



The City of
NORTH LITTLE ROCK

OFFICE OF COMMUNITY PLANNING
120 Main St. • North Little Rock, AR 72114-2134
Phone (501) 975-8835 • Fax (501) 975-8837

Memorandum

To: Board of Adjustment Members
From: Donna James
Date: May 13, 2021
Subject: May 27, 2021, Board of Adjustment Public Hearing Meeting Packet

Enclosed please find the agenda packet for the May 27, 2021, public hearing. Included with the minute record from the April 22, 2021, public hearing, also please find the staff analysis for the following item for discussion –

BOA #2021-13 - A variance request from the area provisions of Section 5.11.4 of the North Little Rock Zoning Ordinance to allow the placement of a fence within the front building setback of the adjacent lot located at 437 W 4th Street, North Little Rock, AR 72114

BOA #2021-14 - A variance request from the area provisions of Section 5.11.3 of the North Little Rock Zoning Ordinance to allow the placement of a fence on a currently vacant lot and from Section 4.1 to allow the placement of an accessory structure on a lot without a primary structure located at 1901 E 2nd Street, North Little Rock, AR 72114

BOA #2021-15 - A variance from the area provisions of Section 4.1.5(c) to allow a reduction in the exterior side yard setback for the side yard located along Frank Street located at 1423 W 12th Street, North Little Rock, AR 72114

BOA #2021-16 - A variance from the area provisions of Section 4.1.2 to allow a reduced rear yard setback located at 30 Silver Ridge Cove, North Little Rock, AR 72118

BOA #2021-17 - 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 located at 5503 John F Kennedy Boulevard, North Little Rock, AR 72116

The meeting will be held in the City Council Chambers, 300 Main Street, beginning at 1:30 pm. Please let me know if you have any questions or if I can provide you with any additional information (501-975-8862 - DJames@nlr.ar.gov).



**City of North Little Rock
Board of Zoning Adjustment Agenda
Thursday, May 27, 2021 - 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 - April 22, 2021

Public Hearing Items -

BOA #2021-13 - A variance request from the area provisions of Section 5.11.4 of the North Little Rock Zoning Ordinance to allow the placement of a fence within the front building setback of the adjacent lot located at 437 W 4th Street, North Little Rock, AR 72114

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Public Comment -

Administrative –

- Next Board of Zoning Adjustment Hearing – June 24, 2021
- Filing Deadline for June 24, 2021 Public Hearing – June 1, 2021

Adjournment –

Reminder -

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

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 – April 22, 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 City Council Chambers, 300 Main Street, North Little Rock, AR. Roll call found a quorum to be present; a quorum being three members present.

Members Present

Tom Brown, Chairman
Mike Abele
Gardner Burton
Steve Sparr

Members Absent

Tim Giattina, Vice-Chair

Staff Present

Ms. Donna James, City Planner
Ms. Marie-Bernarde Miller, Deputy City Attorney

Others Present

Vicki Martin, 5401 MacArthur Drive, North Little Rock, AR
Rick Gardner, 5401 MacArthur Drive, North Little Rock, AR
James McHargue, 5608 Cadron Creek, North Little Rock, AR
Mireya Lopez, 4624 Schaer Street, North Little Rock, AR
Victor Lopez, 5608 Schaer Street, North Little Rock, AR
Ronny Skipper, 7101 JFK Boulevard, North Little Rock, AR

Administrative

A motion was made by Mr. Burton and seconded by Mr. Sparr to excuse Mr. Giattina's absence. All members voted in the affirmative. The motion was approved.

Old Business

None

Approval of Minutes

Mr. Burton formed a motion to approve the minutes from the previous meeting of March 25, 2021. Mr. Sparr seconded the motion. All members voted in the affirmative. The motion was approved.

**North Little Rock Board of Zoning Adjustment
Minutes Record
April 22, 2021**

BOA 2021-09, a variance request from the area provisions of Section 5.11.5 of the North Little Rock Zoning Ordinance to allow the placement of a front yard fence 6-feet in height with 3 strands of barbed wire for a total fence height of 7-feet located at 5401 MacArthur Drive, North Little Rock, AR 72118. Chairman Brown called the item and requested the applicant's come forward and provide their hardship. Ms. Martin and Mr. Gardner came forward to address the Board on the merits of their case.

Ms. Martin stated the hardship was safety and security. She stated the development currently had gates between the buildings which were old and in need of replacement. She stated the request was to allow the placement of a fenced area and limit the access to a single gated entrance from the northern side of the mini-warehouse buildings.

Chairman Brown questioned if the new fencing was for security reasons. Ms. Martin stated this was the reasoning for adding the new fencing and gating. Chairman Brown stated he would be the first to go onto record stating he did not support the barbed wire request. He stated he did not mind barbed wire in the back or side but did not like it in the front yard area. He stated it just does not look nice. Chairman Brown stated he understood why they felt the need for barbed wire but he was not in support of placing barbed wire in the front yard area.

Ms. Martin stated there was not a concern with removing the barbed wire from the front. She stated it was needed in the rear and sides of the property but it could be removed from the front yard area.

Mr. Sparr questioned if the adjoining property had an issue with crime. Ms. Martin stated Budget Transmission had a fence in place. She stated the cars were parked within the fenced area. She stated the need was to allow the mini-warehouse to replace the existing gates because they were worn out and rickety.

Mr. Gardner addressed the Board stating they were wanting to replace three gates with one for safety reasons. Chairman Brown questioned the fence material. Mr. Gardner stated the fence would be an 8-foot black vinyl coated chain link fence.

Chairman Brown question if there was any additional discussion. He called for a motion. Mr. Burton provided a motion for approval of the item as amended to eliminate the barbed wire from the front portion of the property and based on the applicants stated hardship of safety and security. Mr. Sparr provided a second. Chairman Brown called for a roll call vote. All members voted in the affirmative. The motion was approved.

BOA 2021-10, a variance request from the area provisions of Section 5.11.3 of the North Little Rock Zoning Ordinance to allow the placement of fence on a currently vacant lot and to allow the placement of an 8-foot tall fence within the side yard of a corner lot located at 4624 Schaar Street, North Little Rock, AR 72118. Chairman Brown called the item and requested the applicant's come forward and provide their hardship. Ms. Lopez came forward to address the Board on the merits of their case.

**North Little Rock Board of Zoning Adjustment
Minutes Record
April 22, 2021**

Ms. Lopez stated she desired to place a fence on her currently vacant lot for security reasons. She stated currently persons were dumping trash on her lot and she had been issued a citation by the sanitation department for not keeping the lot cleaned. She stated persons were dumping tree limbs, grass and trash on the lot. She stated she had been clearing the lot for the past three months and it was difficult to keep the area clean. She stated the fence would allow for security of the lot.

Mr. Burton questioned the fence material. Ms. Lopez stated the fence would be wood with chain link in the front area.

Staff stated they had concerns with the fence material as proposed. Staff presented a recommendation the side yard fences be limited to 6-foot and the rear yard would be allowed at 8-foot. The gate opening limited to three to four feet in width. Chairman Brown questioned Ms. Lopez if she was agreeable with staff's recommendation. Ms. Lopez stated the staff recommended fencing was acceptable to her.

Chairman Brown question if there was any additional discussion. He called for a motion. Mr. Sparr provided a motion for approval of the item as amended to limit the height of the fence to 6-feet within the side yards and allow the fence to be 8-feet in height within the rear yard and limit the gate opening to three to four feet in width based on the applicants stated hardship of security. Mr. Burton provided a second. Chairman Brown called for a roll call vote. All members voted in the affirmative. The motion was approved.

BOA 2021-11, a variance request from the area provisions of Section 14.24 of the North Little Rock Zoning Ordinance (Sign Ordinance) to allow the placement of a wall sign on the east and west facades located without public street frontage located at 7101 John F Kennedy Boulevard, North Little Rock, AR 72116, Indian Hills Shopping Center – McDonalds Restaurant. Chairman Brown called the item and requested the applicant's come forward and provide their hardship. Mr. Skipper came forward to address the Board on the merits of their case.

Mr. Skipper stated the property was a parcel of the larger shopping center located off JFK even though the address was JFK. He stated the restaurant was not visible from JFK. He stated traffic accessed the site from side roads to the property. He stated the signage on the sides was necessary for patrons to know the location. He stated the request was signage to allow customers to identify the property. He stated the McDonalds was going to be renovated and the façade changed from the current mansard style roof to a more modern flat EIFS style façade with the signs mounted flat to the façade.

Mr. Burton questioned the signage request. Mr. Skipper stated the request included the placement of the arches on the east side of the building along with the McDonald's name and the arches only on the western façade of the building. He stated the eastern façade was visible from the nearby street which would offer visibility to the restaurant.

**North Little Rock Board of Zoning Adjustment
Minutes Record
April 22, 2021**

Chairman Brown question if there was any additional discussion. He called for a motion. Mr. Burton provided a motion for approval of the item as requested based on the applicant's stated hardship of visibility and lack of street frontage. Mr. Sparr provided a second. Chairman Brown called for a roll call vote. All members voted in the affirmative. The motion was approved.

BOA 2021-12, a variance request from the area provisions of Section 5.20 of the North Little Rock Zoning Ordinance to allow the replacement of an existing retaining wall with an increased height and to allow the combination of the wall and fence to exceed 8-feet located within the rear yard located at 5608 Cadron Creek Road, North Little Rock, AR 72116. Chairman Brown called the item and requested the applicant's come forward and provide their hardship. Mr. McHargue came forward to address the Board on the merits of their case.

Mr. McHargue stated the site currently contained a retaining wall which was constructed of cross ties. He stated the wall was showing its age and was in need of replacement. He stated the lot had a significant slope. He stated the hardship was the topography of the lot. Chairman Brown questioned the construction material. Mr. McHargue stated the wall would be constructed of solid concrete with rebar supports.

Mr. Abele questioned the fence. Staff stated the fence was a requirement on walls which exceeded 5-feet in height. Staff stated in some locations the fence and wall would be 11-feet in height.

Chairman Brown question if there was any additional discussion. He called for a motion. Mr. Sparr provided a motion for approval of the item based on the applicants stated hardship of topography. Mr. Burton provided a second. Chairman Brown called for a roll call vote. All members voted in the affirmative. The motion was approved.

Public Comment and Adjournment

Chairman Brown called for public comment. There being none and there being no further business before the Board and on a motion of Mr. Sparr and by consent of all members present, the meeting was adjourned at 2:17 pm.

Approved on this 27 day of May, 2021

Tom Brown, Chairman

BOA #2021-13
May 27, 2021

Variance Requested: A variance request from the area provisions of Section 5.11.4 of the North Little Rock Zoning Ordinance to allow the placement of a fence within the front building setback of the adjacent lot.

Location of the Request: 437 W 4th Street, North Little Rock, AR 72114

Legal Description of the Property: Lot 1A, Block 4, Faucette Addition to the City of North Little Rock, Pulaski County, AR

Owner: Robert B and Anna B Sniff

Applicant: Kevin Sniff

Present Use of the Property: Attached townhouse

Present Zoning of the Property: R5, Townhouse District

Site Characteristics: The site contains a townhouse development with 10-units attached fronting on West 4th Street and 5-units attached fronting on North Broadway Street. The applicant lives in the end unit with the side yard being North Broadway Street. There is an office complex located to the south of this site and single-family homes located to the east and west of this site. West of the site is a commercial parking lot, which was recently reviewed by the City for the placement of a food truck court.

Surrounding Land Use and Zoning

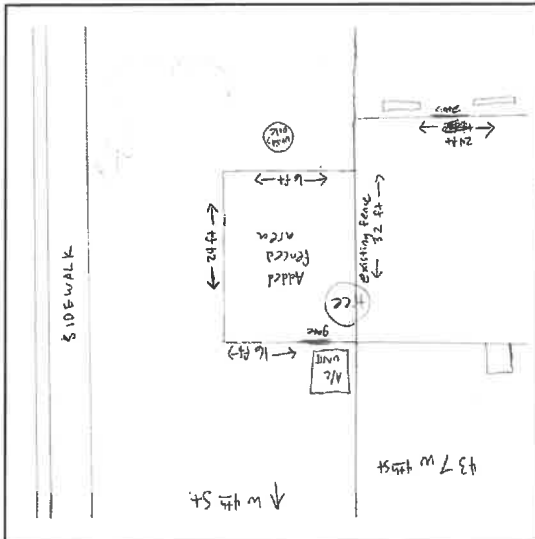
<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R5, Townhouse District and R2, Single-family District	Townhouse and Single-family
South	C6, Mixed Use Commercial District	Office
East	R2, Single-family District	Townhouse and Single-family
West	C6, Mixed Use Commercial District	Commercial Parking Lot

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

Staff Analysis: The applicant is seeking a variance to allow the placement of a fence within the front setback of the adjacent townhouse development along North Broadway. The applicant states in his letter of request the property was a rental unit purchased by his grandparents a number of years ago, both of whom have since passed away, but he has been living in the unit since returning home from Ukraine in 2013, where he taught English as a Peace Corps Volunteer. Since returning to Arkansas, he notes he has

started a family with his partner Ashley and they now have two children, Kamen 4 and Leilani 3.

He states the property was not well cared for by his grandparents or their previous tenants. He states since moving in he and Ashley have made improvements to the unit both inside and outside. He states the walks were overgrown, as were the trees. He states the walks were cleared to make them more pedestrian friendly and the trees trimmed. He states maintenance of the yard is important since the lot is very visible and he and Ashley want to represent the neighborhood and community well.



He states when the previous privacy fence surrounding the backyard was constructed there was a small tree located next to one of the fence posts. He states over the years this tree matured to a large size and slowly pushed the post out past a 45-degree angle, damaging the fence in the process. He states previously the wood was patched but the tree continued to grow and the

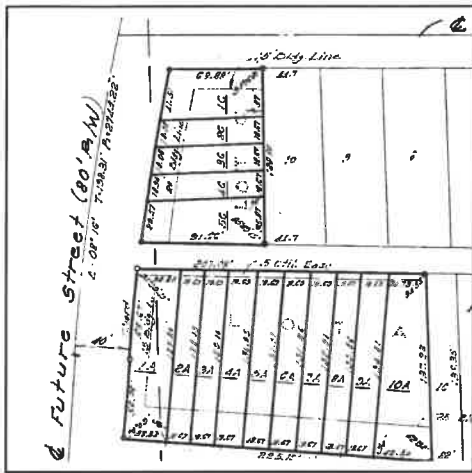
fence was unable to remain as originally constructed. As a result, he and Ashley decided to remove the North Broadway side of the fence and put it back in an area on the other side of the tree.

He states he was unaware a permit was required for the replacement of the fence. He states after the fence was installed the Chief Building Inspector visited them informing them a permit was required to install the fence. A permit was requested from the Planning Department and was denied due to the fence being located within the front setback of the adjacent townhome.

Mr. Sniff states although the fence has only been in place a short time it has been a significant improvement for his family. He states the dogs have a little more room; the children now have a nice tree, which then can sit under without being close to the heavily trafficked road that is North Broadway. He states the fence does not obstruct any views from the road. The applicant states he will diligently maintain the side yard that faces the road, but now simply wants to enjoy a little more of his side yard from within an enclosed area. He states he sincerely hopes the Board will help the family accomplish this goal.



Section 5.11.4 Fences and Dumpster Enclosures - Residential Zoning Districts – Corner Lots of Residential Zoning Districts: Fences in side and rear yards of corner lots may not be any closer to a street than the established front building line of the abutting property. Fences that face a street in the side and rear yards of corner lots shall be limited to a maximum height of 6-feet. Fences that face a street in the side and rear yards of corner lots shall be constructed with the finished side facing the street. The Zoning Ordinance defined a corner lot as a lot at the junction of and fronting on two or more intersection streets or rights of way.



The date of the final plat for this development is June 20, 1980. The plat indicates Lots 1A through Lot 10A, Block 4, Faucette's Addition and 1C through 5C, Block 4, Faucette's Addition. The plat was recorded on August 5, 1980. The plat indicates the lots fronting on West 4th Street (Lots 1A – 10A) with a 25-foot front building line along West 4th Street and a 15-foot building line along the indicated future street, now North Broadway Street. The plat indicates the placement of a 20-foot front building line for Lots 1C – 5C, the lots fronting on North Broadway.

The originally constructed fence attached to the west sidewall of the home and extended 32-feet to the north then 24-feet to the east and back to the home on the eastern property line to enclose the rear yard. The applicant's site plan indicates the newly constructed fence has been installed extending an additional 16-feet to the west to allow for an additional 16-foot by 24-foot yard enclosure. The additional 8-feet of the original fence length was not included in the new area due to the placement of a utility pole.



Staff has concerns the fence was placed within the public right of way along North Broadway Street. The lot is indicated on the final plat with a lot width of 33.3-feet. The unit, according to the tax records, is 19-feet wide. This leaves a side yard of 14.33-feet. The site plan submitted by the applicant indicates the fence was placed 19-feet from the western wall of the existing home. If these items are correct the applicant has placed the fence 4.67-feet into the right of way. The applicant has requested a survey to verify the placement of the fence and to ensure the fence is located on his property. As of this writing, the applicant has not received the survey document for the surveyor.

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 site is a townhouse development with the applicant's unit being the end unit. The additional fenced area allows for a larger yard area within the fenced enclosure to allow his children to play.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? Possibly, the placement of the fence within the front setback of the adjacent neighbor's property potentially aggrieves the adjacent neighbor of views, which might otherwise be enjoyed.
3. Will approval of the variance alter the essential character of the district? No, the district will remain residential.
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 will not change based on the variance approval.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, the placement of fencing to limit obstruction of the views of adjacent properties is put in place to protect adjacent property owners and not allow them to be "boxed in".
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.

Approval of the Application as Filed Allows:

1. Approval will allow the placement of a 6-foot privacy fence within the front setback of the adjacent townhome.
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.

Staff Recommendation:

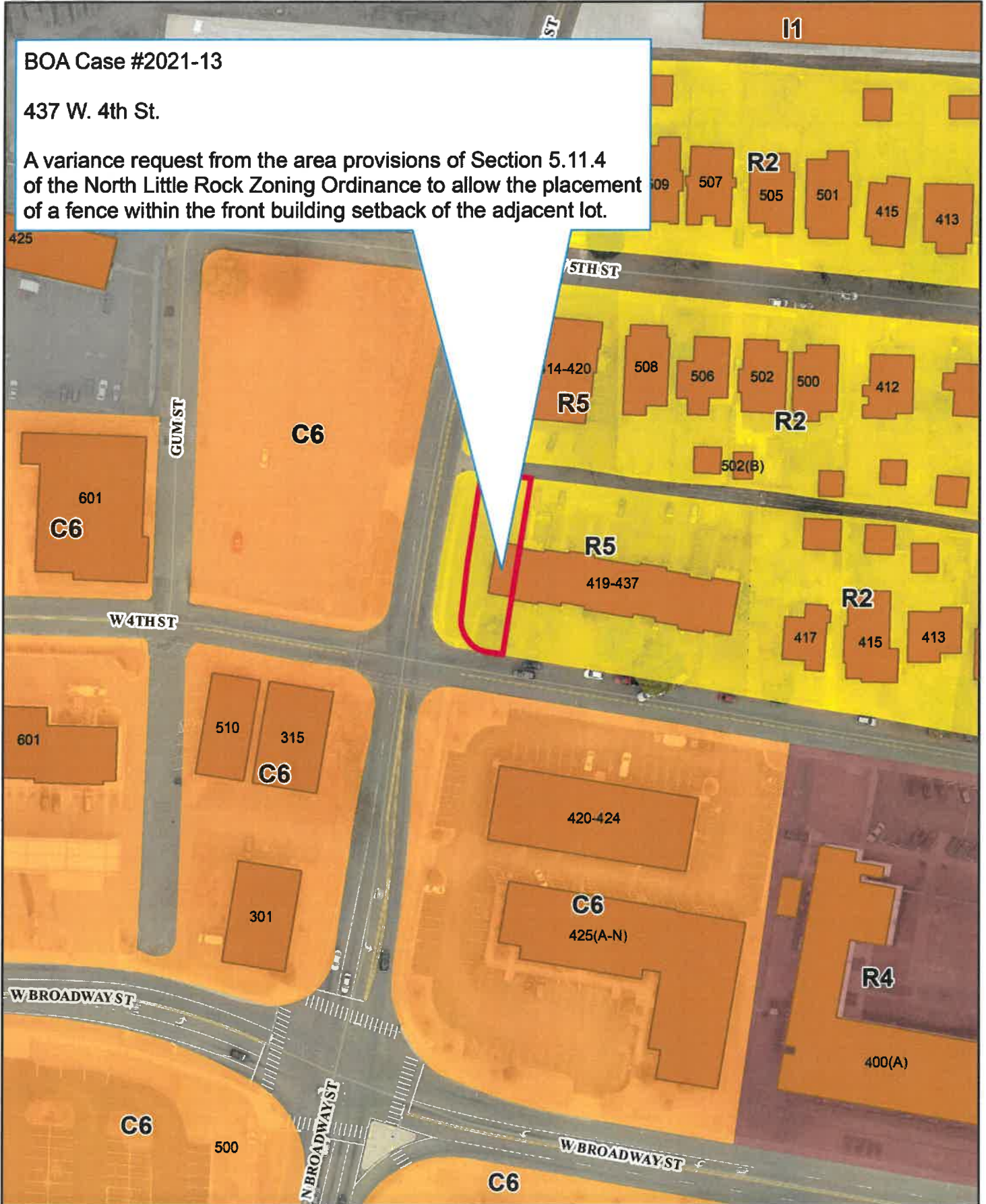
Staff recommends the survey be completed and provided to the Board prior to final action by the Board on this request.

North Little Rock Board of Adjustment

BOA Case #2021-13

437 W. 4th St.

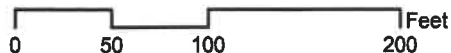
A variance request from the area provisions of Section 5.11.4 of the North Little Rock Zoning Ordinance to allow the placement of a fence within the front building setback of the adjacent lot.



BOA CASE #2021-13

Date: 5/11/2021

1 inch = 100 feet



User: jhale



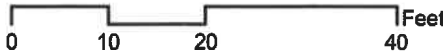
North Little Rock Board of Adjustment



BOA CASE #2021-13

Date: 5/11/2021

1 inch = 20 feet



User: jhale



North Little Rock Board of Adjustment



Proposed fence location.

NBROADWAY ST

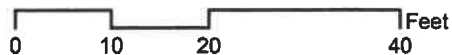
437

W 4TH ST

BOA CASE #2021-13

Date: 5/11/2021

1 inch = 20 feet



User: jhale



437 W 4th St

W 4th St.



A/C UNIT

gate

← 16 ft →

tree

Added fenced area

← 16 ft →

← 24 ft →

← 32 ft →
existing fence

← 24 ft →
gate



utility pole



SIDEWALK

N Broadway

To the members of the Board of Zoning Adjustment,

Good morning. My name is Kevin Sniff and I am a resident of 437 W 4th street. The property was a rental unit purchased by my grandparents many years ago, both of whom have since passed away, but I have been living there since returning home from Ukraine in 2013, where I taught English as a Peace Corps volunteer. Since then, I have started a family with my partner Ashley and our two children, Kamen, 4, and Leilani, 3.

The property had not been very well cared for by my grandparents or their tenants, and since moving in, Ashley and I have done our best to make improvements to the property, both inside and out. The sidewalks were badly overgrown, as were the trees on the property. We cleared the sidewalks to make them more pedestrian-friendly and trimmed the trees. We continue to maintain our yard with the understanding that our lot is very visible and we want to represent our neighborhood and community well.

Whenever the privacy fence surrounding a backyard was built, there was a small tree located next to one of the fence posts. Over the years, this tree has matured to a large size and has slowly pushed the post out past a 45 degree angle, damaging the fence in the process. We dealt with it by patching the damaged sections with wood, but the tree continues to grow and the fence was simply unable to remain in its current position. As a result, we decided to take down that side of the fence and put it back up safely on the other side of the tree. Shortly thereafter, we were visited by Mr. Arnold Coleman, who politely informed us that we were required to have a permit for the fence, which we are now seeking to obtain.

While to this point the fence has only been repaired for a week, it has been a significant improvement for our family. Our dogs have a little more room, our children now have a nice tree which they can sit under without being close to the heavily trafficked road that is North Broadway. The fence does not obstruct any views from the road. We will continue to diligently maintain the side yard that faces the road, but we now simply want to enjoy a little more of it from within our enclosed yard, and we sincerely hope you will help us accomplish that. We will continue to do our part as proud citizens of our neighborhood of Argenta and our city of North Little Rock. Thank you for your time.

Sincerely,
Kevin Sniff

Ksniff@gmail.com
(501) 707-4030

Parcel Detail Report

Created: 4/26/2021 8:25:04 AM

Basic Information

Parcel Number: 33N2760002400
 County Name: Pulaski County
 Property Address: SNIFF ROBERT B & ANNA B
 437 W 4TH ST
 N LITTLE ROCK, AR 721140000
 Mailing Address: SNIFF ROBERT B & ANNA B
 3704 CORNWALLIS DR
 N LITTLE ROCK AR 72116
 Total Acres: 0.00
 Timber Acres: 0.00
 Sec-Twp-Rng: 34-2N-12W
 Lot/Block: 1A/4
 Subdivision: FAUCETTE
 Legal Description:
 School District: 004 NLR
 Homestead Parcel?: No
 Tax Status:
 Over 65?: No
 Parcel Boundary



Leaflet | © 2021 Microsoft, © 2021 TomTom

Land Information

Land Type	Quantity	Front Width	Rear Width	Depth 1	Depth 2	Quarter
RESLOT	0.09 acres [3,920 sqft]					

Valuation Information

Entry	Appraised	Assessed
Land:	20,350	4,070
Improvements:	65,250	13,050
Total Value:	85,600	17,120
Taxable Value:		17,120
Millage:		0.0668
Estimated Taxes:		\$1,143.62
Assessment Year:		2021

Sales History

Variance Requested: A variance request from the area provisions of Section 5.11.3 of the North Little Rock Zoning Ordinance to allow the placement of a fence on a currently vacant lot and from Section 4.1 to allow the placement of an accessory structure on a lot without a primary structure.

Location of the Request: 1901 E 2nd Street, North Little Rock, AR 72114

Legal Description of the Property: the South 78.8-feet of Lot 1, Block 8, Washington Avenue Addition to the City of North Little Rock, Pulaski County, AR

Owner: Michael Davis, Oliver Lewis Inner City Thorough Bred Jockey Club

Present Use of the Property: Vacant lot

Present Zoning of the Property: R4, Multi-family

Site Characteristics: The site is a vacant lot located at the intersection of East 2nd Street and North Plum Street, one block off East Broadway. The lot was originally platted as a north/south lot but at some point the lot was subdivided. The applicant owns the lot to the north, which contains his single-family residence, which is the north 61.2-feet of this lot. Within this block, there are two occupied homes, a residential structure owned by the Bailey Chapel Missionary Baptist Church and the Bailey Chapel Missionary Baptist Church. Also located on the block is the East 2nd Street Community Garden. The frontage along East Broadway is commercially zoned and sits vacant.

Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R4, Multi-family	Single-family residence and vacant property
South	R4, Multi-family	Single-family residence and vacant property
East	R4, Multi-family	Single-family residence and vacant property
West	R4, Multi-family	Single-family residence and vacant property

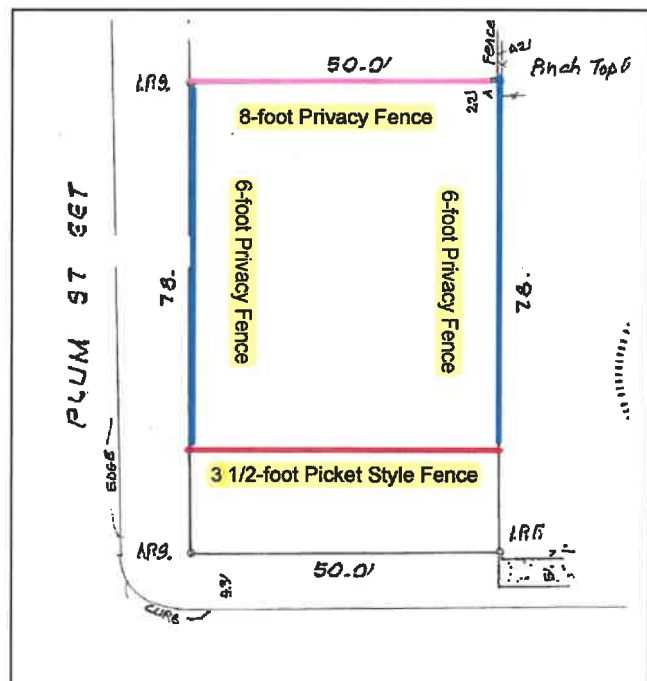
Justification: The applicant's justification is presented in an attached letter.

Staff Analysis:

The applicant states he is Chairman and President of the Oliver Lewis Inner City Thoroughbred Jockey Club, a 501c3 tax exempt youth charity whose mission is to turn lives around of at-risk youth, which is the entity he acquired the parcel under. He states he wants to share the extinguishing circumstances of the hardship he is under. He states there are many reasons he needs the Board's assistance. Those include, but not limited to the property is in the middle of an extremely high crime area. He states there is a non-stop stream of transients, homeless, meth users, crack users, prostitutes and the like walking down East 2nd Street and through the alley located along the northern boundary of this property. He states not to mention he has had his car battery, mechanics tools, and garden tools stolen from the yard. He states several of the transients have defecated and urinated in the yard of this vacant lot. He states there have been calls to the police on occasion as well to document the problems. He states he has had a problem with people parking on the vacant lot as well. He states in summary, he wants a general sense of security with the fencing as well as quiet enjoyment of the area and the opportunity to beautify the space. He states at some point after COVID is behind us and the foundation can generate funding, a new residence will be placed on the property. However, the immediate plans are to place the fence to secure the property, then construct a tool shed to secure his tools and later a greenhouse to compliment his efforts in educating and working with the at risk youth in the community.



The applicant is seeking a variance to allow the placement of a fence on a currently vacant lot. Section 5.11.4 of the North Little Rock Zoning Ordinance outlines the requirements for placement of fences within the residential zoning districts. The fence along the eastern property line is proposed as a solid board wooden fence 6-feet in height. This is the property line adjacent to 1902 E 2nd Street. The fence within the front setback and along the E. 2nd Street is proposed 3 1/2-foot picket style fence and the fence along N Plum Street is proposed as a 6-foot solid board wooden fence. The fence abutting the applicant's ownership



to the north, 210 N Plum Street, is proposed as an 8-foot wooden solid board fence.

5.11.3: Fence Restrictions for all Zoning Districts

C. Fences placed on a vacant lot or a lot without a primary structure shall require approval from the Board of Zoning Adjustment.

5.11.4: Residential Zoning Districts Requirements

A. Side Yards of Residential Zoning Districts:

1. Fences constructed in a side yard shall not exceed six (6) feet in height.

C. Rear Yards of Residential Zoning Districts:

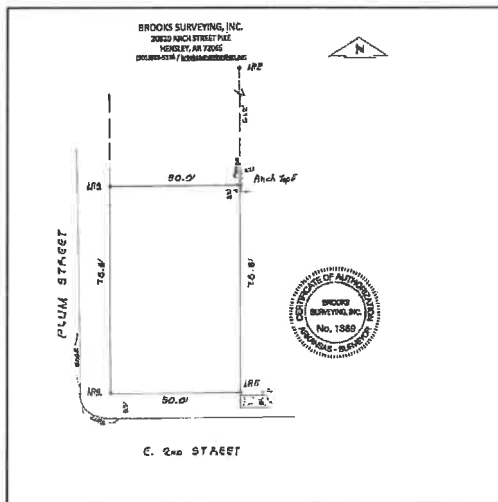
1. Fences up to eight (8) feet in height may be erected around the rear yard. (exception, see D below)

D. Corner Lots of Residential Zoning Districts:

1. Fences in the side and rear yards of corner lots may not be any closer to a street than the established front building line of any abutting property.

2. Fences that face a street in the side and rear yards of corner lots shall be limited to a maximum height of six (6) feet.

3. Fences that face a street in the side and rear yards of corner lots shall be constructed with the finished side facing the street.



Section 4.1, Residential Zoning Districts outlines the criteria for the placement of structures and accessory structures on lots. The ordinance defines the placement of accessory. The ordinance states accessory structure may only be permitted within the rear yard. The applicant collects and restores classic cars. The applicant is seeking the allowance to allow the placement of an accessory structure on the vacant lot to store his mechanics tools. The applicant is also proposing as funding becomes available to construct a small greenhouse on the property to assist with his efforts is educating and working with the at risk youth in the community. The final development plans for the site include construction of a new home on the lot to provide

reinvestment in the neighborhood, which is in need of revitalization. The applicant notes the size of each of these structures will likely not be more than 7-feet by 7-feet but the plans for each of these items has not been determined. The placement of the accessory structure will comply with the City Zoning Ordinance.

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 approval of the fence variance to secure the property and limit the ability of others currently trespassing on his property.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, if the fence is placed as typically allowed in the case of a residence located on the lot there will be little impact on the adjacent properties. The applicant has indicated the fence placed within the front building setback of the adjacent property will be as allowed per typical ordinance standards.
3. Will approval of the variance alter the essential character of the district? No, the applicant is not proposing to place the fence from property line to property line but to place the fence as would typically be allowed on a residential lot with a home.
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, there is no change to the land use or zoning plan for the area.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? Possibly, the applicant is requesting to place the fence to limit or lessen the ability for persons trespassing on his property.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? There will be no impact on the public health, safety and general welfare of the area residents with the placement of the fence

Approval of the Application as Filed Allows:

1. Approval will allow the placement of a fence, a greenhouse and an accessory building on the property without a primary structure. The request includes the placement of a picket style fence within the front yard area of the vacant lot and the placement of a 6-foot solid board privacy fence along the eastern and western property lines. The fencing along the northern property line is proposed 8-feet in height and constructed of a solid board wooden fence. Per the applicant the accessory structure and greenhouse would likely be no more than 7-feet by 7-feet. All fencing and building placement will comply with the City 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.

Staff Recommendation:

Staff recommends approval of placement of the fence as proposed; a 6-foot wood privacy fence along the east and west property lines, an 8-foot privacy fence along the north

property line and a 3 ½-foot picket style fence within the front yard setback. Staff also recommends approval of the placement of the accessory structures as proposed and in compliance with all city codes.

North Little Rock Board of Adjustment



BOA Case #2021-14

1901 E. 2nd St.

A variance request from the area provisions of Section 5.11.3 of the North Little Rock Zoning Ordinance to allow the placement of a fence on a currently vacant lot and from Section 4.1 to allow the placement of an accessory structure on a lot without a primary structure

North Little Rock Board of Adjustment



N PLUM ST

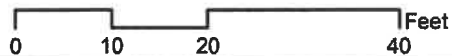
E 2ND ST

1903

BOA CASE #2021-14

Date: 5/11/2021

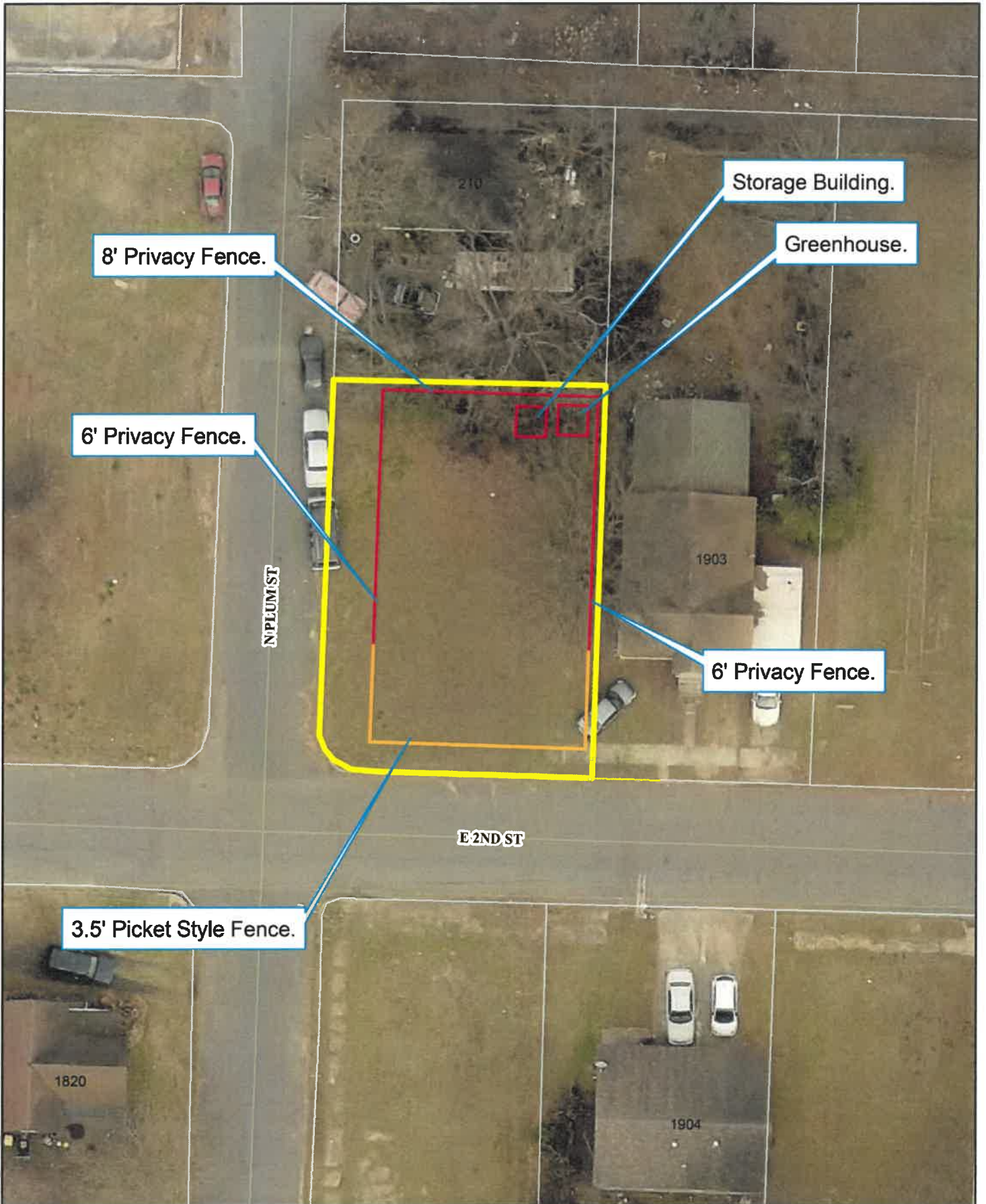
1 inch = 20 feet



User: jhale



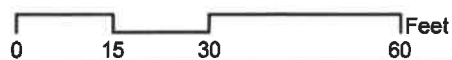
North Little Rock Board of Adjustment



BOA CASE #2021-14

Date: 5/13/2021

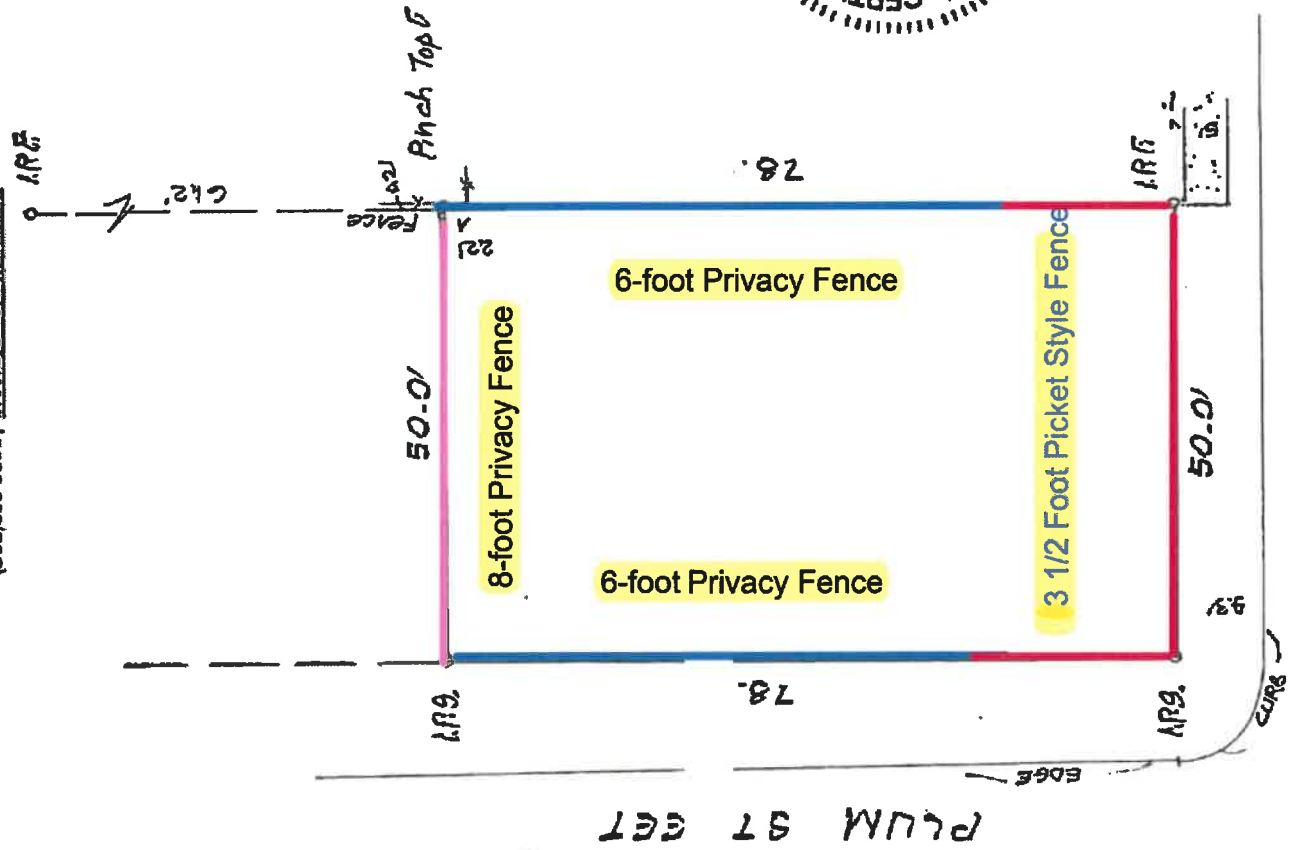
1 inch = 30 feet



User: jhale

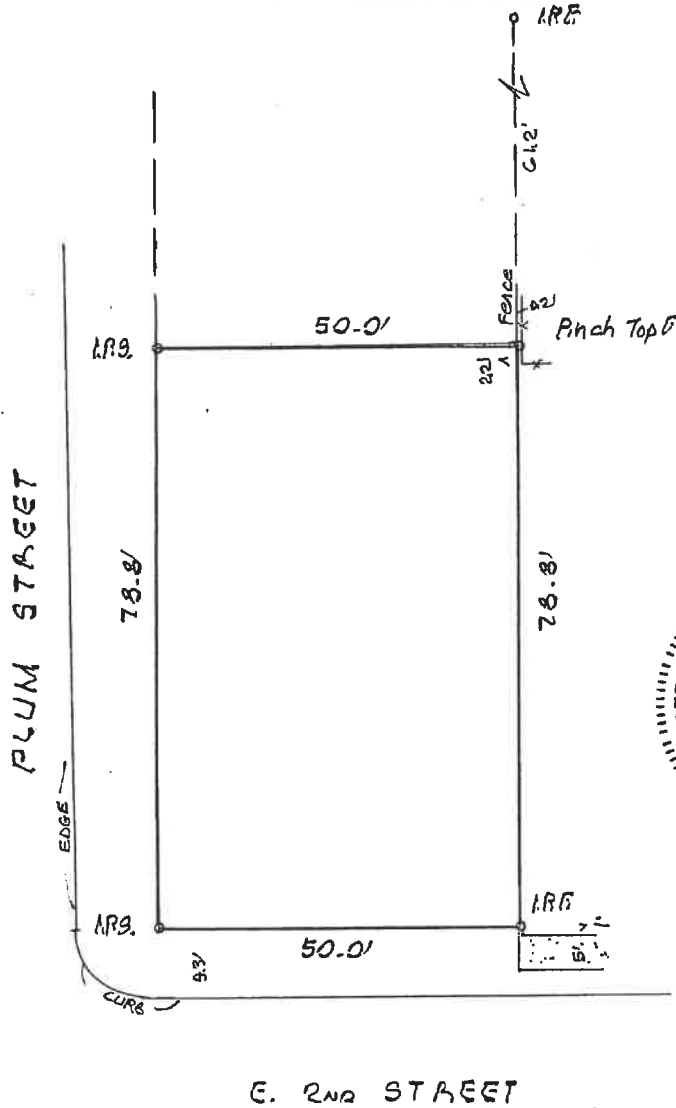


BROOKS SURVEYING, INC.
20820 ARCH STREET PIKE
HENSLEY, AR 72065
(501)888-5336 / brookssurveying@att.net



E. 2nd STREET

BROOKS SURVEYING, INC.
 20820 ARCH STREET PIKE
 HENSLEY, AR 72065
 (501)888-5336 / brookssurveying@att.net



LEGAL DESCRIPTION

The South 78.8 feet of Lot 1, Block 8, WASHINGTON AVENUE, North Little Rock, Pulaski County, Arkansas.



Date of Survey: May 7, 2021
 Scale: 1" = 20'
 Property Address: 1901 East 2nd Street
 For Use & Benefit of: Oliver Lewis Inner City Thoroughbred Jockey Club

This is to certify that the above described land has been surveyed. The corners are marked as shown and are in accordance with existing monuments in the area. Survey makes no statement concerning flood status of property unless otherwise stated. This survey is certified to and limited to the parties shown hereon.

James, Donna

From: Michael Davis <info@oliverlewisinnercity.org>
Sent: Wednesday, April 28, 2021 2:46 PM
To: James, Donna
Subject: Re: FW: Board of Adjustment Variance Request

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, (application Items)

Item (4) 1901 East 2nd Street - North Little Rock, AR. 72114

I'm the Founder, Chairman and President of Oliver Lewis inner city thoroughbred jockey club, a 501c3 tax exempt youth charity whose mission is to turn lives around of at-risk youth, which is the entity I acquired this parcel under. I write to share our extinguishing circumstances of the hardship we are under. There are many reasons we need your assistance. They include, but not limited to: The property is in the middle of an extremely high crime area. There is a non-stop stream of transients, homeless, meth users, crack users, prostitutes and the like walking down 2nd street and through the alleys. Not to mention that I have had my car battery, mechanic tools, and garden tools stolen from the yard, And several have defecated and urinated right in the yard. I have called police on occasion as well. And we have had a problem with people parking on lot as well. In summary, we want a general sense of security with the fencing as well as quiet enjoyment and the opportunity to beautify the space. At some point after Covid 19 is behind us and we are able to generate funding, a residence / office will be put on the property. However, our immediate plans are to construct a tool shed and greenhouse.

Item (5) 210 North Plum Street- North Little Rock, AR. 72114

I further state and want to make known that I (Michael Davis) own the property located at 210 North Plum Street North Little Rock, Ar. 72114. This property is listed at the assessor's office under my for profit company (Costar Broadcast Group) This property is directly adjacent to 1901 E. 2nd street to its Northern line. My property at 210 North Plum street is the only residence on plum street in the 200 block. The parcel to the North of me is an empty lot owned by the State of Arkansas Highway lands. Directly across from 210 North Plum to the West are two vacant lots. It appears that many residences in this area were razed by the city many years ago.

Michael M. Davis

President & CEO

P 501.777.0939

BOA #2021-15
May 27, 2021

Variance Requested: A variance from the area provisions of Section 4.1.5(c) to allow a reduction in the exterior side yard setback for the side yard located along Frank Street.

Location of the Request: 1423 W 12th Street, North Little Rock, AR 72114

Legal Description of the Property: Bearing Cross Addition, Block 8 and the West 40-foot of Lots 9 & 10 to the City of North Little Rock, Pulaski County, AR

Owner: Rock City Houses, LLC

Applicant: Chris Lacy, Attorney at Law

Present Use of the Property: Vacant

Present Zoning of the Property: R4, Multi-family District

Site Characteristics: The site is a vacant lot located at the intersection of West 12th Street and Frank Street. The lot appears to have been originally platted as an east/west lot and later subdivided to create three lots with individual homes on each of the three lots. There is a vacant lot located to the north of this site and a vacant lot located to the south of this site. Located in the area is an elementary school, a religious institute, Agape Community Temple of Servants and single-family and multi-family residences.

Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R4, Multi-family District	Vacant
South	R4, Multi-family District	Vacant and Single-family
East	R4, Multi-family District	Single-family
West	R4, Multi-family District	Single-family

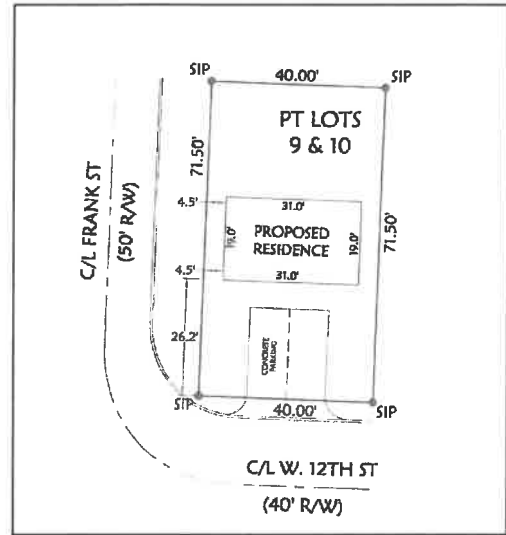
Justification: The applicant's justification is presented in an attached letter.

Staff Analysis:

The applicant is seeking a variance to allow a reduced side yard setback for this property. The lot is a 40-foot by 71.5-foot residential lot within the R4, Multi-family Zoning District. The minimum exterior side yard setback, the side yard which is adjacent or parallel to a

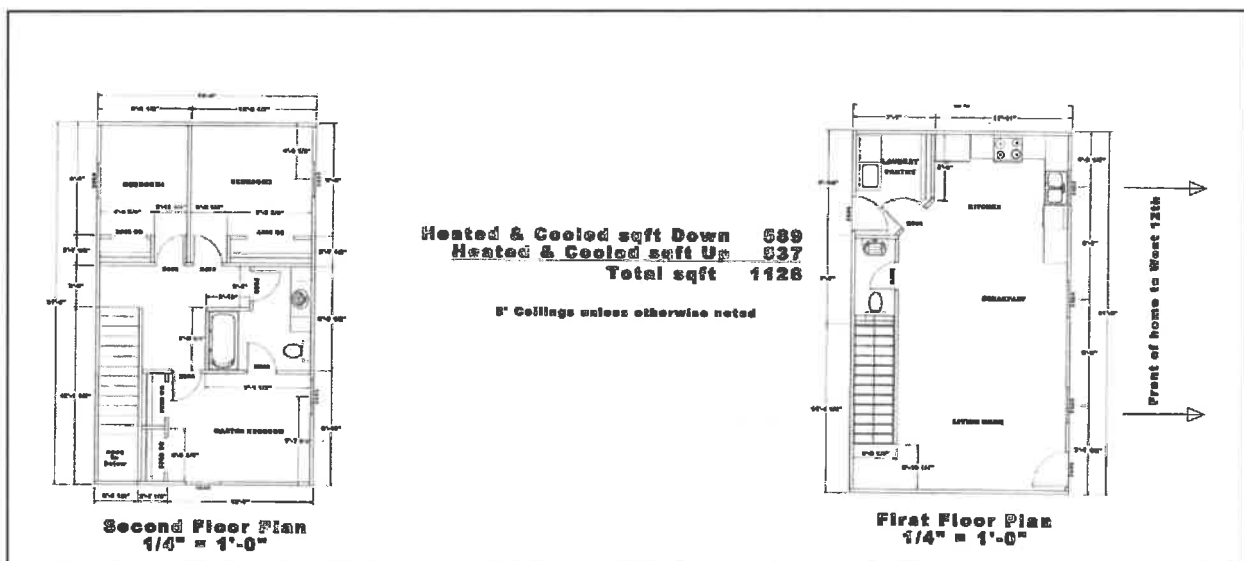
public or private right of way, is 25-feet. The front yard setback and the rear yard setback are both required at 25-feet. The interior side yard setback is required at 10-feet.

The applicant is proposing to construct a two-story residence 31-feet by 19-feet with a building footprint of 589 square feet and a unit total square footage of 1,126 square feet. As noted the lot size of 40-feet by 71.5-feet. When placing a structure on the lot and recognizing the required 25-foot exterior side yard setback and 10-foot interior side yard less the 40-foot lot width, 5-feet remains for building a structure within the width of the lot. When recognizing the 25-foot front and rear yard setbacks 21.5-feet is available for the depth of the buildable area.



The plan submitted by the applicant indicates the placement of a 26.2-foot front yard setback and a 26.3-foot rear yard setback. The exterior side yard is indicated at 4.5-feet as well as the interior side yard setback. The applicant states the structure could be rotated but would then require a variance for a reduced front and rear yard setback. He also states without a variance it is not likely any residence could be built on the property.

If the building were rotated the front and rear setbacks could then be a 25-foot setback along West 12th Street and 15.5-feet along the "rear" property line. The exterior side yard setback could be placed at 15-feet with the interior side yard setback at 6-feet. Although this would require variances as well, the facing of the structure would be more in keeping with the original platting of the block.



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? Possibly, the lot was split some years ago leaving only a remnant of a former platted east/west lot resulting in the creation of three lots from the former single lot.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? Possibly, the reduced setbacks could potentially impact new development which could occur on currently vacant lots located to the north and northeast of this site.
3. Will approval of the variance alter the essential character of the district? No, the proposed construction is single-family and the area is predominately single-family.
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 remain unchanged.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, the applicant is seeking the variance to allow construction of a single-family home on a currently substandard lot.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, there will be no impact on the general health, safety and welfare of the citizens.

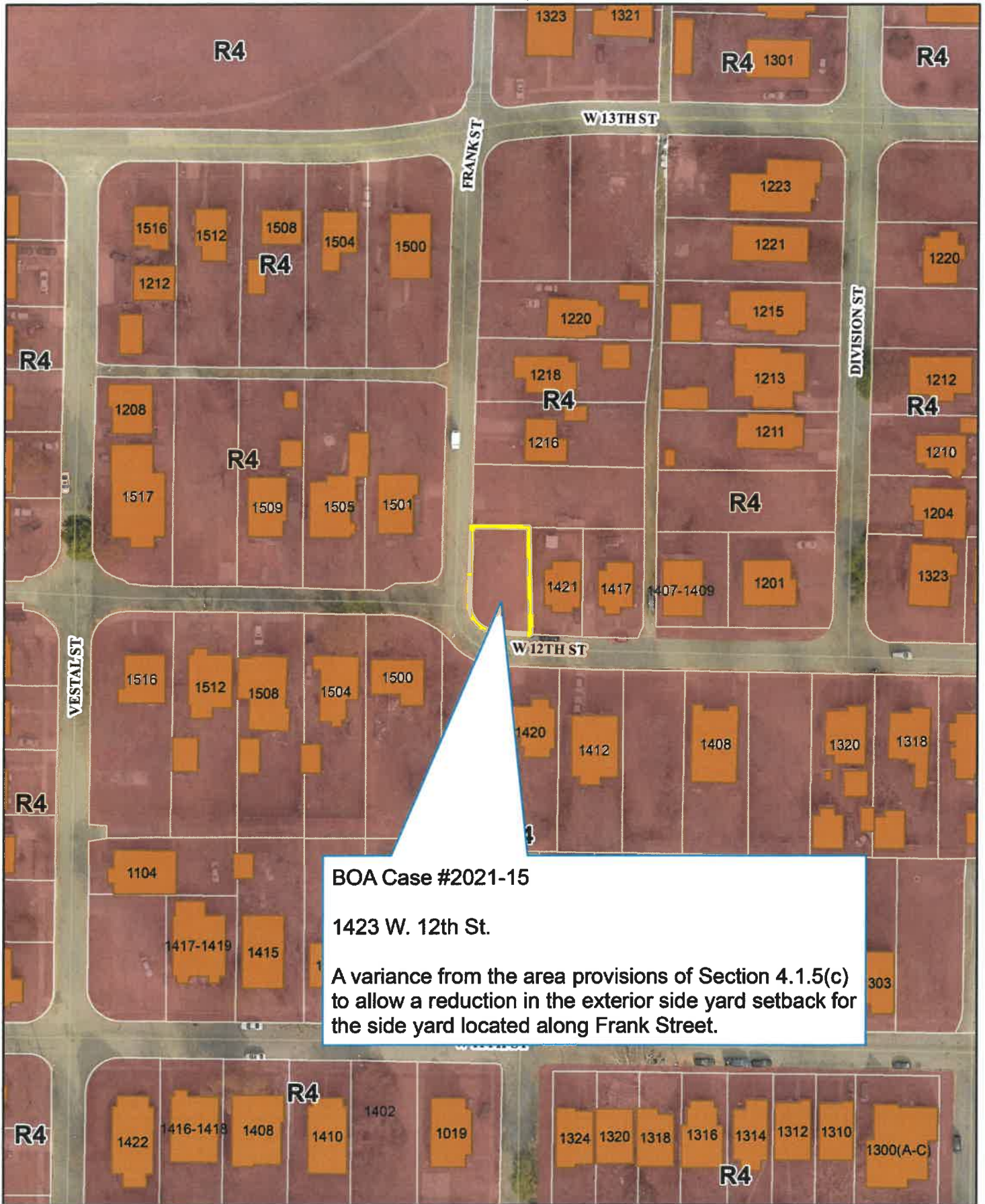
Approval of the Application as Filed Allows:

1. Approval will allow the placement of the structure with a 4.5-foot east and west side yard setback and a 26.5-foot front and rear yard setback.
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.

Staff Recommendation:

The structure be flipped with the "front" facing Frank Street resulting in a 25-foot setback along West 12th Street and 15.5-feet along the "rear" property line. The exterior side yard setback placed at 15-feet with the interior side yard setback at 6-feet.

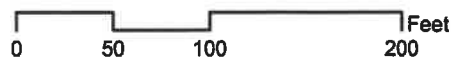
North Little Rock Board of Adjustment



BOA CASE #2021-15

Date: 5/11/2021

1 inch = 100 feet



User: jhale



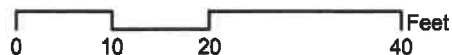
North Little Rock Board of Adjustment



BOA CASE #2021-15

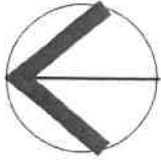
Date: 5/11/2021

1 inch = 20 feet



User: jhale

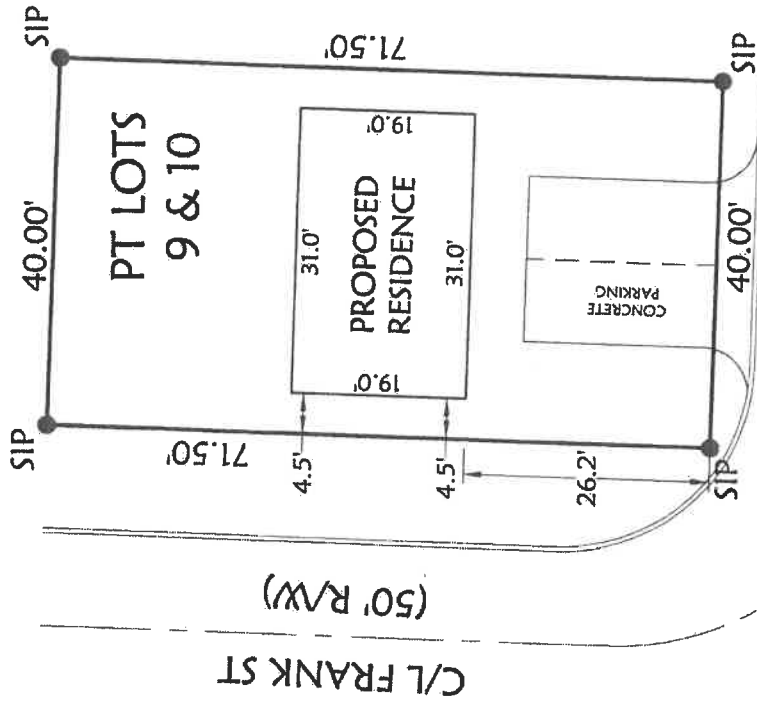




NORTH



Scale 1" = 20'



C/L W. 12TH ST
(40' R/W)

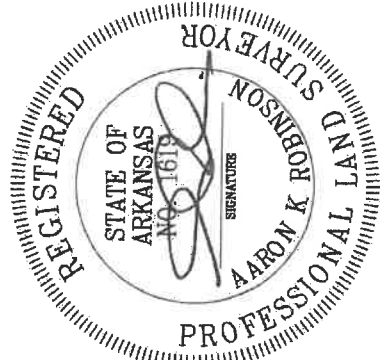
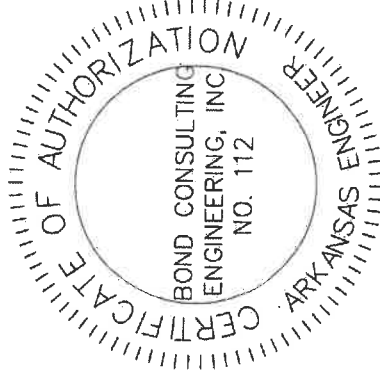
FLOOD STATEMENT:
 FIRM FLOOD INSURANCE RATE MAP PANEL 050182 0343 G
 (EFFECTIVE DATE: JULY 6, 2015) INDICATES THAT THIS PROPERTY
 IS LOCATED ABOVE THE 100 YEAR FLOOD PLAIN.

BOND CONSULTING ENGINEERS, INC.
 2601 T. P. White Drive
 Jacksonville, Arkansas 72076
 Phone: (501) 992-0538 Fax: (501) 992-1950
 E-mail: tbond@bondce.com
 E-mail: arobinson@bondce.com

Prepared For:
Rock City Homes LLC
 1423 W. 12th Street
 N. Little Rock, AR 72114

PRELIMINARY PLOT PLAN
 BARING CROSS ADDITION
 BLOCK 8, W 40' OF LOTS 9 & 10
 NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS

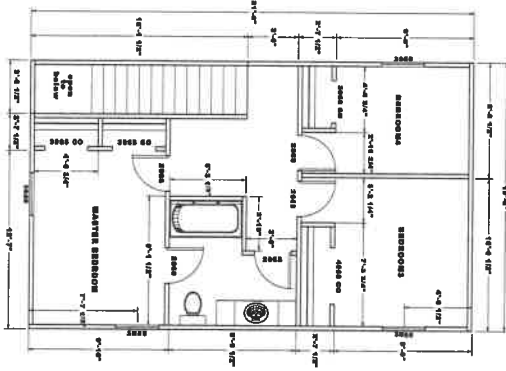
Scale: 1" = 20'
 Date: March 10, 2021
 Job No.: 8904
 Drawn By: RAS



CERTIFICATE OF SURVEYING ACCURACY:
 I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A
 SURVEY MADE BY ME OR UNDER MY SUPERVISION, AND THAT
 ALL CORNERS ARE SHOWN IN ACCORDANCE WITH THE
 EXISTING MONUMENTS OF THE AREA. IMPROVEMENTS ARE
 AS SHOWN.

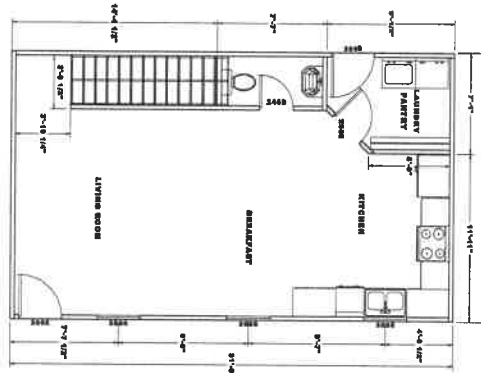
AARON K. ROBINSON
 REGISTERED LAND SURVEYOR
 ARKANSAS LICENSE NO. 1619

Second Floor Plan
1/4" = 1'-0"

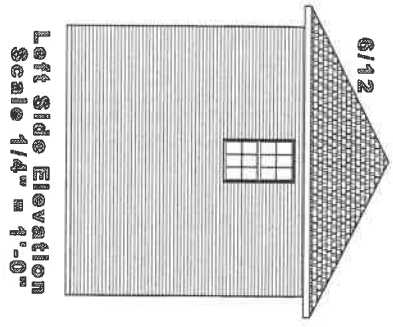


Heated & Cooled sqft Down 589
 Heated & Cooled sqft Up 537
 Total sqft 1126
 8' ceilings unless otherwise noted

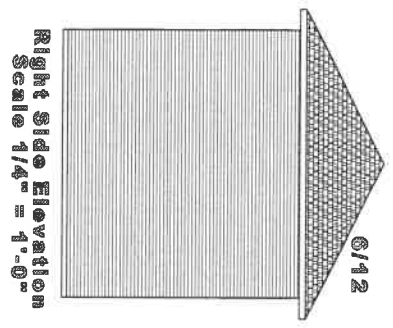
First Floor Plan
1/4" = 1'-0"



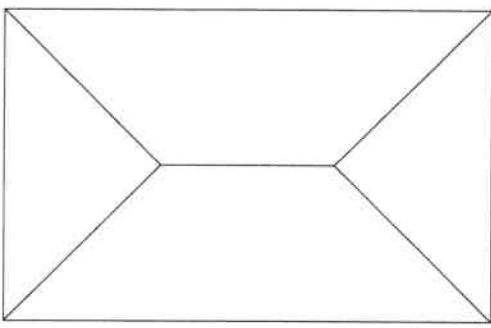
Front of home to West 12th



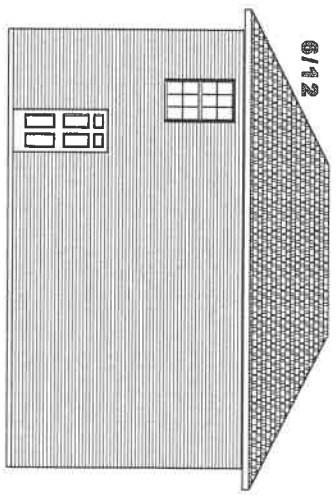
Left Side Elevation
Scale 1/4" = 1'-0"



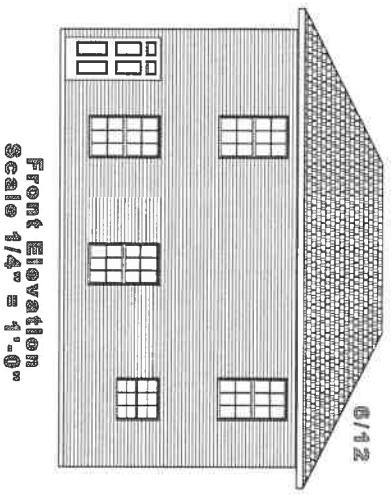
Right Side Elevation
Scale 1/4" = 1'-0"



Roof Elevation
1/4" = 1'-0"
6/12



Rear Elevation
Scale 1/4" = 1'-0"



Front Elevation
Scale 1/4" = 1'-0"



Law Office of Chris Lacy

P.O. Box 1549
Cabot, AR 72023
PH(501) 941-3730 Fax(501) 941-3731



Chris Lacy, Attorney at Law

chris@lawofficeofchrislacy.com

April 30, 2021

City of North Little Rock
Board of Zoning Adjustment
120 Main Street
North Little Rock, AR 72114

RE: Hardship letter for Variance Request 1423 W 12th Street, North Little Rock, AR
Parcel #33N2700015700

To whom it may concern,

The purpose of this letter is request a variance in the setbacks for the property referenced above. The property is located in a R4 district. The minimum setback for the side yard in R4 is 10 feet. As this lot is only 40 foot wide, to comply with the current set back requirements, a structure could only be 20 foot wide. Obviously this is difficult, if not impossible.

My client, Rock City Houses, LLC, is in the business of building and providing quality homes and rental space for the people of North Little Rock, Arkansas. To that effect, they desire to build a 2-story home on the referenced lot. Included here are site plans, elevations, and preliminary plot plans. As you will see, to fit the proposed structure on the lot would require a reduction variance in the side setback, currently 10 feet, to 4.5 feet. It appears that all other setbacks could be maintained. If the City so chooses, the structure could be rotated, clearing the side setbacks but then requiring a front and back set back reduction from the current 25 feet to 20.25 feet.

If there is not some form of setback variance, it is doubtful that any residence could ever be built on this lot, creating a tremendous waste of quality space for which the City to have the opportunity to provide another much needed home for its citizens.

In conclusion, we respectfully request that the side setbacks on the lot referenced above be modified and a variance allowed so that Rock City Homes, LLC can build the proposed structure.

Sincerely,



Chris Lacy
Law Office of Chris Lacy
P.O. Box 1549
Cabot, AR 72023
Phone: 501.941.3730
Fax: 501.941.3731
chris@lawofficeofchislacy.com

encl. stated

c/c: client, file

EXHIBIT "A"
LEGAL DESCRIPTION

Tract 1: The middle 50 feet of Lots 12, 13 and 14, Block 6, Cassinelli's Addition to the City of North Little Rock in Pulaski County, Arkansas.

Tract 2: Lot 7, Block 8, Vestal View Addition to the City of North Little Rock, in Pulaski County, Arkansas.

Tract 3: Lot 14, Replat No. 4 of Adams Addition to the City of Little Rock, Pulaski County, Arkansas.

Tract 4: The West 40 feet of Lots 9 and 10, Block 8, revised plat of Baring Cross Addition to North Little Rock, in Pulaski County, Arkansas.

BOA #2021-16
May 27, 2021

Variance Requested: A variance from the area provisions of Section 4.1.2 to allow a reduced rear yard setback.

Location of the Request: 30 Silver Ridge Cove, North Little Rock, AR 72118

Legal Description of the Property: Lot 7 Silveridge Subdivision to the City of North Little Rock, Pulaski County, AR

Owner: Gary W and Jeanne M Johnson

Applicant: KMR Properties, LLC, Kenneth Roberts Agent

Present Use of the Property: Single-family

Present Zoning of the Property: R1, Single-family District

Site Characteristics: The site is located within a single-family subdivision with lots located both within and outside the city limits of North Little Rock. The subdivision appears to have developed in the early 1990's. This lot is located at the beginning of a cul-de-sac with a front lot width at the street of 55-feet. The width at the rear property line is 102-feet. The depth of the lot ranges from 125-feet to 136-feet. There is a 20-foot platted easement along the rear of the lot. The house as constructed sits with a 40-foot front setback. The house was placed with a larger front setback to allow for the proper side yard setbacks due to the shape of the lot.

Surrounding Land Use and Zoning

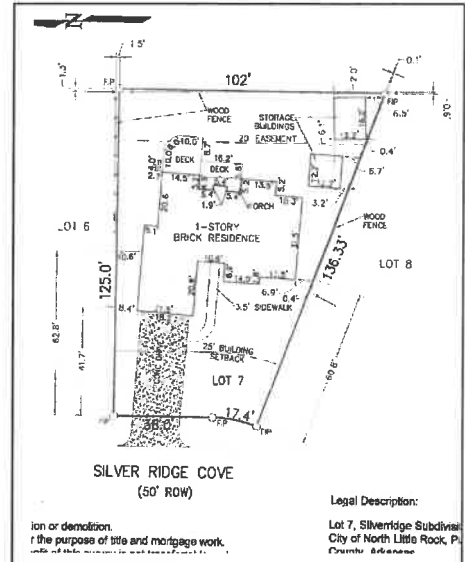
<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R1, Single-family	Single Family
South	R1, Single-family	Single Family
East	R1, Single-family	Single Family
West	R1, Single-family	Single Family

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

Staff Analysis: The applicant is seeking a 5-foot rear yard setback variance to allow an addition to the rear of the home. The addition is proposed 20-feet by 20-feet and is necessary to accommodate the existing owner's son who is a disabled veteran. The

applicant states when the home was constructed, it was set closer to the rear yard setback due to the odd shape of the lot and the un-uniform shape of the home. He states if the home had been placed closer to the front setback all the currently required setbacks along with the new addition could be met and the request would not be necessary.

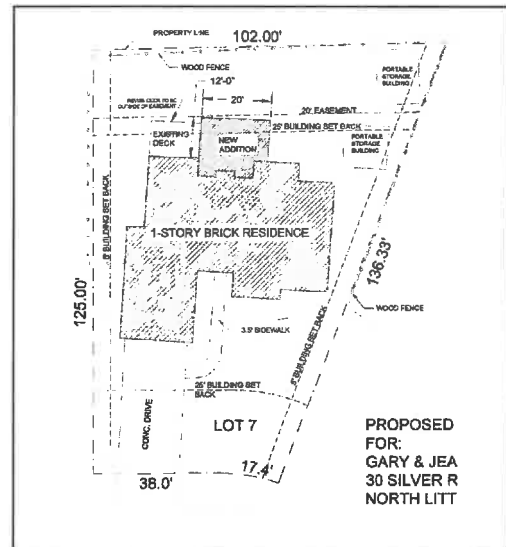
Section 4.1.2 outlines the development criteria for lots developing on R1, Single-family District lots. The ordinance requires a 25-foot front and rear yard setback along with a side yard setback of 10-percent of the lot width, as measured at the building line, with a minimum of 6-feet and a maximum of 8-feet. The lot width at the building line is 65-feet. The side yard setbacks are 6.9-feet and 8.4-feet according to the applicant's survey. The side yard setbacks required are 6.5-feet.



The site plan indicates they will not place any structure within the existing 20-foot easement along the rear of the property. The applicant states an existing deck which was constructed within the easement will be redesigned and the portion extending into the easement removed. With the new construction, the rear yard setback will be placed at 20-feet as opposed to the typically required 25-feet.

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? Possibly, the lot being located within a cul-de-sac with a narrow street frontage typically requires the front of the home to be "pushed back on the lot" to ensure proper side yard setbacks.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, the placement of the addition in the rear yard as proposed will not have a significant impact on this property or the adjacent properties.
3. Will approval of the variance alter the essential character of the district? No, the property will remain as a residential use.



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 remain as currently established.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, setbacks are established to ensure opens space and proper separation between homes.
6. Will the approval of the variance adversely affect public health, safety and general welfare? No, the approval of the variance will have no impact on the public health, safety and general welfare of the community.

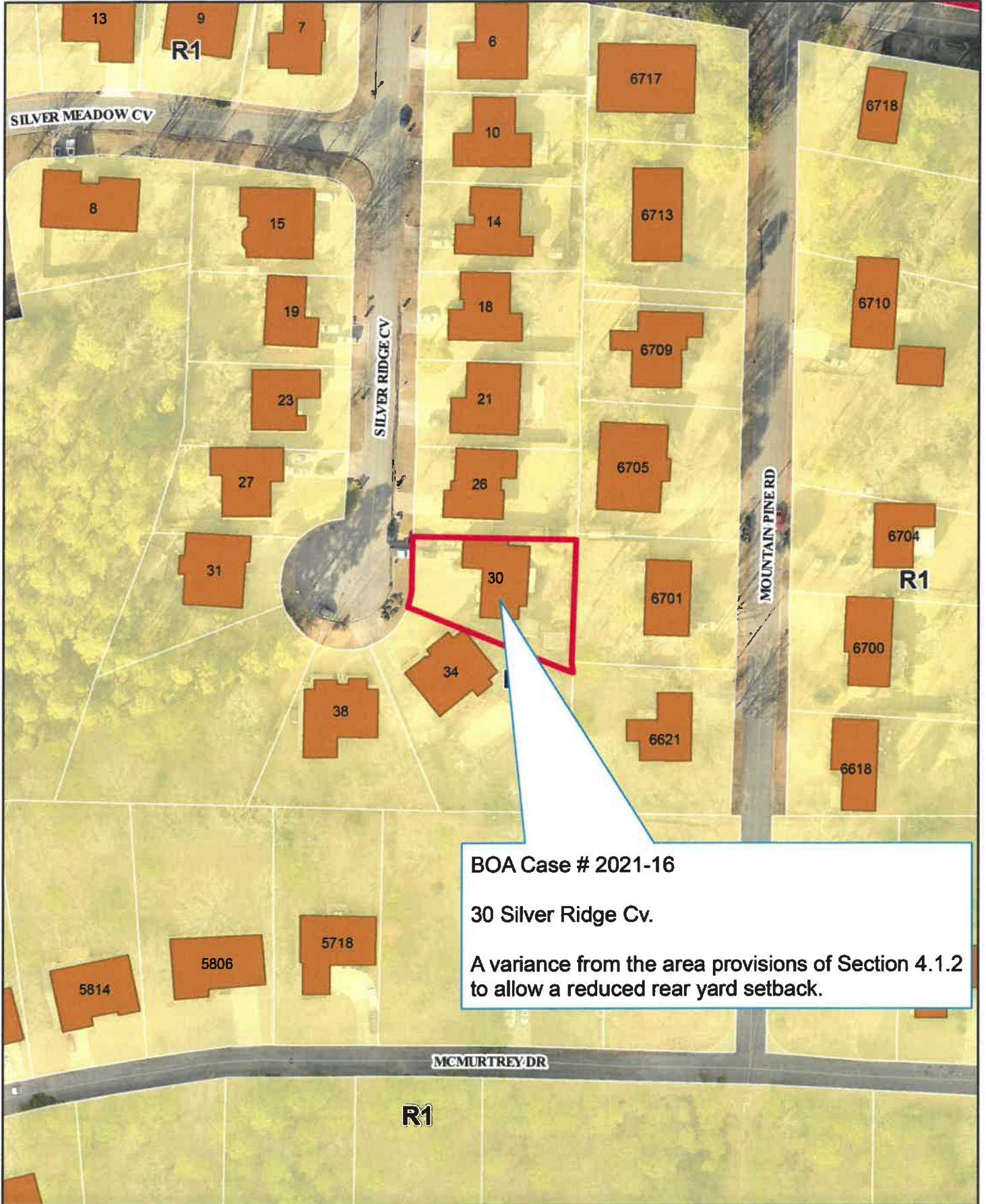
Approval of the Request as Filed Allows:

1. Approval will allow a reduction in the rear yard setback of 5-feet to allow an addition to the rear of the home, 20-feet by 20-feet resulting in a rear yard setback of 20-feet.
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.

Staff Recommendation:

Staff is supportive of the request.

North Little Rock Board of Adjustment

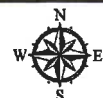
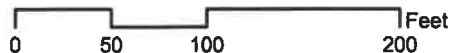


BOA Case # 2021-16
30 Silver Ridge Cv.
A variance from the area provisions of Section 4.1.2
to allow a reduced rear yard setback.

BOA CASE #2021-16

Date: 5/11/2021

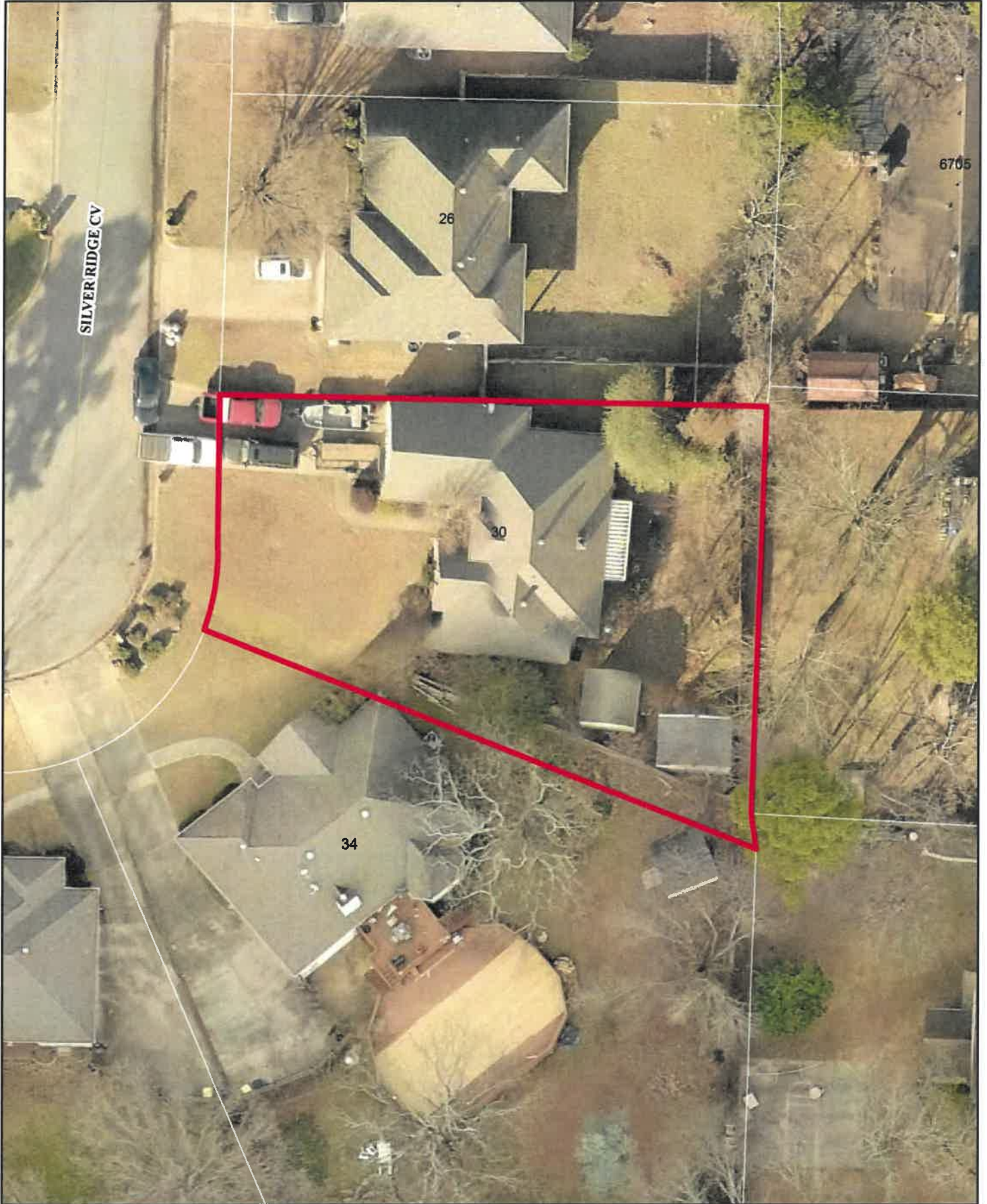
1 inch = 100 feet



User: jhale



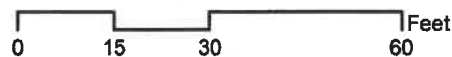
North Little Rock Board of Adjustment



BOA CASE #2021-16

Date: 5/11/2021

1 inch = 30 feet



User: jhale



North Little Rock Board of Adjustment



Proposed addition.

BOA CASE #2021-16

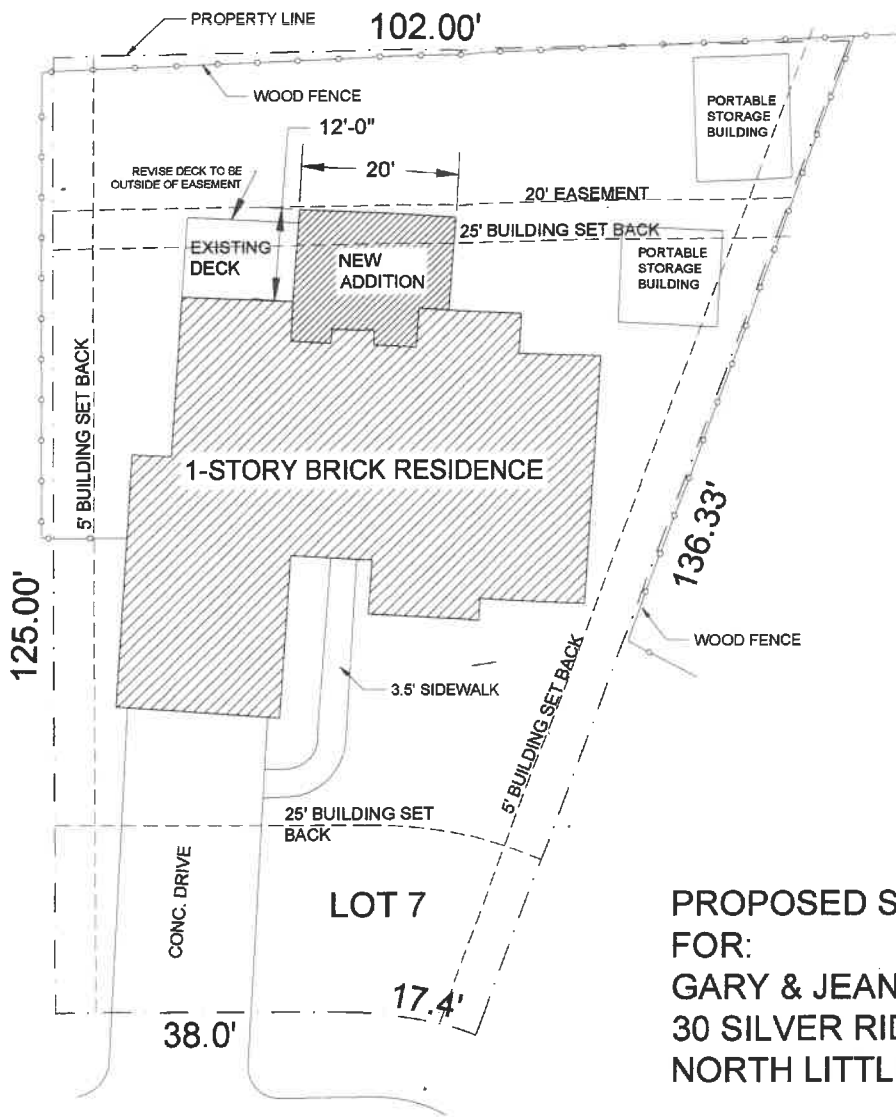
Date: 5/11/2021

1 inch = 30 feet



User: jhale





PROPOSED SITE PLAN
 FOR:
 GARY & JEANNE JOHNSON
 30 SILVER RIDGE COVE
 NORTH LITTLE ROCK, AR 72118

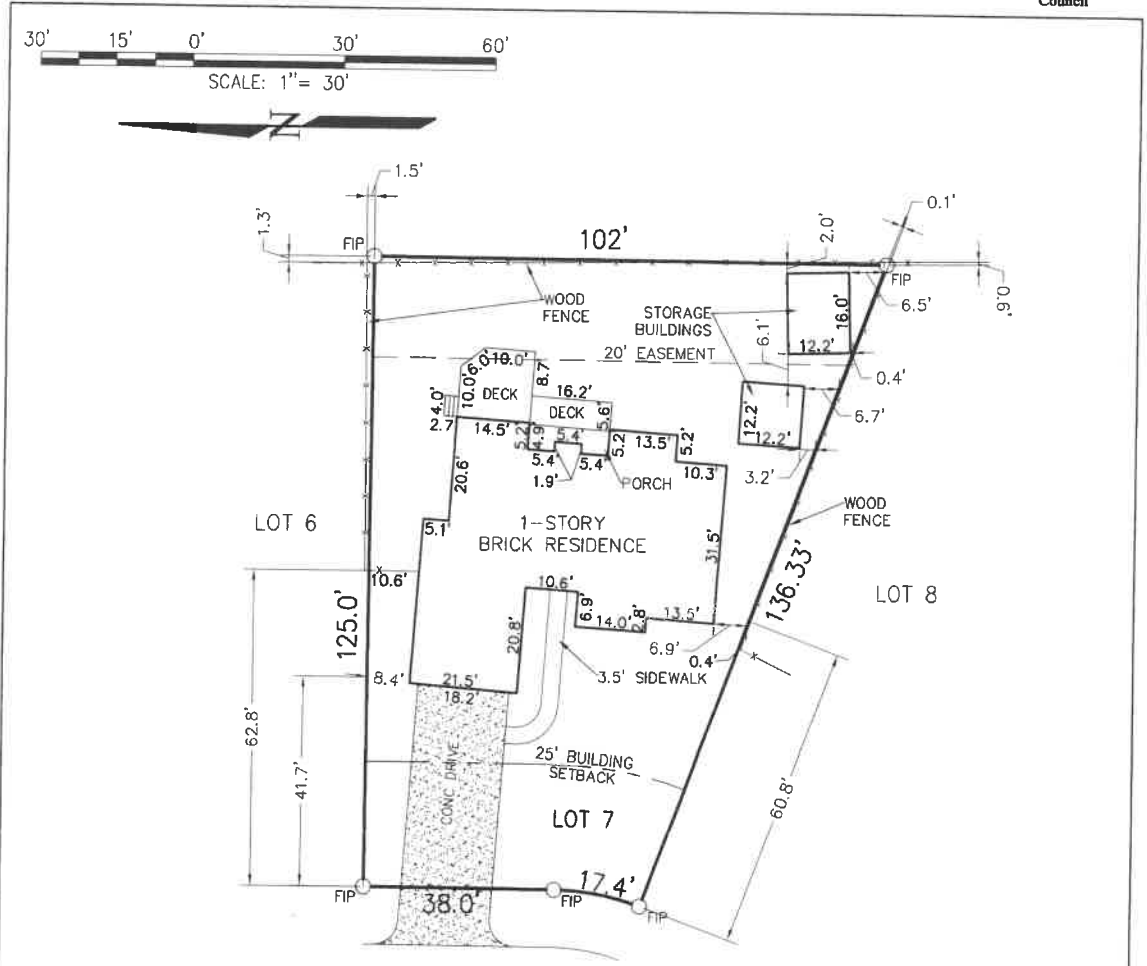
KENNETH d. ROBERTS, ARCHITECT
 63 BELMONT DR.
 LITTLE ROCK, ARKANSAS 72204
 (501)413-1471
 EMAIL: emial@kennethdroboterts.com

TITLE:
 PROPOSED
 SITE PLAN

DATE:
 05-03-21

PROJECT NO:
 210316

SHEET NO:
A1



SILVER RIDGE COVE
 (50' ROW)

NOTES:

1. Not for construction or demolition.
2. This survey is for the purpose of title and mortgage work.
3. The use and benefit of this survey is not transferrable and does not extend to any other party.
4. No other copies of this survey will be available.
5. This survey has not benefited from a title search. Easements may exist that are not shown on this map.
6. Drawing file: 15-11-12.dwg

Flood Statement:

According to the FEMA Flood Insurance Rate Map (FIRM) community panel no.: 05119C 0330 G dated, JULY 6, 2015, the above described property is located in ZONE X and DOES NOT lie within the 100 year flood plain.

This is to certify that the above described land has been surveyed in NOV. of 2015. Corners are marked as shown and are in accordance with existing monuments in the area. This certification is for and limited to the parties shown hereon and is not transferable or extended to any other party.

ADDRESS: 30 Silver Ridge Cove
 North Little Rock, Arkansas 72118

FOR: Gary W. & Jeanne M. Johnson

Legal Description:

Lot 7, Silverridge Subdivision to the City of North Little Rock, Pulaski County, Arkansas.



LEGEND:

FOUND IRON PIN	○
SET IRON PIN	●
FOUND "X"	⊗
ELEVATIONS (EXISTING & PLANNED)	XXX.XX' E&P
BUILDING	XXX.XX'
UTILITY EASEMENT	---
BUILDING SETBACK	---
BOUNDARY LINE	XXX.XX'
CENTER LINE	---
RIGHT-OF-WAY	---
FENCE LINE	-X-

DRAWN BY: JGB	DATE: NOV. 20, 2015	JOB NUMBER: 15-11-12
APPROVED BY: MPM	SCALE: 1" = 30'	REVISION NUMBER:

KMR Properties LLC.com
7123 Interstate 30, Suite 37
Little Rock, AR 72209
Ph: 501-485-4884

May 3, 2021

To Whom It May Concern:

We are writing this Letter of Hardship on behalf of Mr. Gary Johnson, owner of the property at 30 Silver Ridge Cove North Little Rock, AR 72118. We are requesting a Rear Yard Variance to the property on the bases of need to add an addition to the property. The reason for the need is as follows:

1. Additional space is needed to accommodate the home owner's son, who is a disabled veteran.
2. When the property was constructed, it was set closer to the rear easement due to the odd shape of the lot and the un-uniform shape of the home. If it had been possible for the house to have been set closer to the front property easement, this request would not be necessary.

Thank you for your consideration in this matter.



Owner of KMR Properties, LLC
Db. KMR Roofing and Renovation

5-3-21

Date

May 3, 2021

To Whom It May Concern:

I Gary Johnson do hereby give permission to KMR Roofing and Renovation to submit a request, on my behalf, to the Board of Zoning Adjustment. This is regarding a rear yard set back variance for my property at: 30 Silver Ridge Cove North Little Rock, AR 72118.



Home Owner Signature

5-3-21

Date

BOA #2021-17
May 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: 5503 John F Kennedy Boulevard, North Little Rock, AR 72116

Legal Description of the Property: Lot 22, Block 201, Park Hill 15N Addition to the City of North Little Rock, Pulaski County, AR

Owner: Clark Orthodontics

Applicant: Ronny Skipper, Seiz Sign Company

Present Use of the Property: The applicant is currently seeking site plan approval from the Planning Commission to allow the removal of the existing structure and replacement with a new office building to serve as an orthodontics office.

Present Zoning of the Property: C1, Office District, the site is located within the JFK Sign Overlay (Section 14.102)

Site Characteristics: The site contains an office building slated for demolition and proposed with new construction of an office building containing 3,270 square feet to be an orthodontics practice. The applicant is also seeking a variance request from the Regulations to Control Development and Subdivision of Land (Subdivision Ordinance) to allow a hillside cut resulting in a 14-foot 10-inch high retaining wall.

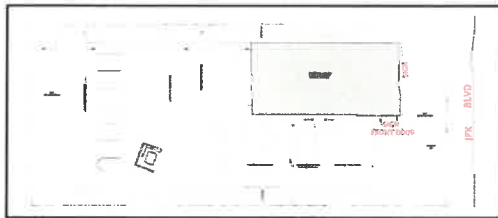
Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R1, Single-family District	Single Family Homes
South	C2, Small Scale Commercial District	Restaurant and Office Uses
East	C2, Small Scale Commercial District	Medical Office and Office Uses
West	C1, Office District	Office and Small Scale Educational Uses

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.

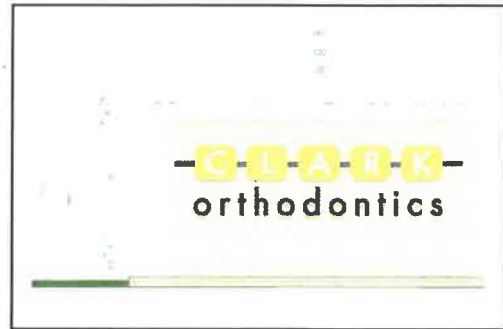
The applicant is requesting the variance to allow the placement of a wall sign over the front entrance to a proposed new building. The site plan indicates the building will be placed at the 25-foot front building line with an access drive from John F Kennedy Boulevard (JFK) and parking in the rear of the building. The width of the lot does not allow the building to be turned for the front entrance to face JFK and continue to allow the majority of the parking to be placed within the rear of the lot.



The sign proposed on the façade along JFK and the façade over the front entrance each indicated 153-inches in length. The graphic indicates two rows of letters. The first row, CLARK, is proposed 21-inches in height. The second row of letters, orthodontics, is proposed 16 ½-inches in height. The sign area proposed is 39.3-square feet for each

of the signs. The building elevation along JFK is approximately 40-feet and an average height of 12.5-feet for a total sign area allowance of 50 square feet. The sign area façade over the front entrance is approximately 82-feet with an average height of 12.5-feet for a total sign area allowance of 102.5 square feet.

The plan also indicates the placement of a monument sign near the JFK entrance drive. The sign is proposed 72-inches in height and an overall length of 120-inches for a total sign area of 60 square feet. The JFK Sign Overlay District states the purpose of the overlay is to improve the appearance of John F Kennedy Boulevard by reducing visual clutter caused by freestanding signs. Wall signs are permitted as allowed within the commercial zoning districts. Freestanding signs are prohibited. Ground signs are limited to a maximum height of 6-feet, setback 5-feet from the property line, with a maximum sign area of 2-square feet of sign area for each linear foot of street frontage up to a maximum of 64-square feet. Signs are not allowed within the sight triangle. The monument sign as proposed meets the criteria of the JFK Overlay.



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 to construct a new building on the property with parking located in the rear of the building which then does not allow the building to be constructed with the front entrance along JFK.
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 a wall sign on their façade 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. The applicant is seeking to place a wall sign on the JFK side of the building similar in size as the sign proposed for the wall façade without street frontage.
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 of the Application as Filed Allows:

1. Approval will allow the placement of a wall sign on the façade, over the entrance door to the business, 153-inches in length with two rows of letters, (the first row, CLARK, 21-inches in height and the second row of letters, orthodontics, 16 ½-inches in height) for a total sign area of 39.3-square feet
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.

Staff Recommendation:

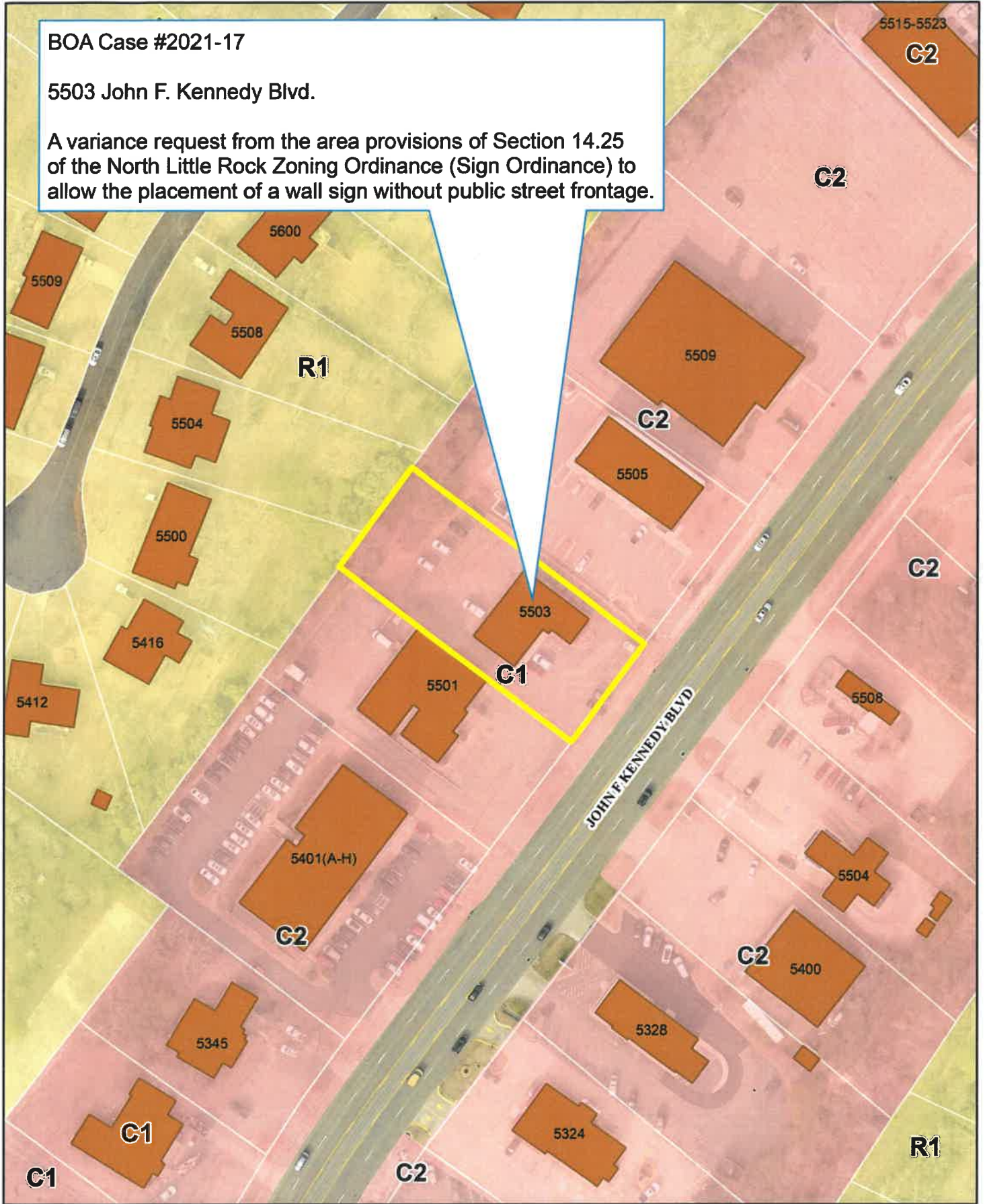
Staff is supportive of the applicant's request.

North Little Rock Board of Adjustment

BOA Case #2021-17

5503 John F. Kennedy Blvd.

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 CASE #2021-17

Date: 5/11/2021

1 inch = 100 feet



User: jhale



North Little Rock Board of Adjustment



BOA CASE #2021-17

Date: 5/11/2021

1 inch = 40 feet



User: jhale



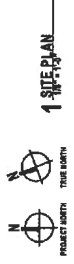
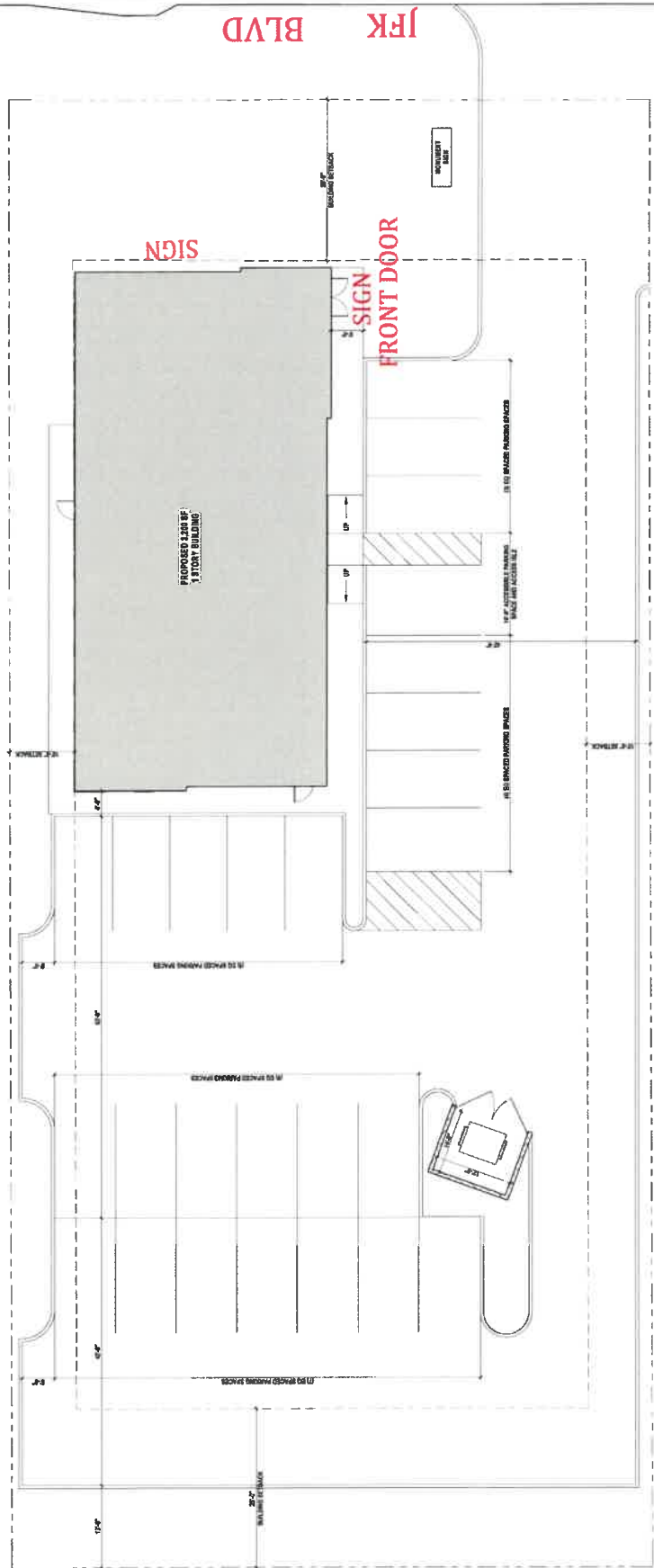
STAMP
NOT FOR CONSTRUCTION

JOB DEVELOPMENT
 SHEET TITLE
ARCHITECTURAL SITE PLAN

REVISIONS	
NO.	DESCRIPTION / DATE

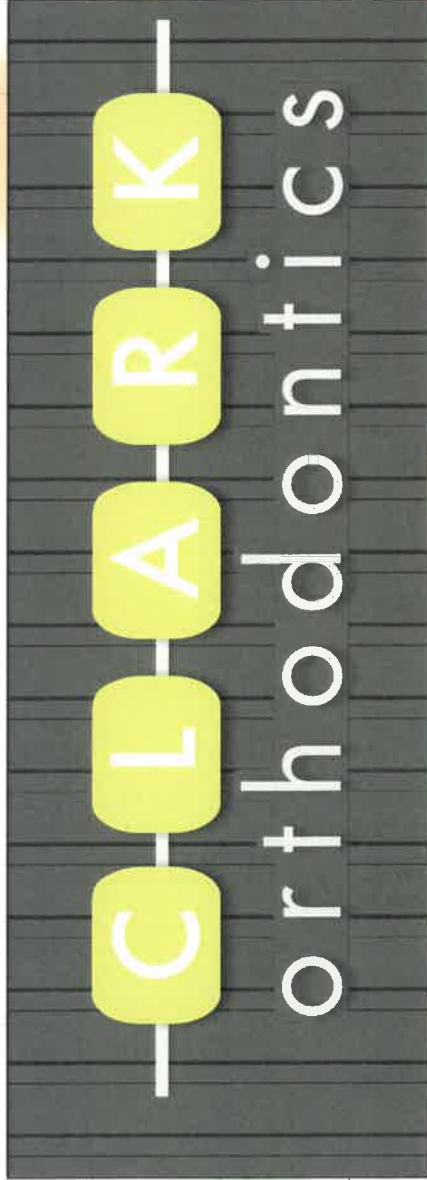
ISSUE DATE
NOV. 20, 2020
 PROJECT NUMBER
20-040
 SHEET NUMBER
A101

MED EXPRESS





153"



SIGN 1. ILLUMINATED WALL DISPLAY / QTY.: 1

Scale: 1/2"=1'

This custom wall display consist of individual face-lit canisters and reverse-lit individual channel letters with non-illuminated aluminum bar. Canister faces are smooth, clear acrylic with second surface digital print with 1-inch trim cap retainers painted to match face. Included with the reverse channel letters is .125" thick backer panel. This display is illuminated using UL listed LED and remote power supplies.

Colors Used:

Individual canisters & trim cap retainers: Clark Orthodontics Custom Green
Individual channel letters and aluminum bar: MAP MIBC Solar White paint match
Backer Panel and Aluminum Stand off sleeves: MAP JH90-30 Iron Gray paint match

Prints By:



VIEW AT NIGHT - FOR VISUAL REFERENCE ONLY



CANEODY
SIGN & GRAPHICS

Serving Arkansas, Missouri, Oklahoma & Mississippi
Rustie Jones: (870) 926-2049
1-800-325-0205
www.caneodysign.com

Underwriters Laboratories Inc. **MSSA**
MISSISSIPPI STATE UNIVERSITY

DESIGNED FOR: Clark Orthodontics
PROJECT LOCATION: 5503 JFK Blvd / Little Rock, Ar
SALES PERSON: R. Jones
FILE NAME / LOC.: W:\INFSICANEDY\2021CVA#41783VART DEPT\41783R4RJ CLARK.cdr

PROJECT NO.
41783

Note: All dimensions shown on this drawing are nominal and may vary on the finished product due to fabrication tolerances.

Note: Every attempt is made to match colors as closely as possible to the original matching system colors. However no color matching system can guarantee an exact match, due to environmental and other circumstances that effect how we perceive color.

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CUSTOMER APPROVAL
DATE

153"



SIGN 2. ILLUMINATED WALL DISPLAY / QTY.: 1

Scale: 1/2"=1'

This custom wall display consist of individual face-lit canisters and reverse-lit individual channel letters with non-illuminated aluminum bar. Canister faces are smooth, clear acrylic with second surface digital print with 1-inch trim cap retainers painted to match face. Included with the reverse channel letters is .125" thick backer panel. This display is illuminated using UL listed LED and remote power supplies.

Colors Used:

Individual canisters & trim cap retainers: Clark Orthodontics Custom Green
Individual channel letters and aluminum bar: MAP J190-30 Iron Gray paint match
Backer Panel and Aluminum Stand off sleeves: Facade match / *Sample provided by Customer

* Sample: Horizontal Stone-Hermitage 19 Century flatware

Prints By:



VIEW AT NIGHT - FOR VISUAL REFERENCE ONLY

Serving Arkansas, Missouri, Oklahoma & Mississippi
Rustie Jones, (870) 926-2049
1-800-325-0205
www.caneedydesign.com



DESIGNED FOR: Clark Orthodontics
PROJECT LOCATION: 5503 JFK Blvd / Little Rock, Ar
SALES PERSON: R. Jones
ARTIST: PB
DATE: 4/16/21
SCALE: Noted
FILE NAME / LOC.: W:\M\F\CANEDY\2021\CA#\41783\ART DEPT\41783R4RJ CLARK.cdr

PROJECT NO.

41783



Note: All dimensions shown on this drawing are nominal and may vary on the finished product due to fabrication tolerances.

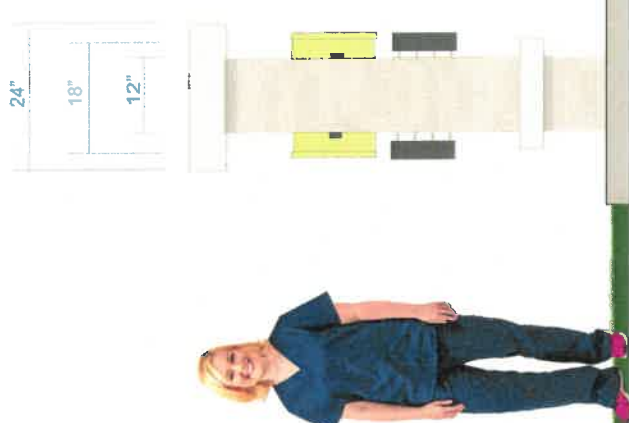
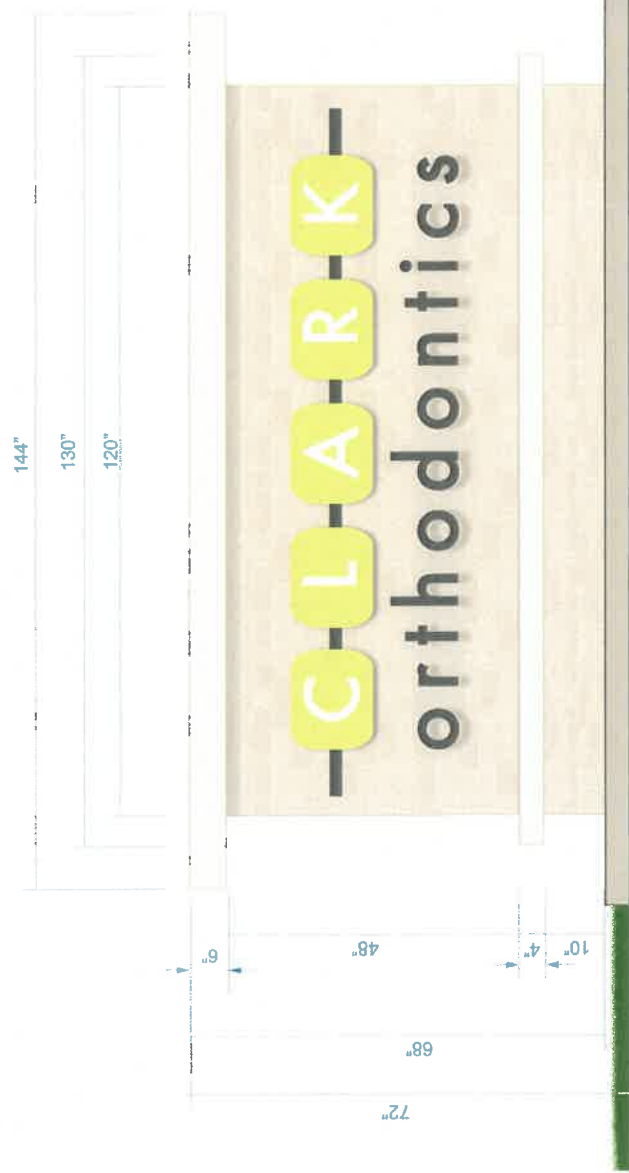
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CUSTOMER APPROVAL

DATE

PAGE: 2-OF-4



SIGN 3. CUSTOM MONUMENT / QTY.: 1

Scale: 1/2"=1'

This monument consist of [1] double-sided custom sign featuring Faux Stone Veneer with customer logo installed thereon. Customer logo is illuminated individual 4-inch deep face-illt canisters with non-illuminated aluminum bar and 3-inch deep reverse-illt individual channel letters. Canister faces are smooth, clear acrylic with second surface digital print and 1-inch trim cap retainers painted to match face. Included with the reverse channel letters is .125" thick backer panel. Custom top and reveal is fabricated aluminum with smooth painted finish.

Concrete Pad: 4"TH X 36"D X 150"L
Sign total square ft. 62.11

Prints By: **efi UV Inkjet**

Colors Used:
Custom aluminum top & reveal: MAP MBL Solar White paint match
Individual canisters & trim cap retainers: Clark Orthodontics Custom Green
Individual channel letters and aluminum bar: MAP JH90-30 Iron Gray paint match
Backer Panel and Aluminum Stand off sleeves: Facade match / *Sample provided by Customer
* Sample: Horizontal Stone-Hermitage 19 Century flatware

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Member Since 2014

DESIGNED FOR: Clark Orthodontics
PROJECT LOCATION: 5503 JFK Blvd / Little Rock, Ar
SALES PERSON: R. Jones
FILE NAME / LOC.: W:\NFSCANEDY\2021\CA#\41783\ART DEPT\41783R4RJ CLARK.cdr

PROJECT NO. **41783**

Note: All dimensions shown on this drawing are nominal and may vary on the finished product due to fabrication tolerances.

Every attempt is made to match colors as closely as possible to the Pantone color chart. However, no color matching system can guarantee an exact match, due to environmental and other characteristics that affect how we perceive color.

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CUSTOMER APPROVAL DATE

Seiz Sign Company
1231 Central Avenue
Hot Springs, AR 71901



P: 501.623.3181
F: 501.623.4594
www.seizsigns.com

Since 1908

May 13, 2021

VIA Hand Delivery:

City of North Little Rock
Board of Zoning Adjustment

RE: Variance Request for Clark Orthodontic Signage

Dear Board of Zoning Adjustment:

We are seeking approval for identifying signage on the south side of the building. This will be the sign over the main entrance and the sign that is most readily visible for approaching traffic when headed north bound on JFK.

The orientation of the building is what is causing the need for additional signage. The nature of the lot is forcing the building to be built longways on the parcel causing the main building front to face away from the street.

McDonald's is requesting the same allowance that was granted to its neighbor MedExpress under the same reasoning. The signage is not oversized and will not be anything over what the code would allow if not for the road frontage requirement.

Sincerely,

Ronny Skipper
General Manager
Seiz Sign Company