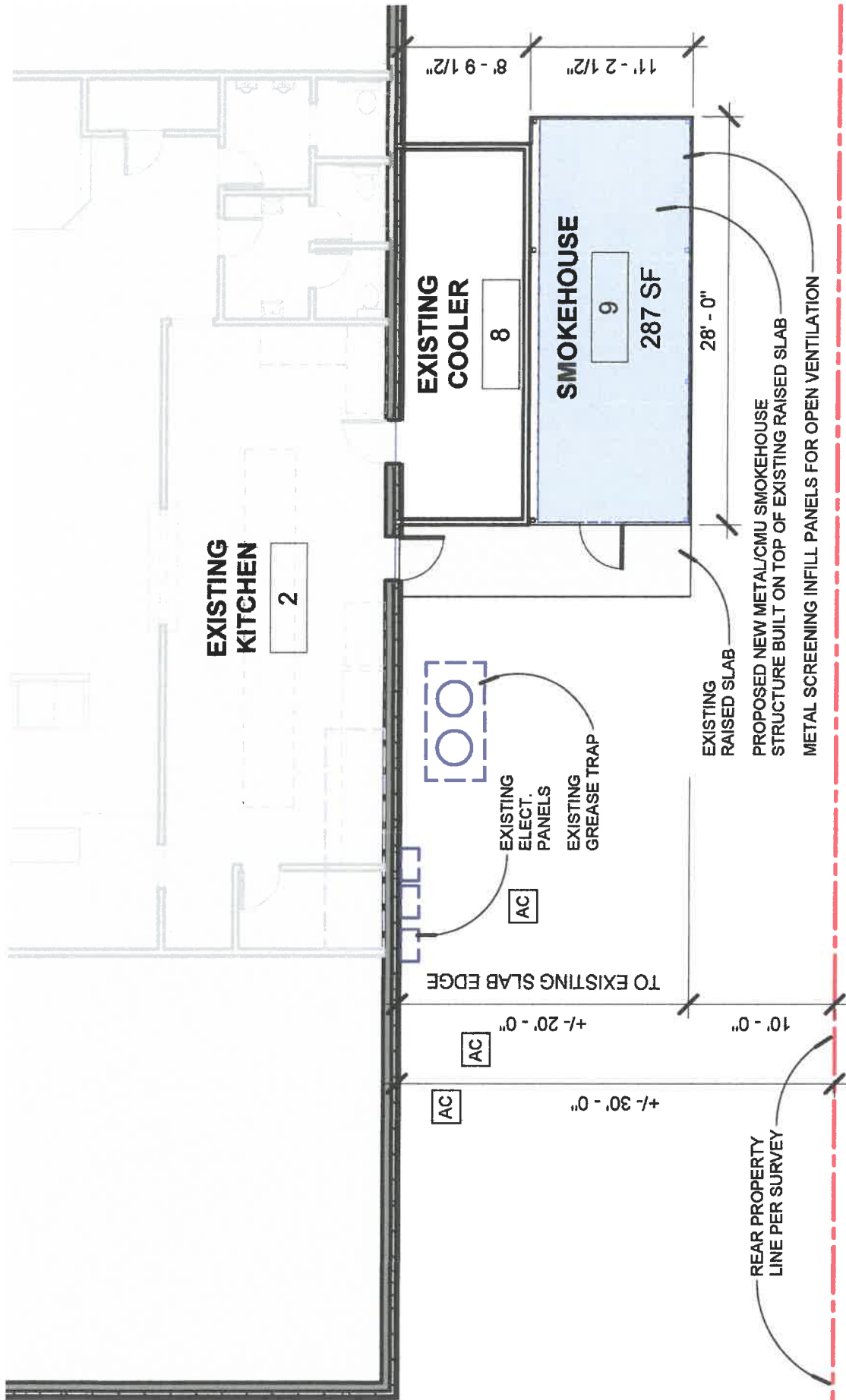
10840 Maumelle Blvd



Map Created 01/19/2022

Hearing Date 01/27/2022





1 SMOKEHOUSE ENLARGED PLAN
1" = 10'-0"



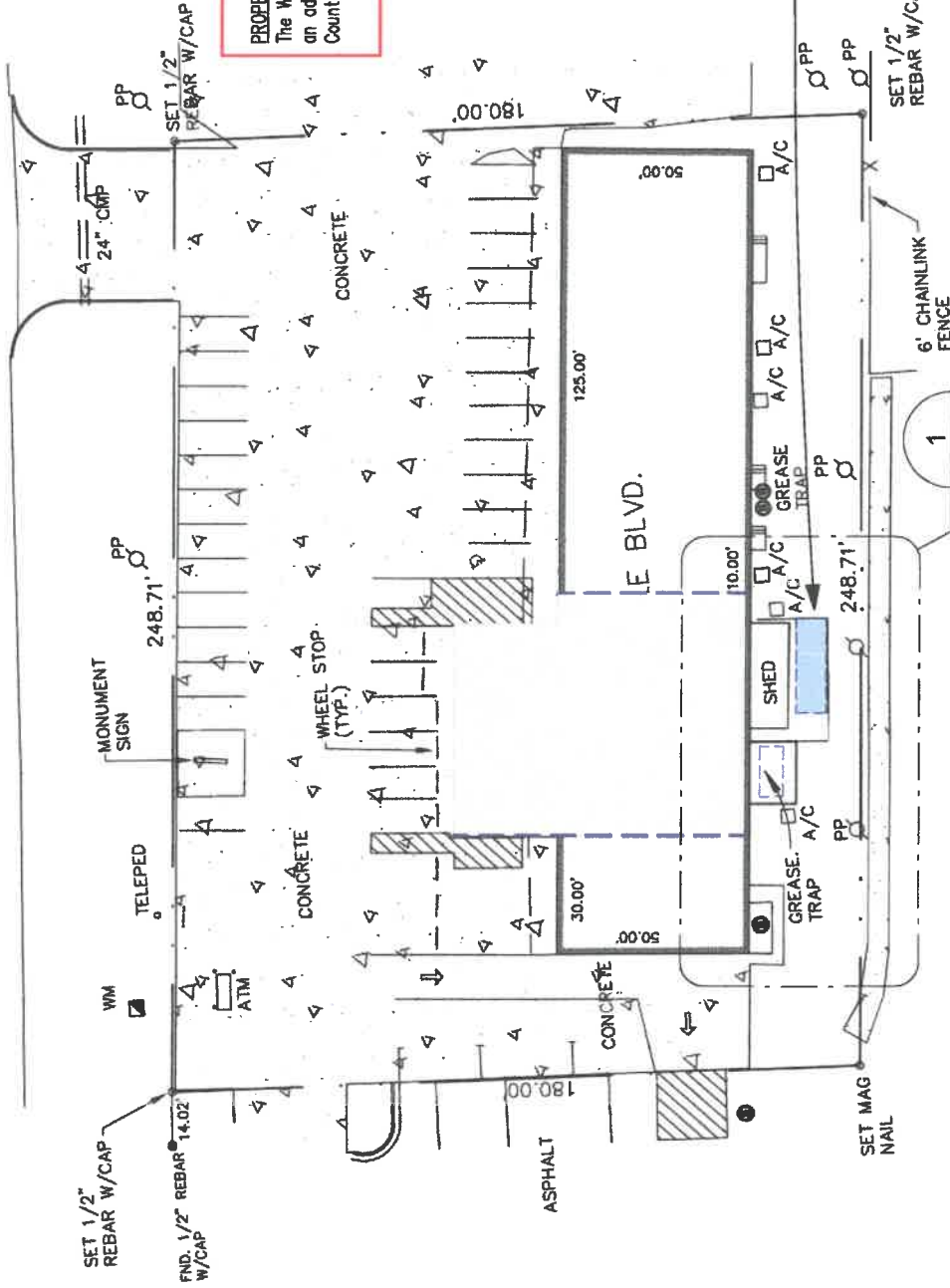
A201
sheet 0

Project 21-006
Issue 01/05/22

Drawing
SITE VARIANCE REQUEST

Project: Count Porkula
Owner: M McCallum, AIA
©2021 Michael McCallum, Architect. All Rights Reserved.

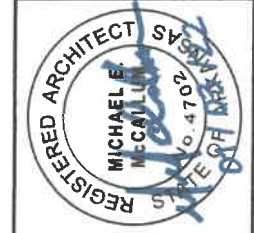
MAUMELLE BLVD. (AR. STATE HIGHWAY 100)



PROPERTY DESCRIPTION
 The West 248.71 feet of Lot 4, Cock of the Walk Subdivision, an addition to the City of North Little Rock, Pulaski County, Arkansas.

NEW METAL/CMU SMOKEHOUSE BUILT ON EXISTING SLAB PROPOSED

1 OVERALL SITE - SURVEY
 1" = 50'-0"



A200
 sheet 0

Project 21-006
 Issue 01/05/22

Drawing
SITE VARIANCE REQUEST

Project:
 Count Porkula
 Owner
M McCallum, AIA
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Kelly Lovell
Owner Count Porkula BBQ
10840 Maumelle Blvd.
North Little Rock, AR 72113

January 3, 2022

North Little Rock Planning Department
120 N Main St. #2
North Little Rock, AR 72114

RE: Variance Request for Smoke House on Existing Slab

To Whom it May Concern:

My name is Kelly Lovell and I am one of the owners of the Count Porkula that will be located at 10840 Maumelle Blvd in North Little Rock. We signed a lease to take over an existing restaurant in October of 2021 formerly known as the Hangout. The property has a concrete slab on the back where the cooler is located and existing storage shed behind the cooler.

We would like to build a smokehouse behind the building on the existing slab where the storage shed was located. The previous smokehouse was deteriorated and built over the grease trap blocking access.

This slab is already present and is the only location available to build a smokehouse due to discovery of the grease trap location. To not allow us to work on the existing slab would cause a hardship because we would not be able to locate our smokehouse where we initially considered it when we agreed to become a tenant at the property. To properly cook the quality meats that people are used to we have to use a proper smoker. We believe that we will not be a successful restaurant if we are not allowed this variance and would have to relocate.

Thank you for your consideration,



Kelly Lovell

James, Donna

From: Roger Lacy <rlacy@thetownjanitor.com>
Sent: Tuesday, January 18, 2022 4:33 PM
To: James, Donna
Subject: Request for Extension

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. James,

The purpose of this e-mail is to request an extension for getting a permit in BOA Case #2021-22.

Several factors have contributed to a delay in our executing our plans. Foremost was the exorbitant costs of building materials, i.e., lumber, concrete and any component requiring steel. We were hoping these items would decrease in price, and when they did so modestly, we couldn't get pricing quickly enough from contractors to take advantage of the downturn. Contractors are reluctant to commit without building hedges into pricing due to the uncertainty of getting materials in a timely fashion, which drives up labor costs due to delays.

For these reasons we wish to request a 6-month extension in getting a building permit.

Sincerely,

Roger Lacy
1 Lakewood Drive
N. Little Rock, Arkansas 72201
Cell: 501 231-4030

Please note my email address has changed to rlacy@thetownjanitor.com. Please send all future emails to the new address. Thank you.