



**City of North Little Rock
Board of Zoning Adjustment Agenda
Thursday, June 26, 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 - May 29, 2025

Public Hearing Items -

- BOA 2025-13 -** 1815 Topf Rd, A variance request from the area provisions of Section 5.11.4 to allow the placement of a fence in the side yard of a corner lot that will be closer to a street than the established front building line of the abutting property.
- BOA 2025-14 -** 4229 E McCain 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(s) without public street frontage.
- BOA 2025-15 -** BOA 2025-15, A variance request from the area provisions of 4.1.5 to allow a rear yard setback to be less than 25-feet as prescribed for R4 zoned properties.

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: July 01, 2025 - Hearing Date July 24, 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 – May 29, 2025**

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. Steve Sparr

Members Absent

Mr. Gardner Burton
Mr. Tim Giattina, Vice-Chair

Staff Present

Donna James, Planning Director
Alex Betton, Deputy City Attorney

Others Present

Arron Raney Aqua Blue Pools
Justin McGuire

Old Business

None

Administrative

Chairman Brown requested clarification on staff's request for a revision to the September 26, 2024 Board of Zoning Adjustment meeting written Minute Record. Staff stated the vote record was recorded incorrectly. Staff stated the vote record indicated there were members voting whom were not present at the meeting. Staff stated the revision would reflect the members present and the vote of those members. Mr. Sparr formed a motion to revise the written meeting minute record for the September 26, 2024 BOA meeting. Mr. Abele provided a second. All members present voted in the affirmative, the motion was approved.

Approval of Minutes

Mr. Sparr provided a motion for approval of the previous month's minute record. Mr. Abele provided a second. All members present voted in the affirmative, the motion was approved.

Public Hearing Items –

Mr. Arron Raney Aqua Blue Pools and Mr. Justin McGuire, the property owner, were present representing the request. Chairman Brown called the item and requested the applicant come forward to provide their hardship. Mr. McGuire stated the hardship was the size of the backyard and the placement of a covered patio by a previous owner. He stated with the covered patio it was not possible to meet the separation requirement of 10-feet.

Mr. Sparr stated the requirement for the 10-foot separation was for fire access. He stated when he built his pool he felt he would also need a separation variance and went to the Fire Marshal's office to seek their approval for the reduction. He stated with the current request the firemen would need to be in the pool to fight a fire if it was necessary to access the rear of the home. He stated should the request be approved he would like to include in the motion the requirement for approval from the Fire Marshal before issuing the permit.

Mr. McGuire stated the patio was open. He stated the distance to the wall of the house was more than 10-feet but the distance to the covered patio did not meet the 10-foot minimum.

Mr. Abele questioned the overhead electrical line. Mr. Raney stated he had contacted North Little Rock Electric and the line would be moved to clear the pool. He stated the electric company would work with him at the time the pool was installed to move the service line from the pole to the house.

There was a general discussion by the members regarding the need for additions to a motion. Mr. Sparr stated he would make a motion to include with the approval the requirement for approval by the Fire Marshall's office for the separation distance. Mr. Abele stated he would also include in the motion the overhead service line be moved to meet the requirements of North Little Rock Electric.

Chairman Brown requested a motion. Mr. Sparr provided a motion for approval of the request provided the applicant provide a letter of approval from the Fire Marshall's office regarding the separation distance and that North Little Rock Electric provide approval of the service line access from the pole to the house prior to the issuance of the certificate of completion by the city electrical inspector. By a roll call 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; Mr. Sparr formed a motion to adjourn, all members present voted in the affirmative, the motion was approved. The meeting was adjourned at 1:44pm.

Respectively submitted:
Donna James
Assistant Director of Planning

Variance Requested: A variance request from the area provisions of Section 5.11.4 to allow the placement of a fence in the side yard of a corner lot that will be closer to a street than the established front building line of the abutting property.

Location of the Request: 1815 Topf Rd, NLR, AR 72116

Legal Description of the Property: Lot 24, Block 15, Lakewood Addition to the City of North Little Rock, Pulaski County, Arkansas

Owner/Applicant: Clay and Amy Robertson

Present Use of the Property: R1 -Single Family

Present Zoning of the Property: R1

Site Characteristics: The subject property is located east of JFK Blvd, west of North Hills Blvd, and south of McCain in the Lakewood Subdivision. The subject parcel is located on the northwest corner of Topf Rd and Rosemont Dr. The neighboring properties to the north, east, and west are developed with single family homes while the property to the south across Topf is occupied by the Lakewood Elementary School. The Pulaski County records indicate that the subject parcel is .20 acres in size and occupied by a single family home built in 1979. The established Lakewood Subdivision is characterized as a single-family development with similar homes and lot sizes that were constructed in the same time period as the subject property.

Surrounding Uses and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R1	Single Family
South	Topf Rd, ROW / PI	School
East	Rosemont Dr, ROW / R1	Single Family
West	R1	Single Family

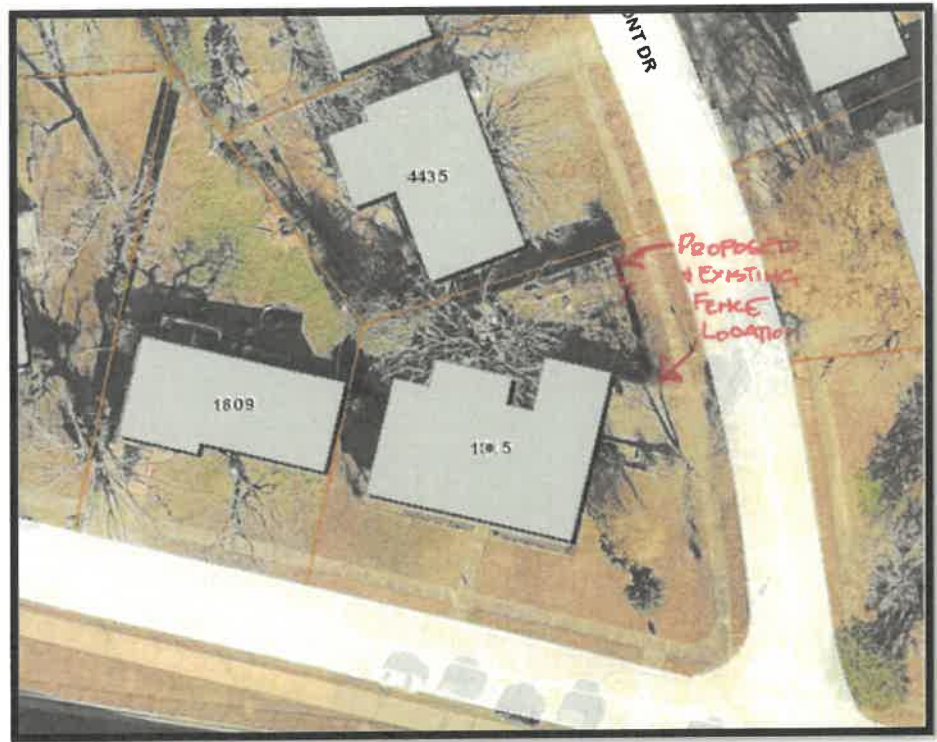
Justification: The applicant's justification is presented in an attached letter.

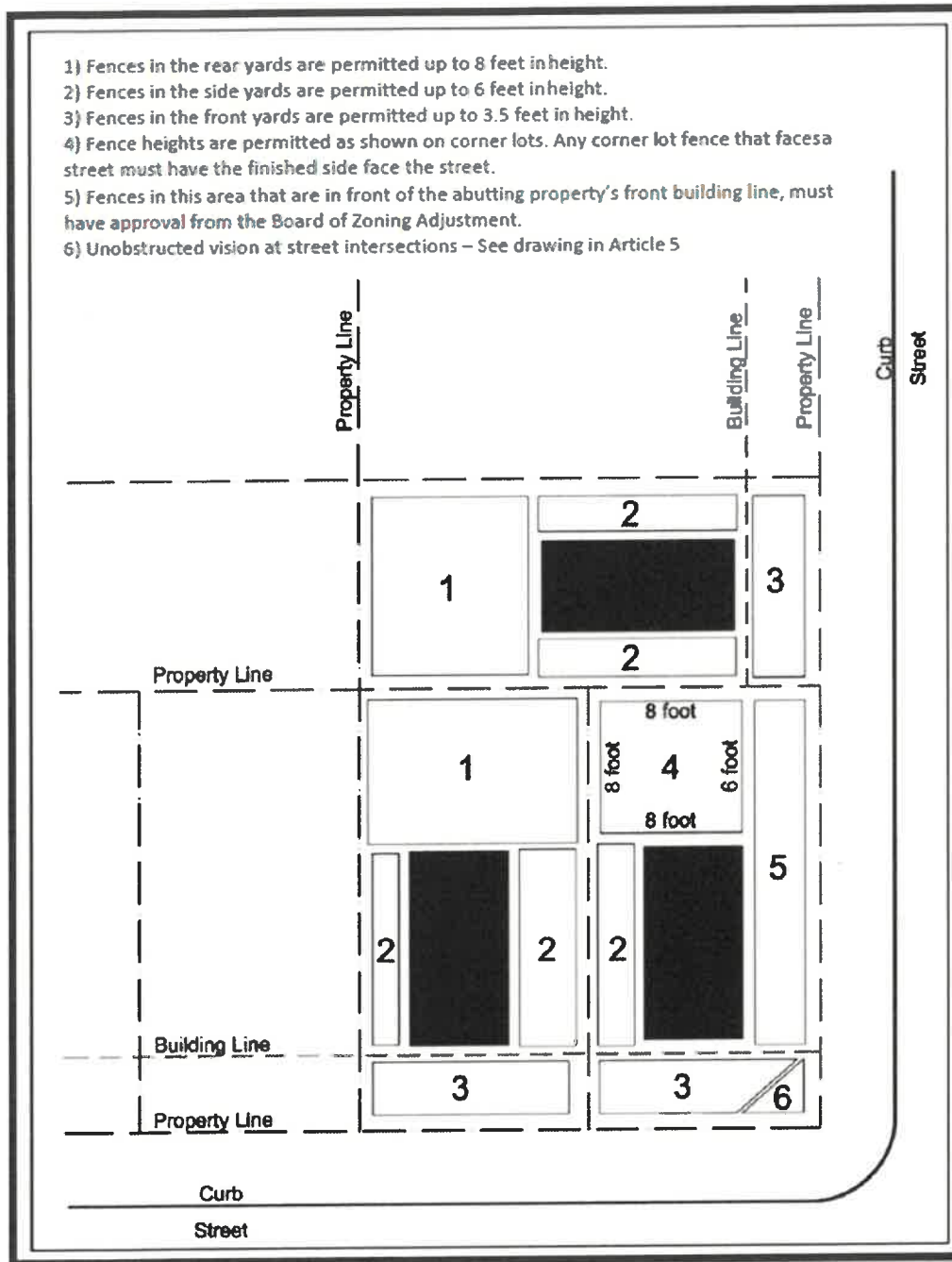
Staff Analysis: The applicant is requesting to replace an existing 6-foot wood privacy fence that surrounds the rear yard of their property. When applying for a permit the applicant was informed that exiting fence was not in compliance with the currant code and would be required to be reviewed by the Board of Zoning Adjustment before a new fence could be reconstructed in the same location. The fence starts at the northeast corner of the house, travels east adjacent to the driveway before turning

to the north and running parallel with the Rosemont Dr right-of-way for 46-feet. At this point the fence changes direction and travels west along the entirety of the rear property line before switching course to the south and eventually meeting the northwest corner of the house.

While the height and rear yard setback requirements of the fence are acceptable the fence will extend approximately 30-feet past the front building line of the neighboring

house to the north at 4435 Rosemont Dr. The rear of the applicant's home also extends past the front building plane of the neighboring house by approximately 20-feet. It should be noted that to install the fence from the rear northeast corner of the applicant's house to align with the front southeast corner of the neighboring home would severely reduce the size of the fenced back yard.





Section 5.11.4:
Residential Zoning
Districts
Requirements, 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. As
shown in the
zoning code
diagram, Item 5
states, "Fences in
this area that are in
front of the
abutting property's
front building line,
must have
approval from the
Board of Zoning
Adjustment."

This particular
guideline is
presented to keep
neighboring
properties free
from sightline
obstructions. The
existing wood
privacy fence runs

parallel with the Rosemont Dr right-of-way and has been placed approximately 8-feet from the inside edge of the sidewalk allowing clear views of oncoming traffic when entering or exiting the property's drive located off of Rosemont. Replacing the existing fence in the same location will not alter the existing site conditions for the applicant or any of the neighbors. The fence as built is considered a nonconforming structure and in severe disrepair which needs to be completely replaced. The current code stipulates nonconforming structures shall not be rebuilt or repaired unless it will be brought into conformance with this the current ordinance. To allow the fence to be replaced as it is currently constructed requires a variance from the Board of Zoning Adjustment.

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.

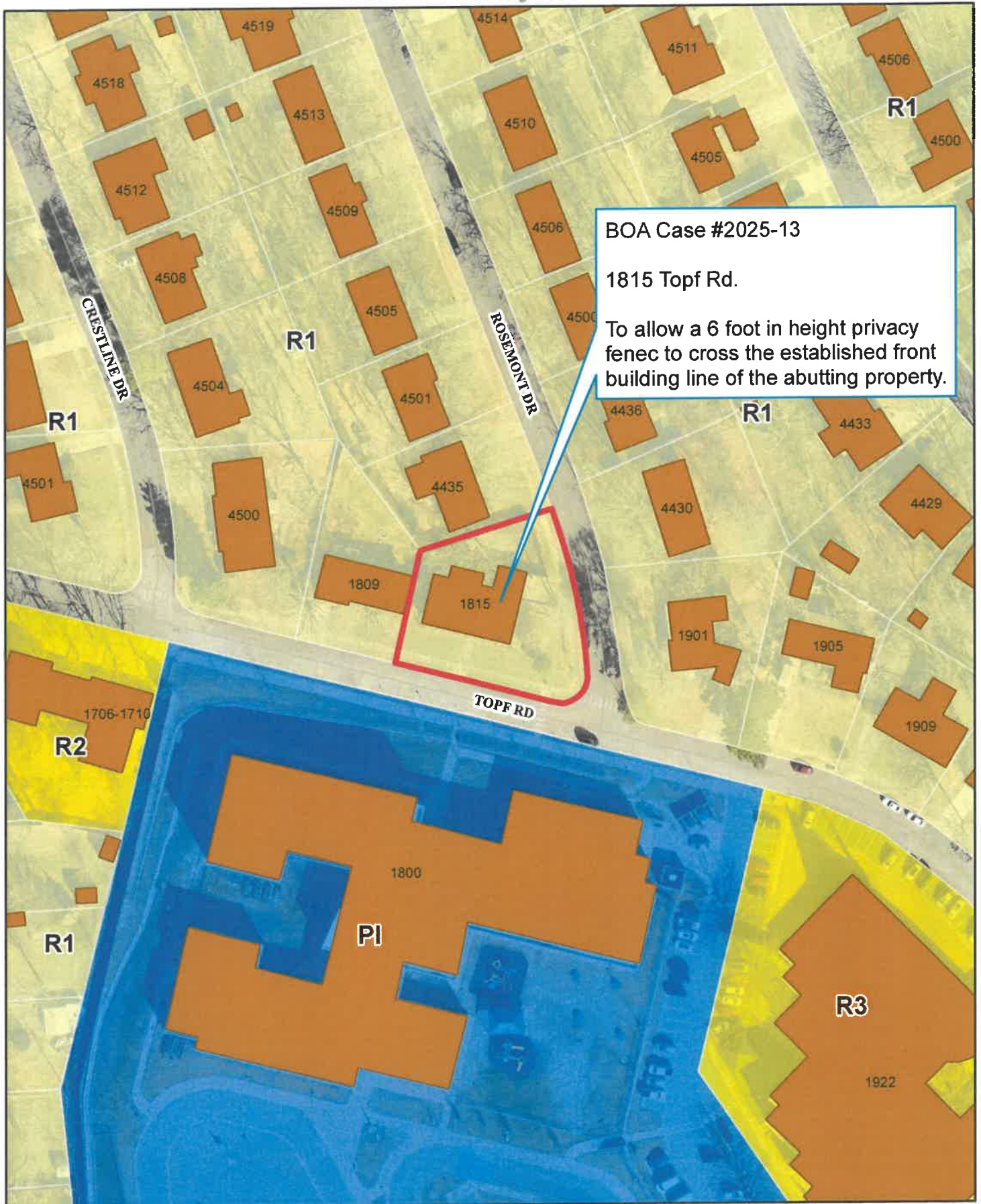
Board to Consider:

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? Possibly, the house and fence were constructed across the neighboring property's front building line prior to the current owner taking possession of the property. The owner is requesting to allow the damaged fence to be replaced as it is currently constructed.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, the adjacent property's drive is located on the opposite side of the property from the fence and will not obstruct the site lines when entering or exiting Rosemont Dr.
3. Will approval of the variance alter the essential character of the district? No, the district will remain as residential.
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, there are no changes to the land use and zoning of the area.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, the ordinance does not allow fencing as proposed by the applicant that crosses the front building line of the abutting 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 welfare of the city.

Approval Allows:

1. Approval will allow the replacement of a 6-foot wood privacy fence which crosses the front building line of the neighboring home to the north approximately 30-feet with a new 6-foot high wood privacy fence in the same location as described above and shown on the submitted aerial photos and site 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.

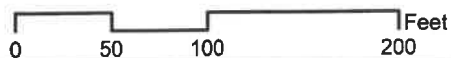
North Little Rock Board of Adjustment



BOA CASE #2025-13

Date: 6/4/2025

1 inch = 100 feet



User: jhale



North Little Rock Board of Adjustment



BOA CASE #2025-13

Date: 6/4/2025

1 inch = 50 feet

0 25 50 100 Feet



User: jhale



To: Board of Zoning Adjustments
From: Clay and Amy Robertson
Date: May 26, 2025
RE: Request for variance permit at 1815 Topf Rd. NLR, AR 72116

My wife and I purchased the house and property at 1815 Topf Rd over the summer of 2023 to be our family home. The fence on our property that faces the abutting property on Rosemont Drive needs replacement. The recent storms have highlighted the level of repair needed on the aging fence. The aerial pictures we have provided sourced from PAgis.org show that the fence has existed in its current configuration since at least 2006. Due to the age of the fence and the amount of materials that would be required to repair the fence we are attempting to replace the fence in its entirety. Ingle Fencing has done fence work for several of the houses in our neighborhood and has been incredibly helpful during the process of attaining the proper permits to complete the project. During the process of obtaining the permits it was discovered that the fence as it exists does not meet standards in accordance with Section 5.11.4 Residential Zoning Districts as it would extend beyond the front building line of the abutting property located at 4435 Rosemont Dr. We are asking that the Board please review our plan to replace the fence in its current configuration as it has existed for the last 20 years.

ClayRobertson84@gmail.com

501-258-5429



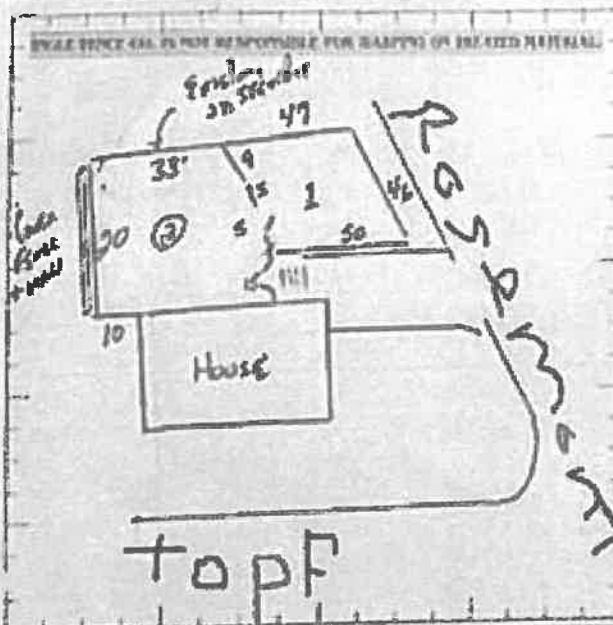
Serving Arkansas since 1964
INGLE FENCE CO.
 9019 Highway 161 • North Little Rock, Arkansas 72117
 North Little Rock, AR 72117 • Phone 258-5429
 Telex Ingle Fence Co. 2585429

Proposal To Clay Robertson
 Address 1815 Topf Rd
North Little Rock
 City _____

good fence
258-5429

Day Tues
 Time 1201
 Date 4-29-25
 Telephone _____
 Tel. No. 258
 Mobile 511-5585429
 e-mail _____

WOOD 4 FT. 5 FT. 6 FT. Other Height _____ Type ☒ Treated Pine ☐ Cedar ☐ Aspen ☐ Cap & Trim
 CHAIN LINK 4 FT. 5 FT. 6 FT. 7 FT. 8 FT. 10 FT. 12 FT. — Wire Gauge 14 1/2 11 9 — Post Spaced 10 FT.
 Top Rail 1-5/8" _____ 1-5/8" _____ Line Post 1-5/8" _____ 2" _____ 2 1/2" _____ End Post 2-1/2" _____ 5" _____ Corner Post 2-1/2" _____ 5" _____
 Walk Gate 2-1/2" _____ 5" _____ Drive Gate 2-1/2" _____ 5" _____ 4" _____ 6-3/8" _____ Gate Frame 1-5/8" _____ 2" _____
 IRON 4 FT. 5 FT. 6 FT. Style _____ Color — Black — Bronze — White — Desert Sand Rail 2 _____ 3 _____



143/96 Perimeter _____ Post End
 _____ Walk Gates _____ Cap & Trim
 _____ Double Gate ☒ Dog Ear
235 YAC Take Down _____ Other Design
 _____ Steel Gate Post _____ Steel Frames

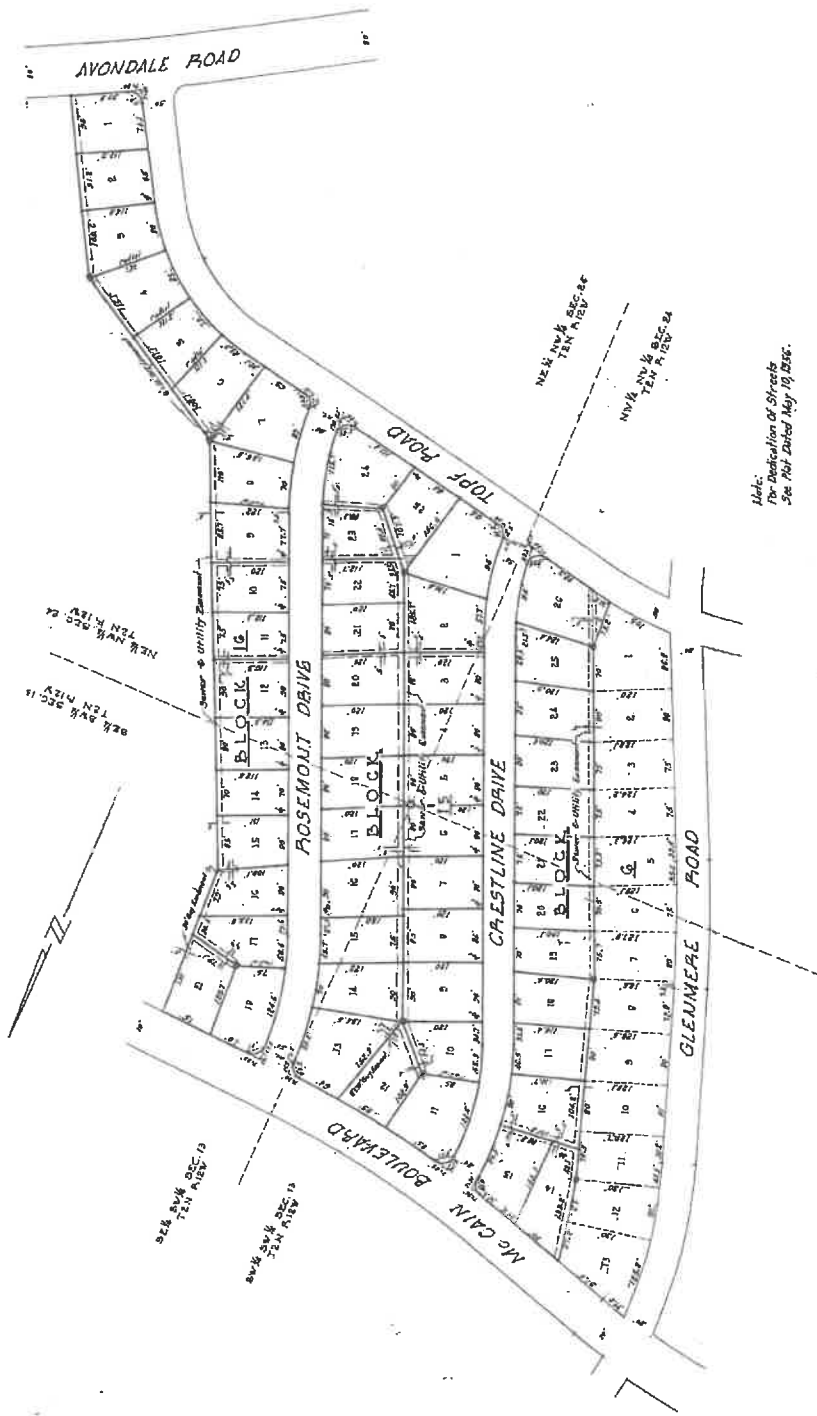
NOT RESPONSIBLE FOR BROKEN SPRINKLER LINE

Phase 1 lower level
103' of 6 Treated Pine
Add to Removal Existing Fence
Phase 2 upper level
92' of 6 Treated Pine
with 1-4' double style
gate And 1-6' double
driving gate
Existing Steel Post on 33'
Double Fence
Add for Removal 552.00

Sub Total 3452.00
 CCF _____
 Permit _____
 Total _____
 Sales Person _____

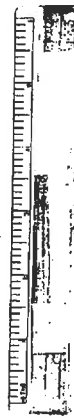
Customer is fully responsible for underground markers, property lines, fence lines, street openings, easements, easements, which are visible. Customer agrees to all markings provided in and shall provide property of Ingle Fence Company with all items of money have been paid in full. Work fence is not warranted for damage, cracking or shrinking. If customer further agrees to the extent of responsibility and insurance property and authorize Ingle Fence Company to enter property and remove said easements. Ingle Fence Company has full legal rights and will exercise such right to fence and all property to the extent of measurement. Customer agrees to pay a 30% penalty for all subsequent payments. An account becomes delinquent 15 days after due date. Customer further agrees to pay any interest and attorney's fees or expenses that incurred in collecting delinquent accounts. Customer does not have to sign this contract to be bound by its terms and conditions. It contains the complete and entire agreement and given notice, conditions to payment, then customer agrees to all printed terms.

VS DOWN BEFORE START OF CONSTRUCTION • BALANCE DUE UPON COMPLETION • MASTER CARD, AMERICAN EXPRESS OR VISA ACCEPTED



PLAT OF
 LOTS 14 THROUGH 26 BLOCK 6 LAKEWOOD: LOTS 1 THROUGH 25 BLOCK 15 LAKEWOOD: LOTS 1 THROUGH 12
 BLOCK 16 LAKEWOOD: ALL IN THE NEW & NW 1/4 NW 1/4 SECTION 24 AND THE SW 1/4 SW 1/4 AND
 THE SW 1/4 SW 1/4, SECTION 13, TOWNSHIP 2 NORTH, RANGE 12 WEST, PULASKI COUNTY, ARKANSAS.

ARTHUR H. THOMAS
 REGISTERED PROFESSIONAL SURVEYOR

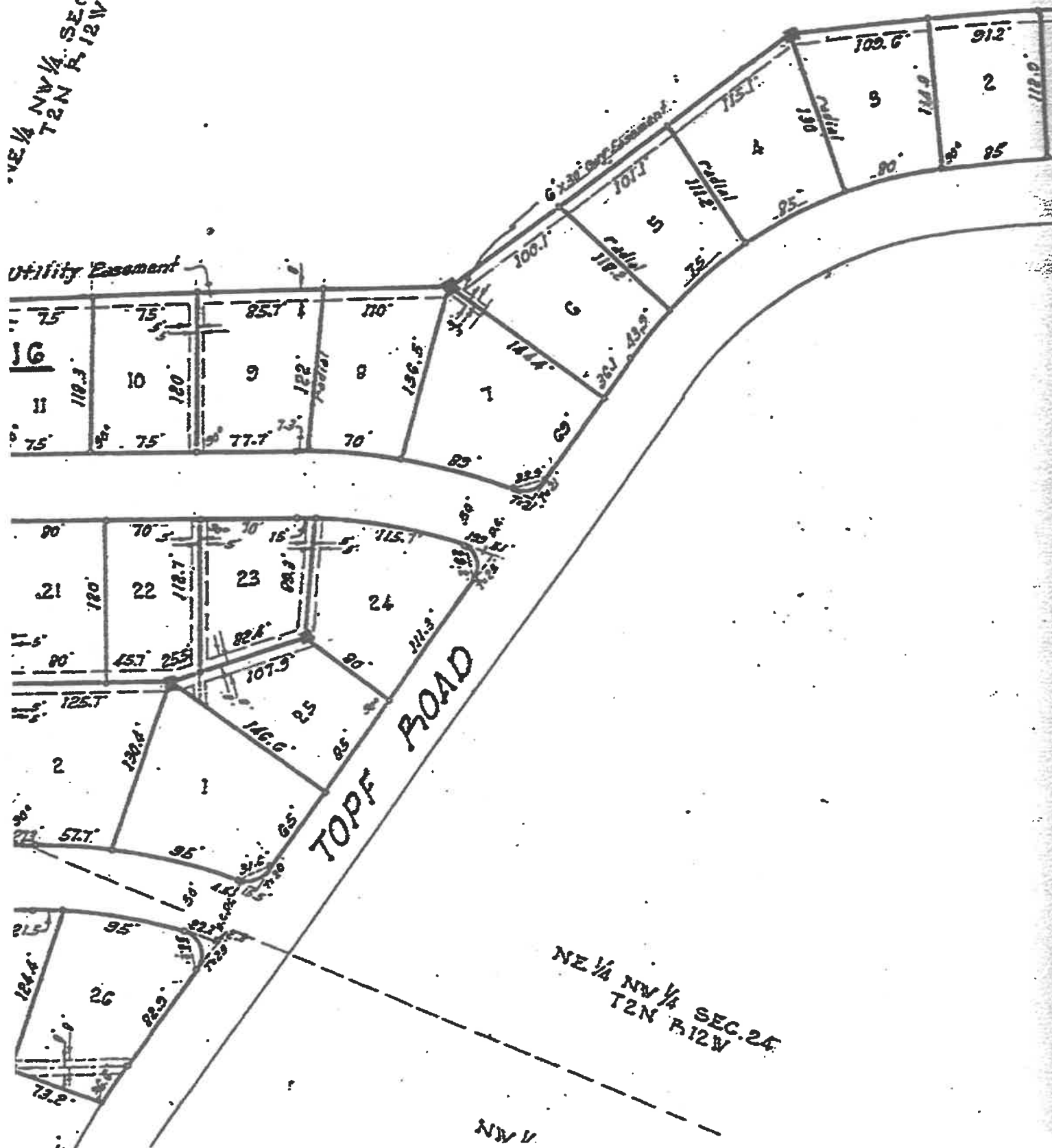


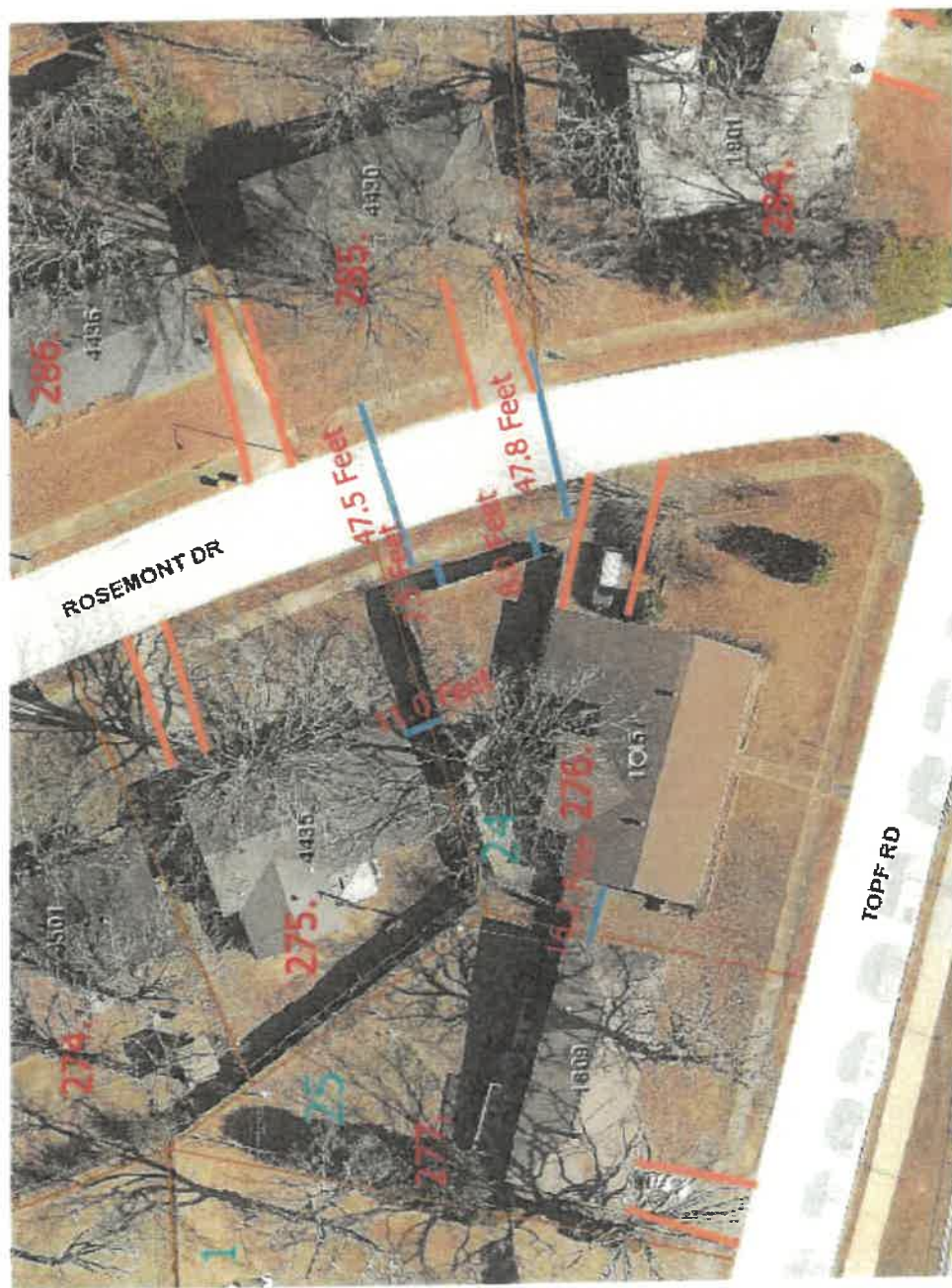
FILED FOR RECORD MAY 31, 1956, AT 3:10 O'CLOCK P. M., AND
 RECORDED JUNE 1, 1956, IN BOOK 503, PAGE 519.
 FOR BILL OF ASSURANCE SEE DEED RECORD BOOK 503, AT PAGE 519.

OWNER:
 CRESTWOOD DEVELOPMENT COMPANY

DATE: MAY 22 1956
 SCALE: 1/4" = 100'

NE 1/4 NW 1/4 SEC. 24
T2N R12W





PAgis 2018 Aerial



10600-00

2023042102
PULASKI CO. AR FEE \$25.00
PRESENTED
9/10/2023 12:00:35 PM
RECORDED
08/10/2023 02:16:55 PM
TERRI HOLLINGSWORTH
Circuit / County Clerk
BY: CHANTIA GREEN
DEPUTY RECORDER

Prepared by:

Kris M. Boyd, P.A.
11300 N. Rodney Parham Suite 320
Little Rock, AR 72212
(501) 554-5744

WARRANTY DEED

Married Persons

With Relinquishment of Dower, Homestead and Curtesy



KNOW ALL MEN BY THESE PRESENTS:

THAT we, **Duong Thuy Pham**, a married person, surviving joint tenant of **Thi Kim Nhung Pham**, deceased, joined by her spouse **Hoang T Le**, Grantors, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, receipt of which is acknowledged, do hereby grant, bargain, sell and convey unto **Clay N. Robertson and Amy Robertson**, husband and wife, Grantees, and unto their heirs, successors and assigns forever, the following lands lying in Pulaski County, Arkansas, to wit:

LOT 24, BLOCK 15, LAKEWOOD ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS.

To have and to hold the same unto said Grantees, and unto their heirs, successors and assigns forever, with all appurtenances thereunto belonging, subject to existing assessments, building lines, easements, mineral reservations and/or conveyances, and restrictions of record, if any.

Grantors hereby covenant with Grantees that Grantors will forever warrant and defend the title to said Property against all lawful claims of third parties claiming any interest in the Property except to the extent excepted above.

Notwithstanding anything contained herein to the contrary, Grantors make no warranties or representations regarding the claims of adverse possession, boundary by acquiescence, boundary by agreement or otherwise by third parties that may exist as a result in any variation or deviation of any existing fences or other boundary markers that may not be located precisely on the boundary line of the

E-RECORDED

simplifile

ID: 2023042102

County: Pulaski

Date: 8/10/2023 Time: 2:16:55pm

Prepared by:

Kris M. Boyd, P.A.
11300 N. Rodney Parham Suite 320
Little Rock, AR 72212
(501) 554-5744

WARRANTY DEED

Married Persons

With Relinquishment of Dower, Homestead and Curtesy

KNOW ALL MEN BY THESE PRESENTS:

THAT we, **Duong Thuy Pham, a married person, surviving joint tenant of Thi Kim Nhung Pham, deceased, joined by her spouse Hoang T Le, Grantors**, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, receipt of which is acknowledged, do hereby grant, bargain, sell and convey unto **Clay N. Robertson and Amy Robertson, husband and wife, Grantees**, and unto their heirs, successors and assigns forever, the following lands lying in Pulaski County, Arkansas, to wit:

LOT 24, BLOCK 15, LAKEWOOD ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS.

To have and to hold the same unto said Grantees, and unto their heirs, successors and assigns forever, with all appurtenances thereunto belonging, subject to existing assessments, building lines, easements, mineral reservations and/or conveyances, and restrictions of record, if any.

Grantors hereby covenant with Grantees that Grantors will forever warrant and defend the title to said Property against all lawful claims of third parties claiming any interest in the Property except to the extent excepted above.

Notwithstanding anything contained herein to the contrary, Grantors make no warranties or representations regarding the claims of adverse possession, boundary by acquiescence, boundary by agreement or otherwise by third parties that may exist as a result in any variation or deviation of any existing fences or other boundary markers that may not be located precisely on the boundary line of the

Property. Furthermore, Grantors make no warranties or representations regarding the right of third-parties to assert easements of necessity to any portion of the Property.

And we, the Grantors, for and in consideration of said sum of money, do hereby release and relinquish unto said Grantees all of our rights of dower, curtesy and possibility of homestead in and to said lands.

WITNESS our hands and seals on this 8 day of August, 2023.


Duong Thuy Pham


Gia Khanh Pham


Hoang T Le

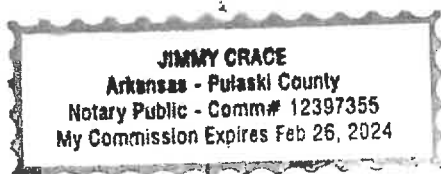
ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss
COUNTY OF PULASKI)

BE IT REMEMBERED That on this day came before me the undersigned, a Notary Public within and for the county aforesaid, duly commissioned and acting Duong Thuy Pham, Gia Khanh Pham and Hoang T Le, to me well known or satisfactorily proven to be the Grantors in the foregoing Deed, and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

And on the same day also voluntarily appeared before me each of said Grantors separately, and each Grantor in the absence of such Grantor's spouse declared that he or she had, of his or her own free will, executed said Deed and signed and sealed the relinquishment of dower, curtesy and homestead in said Deed for the consideration and purposes therein contained and set forth, without compulsion or undue influence of such Grantor's spouse.

WITNESS my hand and seal as such Notary Public this 8 day of August, 2023.




Notary Public



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 57-LR23-08583

Grantee:
Mailing Address:

CLAY N. ROBERTSON AND AMY ROBERTSON, HUSBAND AND WIFE
1815 TOPF RD
NORTH LITTLE ROCK AR 721167418

Grantor:
Mailing Address:

DUONG THUY PHAM, A AMARRIED PERSON, SURVIVING JOINT
TENANT OF THI KIM NHUNG PHAM, DECEASED, JOINED BY HER
SPOUSE HOANG T LE
1815 TOPF RD
NORTH LITTLE ROCK AR 721167418

Property Purchase Price:
Tax Amount:

\$230,000.00
\$759.00

County:
Date Issued:
Stamp ID:

PULASKI
08/10/2023
2146646016

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Billie Baldwin
Grantee or Agent Name (signature): Billie Baldwin Date: 8-10-2023
Address: 1815 Topf Rd
City/State/Zip: North Little Rock, AR 72116

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(s) without public street frontage.

Location of the Request: 4229 E McCain Blvd, North Little Rock, AR 72116

Legal Description of the Property: Lot 1R/1, East Park Commercial, Being a Replat of PT of Blk 1 & LT B, Now Replatted as LT 1R, Addition to the City of North Little Rock, Pulaski County, Arkansas

Owner: RCG –North Little Rock VII, LLC

Applicant: Springfield Sign, Alicia Walton

Present Use of the Property: Proposed 7Brew Coffee

Present Zoning of the Property: C5, Large Scale Commercial District

Site Characteristics:

The site under review is within an existing retail shopping center located on the north side of E McCain Blvd and bordered by Landers Rd to the west. Known as Market Plaza the property is occupied with a Best Buy and Petco at the north of the site,



bordered by Landers Rd to the west. Known as Market Plaza the property is occupied with a Best Buy and Petco at the north of the site, Ollie's Bargain Outlet, and Springhill Wine and Spirits on the east, and Hibbet Shoes, and Jason's Deli on the west side of the plaza. Spring Hill Wine and Spirits and Hibbet's shoes are indicated to be on separate outparcels of the property and the proposed 7Brew Coffee will be located in the center

of the parking field separating the two outparcels. Facing E McCain Blvd the building will occupy a new island with vehicular stacking and circulation on four sides of the building. The existing drive aisles on the north and south will remain and new circulation routes will be located on the west side of the building. The existing parking surrounding the site will be utilized for the new facility as well as the existing retail development.

Surrounding Land Use and Zoning

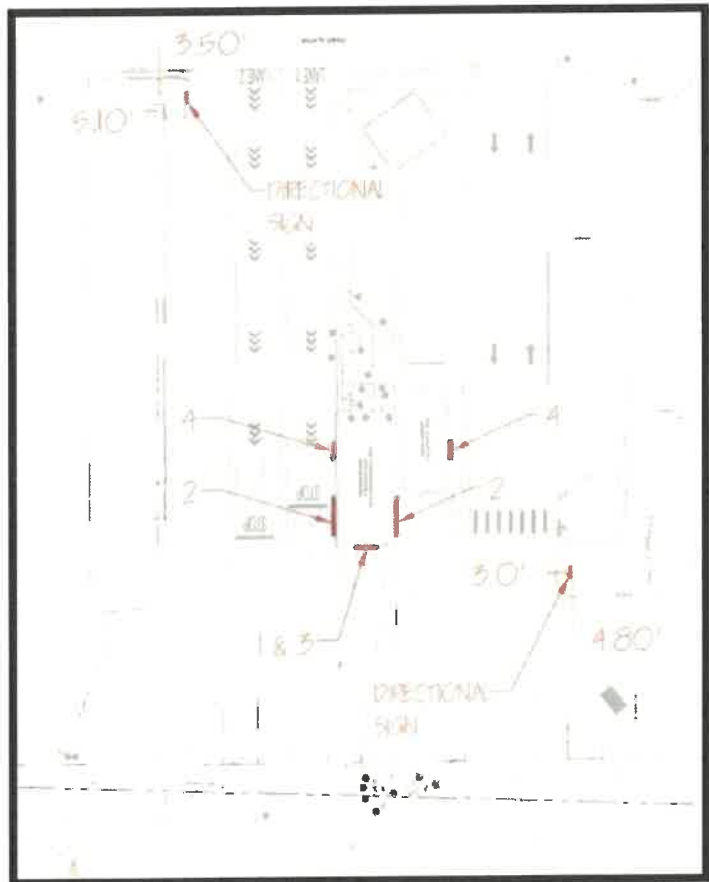
<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	C5, Large Scale Commercial District	Retail / Medical
South	ROW / C5 Large Scale Commercial District	E McCain Blvd ROW / Retail
East	C5, Large Scale Commercial District	Shopping Center Access Drive
West	C5, Large Scale Commercial District	Shopping Center Access Drive

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

Staff Analysis:

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

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



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



The applicant is seeking to place wall signs on the south, east and west façades of the building while the south elevation faces E McCain Blvd the two other proposed signs do not have street frontage. The sign proposed for the east side will face the existing parking and access drive to the shopping center while the proposed sign on the west facing wall be directed towards the proposed drive through lanes, parking and an additional access drive for the development. Both signs are identical and indicated to be approximately 35square feet in area which is within the ten percent maximum of the total building façade aggregate.



The applicant notes in their letter of hardship, the signage is necessary stating: *"The business is located on a multi lane street and our request for additional square footage to allow an increase in wall signs will help the community with public way finding and public identity. Without our brand of Standard 7 Brew wall signs located on the building*

elevations, our business could lose business as our potential customers would not have an idea of our location or that we are a drive through coffee shop.” Similar sign variances have been approved for recently completed 7Brew drive thru coffee shops within the North Little Rock city limits.

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 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, the applicant is constructing a new building on the property fronting E McCain Blvd. In addition to the (1) conforming sign facing the street frontage the applicant is requesting two additional signs proposed for the east and west elevations adjacent to the on-site circulation drive and parking areas.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, the adjacent business are predominately retail with similar site design. The proposed additional signs will single drivers traveling east and west before passing the subject property's site entries.
3. Will approval of the variance alter the essential character of the district? No, the district is a developed with similar commercial uses.
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 number and placement of wall signs. Signs are to be located along a building facade with street frontage except in cases where the signs without street frontage would be the only means of identification such as a shopping center or shopping mall. In addition to the

one wall sign permitted by code facing the street right-of-way the applicant is also seeking to place two additional wall signs on east and west sides of the building.

6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, there will be no impact on the public health, safety and general welfare of the community by approval of this variance request.

Approval Allows:

1. In addition to the one allowable building sign facing the street, approval will allow the placement of two additional wall signs one on both the east and west elevation of the proposed building. The total building signage will include one sign with street frontage and two signs without street frontage.
2. Approval of this variance request is valid for 180-days from date of approval. If a building permit is not secured within the 180-day period, approval becomes invalid unless, the Board of Zoning Adjustment has approved a request for a time extension. All requests for time extension must be made prior to the expiration of the Board's approval.

North Little Rock Board of Adjustment

BOA Case # 2025-14

4229 E. McCain Blvd

To allow the placement of wall signs
without public street frontage.

C5

4229

4281

E MCCAIN BLVD

4226

C5

4228

SPRINGHILL DR

C5

BOA CASE #2025-14

Date: 6/4/2025

1 inch = 100 feet

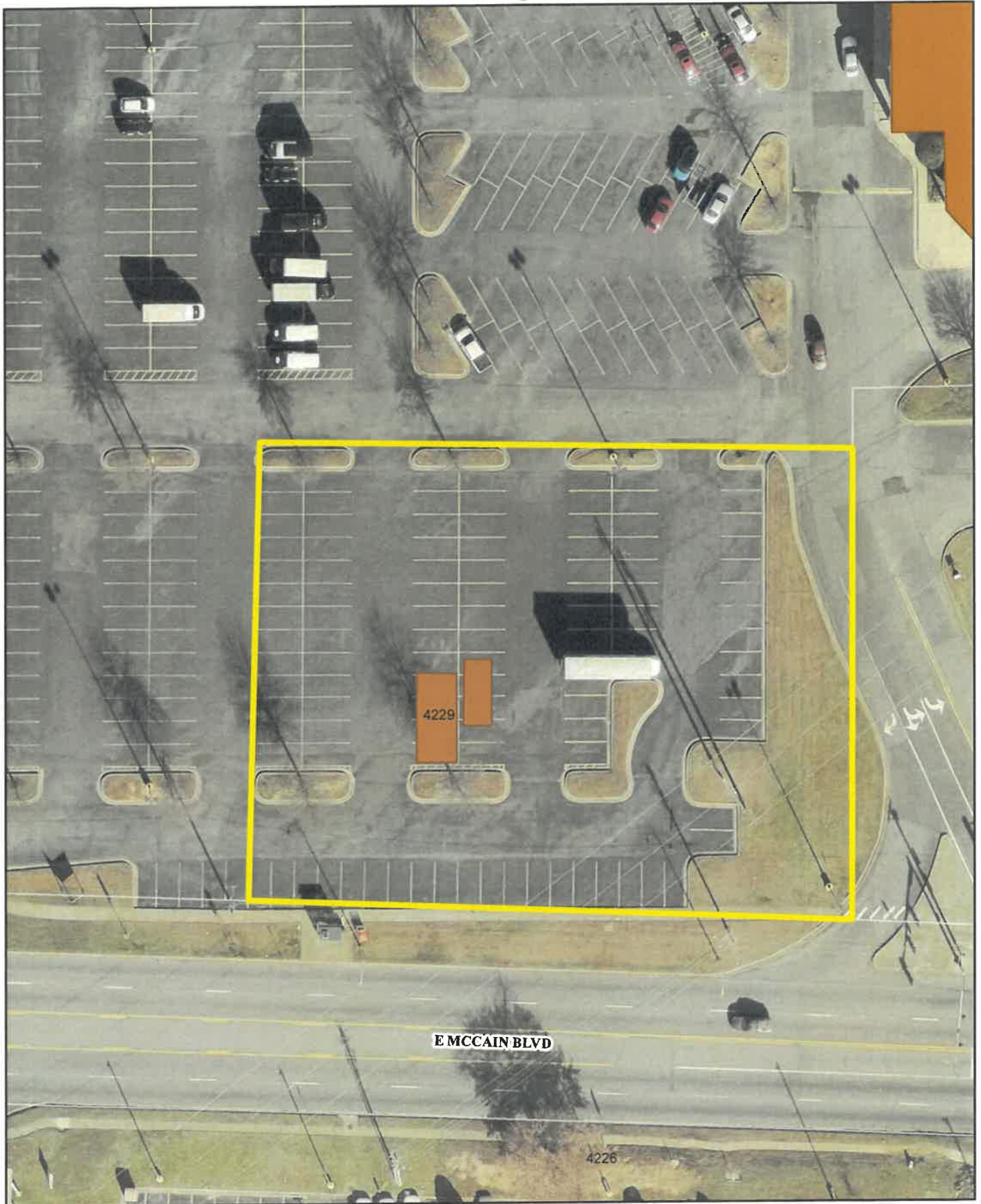
0 50 100 200 Feet



User: jhale



North Little Rock Board of Adjustment



BOA CASE #2025-14

Date: 6/4/2025

1 inch = 50 feet

0 25 50 100 Feet



User: jhale





ADDRESS
4825 E Kearney St
Springfield MO 65803

CONTACT US
800.845.992
springfieldsign.com

5/23/2025

City of North Little Rock
700 W 29th St
North Little Rock, AR 72114

RE: 7 Brew Coffee -Sign Variance Request

To the Board of Commissioners

7 Brew Coffee located at 4229 E. McCain Blvd would like to respectfully request 2 additional wall signs on facades without the street frontage. The code allows all permitted wall signs shall not to exceed ten percent in aggregate sign area for that occupancy's facade 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. Each wall sign would be 31.76 square feet each which would grant us an additional 62.34 square footage for 2 additional wall signs on the East and West facades of our building.

The business is located on a multi lane street and our request for additional square footage to allow an increase in wall signs will help the community with public way finding and public identity. Without our brand of Standard 7 Brew wall signs located on the building elevations, our business could lose business as our potential customers would not have an idea of our location or that we are a drive through coffee shop. A large percentage of restaurant businesses are from impulsive buyers through business signage. The granting of these requests would not be in any way detrimental to the public's welfare, or injurious.

7 Brew Coffee is a nationally recognized restaurant, and with that comes a Brand Standard consistency. The brand Standard format for 7 Brew Coffee is to be consistent with branding, public identity, public way finding, public safety, marketing, visual imaging throughout the entire chain and providing a positive impact on the community. We believe this waiver request is consistent with the spirit, purpose and intent of the sign ordinance governing North Little Rock while offering some new advantages. This proposal is consistent with many other communities that we have been involved in around the country and believe that this minor adjustment is necessary as far as the Brand of 7 Brew Coffee and will have a positive impact on the community.

We respectfully are asking you to review our request, see our need, and approve our request.

Thank you,
Alicia Walton

Alicia Walton
Springfield Sign
4825 E Kearney St.
Springfield, MO 65803
417-862-2454
aliciaw@springfieldsign.com



ADDRESS

4525 E. McCain Blvd.
Springfield, MO 65810

CONTACT US

816.642.7772
springfieldsign.com

May 22, 2025

Sign Permit

Re: 7 Brew Coffee
4229 E McCain Blvd
North Little Rock, AR

To Whom It May Concern,

This is to grant written authorization to: Springfield Sign necessary
permissions to erect wall and/or freestanding signage for **7 Brew Coffee**, located at the address listed above.

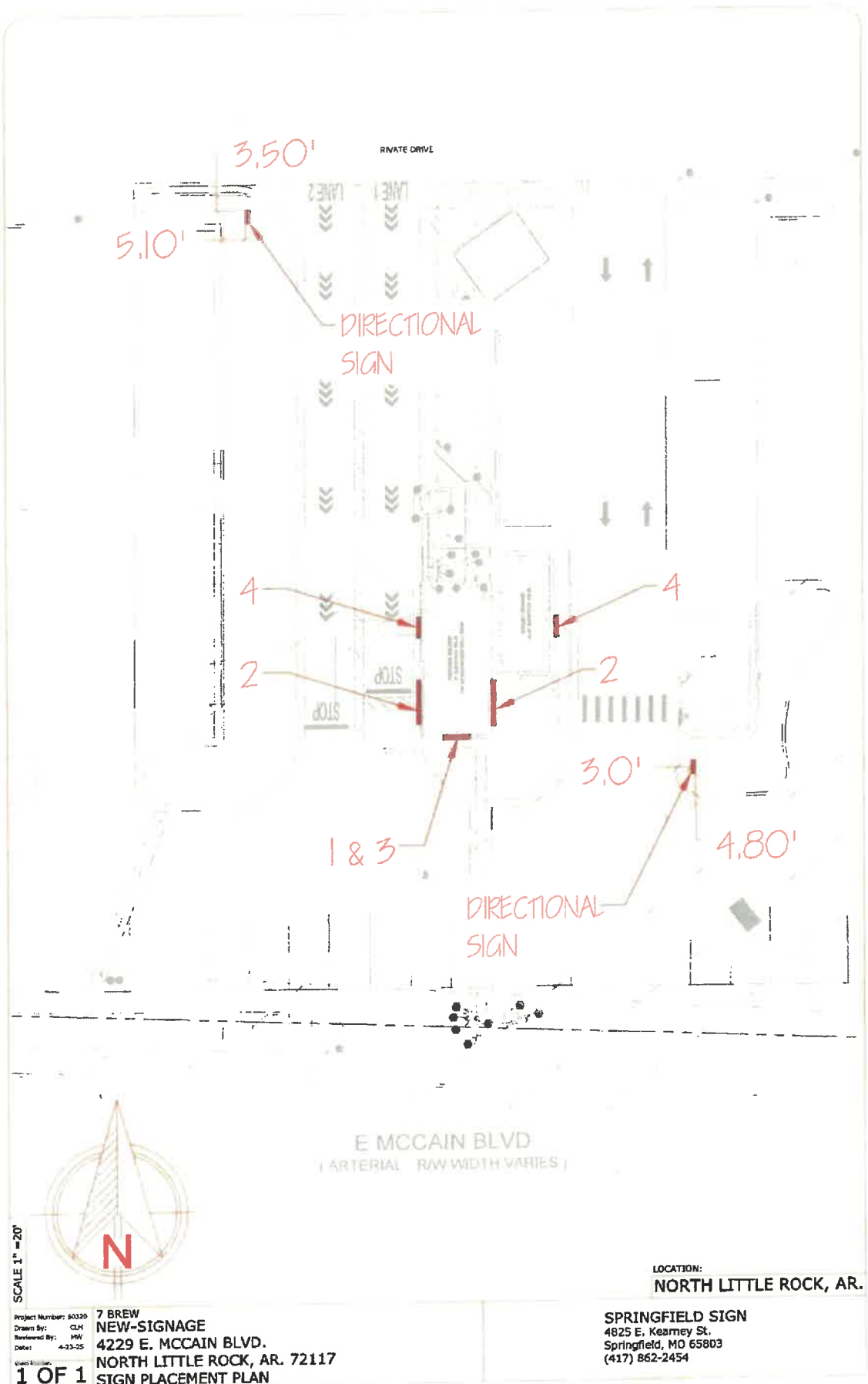
Please be advised we have contracted the above mentioned companies to build/install signage as well as apply for sign
variances for our new location. This is their authority to act on our behalf to obtain sign/building permits and variances.

With Regards,

Eva Bass

Signautre Property Manager
As Agent for RCG-North Little Rock VII, LLC
05/23/25







SEVEN BREW

4229 E. MCCAIN BLVD.
NORTH LITTLE ROCK, AR

CREATED: 04/21/25

ao60320

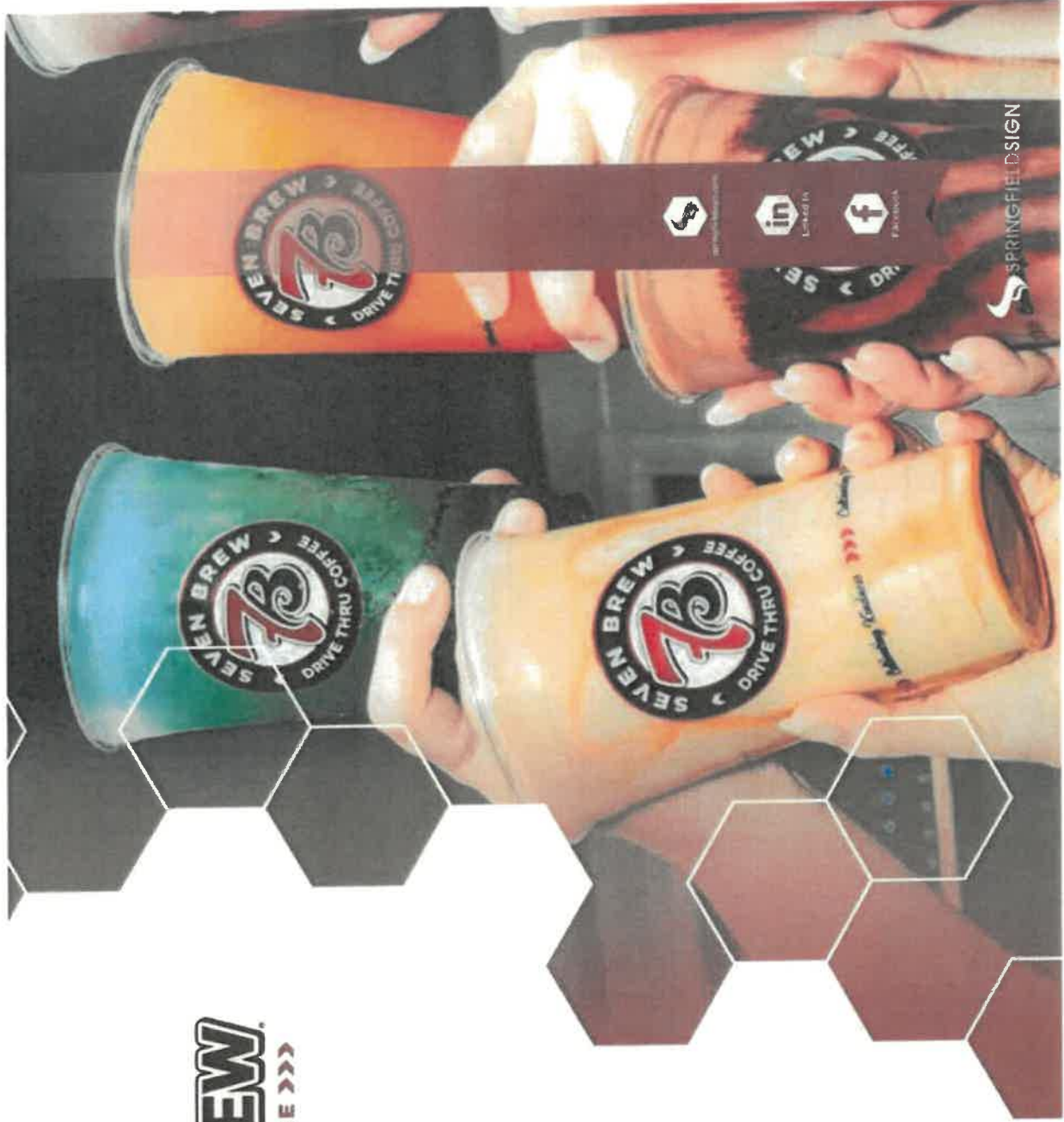
PRESENTED BY
SHAUNCRAWFORD

o: 417.862.2454

c: 417.705.2122

e: ShaunC@springfieldsign.com

a: 4825 E. Kearney St.
Springfield, MO 65803



NICHIHA ELEVATIONS (FRONT/BACK)

SALES: SHAUN CRAWFORD
ARTIST: D. MADDEN

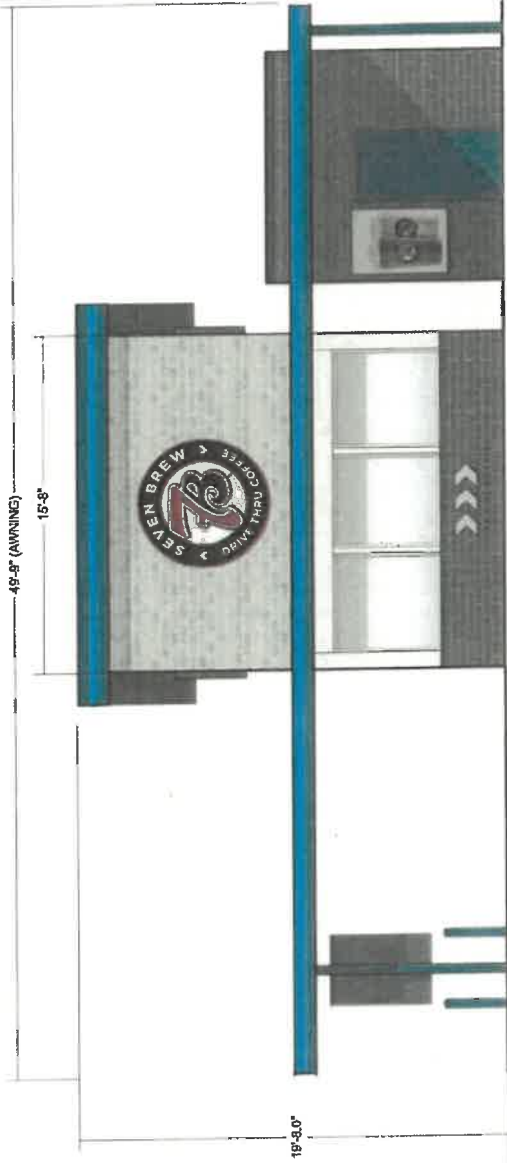
CLIENT: CMC - 7-BREW
LOCATION: NORTH LITTLE ROCK, AR

DRAWING #: ao60320-1
REV. DATE: 00/00/25 | REV. 0 ##

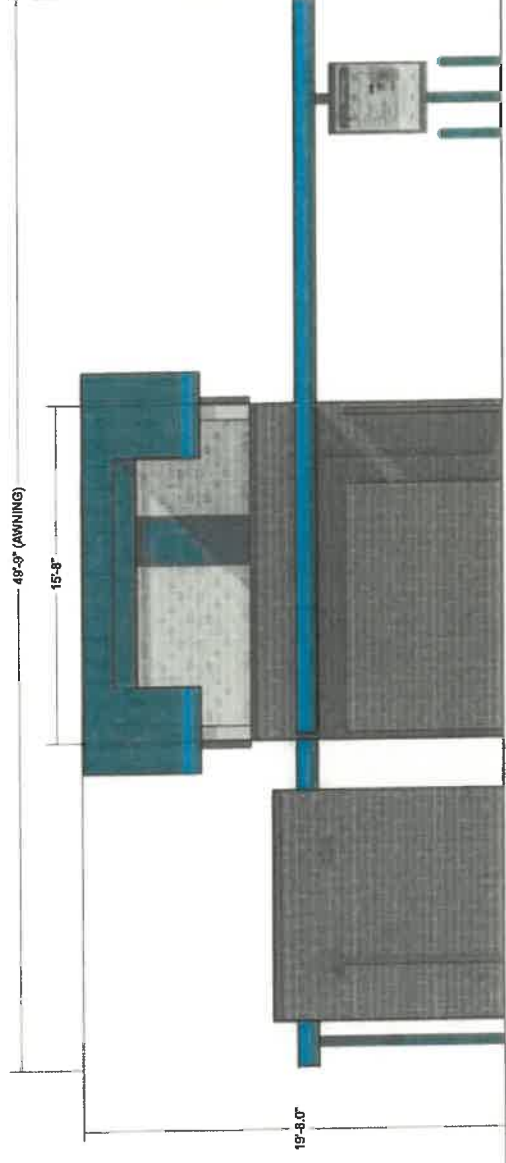
02

2 ELEVATIONS-DETAILS
SCALE: 3/16"=1'

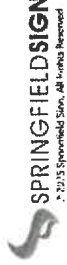
STANDARD:
CHEVRON FCO ON FRONT
ELEVATIONS ARE BRUSHED
ALUMINUM.



FRONT ELEVATION



REAR ELEVATION



This drawing is copyrighted material. It remains the property of Springfield Sign unless otherwise stated. It is not to be used for building purposes without our written permission. Springfield Sign, Inc. is an authorized sign and lettering company. All other uses are prohibited. Springfield Sign, Inc. is an authorized sign and lettering company. All other uses are prohibited.

AUTHORIZED SIGNATURE:

DATE:

NICHIHA ELEVATIONS (SIDES)

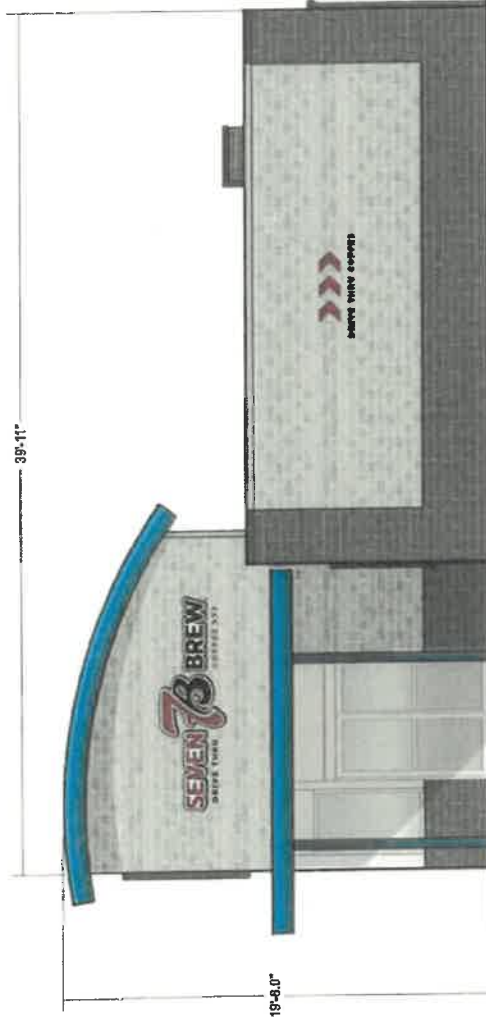
DRAWING #: 3060320-2
REV DATE: 06/06/25 | REV_0 #N

CLIENT: CMC - 7-BREW
LOCATION: NORTH LITTLE ROCK, AR

SALES: SHAUN CRAWFORD
ARTIST: D. MADDEN

2 ELEVATIONS-DETAILS

SCALE: 3/16"=1'



SIDE ELEVATION

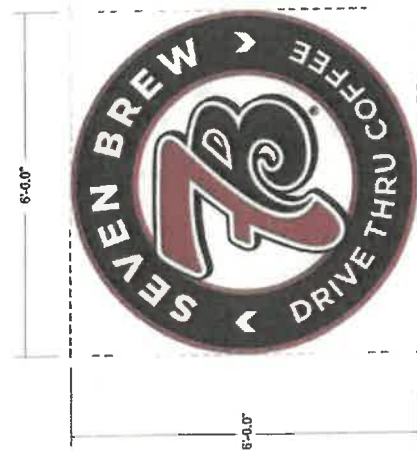
Elevation Sq Ft 785.03



DT SIDE ELEVATION

Elevation Sq Ft 785.03

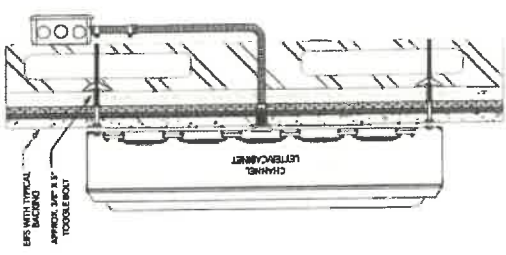
1 CABINET-DETAILS
SCALE: 1/2"=1'



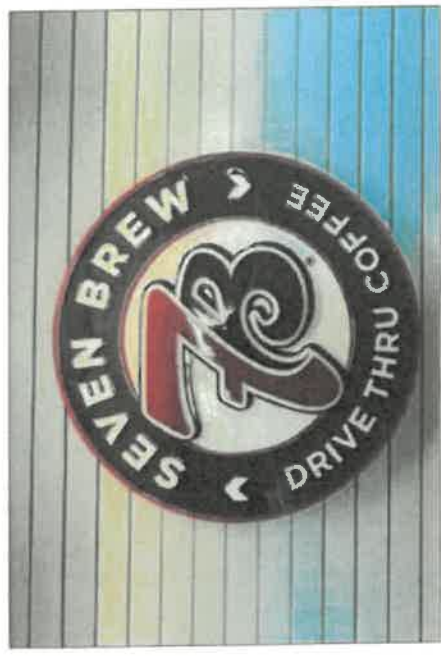
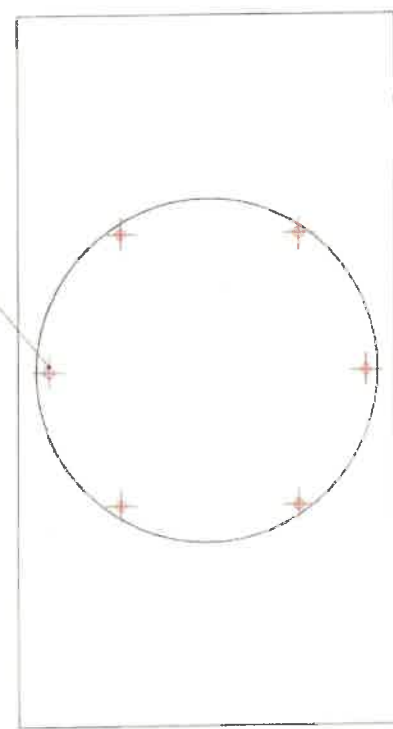
- FLUSH MOUNT CABINET
- WHITE EMBOSSED ACRYLIC PAN FACE
 - INTERNAL LED ILLUMINATION
 - FLUSH MOUNTED TO FASCIA
 - CUT VINYL APPLIED FIRST SURFACE
 - BLACK TRIM AND RETURNS
 - TOTAL SQ. FT. 28.27



DIRECT



6 ATTACHMENT POINTS



CHANNEL LETTERSET

05

DRAWING # a60320-4
REV DATE 00/06/23 REV 0 ##

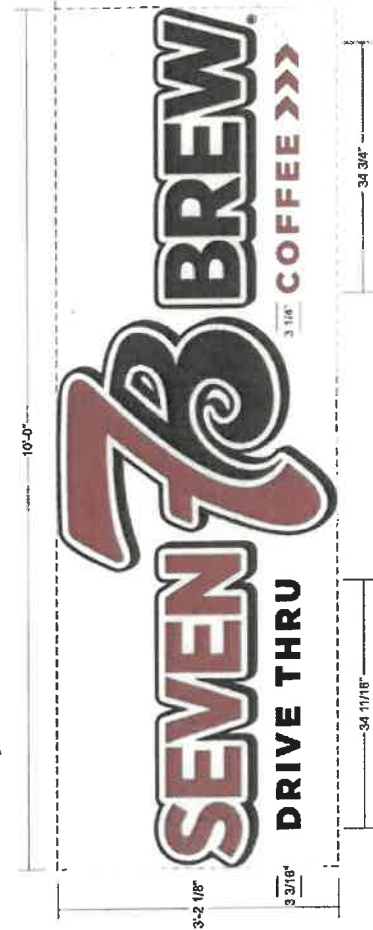
SALES SHAUN CRAWFORD
ARTIST D. MADDEN

CLIENT CMC - 7-BREW
LOCATION NORTH LITTLE ROCK, AR

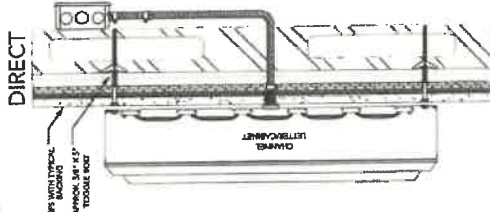
CHANNEL LETTER-DETAILS

SCALE: 3/4"=1'

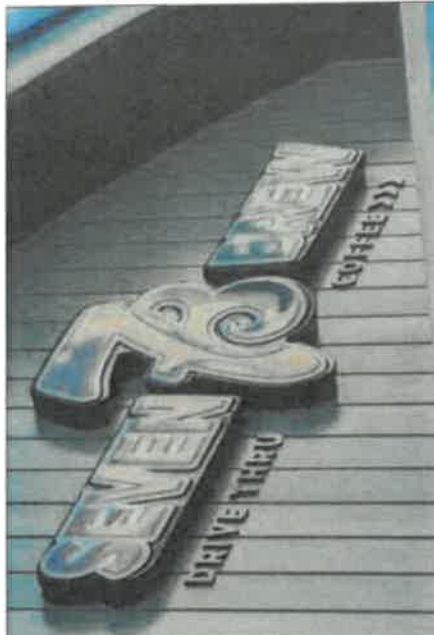
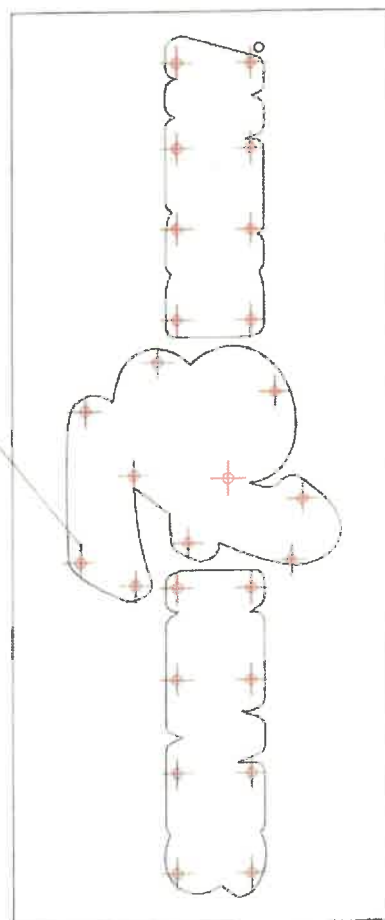
Quantity: 2



- FLUSH MOUNT CHANNEL LETTERS**
- "SEVEN 7B BREW"
 - WHITE EMBOSSED ACRYLIC PAN FACE
 - INTERNAL LED ILLUMINATION
 - FLUSH MOUNTED TO FASCIA
 - CUT VINYL APPLIED FIRST SURFACE
 - BLACK TRIM AND RETURNS
- FLUSH MOUNT FCO**
- "DRIVE THRU" AND "COFFEE >>>"
 - PAINTED AS SHOWN
 - FLUSH MOUNTED FCOs
 - TOTAL SQ. FT. 31.76



26 ATTACHMENT POINTS



AUTHORIZED SIGNATURE

DATE

Variance Requested: A variance request from the area provisions of 4.1.5 to allow a rear yard setback to be less than 25-feet as prescribed for R4 zoned properties.

Location of the Request: 4004 Monticello Drive, North Little Rock, AR 72116

Legal Description of the Property: Lot 20, Block 65, Lakewood 5N Subdivision, City of North Little Rock, Pulaski County, AR

Owner/Applicant: Edwards Family Trust / Jim Edwards

Present Use of the Property: Residential

Present Zoning of the Property: R4: Multi-family

Site Characteristics: The property under review is located north of the McCain Blvd, south of City of Sherwood, east of North Hills Blvd, and west of Warden Rd in the Lakewood 5N neighborhood. This neighborhood is predominately occupied with single-family homes that were developed in the early 1970's. All of the parcels in this neighborhood have been developed and maintained and the neighborhood remains a desirable location. The subject property is located on Monticello Dr. This street bisects the lower 1/2 of the neighborhood connecting Cornwallis Dr to Bunker Hill and Fairway Ave to the west and Bunker Hill to the east. Bunker Hill encircles the subdivision with entry/exit points at Fairway Ave. This subdivision is developed with approximately 220 single family homes. The parcel under review is positioned at the south of the subdivision in the approximate center of the neighborhood. The existing home is located on the south side of Monticello Drive and listed to be 1,914 sq. ft. built on a .22 acre lot. This type of coverage is typical for this neighborhood.

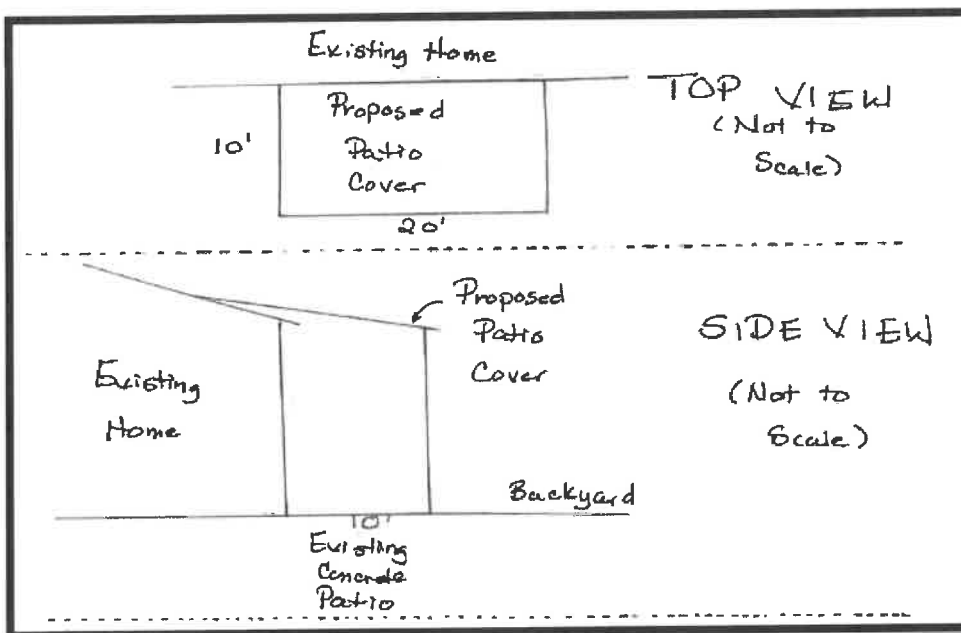
Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R4: Single-family District	Single-family
South	R4: Single-family District	Single-family
East	R4: Single-family District	Single-family
West	R4: Single-family District	Single-family

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

Staff Analysis:

Like most of the homes in this neighborhood the house located on the subject property has been positioned to take advantage of the minimal building space on this small lot. The parcel measures approximately 140-feet x 70-feet with the footprint of the 1900 sq. ft. house maximizing the 25-foot required front and rear yard building setbacks and 7-foot side yard building setbacks. The sketch that the owner has provided indicates the back of the home is located 30-feet from the back property line. The sketch also indicates an existing 10x20 foot concrete patio attached to the house. The patio has been constructed at ground level and therefore does not violate the setback requirements for structures when crossing the 25-foot rear yard setback.



The applicant is proposing to attach a roof to the rear of the home and cover the existing patio. However, by doing this the at-grade patio will become tied to the house of with a roof and be classified as an extension of the primary structure. By connecting and covering the existing 10x20

foot patio the house will then cross the 25 foot rear building line by 5-feet locating the primary structure 20-feet from the rear property line and be in violation of the currant code requirements.

As per Section 4.1.5 the R4 Multi-Family District development standards and the Area Requirements Table: The minimum rear yard setback shall be no less than 25-feet from the property line. The applicant is requesting to add a roof over the existing 10x20 concrete patio that is connected to the rear of their home to provide an additional sheltered living space to the back of their property. The home owner has stated in their letter of hardship that the exiting conditions and location of their home will not allow an overhead structure (roof) to be constructed covering the existing patio within the required boundary of the rear yard building setback and is requesting a variance to allow this additional outdoor living space.

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? Possibly, the home and its amenities were constructed in 1972 leaving little space to expand the primary structure into the rear yard with any significance without encroaching on the rear building line.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, the property is residential and will remain residential. The addition of the roof over the existing patio will have little to no impact on the adjacent properties.
3. Will approval of the variance alter the essential character of the district? No, the addition of the roof over the existing patio will have little or no impact on the character of the district.
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, zoning and land use will remain the same.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? Yes, the variance process requires the applicant to show a valid hardship based on the shape of the lot or topography of the lot. The platting of the lot and the existing single-family residence has created limited space in the rear yard to allow the extension of the house.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, there will be no impact on public health, safety and general welfare of the neighborhood or the City.

Approval Allows:

1. Approval will allow the extension of the primary structure (roof over exiting patio) to encroach 5-feet into the 25-foot rear yard setback as indicated on the attached site plan (sketch) and as described above.
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 #2025-15

Date: 6/10/2025

1 inch = 150 feet



User: jhale



North Little Rock Board of Adjustment



BOA CASE #2025-15

Date: 6/10/2025

1 inch = 30 feet

0 15 30 60 Feet



User: jhale



June 11, 2025

James Edwards
4004 Monticello Dr.
North Little Rock, AR 72116

To Whom It May Concern,

We desire to extend the roof of our home over an existing 10x20 foot rear yard patio which is connected at grade to the foundation of the house. Due to the concrete patio slab encroaching into the 25-foot rear yard setback by 5 feet, the existing conditions and location of the home will not allow an overhead structure (roof) to be constructed within the required boundary of the rear yard building setback. "We respectfully request the 25-foot rear yard setback be reduced to 20 feet to allow the new roof of our house to encroach 5 feet across the rear yard building line."

Please feel free to email or call me with any questions.

Best regards,

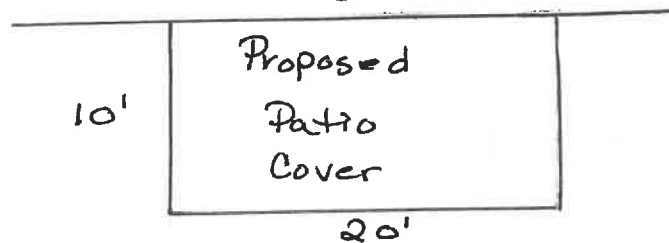
A handwritten signature in black ink, appearing to read "Jim Edwards", with a stylized flourish at the end.

Jim Edwards

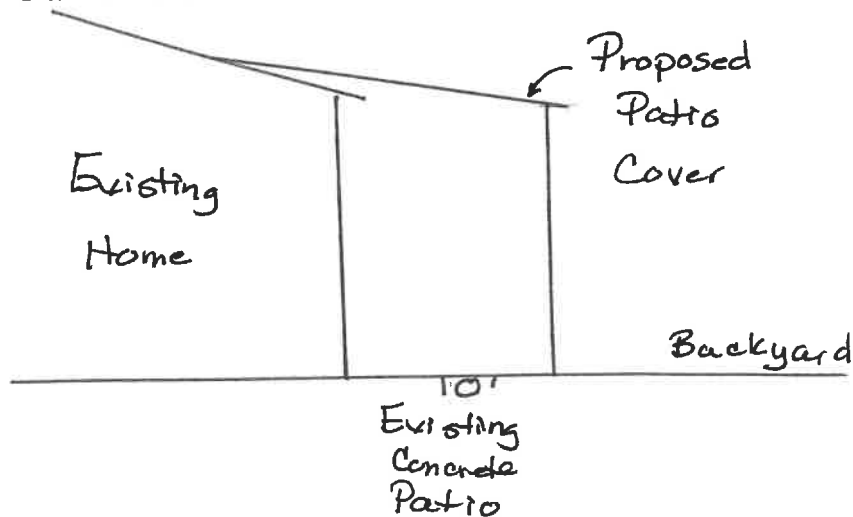
James D. and M. Elaine Edwards
4004 Monticello Drive, NLR, AR 72116



Existing Home



TOP VIEW
(Not to Scale)



SIDE VIEW
(Not to Scale)

Proposed Patio Cover Estimated Cost \$6,500.00