



**City of North Little Rock
Board of Zoning Adjustment Agenda
Thursday, January 30, 2025 - 1:30 PM
North Little Rock, City Council Chambers 300 Main St., NLR, AR, 72114**

Call to Order -

Roll Call and finding of a Quorum -

Approval of Minutes - December 19, 2024

Public Hearing Items –

BOA 2025-01 – 11800 Maybelline Rd, A variance request from the area provisions of Section 14.24 (c) of the North Little Rock Zoning Ordinance (Sign Ordinance) to allow a freestanding sign that exceeds a maximum of 64-square feet as required for industrial (I2) zoned properties.

BOA 2025-02 - 224 E 16th St, A variance request from the area provisions of the North Little Rock Zoning Ordinance, Section 6.2.4: Parking Design and Surface Standards, paragraph (e) to allow a temporary gravel parking lot on a commercially (C3) zoned property.

BOA 2025-03 – 4823 Sycamore St, A variance request from the area provisions of Section 4.1.4: R3: Duplex District to allow a front yard setback to be less than 25-feet.

BOA 2025-04 - 7323 Cock of the Walk Ln, a variance from the area provisions of Section 4.2.6 to allow an accessory structure in the side yard of a C4 zoned property.
(Applicant requested deferral until February 27, 2025 BOA Hearing)

**Code Enforcement appeals to retain “inoperable or junk vehicles, and any parts thereof” on private property.
Inoperable Vehicle Appeal (IVA) Case Number**

IVA-011: 2000 N Magnolia – Jasmine Smith

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 Filing Deadline: February 03, 2025 - Hearing Date February 27, 2025

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 North Little Rock, City Council Chambers 300 Main St, NLR, AR, 72114. 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 Summary – December 19, 2024**

Chairman Tom Brown called the meeting of the North Little Rock Board of Zoning Adjustment to order at 1:30 P.M. in the Council Chambers, City Hall, 300 Main Street. Roll call found a quorum to be present; a quorum being three members present.

Members Present

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

Members Absent

Staff Present

Shawn Spencer, Planning Director
Tracy Spillman, City Planner
Ms. Marie Miller, City Attorney

Others Present

Blake Butler	7 Fairway Dr Maumelle, AR
Thomas Spears	101 N Fork Dr, Sherwood AR
Brad Barnhouse	7805 Kampground Way, North Little Rock, AR
Travis Martin	Bradford Fencing, 310 Amity Rd, Conway, AR 72032
Bryan Drannon	1507 Garland Ave, North Little Rock, AR
Ted Whittington	528 HWY 391 N, North Little Rock, AR
Jerrold Whittington	13510 Willow Beach Rd North Little Rock, AR
John Ison	2650 Pershing Blvd, North Little Rock, AR
Thomas Pownall	3810 Lookout Rd, North Little Rock, AR
Tim Mitchell	901 N Highway 391, NLR, AR (Dock address)

Old Business

None

Administrative

None

Approval of Minutes

Approval of the previous months Minutes was moved to the end of the meeting.

Public Hearing Items –

BOA 2024-26 – 7805 Kampground Way, A variance from the area provisions of Section 5.11.5 to allow the placement of a fence in the front yard of a commercial property and 5.11.8: to allow barbed wire fencing in a district that is zoned other than Industrial or C4: Services and Trades District.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. The applicant, Mr. Brad Barnhouse and Mr. Travis Martin of Bradford Fencing addressed the Board. Mr. Barnhouse explained the security of his vehicles and equipment is required and the only area of the site that will allow for outdoor storage is the west side yard of the property.

Chairman Brown questioned if any of the Board members had questions or comments. There being none, he stated he would entertain a motion. Mr. Sparr provided a motion for approval. Mr. Giattina provided a second to the motion.

Mr. Giattina questioned the barbed wire and Mr. Sparr rescinded his motion. After the commissioner's discussion, Mr. Barnhouse agreed to eliminate the barbed wire from the proposal.

Chairman Brown questioned if any of the Board members had questions or comments. There being none, he stated he would entertain a motion. Mr. Sparr provided a motion to eliminate the barbed wire from the request and approve the fence. Mr. Giattina provided a second to the motion. By a roll call vote, all members present voted in the affirmative, and the motion was approved.

BOA 2024-27 - 1600 & 1606 Waterside Dr, A variance from the area provisions of Section 5.20 to allow a rear yard retaining wall and accompanying fence to exceed the maximum combined height of 8-feet, and a variance from the area provisions of 4.1.2 (c) to allow a side yard setback to be less than 10% / or maximum 8-foot width of the lot.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. The property owner and applicant, Mr. Thomas Spears explained the history of the property and proposed scope of work

Chairman Brown asked the applicant to state their hardship. Mr. Spears explained that existing walls were in disrepair and would need to be replaced in order to move forward with the project. In addition it was stated that the topography steeply slopes and retaining walls as shown on the plan are required to provide building pads for the new residence.

The commissioners discussed the proposal.

Chairman Brown questioned if any of the Board members had questions or comments. There being none, he stated he would entertain a motion. Mr. Sparr provided a motion for approval. Mr. Giattina provided a second to the motion. By a roll call vote, all members present voted in the affirmative, and the motion was approved.

BOA 2024-28 – 3116 Overbrook Circle, Variances requested from the area provisions of Section 4.1.2: R4: Multi-Family District, to allow the placement of an accessory structure (swimming pool) with a reduced rear yard setback and reduced separation distance from the primary structure.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. The property owner and applicant Mr. Justin Bentley addressed the Board. Chairman Brown asked the applicant to state their hardship. Mr. Bentley stated that the hardship was due to the irregular shape of the lot and the topography only allowed for limited space to build.

Chairman Brown questioned if any of the Board members had any questions or comments. There being none, he stated he would entertain a motion. Mr. Burton provided a motion for approval. Mr. Giattina provided a second to the motion. By a roll call vote, all members present voted in the affirmative, and the motion was approved.

BOA 2024-29 - 6208 MacArthur Dr, A variance from the area provisions of Section 4.2.6 to allow a front yard setback to be less than 40-feet as typically required for C4 zoned properties and to allow an accessory structure in the side yard of a commercially zoned property.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. The applicant Mr. Blake Butler of Arrow Surveying and the property owner, Mr. James Dobry addressed the Board. Chairman Brown asked the applicant to state their hardship. Mr. Butler stated that the hardship was due to limited space to build and the steeply sloping property in the rear of the site made it impossible to install the new building in back of the property.

The applicant and owner continued to discuss the site and its evolution, replatting of the property, current development and construction that had taken place without a permit. The commissioners had several questions that were addressed to their satisfaction.

Chairman Brown questioned if any of the Board members had any additional questions or comments. There being none, he stated he would entertain a motion. Mr. Sparr provided a motion for approval. Mr. Giattina provided a second to the motion. By a roll call vote, all members present voted in the affirmative, and the motion was approved.

BOA 2024-32 - 1506 Waterside Dr, A variance request from the area provision of Section 4.1.2 to allow a reduced rear yard setback for a proposed new single family home.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. The applicant Mr. Thomas Pownall of Thomas Engineering addressed the Board. Chairman Brown asked the applicant to state their hardship. Mr. Pownall stated that the hardship was due to an existing active utility easement cutting diagonally through the property the house could not be developed within the prescribed setbacks.

Mr. Bryan Drannon a neighboring property owner spoke in opposition to the variance.

The commissioners discussed the proposed development and presented several questions to Mr. Pownall and Mr. Drannon which were addressed to the board members satisfaction.

Chairman Brown questioned if any of the Board members had any additional questions or comments. There being none, he stated he would entertain a motion. Mr. Sparr provided a motion for approval. Mr. Giattina provided a second to the motion. By a roll call vote, four members voted in the affirmative, one member voted in the negative and the motion was approved.

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BOA 2024-33 - 901 N Highway 391 Dock. A variance from the area provisions of Section 4.1.3: R2: Single-Family District, to allow a side yard setback to be less than 10% of the lot width and the 6-foot minimum.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. The owner/applicant, Mr. Tim Mitchell addressed the Board. Chairman Brown asked the applicant to state their hardship. Mr. Mitchell stated the history of the development and the building of the structure without a permit. Mr. Mitchell's statement included how the property was surveyed, building a structure, and the adjacent property owner claiming the new building was constructed on their property. Mr. Mitchell stated that the neighboring property owner had the land surveyed and there was a discrepancy of 27-feet between the two surveys. A third surveyor (Hope Engineering) was then hired by Mr. Mitchell who stated that the third surveyor had found additional pins marking the property.

In hopes of rectifying this issue Mr. Mitchell conveyed that he approached the neighboring property owner and attempted to purchase a small (160 sq. ft.) portion of the adjacent property. Mr. Mitchell stated that after making an offer the neighbor did not respond.

Chairman Brown inquired why Mr. Mitchell did not apply for a permit to build the structure. Mr. Mitchell responded that he believed the property was located in the county and was not under the jurisdiction of the City of North Little Rock.

Chairman Brown inquired about the Extra Territorial Jurisdiction (ETJ), Staff Planning Director, Mr. Shawn Spencer explained the limits of the ETJ and stated that Mr. Mitchell was directly informed not to build on the land due to there being no fire service. Staff stated that despite being informed not to build a structure was erected, the planning department was informed, and stop work order was issued. Mr. Mitchell then stated that his father had constructed the building while he was out of town without his knowledge. Mr. Mitchell stated that this issue went to court and he was issued a list of items generated by the Planning Staff of requirements to bring the project into compliance. Staff responded that the items in which Mr. Mitchell is referring have not been issued because the case is still in court.

Chairman Brown inquired about the address of the property. Mr. Mitchell stated that when the property was reviewed that building had not been erected. In response, staff stated that on September 14 (2023) a call was received that property was being cleared, the city engineer investigated, stopped the work and informed Mr. Mitchell that the proper permits needed to be secured before grading could continue. The clearing permit was issued on this same day. Staff then stated that on September 18, (2023) Mr. Mitchell approached the Planning Department to obtain an address to build a house on the property and was told that a house could not be built on the property due to there being no water main being located on the street to meet fire protection requirements. Mr. Mitchell then requested an address for the boat dock on the property to locate electrical meter and an address was issued for the dock only. On November 21 the Planning Department received a call stating that a house was being built on the property and issued a stop work order.

Mr. Mitchell stated that after his conversation with the city engineer he understood that there would be no other permits required. Staff stated that the permit issued by the city engineer was to clear the land only, and was not a building permit. Staff continued to explain the pending District Court case stating that the judge referred Mr. Mitchell to the Board of Adjustment to request that the building encroachment into the side yard of the property be allowed to remain. Staff then stated that the Boards decision would then be reported back to the court at the next hearing.

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Chairman Brown asked if there was anyone willing to speak for or against the variance request.

Mr. Jerrod Whittington spoke in opposition stating that he had purchased three lots next to Mr. Mitchell's property with intentions to build his home on one of the lots. He also stated that he had donated Lot 1 (directly adjacent to Mr. Mitchell's property) to a church to build a parsonage or sanctuary. Mr. Whittington stated that he had notified Mr. Mitchell that he was encroaching on his (church) property and had surveys conducted prior to the construction of Mr. Mitchell's structure. Mr. Whittington stated that after the survey was conducted the pins placed by the surveyor were moved. In, addition prior to any construction locks were cut off of their gates several times, and Mr. Whittington's realtor walked the property with Mr. Mitchell noting where the survey lines were located. Mr. Whittington stated that Mr. Mitchell knew where the boundary lines were from his perspective before construction begin.

Mr. Giattina inquired if there was evidence that Mr. Mitchell had cut the locks off of Mr. Whittington's gate. Mr. Whittington stated that he did not have video evidence. Mr. Ted Whittington then approached the Board stating that the day construction begin the chain had been cut from the gate and construction crews were building. When Mr. Whittington inquired of the construction crew who cut the locks a spokesman for the crew stated that they had cut the chain. Mr. Whittington then stated that the police were called.

Mr. John Ison, Senior Pastor of Calvary Pentecostal Church spoke in opposition.

Staff, commissioners, applicant, and opposition continued to discuss the subject property, adjacent properties, and previous history of the development in depth.

Chairman Brown questioned if any of the Board members had any additional questions or comments. There being none, he stated he would entertain a motion. Mr. Giattina provided a motion to deny the variance. Mr. Able provided a second to the motion. By a roll call vote, all members present voted in the affirmative, and the motion to deny the variance request was approved.

Approval of Minutes

Chairman Brown called for a motion for approval of the previous meetings minutes Mr. Sparr formed a motion to approve the minutes from the November 21, 2024 meeting. Mr. Burton provided a second to the motion. Chairman Brown called for a vote, all members present voted in the affirmative, the motion was approved.

Public Comment, Old Business, Administrative and Adjournment

There being no further business before the Board, Chairman Brown moved to adjourn; the meeting was adjourned at 2:36 pm.

Respectively submitted:

D. Tracy Spillman, PLA
City Planner / Landscape Architect

Variance Requested: A variance request from the area provisions of Section 14.24 (c) of the North Little Rock Zoning Ordinance (Sign Ordinance) to allow a freestanding sign that exceeds a maximum of 64-square feet as required for industrial (I2) zoned properties.

Location of the Request: 11800 Maybelline Rd, North Little Rock, AR 72117

Legal Description of the Property: Lot 1R, Jimmy Doyle Country Addition, City of North Little Rock, Pulaski County, Arkansas

Owner/Applicant: United Engines / Arkansas Sign and Neon – David Ashley

Present Use of the Property: Under Development: United Engines / Semi Truck Repair

Present Zoning of the Property: I2, Light Industrial District

Site Characteristics: The subject property is located east of Interstate 440, west of Highway 391 N and directly south of Interstate 40. Maybelline Rd is directly north of the property. The 4.90 acre site is bordered by commercial (C4) zoned properties on the east and south that are undeveloped or accommodate retail uses including a liquor store, and truck stops. The properties adjacent to the west are zoned Industrial (I2) and include warehouses and a petroleum distributor that primarily service the trucking industry

Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	N/A,	Maybelline and I40 ROW's
South	C4, Service & Trades District	Retail - Truck Stop
East	C4, Service & Trades District	Retail Liquor Store/ Vacant
West	I2 Light Industrial District	Industrial Wholesale / Warehouse

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

Staff Analysis:

The property was originally developed in 1982 as a cocktail lounge and warehouse. The property sold in 2021 to the current owner in 2023. The owner employed the applicant to petition the North Little Rock Planning Commission to have the property rezoned from C4 to I2 to allow for light industrial uses. In addition to the rezoning request a separate site plan review was made by the

applicant to allow for a new 33,600 square foot semi-truck repair facility. Both actions were approved, the original building has been razed and plans for the new facility are currently being reviewed for building permit. In February of 2024 the property owner petitioned the Board of Adjustment seeking a variance to allow the placement of a fence within the front yard area of an industrial (I2) zoned property. The Board voted unanimously to approve the request.

The property owner is now seeking an additional variance to allow a freestanding sign to exceed the maximum square footage requirements. The request would permit a 120 sq. ft. sign face indicating the business name and service brands.



Section 14.24 - Signs Permitted in I1, I2 and I3 Zones

*C. All permitted freestanding signs shall have a maximum height limit of 30-feet and shall have a setback of 5-feet from any property line, measured from the closest edge of the sign. Freestanding signs shall have a minimum clearance of 13-feet over any vehicular use area and 9-feet over any pedestrian use area. Freestanding signs shall not exceed 2- square feet in sign area for each linear foot of main street frontage up to a **maximum of 64-square feet**. Signs shall not be placed in a sight triangle.*

The business owners representative states in their letter of hardship that “The larger sign would help ensure that customers see our location prior to coming to exit 161,” The applicant has additionally stated that if this exit were missed the customer would be required to drive another 8 –miles to cross over and come back to exit 161. Additionally, the business representative has stated that an 8x8 sign would not allow the area needed to highlight their brands and they would prefer to keep the sign consistent with those at their other locations.

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.

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 being 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.

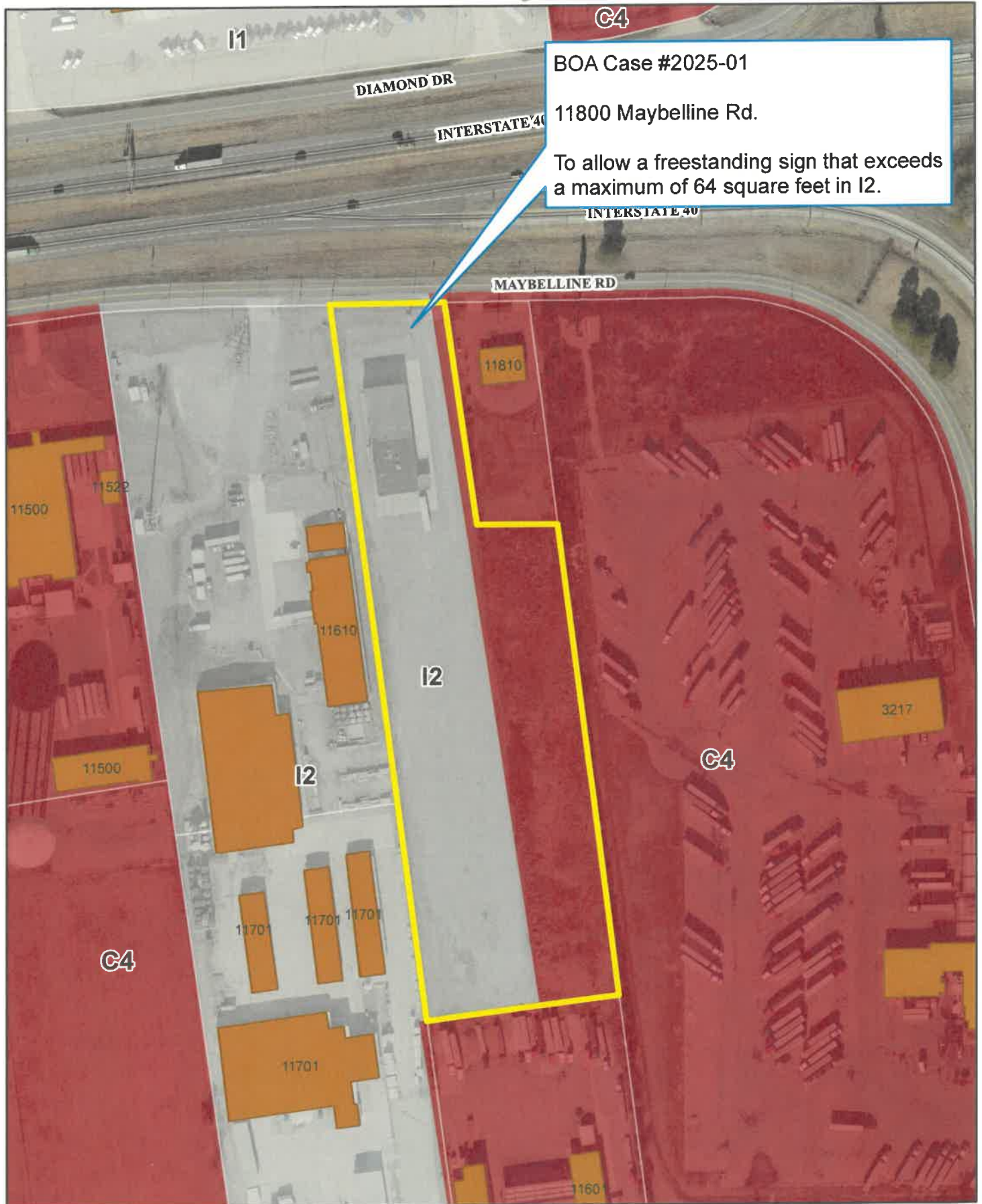
Board Member's to Consider:

1. Is the variance being 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, but providing a sign within the code requirement of a maximum of 64 square feet may be ineffective at directing highway traffic to the applicants location.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, approval of the variance will not injure the use of the adjacent property. In addition, the proposed sign will be smaller or approximately the same size as the freestanding signs that are located on the adjacent tracts.
3. Will approval of the variance alter the essential character of the district? No, the allowance of increased square footage of the freestanding sign will not have an impact on the character of the zoning district.
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 plan or zoning plan for the area.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, the zoning ordinance no longer allows freestanding signs larger than 64 square feet on industrial zoned properties.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, the approval of the variance will not have an impact on public health, safety or the general welfare of the citizens of the area.

Approval Allows:

1. Approval will allow the placement of a freestanding sign exceeding a maximum of 64-square feet as required for industrial (I2) zoned properties and allowing a sign 120 sq. ft. in area as described above and indicated on the attached plans that.
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 Adjustment



BOA CASE #2025-01

Date: 1/14/2025

1 inch = 200 feet

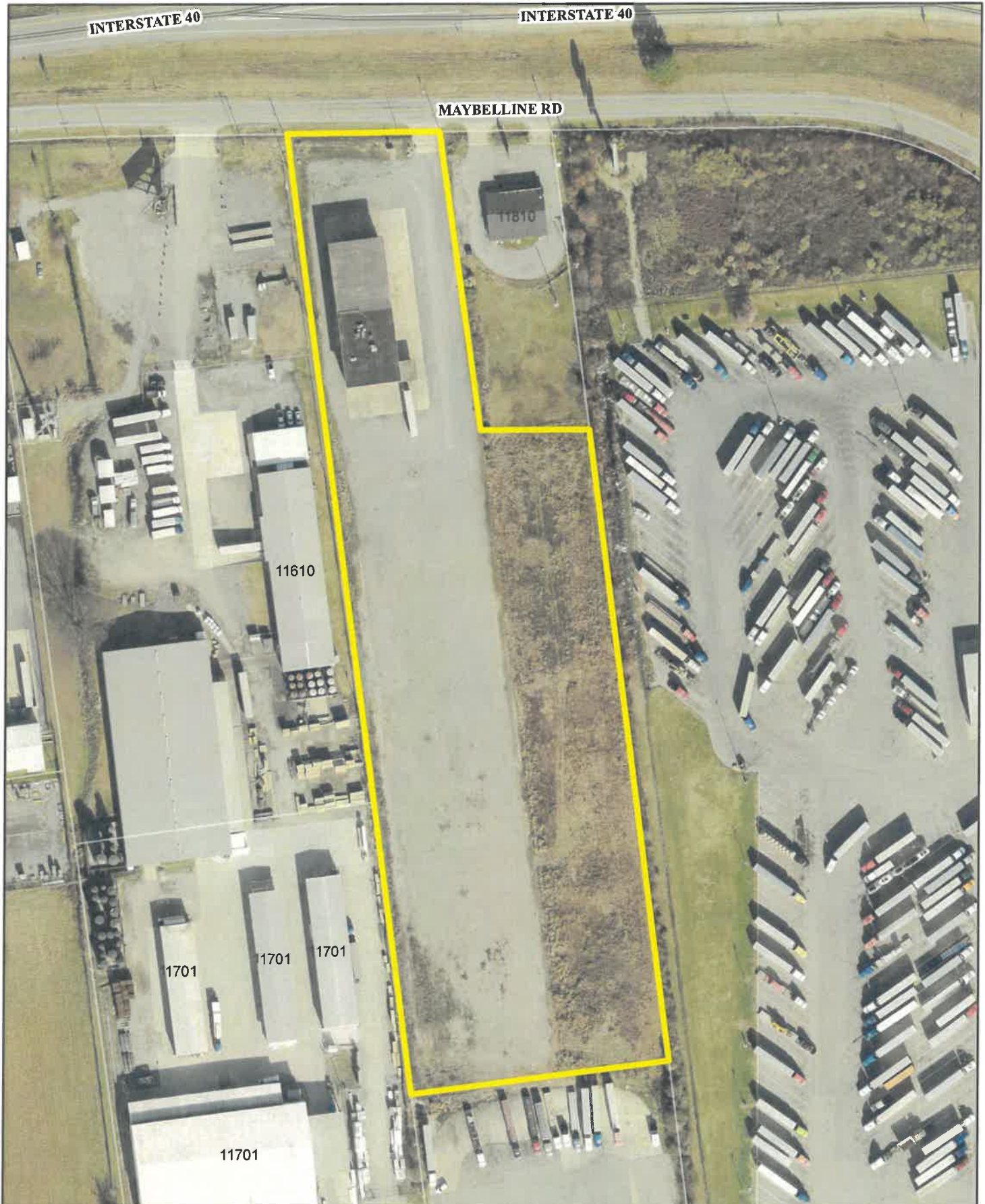
0 100 200 400 Feet



User: jhale



North Little Rock Board of Adjustment

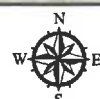


BOA CASE #2025-01

Date: 1/14/2025

1 inch = 150 feet

0 75 150 300 Feet



User: jhale





**CITY OF NORTH LITTLE ROCK
BOARD OF ZONING ADJUSTMENT
300 MAIN ST.
NORTH LITTLE ROCK, AR 72114**

**RE: UNITED ENGINES
11800 MAYBELL LINE RD
N. LITTLE ROCK, AR 72117**

To Whom it May Concern:

We are writing this letter of hardship today to request additional allowance for our pylon sign at our new facility on Interstate 40, just at exit 161.

We are requesting to be allowed 120 square footage for our pylon sign face to allow for our name as well as our service brands. We feel this size would allow us to compete with the other existing (larger) signs in the area.

The following points should be considered to allow the additional size:

- *Our business depends on 18-wheeler and industrial equipment traffic. The larger sign would help ensure that customers see our location prior to coming to exit 161, as it is the last one. The next exit down is 3.5 miles, at which time the customer would need to cross-over and drive another 8 miles back to exit 157 then to cross back over to come back up to exit 161.*
- *Limiting the size of our sign to 8X8 does not allow us to highlight the industrial brands we package and sell. Our contracts with these firms require us to promote their brands on exterior signage.*
- *This pylon sign configuration is how we execute on our corporate brand and it's already in use at many of our locations.*

We are not requesting additional height, just the additional sign square footage

Thank you for your consideration in this matter as we have invested quite a lot in this property and in North Little Rock.

Jennifer Conn

**Jennifer Conn
Branch Manager
9401 Interstate 30
Little Rock, AR 72209
Phone: 501-823-5010
Fax: 501-565-7754
jconn@unitedengines.com**

[illegible]

LANDLORD APPROVAL

CLIENT: UNITED ENGINES
LOCATION: 11800 MAYBELL RD, NLR AR
REPRESENTATIVE: LORA RAND
DATE: 08/13/2024 - DWG1

CLIENT APPROVAL



DATE

DATE

CUSTOMER IS RESPONSIBLE TO OBTAIN ANY/ALL LANDLORD APPROVALS

SIGNATURE OF APPROVAL REQUIRED FOR PRODUCTION



ARTWORK PROPERTY OF ARKANSAS SIGN & NEON

NOTE: ANY NEEDED WALL REPAIRS ARE NOT ASH RESPONSIBILITY. ANY VIEWS SHOWING REPAIRS ARE FOR VIEWING ONLY.

ARTWORK PROPERTY OF ARKANSAS SIGN & NEON

LANDLORD APPROVAL

DATE

CLIENT: UNITED ENGINES
LOCATION: 11800 MAYBELL RD, NLR AR
REPRESENTATIVE: LORA RAND
DATE: 09/13/2024 - DWG1 REV5

CLIENT APPROVAL

DATE



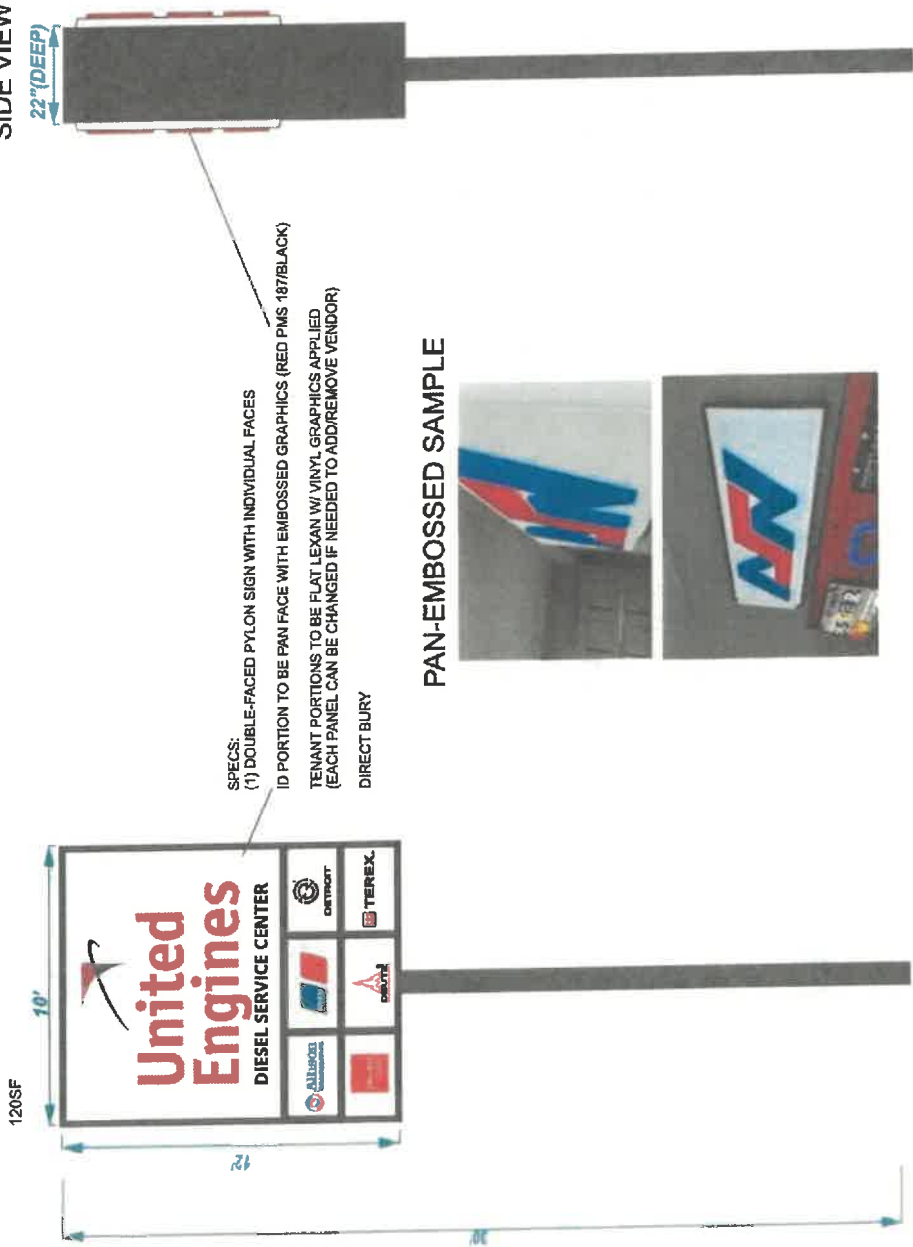
CUSTOMER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS

SIGNAGE TIME OF APPROVAL REQUIRED FOR PRODUCTION

SIGN CIRCUIT #3-PYLON - 1 20 AMP
WE WILL INSTALL W/ PHOTO CELL

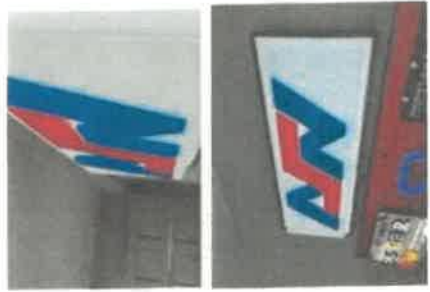
SIDE VIEW

22" (DEEP)



- SPECS:
- (1) DOUBLE-FACED PYLON SIGN WITH INDIVIDUAL FACES
 - ID PORTION TO BE PAN FACE WITH EMBOSSED GRAPHICS (RED PMS 187/BLACK)
 - TENANT PORTIONS TO BE FLAT LEXAN W/ VINYL GRAPHICS APPLIED (EACH PANEL CAN BE CHANGED IF NEEDED TO ADDRESS VENDOR)
 - DIRECT BURY

PAN-EMBOSSED SAMPLE



10"
RND STEEL
ARTWORK PROPERTY OF ARKANSAS SIGN & NEON

NOTE: ANY NEEDED WALL REPAIRS ARE NOT AFR RESPONSIBILITY. ANY TENTS SHOWING REPAIRS ARE FOR VIEWING ONLY.

ARTWORK PROPERTY OF ARKANSAS SIGN & NEON

Variance Requested: A variance request from the area provisions of Section 6.2.4: Parking Design and Surface Standards, paragraph (e) to allow a temporary gravel parking lot on a commercially (C3) zoned property.

Location of the Request: 224 E 16th St, North Little Rock, AR 72114

Legal Description of the Property: N ARGENTA E 50 FT OF 10, 11 & 12 35, Lot 10, Block 35, North Argenta Subdivision, City of North Little Rock, Pulaski County, Arkansas

Property Owner / Applicant Herman Warren

Present Use of the Property: Undeveloped

Present Zoning of the Property: C3: General Commercial District

Site Characteristics:

The subject property is located east of Main St, west of Interstate 30, north of the Missouri Pacific Railroad Easement, and south of Interstate 40. Specifically located on the southwest corner of E 16th and Magnolia Streets this area was originally developed as a single family neighborhood in the 1930's thru the 1950's. Most of the properties in this area have been rezoned to C3: General Commercial District to accommodate the expansion of the business district between Interstate 30 and Main Street. Despite the rezoning of this area to accommodate commercial growth most of the surrounding properties remain occupied by single family homes or undeveloped lots that were previously occupied with residential structures.

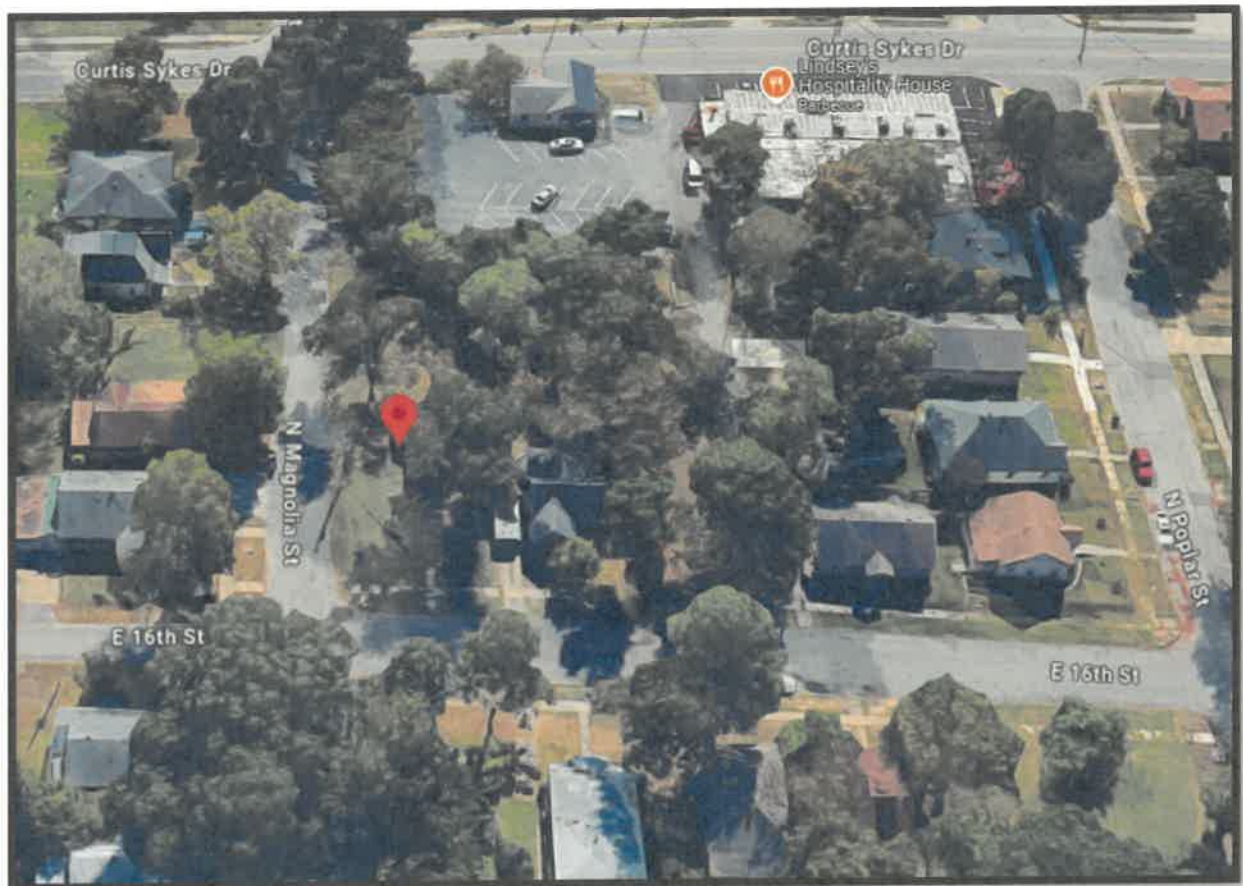
Surrounding Land Use

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	E 16th St ROW C3, General Commercial District	Undeveloped
South	C3, General Commercial District	Undeveloped / Parking
East	Magnolia St ROW C3, General Commercial District	Tax Service Single Family Homes
West	C3, General Commercial District	Single Family Homes

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

Staff Analysis:

While this area was originally developed as a single family neighborhood the properties are transitioning to more commercial uses. The subject property is located within the same block as



Lindsay's Hospitality House, a well-established BBQ restaurant which has been in operation since 1956. The south property line of the subject property is located adjacent to Lindsay's overflow parking lot. In addition, a tax service business is located in a former residential structure across Magnolia Street to the east. The property owner of 224 E 16th St is proposing to use this vacant lot for a food truck location. The applicant has stated that he will operate the business six days a week serving breakfast, lunch, and dinner. While this use is permissible on C3 zoned properties the applicant is requesting to install a temporary gravel parking lot to allow off street parking when ordering food.

Section 6.2.4. Parking Design and Surface Standards (E) Parking Surface: states, *The minimum pavement requirements shall be designed for intense traffic use with asphaltic concrete hot mix surface, a double surface treatment, or concrete surface. Any off- street parking area,*

driveway, or vehicle maneuvering area shall be paved as specified above and shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of vehicles. Where access by a fire apparatus vehicle is necessary such surfaces shall meet the requirements of the Arkansas Fire Prevention Code, Volume 1, Appendix D, Section D102 or the appropriate amended provision.

These pavement requirements shall not apply to areas that are used for the parking and storage of large equipment which could damage the parking surface.

The applicant is requesting a variance to allow a temporary gravel parking area for a period of two years (until 2027). The applicant states in his letter of hardship that he is hoping to establishment his business until the funding can be raised for a more permeant solution that will meet the surface code requirements. The sketch provided by the applicant indicates the food truck will be located at the rear (south) of the property adjacent to Lindsay's parking area. The proposed gravel parking area is indicated to be placed on the north end of the lot adjacent to Magnolia and E 16th Streets. This parking area is shown to measure 43x39 feet and would allow for the parking and maneuvering of approximately 5 vehicles. Any new onsite permanent or temporary parking solution will be required to meet the minimum parking lot standards for commercial properties.



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.

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 Member's to Consider:

1. Is the variance being 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? There is nothing unique to the property which requires the variance. The zoning ordinances, without a variance, does not allow the placement of a gravel parking surface on commercial developments. .
2. Does the zoning ordinance, if literally interpreted, deny the reasonable use of the property? No, the applicant is not being denied reasonable use of the property. The development of the property for the use of a food truck is allowable but an off street parking surface constructed of gravel is in direct violation of the code requirements.
3. Will approval of the variance harm the use of the adjoining property? No, the adjoining property to the north and east, are street rights- of-way. The properties to the south and west will remain as a commercially zoned property.
4. Will approval of the variance alter the essential character of the district? No, the use of the property will remain unchanged.
5. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? The approval will not weaken the general intent and purpose of the land use and zoning plan for the area.
6. Will the approval of the variance be in harmony with the spirit of the ordinance? No, the gravel proposed for the parking surface is not allowable or used on any adjacent or nearby properties.
7. Will the approval of the variance adversely affect public health, safety, and general welfare? The approval of the variance will not adversely affect public health, safety, and general welfare of the area.

Approval Allows:

1. The approval of the application as filed will allow for the placement of a temporary gravel parking surface for a period of two years until 2027.
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.

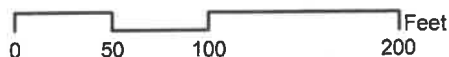
North Little Rock Board of Adjustment



BOA CASE #2025-02

Date: 1/14/2025

1 inch = 100 feet



User: jhale



North Little Rock Board of Adjustment



BOA CASE #2025-02

Date: 1/14/2025

1 inch = 30 feet

0 15 30 60 Feet



User: jhale



Address:

12-31-24

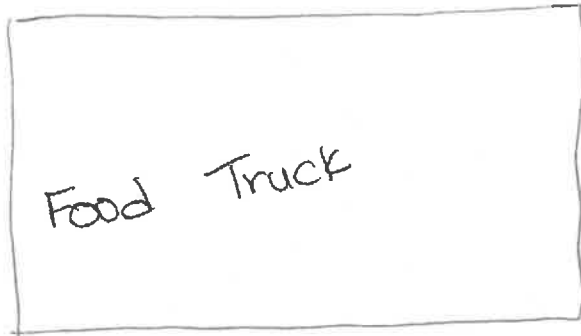
224 East 16th Street
N. Little Rock, Ar 72114

To whom it may concern,

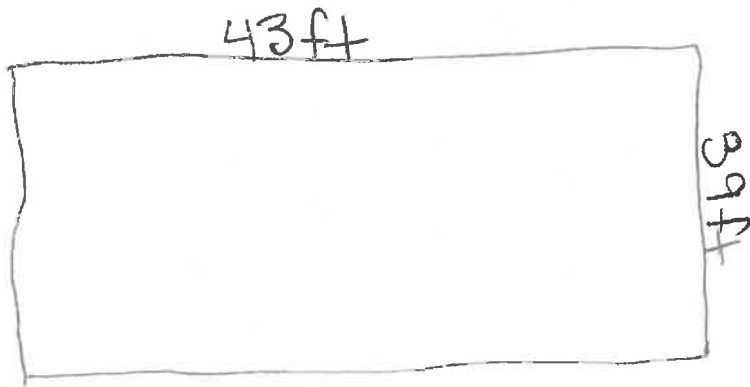
I Herman Warren am writing this letter for the consideration of a temporary gravel parking lot. My food court is zoned for 1 food truck, I want to serve the community with great food and drinks as well. I will be serving breakfast, lunch, and dinner 6 days a week. I'm asking for a gravel parking area for customers to be able to pull in and out to order food. I would like to operate of my food trailer for the next 2 years (unit 2037) until my business become more successful to fund a paved parking lot. Thank you for your consideration.

Sincerely,
Herman Warren

Lindsey's Hospitality Parking
Old Existing Fence
47'



Magnolia St

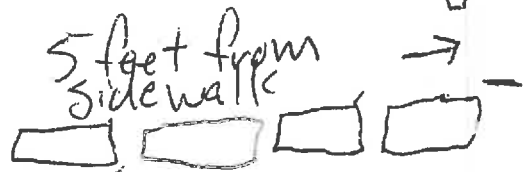


4'9" neighbor's fence
corner post
4'9" to neighbor's post

6 feet high
129'
New Fence
154' sidewalk

neighbor's porch

3' High
20'



1600 St.

Variance Requested: A variance request from the area provisions of Section 4.1.4: R3: Duplex District to allow a front yard setback to be less than 25-feet.

Location of the Request: 4823 Sycamore St, NLR, AR

Legal Description of the Property: N of Lot 11, Block 10, Massie West Subdivision, City of North Little Rock, Pulaski County, Arkansas

Owner/Applicant: Antonio Dominguez Ferrer

Present Use of the Property: Single Family

Present Zoning of the Property: R3: Duplex District

Site Characteristics: The subject property is located east of Camp Robinson Rd, west of Division St, north of Interstate 40 and south of W 50th St. Specifically located on the east side of Sycamore St the lot is the second parcel south of W 49th St. This area was developed as a single-family neighborhood in the 1940's with smaller residential structures that typically range from 500 to 1000 sq. ft. The neighborhood has mostly retained its single-family residences but has transitioned to R3 zoning (duplex district) with the exception of the commercially zoned properties that front Camp Robinson Rd to the southeast and the North Heights Community Center one block to the west.

Surrounding Uses and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R3	Single Family
South	R3	Single Family
East	R3	Single Family
West	R3	Single Family

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

Staff Analysis:

The applicant is seeking a variance to allow a front porch addition to the existing home. The residence was constructed in 1940 and built with the front elevation approximately 21-feet from the property line. The house has remained in its original footprint with little improvements through the years. While setbacks had not been established at the time of construction the house would be categorized as "legal nonconforming" and be allowed to remain in its constructed state unless for any reason 50% or more of the home needs to be rebuilt. However, any new construction must be accomplished within the code requirements.

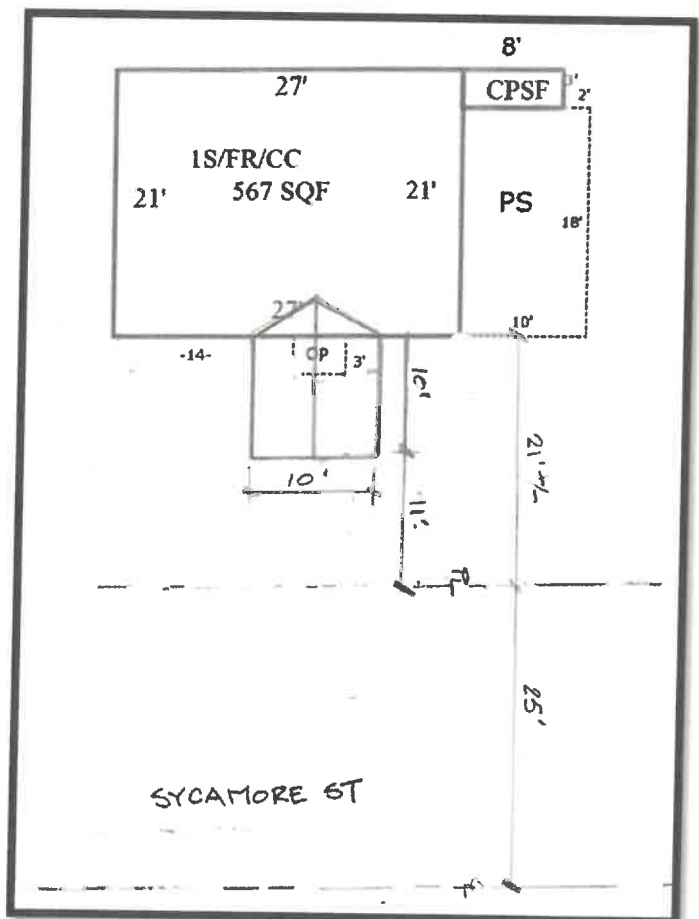


In November of last year the applicant applied for a building permit to construct an 18x26 room addition at the rear of their home. All site setback requirements were met and the permit was issued. With the renovation of the house the applicant had also requested that a small porch be added to the front of the home. Staff informed the applicant of the front yard setback

requirements and the variance process that would be required before any addition could be constructed at the front of the property.

The plans submitted for the porch addition indicate an existing 3x4 landing at the front door of the house. The applicant is requesting to eliminate the original landing and provide a covered 10x10 space connected to the house. The applicant states in their letter of hardship that the porch is needed for protection from the weather. With the front of the house being located 21-feet from the front property line the addition of the porch would increase this encroachment an additional 10-feet.

Table C of Section 4.1.4 states the minimum front yard setback for R3 zoned property is 25-feet for front and rear yards and a minimum of 6-feet on each side yard. The applicant is seeking the variance to allow the encroachment into the front yard an additional 10-feet from the existing elevation towards the (east) front property line. If granted the variance would create 14-foot encroachment in to the 25-foot front yard setback leaving 11-foot from the property line to any new construction.



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.

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.

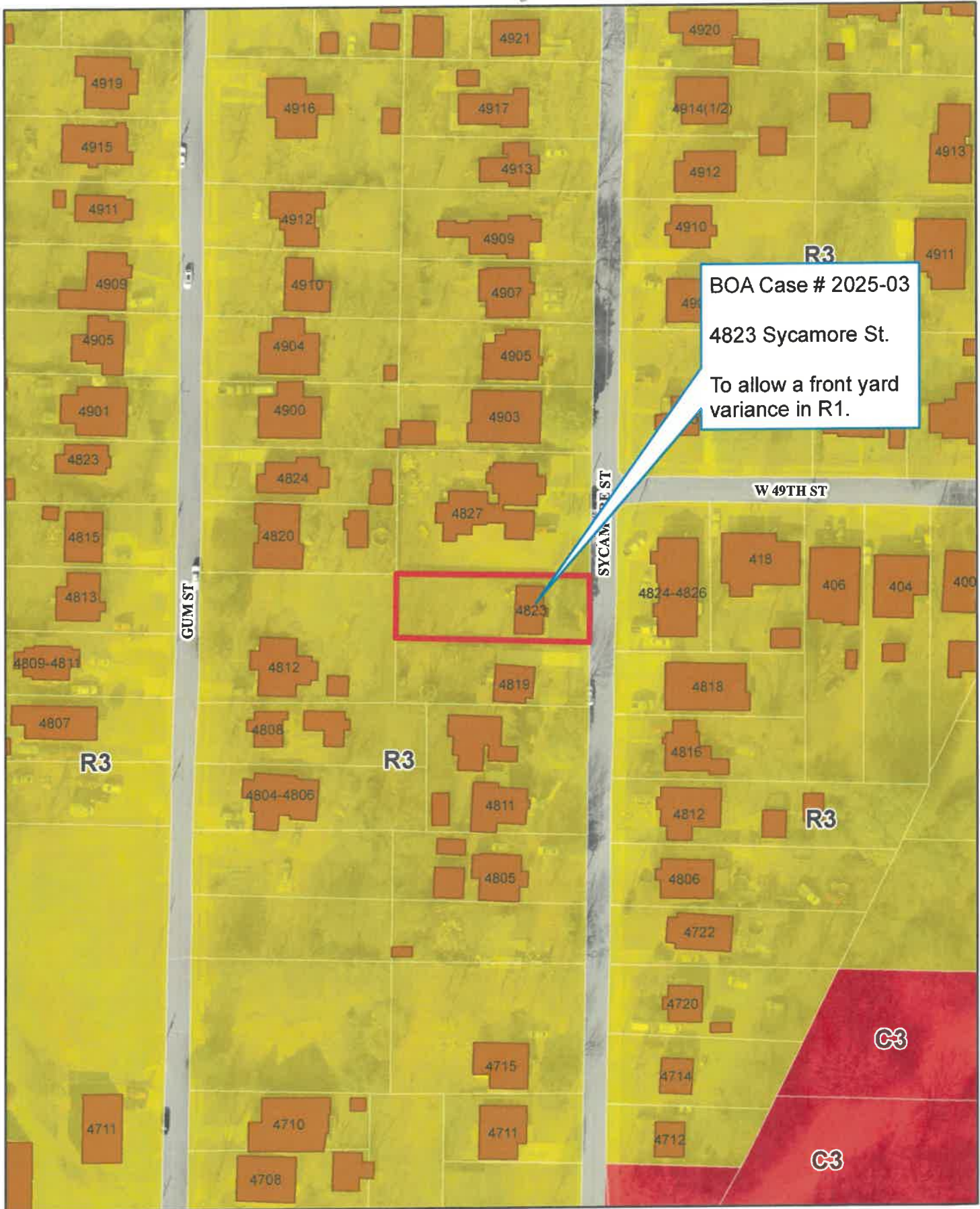
Board to Consider:

1. Is the variance being 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? Yes, the home was constructed prior to any zoning codes being enacted and was built across what is the standard front yard setback line. Any construction on the front of the house will cause further encroachment
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, the adjacent use is also single-family and appear to be constructed with similar front yards setback encroachments.
3. Will approval of the variance alter the essential character of the district? No, the area will remain as 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 as residential districts.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, the placement of setbacks is primarily to allow for separation between uses and allow adequate access in and around structures.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, there will be no adverse impact on the public health, safety or general welfare of the area.

Approval Allows:

1. Approval will allow the placement of a 10x10 covered porch attached to the front of the house creating a 14-foot encroachment into the 25-foot front yard setback as described above and shown on the attached plan.
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.

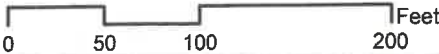
North Little Rock Board of Adjustment



BOA CASE #2025-03

Date: 1/14/2025

1 inch = 100 feet



User: jhale



North Little Rock Board of Adjustment



BOA CASE #2025-03

Date: 1/14/2025

1 inch = 30 feet

0 15 30 60 Feet



User: jhale



I need the Front Yard
set back to be reduced
to 13 Ft to allow
a Front porch Addition
so we can be out of
the weather



Antonio Dominguez Ferrer
501-541-1541
+F74199@gmail.com
TF

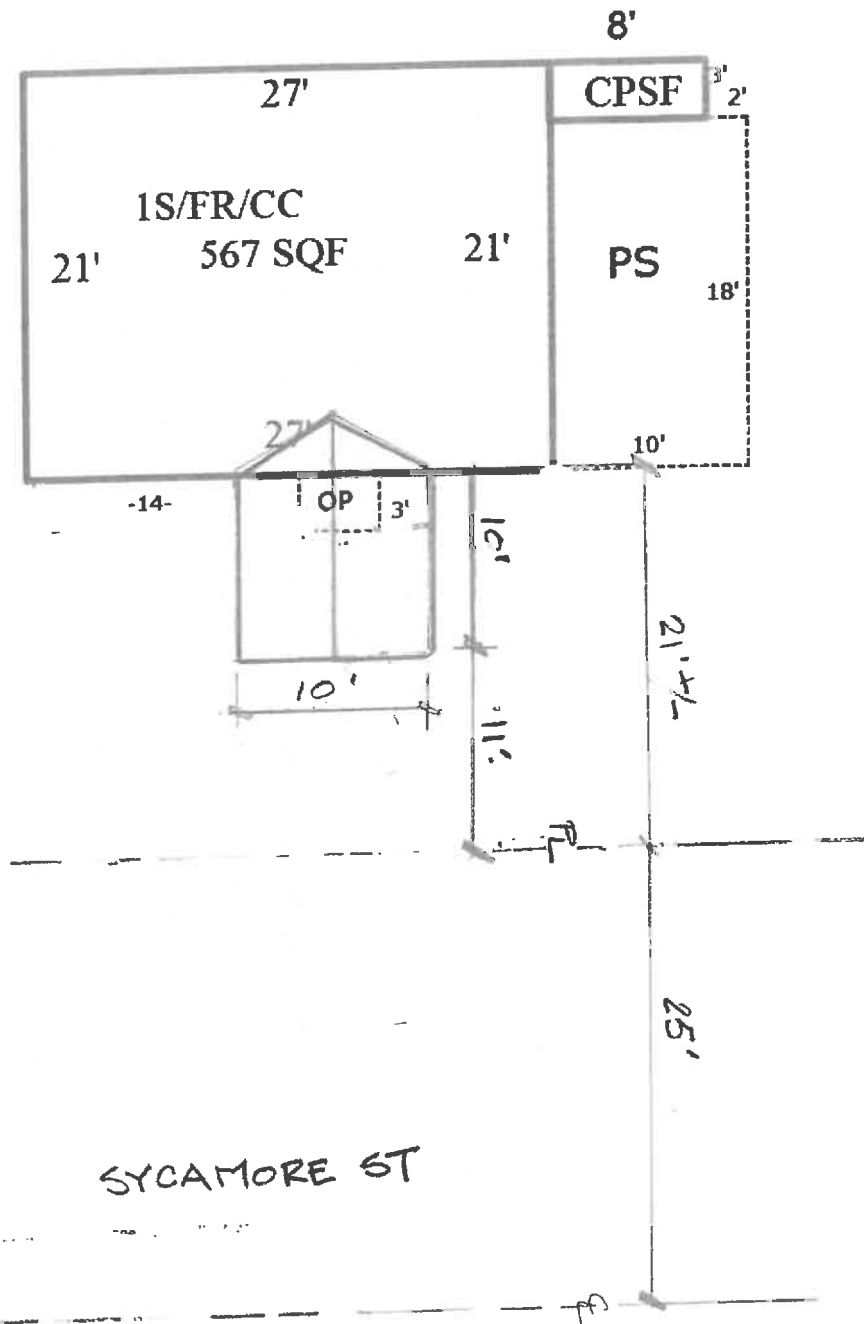
12/17/24, 3:12 PM

arccountydata.com/images/image.asp?GUID=D0917D40-5A77-435E-8C49-58F039A67DEA&parceltype=Residential&impnum=1&...

print | close
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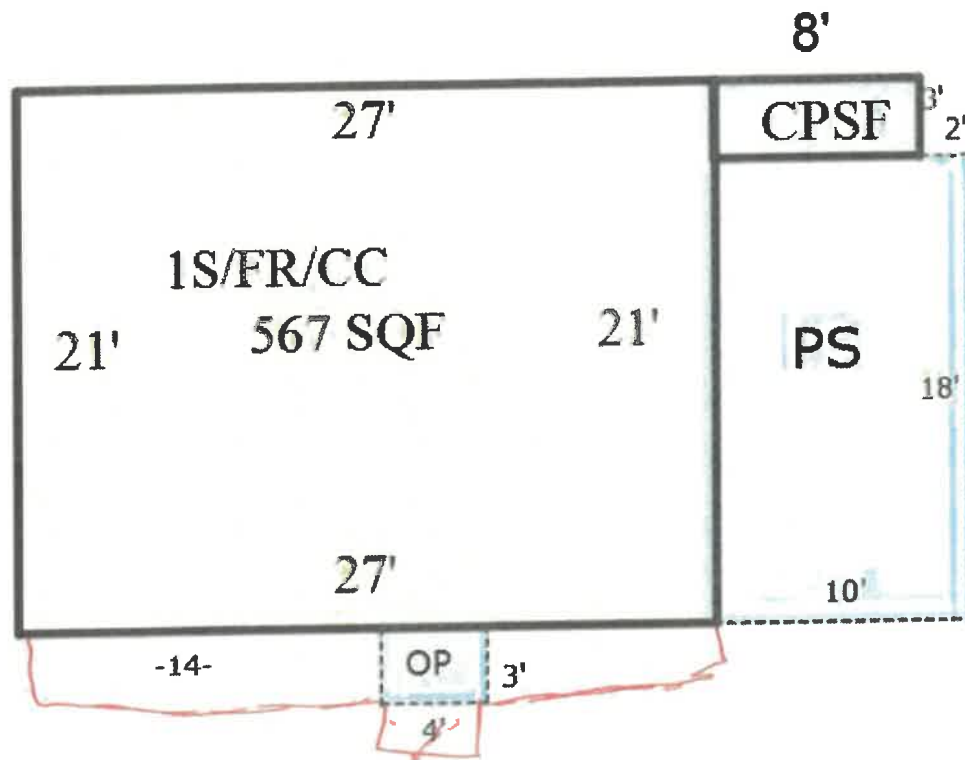
Residential Improvement # 1

Parcel: 33N0370016400
Pulaski county

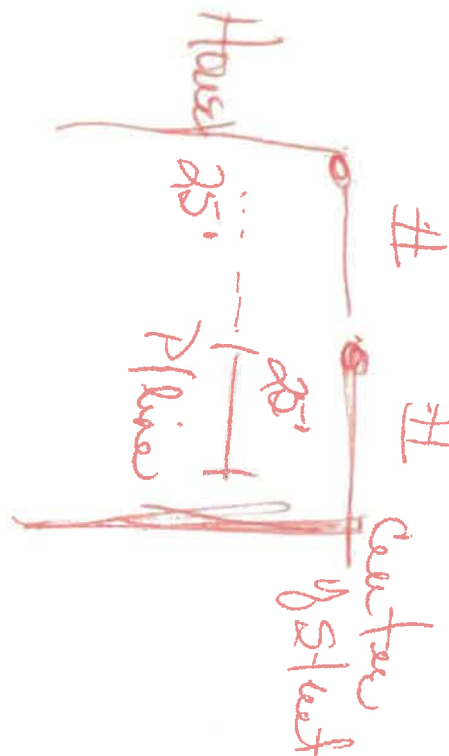


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Residential Improvement # 1



Sketch by Apex Media™





4823 Sycamore Sr

Addition to primary structure (18x26 room addition) in the rear yard of the existing house. Any new addition to the house to be located a minimum of 5 feet from the side property lines and 25 feet from rear property line.

The boundaries shown on the adjacent photo map are approximate only. Contractor / Owner responsible for verifying exact property line locations.

D. J. [Signature]
11/22/2024