



**City of North Little Rock
Board of Zoning Adjustment Agenda
Thursday, July 24, 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 - June 26, 2025

Public Hearing Items -

- BOA 2025-16 -** 48 Sunset Drive, A variance request from the area provision of Section 5.11.3 to allow the placement of a fence on a lot without a primary structure.
- BOA 2025-17 -** 410 W A Avenue, A variance from the area provisions of 5.11.4: Residential Zoning Districts Requirements, to allow a fence to exceed the 6-feet height maximum in the side yard of a R1 zoned property.

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: August 01, 2025 - Hearing Date August 28, 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 – June 26, 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. Gardner Burton
Mr. Tim Giattina, Vice-Chair
Mr. Steve Sparr

Members Absent

Staff Present

Donna James, Planning Director
Tracy Spillman, City Planner
Marie-Bernarde Miller, City Attorney

Others Present

Clay Robertson	1815 Topf Rd, North Little Rock, AR 72116
Callum Allison	4229 E McCain Blvd, AR 72117
Jim Edwards	4004 Monticello Dr, North Little Rock 72116

Old Business

None

Administrative

None

Approval of Minutes

Chairman Brown called for a motion for approval of the previous meetings minutes Mr. Giattina formed a motion to approve the minutes from the May 29, 2025 meeting. Mr. Sparr provided a second to the motion. Chairman Brown called for a vote, all members present voted in the affirmative, the motion was approved.

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.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. The property owner Mr. Clay Robertson explained the history of the existing fence and the need to replace it in the same nonconforming location.

Staff reminded the Board to review the definition of a hardship and ask themselves if this applies.

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 to approve the variance as submitted. Mr. Able provided a second to the motion. By a roll call vote, all members present voted in the affirmative, and the motion was approved.

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.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. Mr. Callum Allison, representing the applicant explained the need for the sign locations on the side of the building.

Mr. Sparr inquired if this design was consistent with other 7 Brew coffee Shops within the City limits. Mr. Allison confirmed that the other shops had requested variances to allow signage that didn't face the street.

Mr. Giattina further clarified the hardship was for safety and to allow the business to be identified by cars traveling on McCain Blvd before passing the business.

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

BOA 2025-15 - 4004 Monticello Dr, 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.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. Mr. Jim Edwards, explained the need to provide a covered patio, stating that due to the location of the house it is not possible to cover the existing patio with a roof without extending the house into the rear yard setback. Mr. Edwards further stated that his family had a skin condition that required protection from the sun.

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 approve the variance as submitted. 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.

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 1:47pm. .

Respectively submitted:

D. Tracy Spillman, PLA
City Planner / Landscape Architect

Variance Requested: A variance request from the area provision of Section 5.11.3 to allow the placement of a fence on a lot without a primary structure.

Location of the Request: 48 Sunset Drive, North Little Rock, AR 72118

Legal Description of the Property: Lot 20, of the Sky Way Addition, Section 16, Township 2 North, Range 12 West, Beg SE COR N150' W90' S82 3' S28 E02 34'N61 E47' to Beg

Applicant: Jack E Barnard

Owner: Jack E Barnard

Present Use of the Property: Lot with legal nonconforming accessory structures

Present Zoning of the Property: R1, Single Family District

Site Characteristics: The subject property is located north and east of MacArthur Dr, west of Military Dr, and south of Camp Robinson and the North Little city limits in the Sky Way Subdivision. Sunset Dr is accessed from Military Dr at the east and travels approximately one mile before terminating. The subject property is located within the first 1/3 of the roadway on the north side of the street. Pulaski County records indicate that the parcel is approximately .22 acres in area. The property is bordered by a larger 1.72 acre parcel on the north and west side that is also owned by the applicant. In addition there is a third parcel further west at 52 Sunset that is owned by the applicant that fronts onto Sunset Rd and borders the west side of the 1.72 acre parcel to the east. This subdivision is characterized with approximately 100 parcels in excess of one acre. The single family homes that occupy these large parcels have been constructed in close proximity of the 25 foot front building lines adjacent to Sunset drive with most of the houses being built between the 1940's and 1960's.

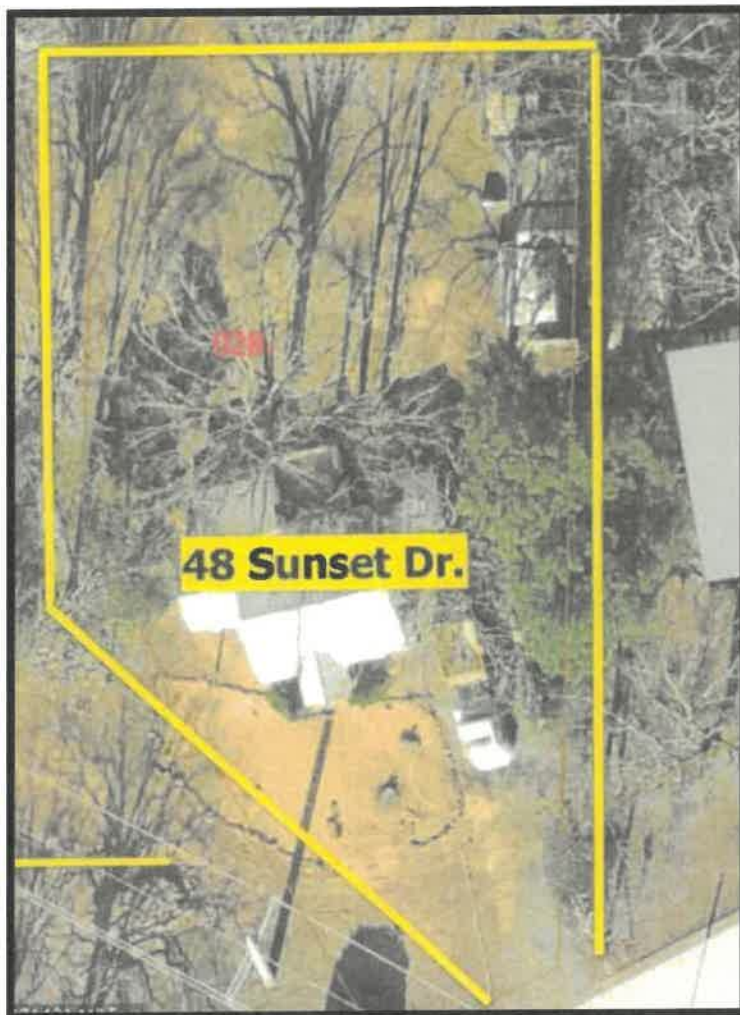


Surrounding Land Use and Zoning

<u>Direction</u>	<u>Surrounding Zoning</u>	<u>Surrounding Uses</u>
North	R1, Single-Family District	Undeveloped
South	R1, Single-Family District	Sunset Dr Right-of-Way / Single Family Residence
East	R1, Single-Family District	Single Family Residence
West	R1, Single-Family District	Undeveloped

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

Staff Analysis:



The applicant is seeking a variance to allow the placement of a fence on a lot currently without a primary structure. The applicant has stated that the property was once occupied with a house and four separate storage sheds that were located behind the home in the rear yard of the property. The primary structure was destroyed by fire but the accessory buildings were left intact. While accessory structures are not allowed to be constructed on a property without a primary structure the sheds retain their status as legal nonconforming. The accessory structures are allowed to remain as-built until such time they are destroyed or are removed from the property for any reason.

The applicant does not have immediate plans to replace the house and is requesting to place a privacy fence across the width of the parcel to secure the existing accessory buildings. The proposed fence will be 8-feet in height and be

located approximately 50-feet from the northeast (rear) corner of the lot. The fence will be placed parallel with the rear property line and turn 90 degrees to the south on the west side of the parcel and continue approximately 25-feet before terminating. If the house still remained the fence would be located in the rear yard of the home and would not cross the front building line of the adjacent property.

Section 5.11.3 of the North Little Rock Zoning Ordinance outlines the requirements for placement of fences within the various zoning districts. This includes the restriction of not allowing fences to be placed on a property without a primary structure. The applicant is requesting a waiver from this restriction and has requested a fence to be allowed on a portion of their property. The applicant has indicated in their letter of hardship the primary objective for the placement of the fence as proposed is to secure the lot. The applicant has indicated that the fencing is desired to create a secure perimeter in order to prevent trespassing, vandalism, theft or damage to the property and to provide a screen to improve the appearance of the property.



As a condition of approval Staff request the fence to be as unobtrusive as possible. If constructed it is to meet the wood privacy fence standards, with the finished side facing outward. Additionally, if the fence is not left to weather naturally, it is only to be stained or painted in a consistent neutral color that blends with the surrounding vegetation to help the structure integrate with the natural environment.

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:

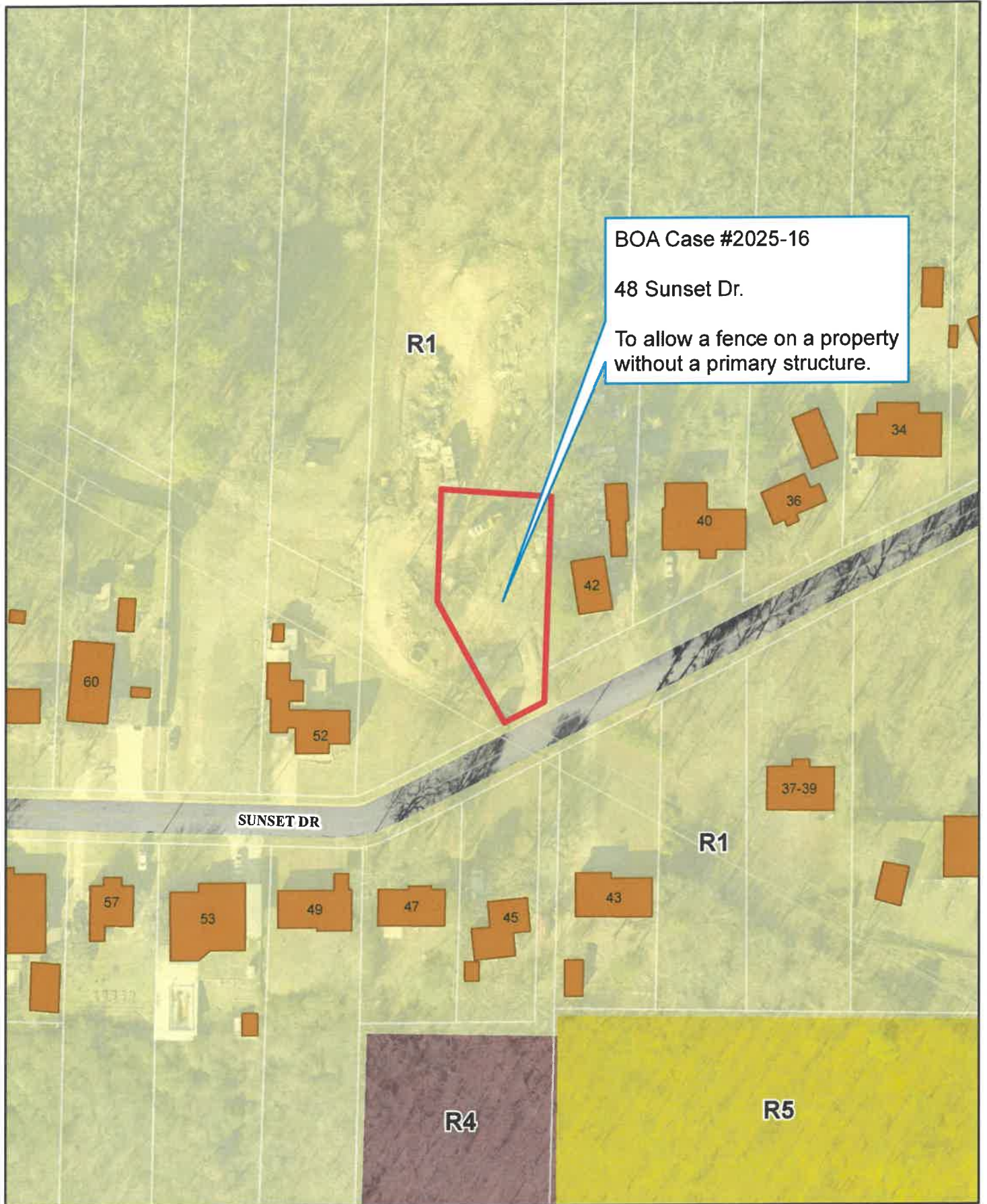
1. Is the variance being sought due to unique circumstances existing on the property, the unique circumstances were not created by the owner of the property, and are not due to or the result of general conditions in the district in which the property is located? No, the applicant is seeking approval of the fence variance to secure the property, prevent trespassing and screen the existing legal non-conforming accessory structures.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, if the fence is placed as typically allowed in the case of a residence located on the lot there will be little impact on the adjacent properties.
3. Will approval of the variance alter the essential character of the district? No, the applicant is proposing to place the fence within the property lines that would be in compliance with the code requirements if a primary structure were to be located on the site. .
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, there is no change to the land use or zoning plan for the area.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? Possibly, the applicant is requesting to place the fence to limit or lessen the ability for persons trespassing on the property and screen the accessory structures from the street right-of-way.
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 area residents with the placement of the fence.

Approval Allows:

1. Approval will allow the placement of an 8-foot high privacy fence running parallel and approximately 50-feet from the rear property line before turning south at the west property line and continuing an additional 25-feet as indicated on the attached site plan (sketch) and as described above. Conditions of approval include that the fence is to be constructed with the finished side facing outward. Additionally, the fence is to weather naturally or only be stained / painted in a consistent neutral color that blends with the surrounding vegetation integrating with the natural environment.

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 #2025-16

Date: 7/8/2025

North Little Rock Board of Adjustment



BOA CASE #2025-16

Date: 7/8/2025

1 inch = 30 feet

0 15 30 60 Feet



User: jhale



17JUN25

From:
Jack Barnard
52 Sunset Dr.
North Little Rock, AR. 72118

To:
Board of Zoning Adjustments
North Little Rock, Ar.

Request to the Board of Zoning Adjustments

Letter of Hardship

To Whom it May Concern:

I, Jack Barnard, am requesting that the Board of Zoning Adjustments to please consider allowing a privacy fence on a residential lot with no livable structure. There are however four sheds that survived the fire that burnt down the house on 48 Sunset Dr.

I am requesting the privacy fence be allowed because of the four sheds that remain standing on the property. The fence will block access to those sheds from anybody who is just wondering around the neighborhood. Also, I tore the house down at 48 Sunset Dr. After it burned down. While tearing it down I saved all the materials that were still able to be used again. I have stored them on the backside of 48 Sunset and on 50 Sunset. This fence serves as a barrier to all those wondering eyes who pass by my property.

And lastly, I am requesting the privacy fence to be allowed because there is a neighbor on this street that seems to go out of his way to ensure he enforces the code on everybody around. Or at least on me. I debated to say anything about this, but truthfully something needs to be done about this gentleman. He has harassed me and my family. He has taken multiple pictures of private property not belonging to him. He has enlisted the help of other people to take pictures of private property that doesn't belong to either of them. He has wasted city officials time and resources. And all because of why? I will hold the rest of my thoughts to myself.

I appreciate your time and careful consideration in this matter. If you have any questions I can be reached at (501) 733-3632 or jackbarnard1717@yahoo.com.

Thanks for your time

Sincerely,

Jack E Barnard

17JUN25

From:

Jack Barnard
52 Sunset Dr.
North Little Rock, AR. 72118

To:

Board of Zoning Adjustments
North Little Rock, Ar.

Request to the Board of Zoning Adjustments

Explanation of Site Plans

To Whom it May Concern:

I have included this letter to explain the three different views that are included in the site plan. You will notice at the top left of each page it is labeled as either, Site Plan #1, Site Plan #2, or Site Plan #3. It was done this way because there is no current satellite image that I can find that accurately depicts 48 Sunset Dr. North Little Rock, AR. 72118.

Site Plan #1:

A screen shot from pages.org which shows the property lines (in black) of 48, 50, 52 Sunset Dr. All of which, I, Jack Barnard own.

Site Plan #2:

An overhead satellite view of 48 Sunset Dr. with the property lines marked in yellow. Unfortunately, I could not find a satellite view without the house still being on 48 Sunset. The house on 48 Sunset burned down January 2024. The buildings that you see on the northeast corner of the property, those buildings survived the fire and are still standing.

Site Plan #3

An overhead satellite view of 48 Sunset Dr. with the property lines marked in red. And the proposed fence is marked in yellow. Please disregard the house in the middle of the picture. As stated above I could not find a satellite view without the house in it.

Hopefully this will help explain the three different views and make it easier to understand. If not, I will be glad to answer any questions you may have. I can be reached at (501) 733-3632 or jackbarnard1717@yahoo.com.

Thanks for your time

Sincerely,

Jack E Barnard

Site Plan #1

Property Line

TOLLIVER

60

52

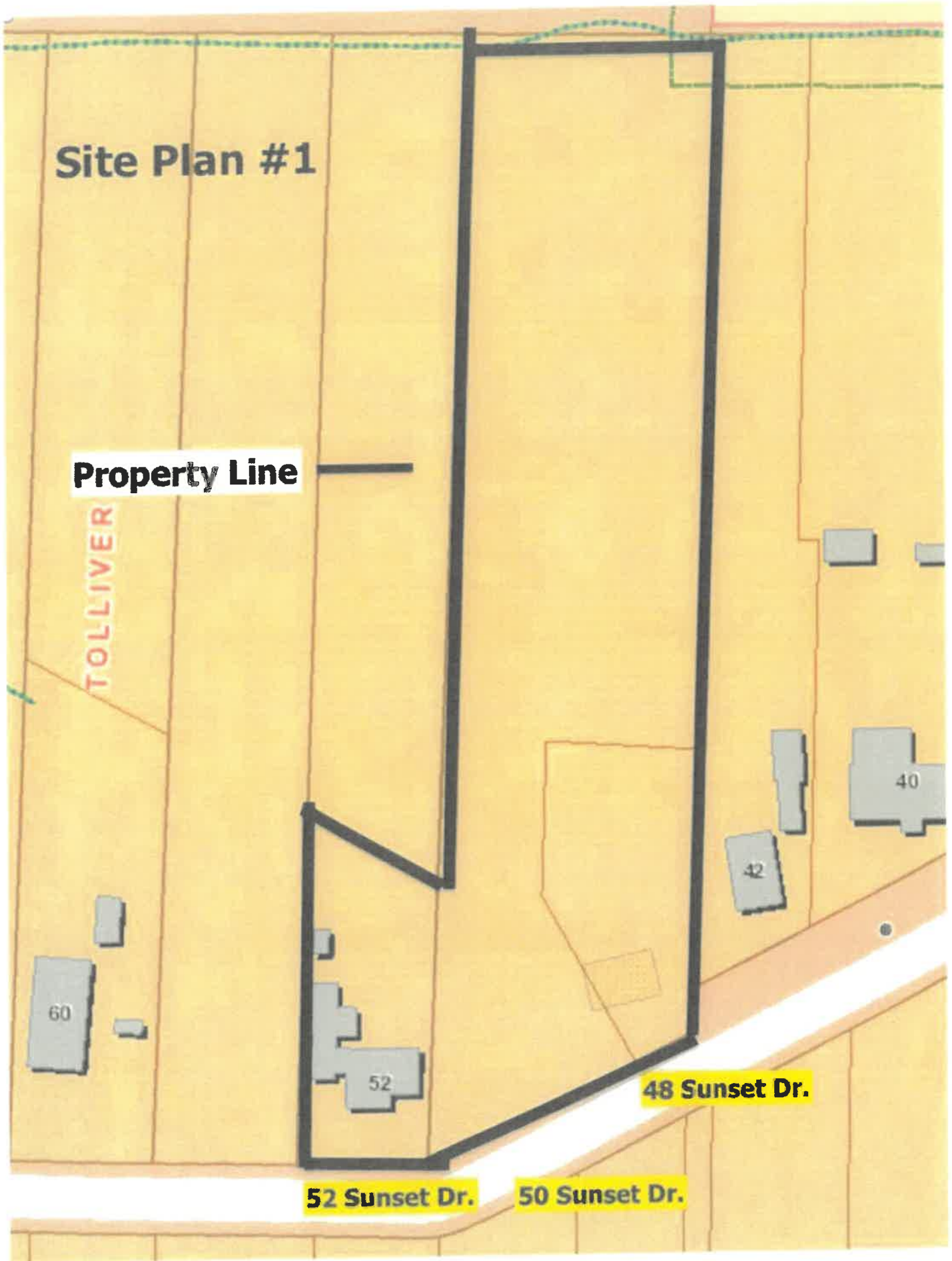
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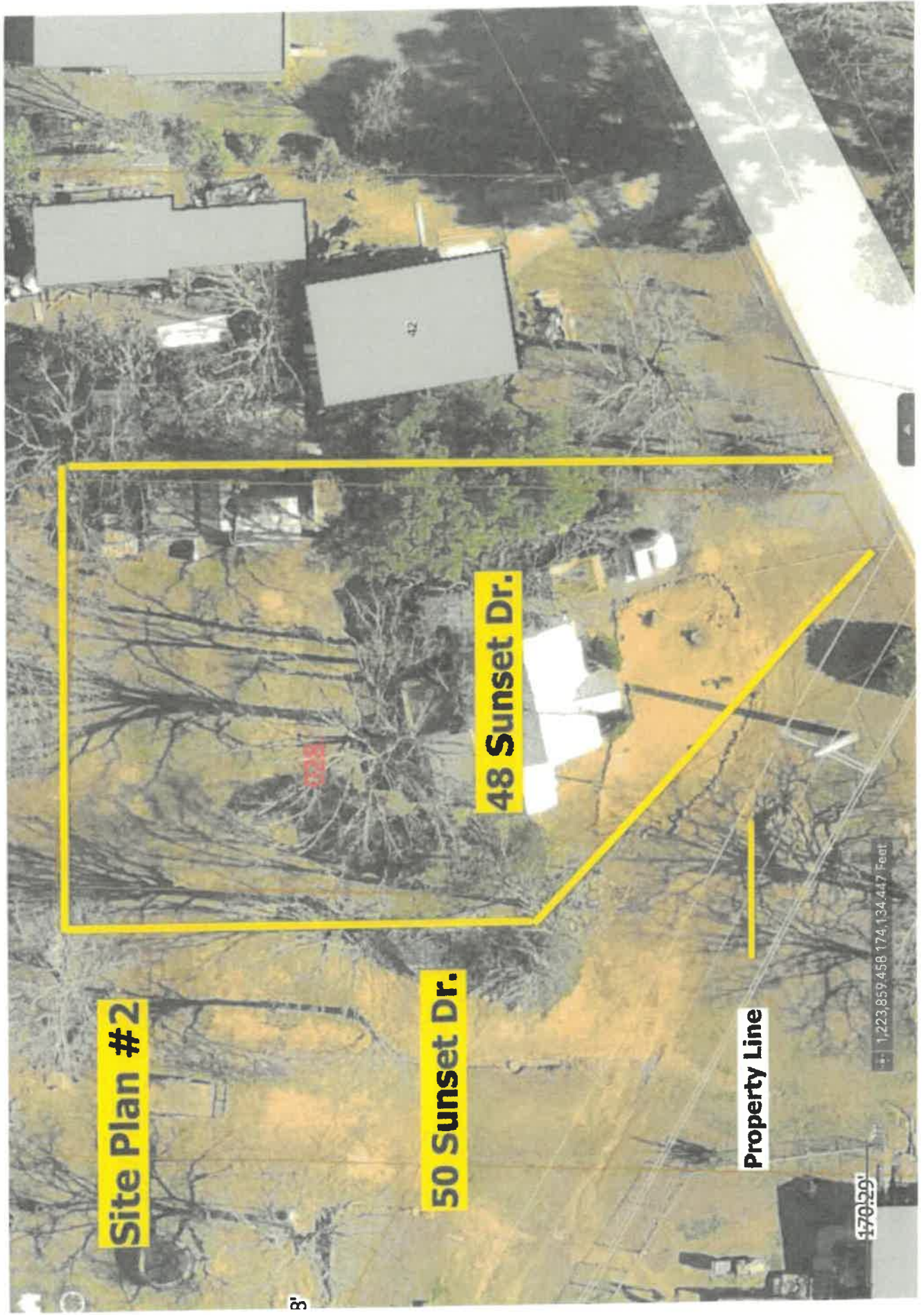
40

48 Sunset Dr.

52 Sunset Dr.

50 Sunset Dr.





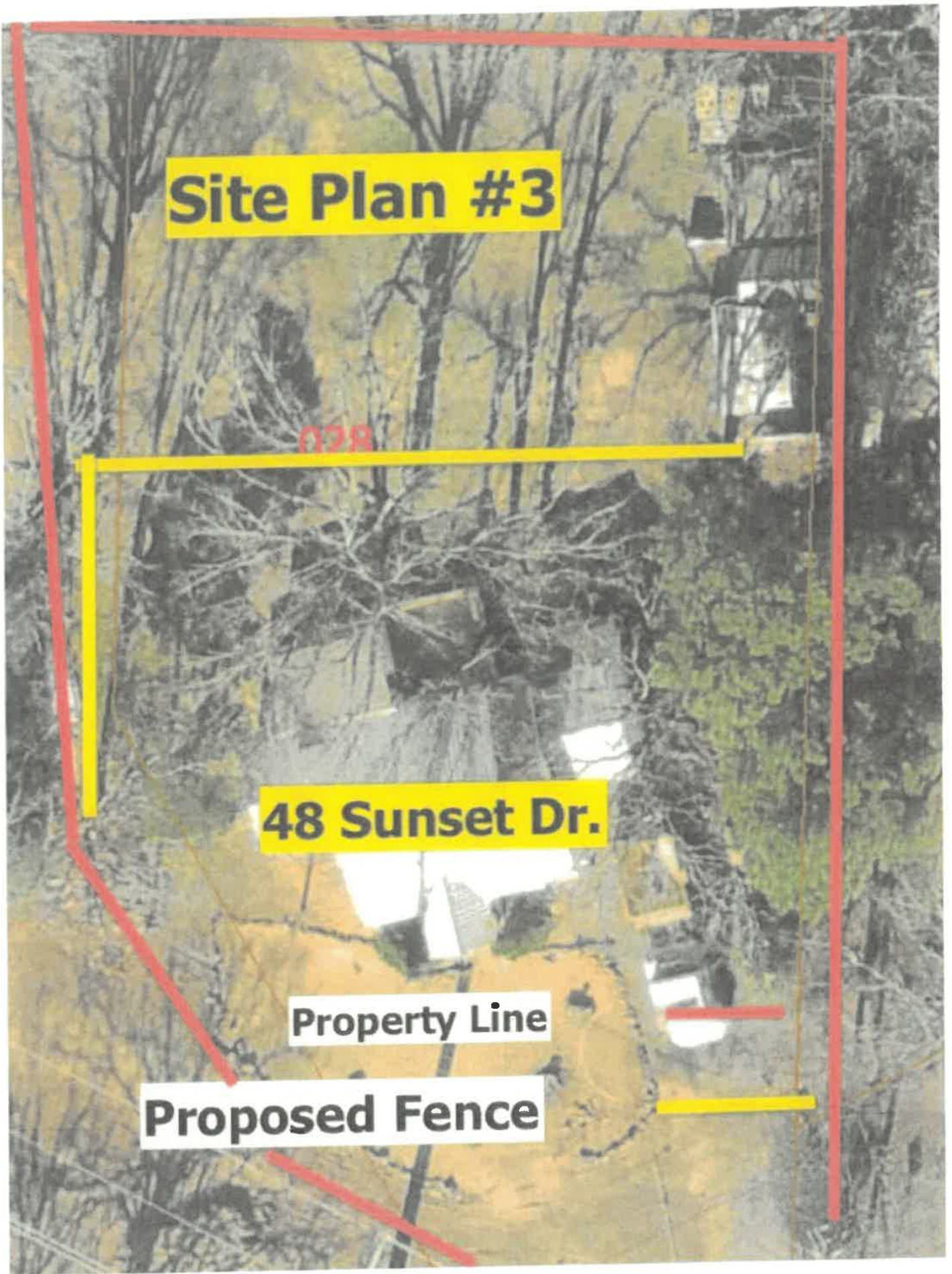
Site Plan #3

028

48 Sunset Dr.

Property Line

Proposed Fence





Pay By Phone 1-866-257-2055 (County Code 60)
Pay Online www.pulaski-county-treasurer.net

Debra Buckner
Treasurer

201 S. Broadway Suite 150
Little Rock, AR 72201
Telephone: (501) 340-6040
Fax: (501) 340-6077
treasurer@pulaski-county-treasurer.net



Legal Information for Parcel - 33N0850002800

Name: BARNARD JACK EDWARD

Property Address: 48 SUNSET DR

Subdivision: SKY WAY

Lot: 20

Block:

Section: 16

Township: 2N

Range: 12W

Extended Legal:

SKYWAY PT LT 20 BEG SE COR N150'W90' S82 3'S28"E102 34'N61"E47'TO BEG

Spillman, Tracy

From: TOLLIVER, SETH T Col USAF ANG 189 MDG/CC <seth.tolliver@us.af.mil>
Sent: Wednesday, July 16, 2025 2:27 PM
To: Spillman, Tracy
Subject: Abutting neighbor input

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

Sir, as we discussed last week, I received notice from my neighbor-Jack Barnard-indicating his request for variance for his fence at 48 Sunset. My preference is that he comply with existing fencing code. That obstructive fence was built to hide a decrepit RV that an individual has been living in for over a year with no sewer or utilities

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Variance Requested: A variance from the area provisions of 5.11.4: Residential Zoning Districts Requirements, to allow a fence to exceed the 6-foot height maximum in the side yard of a R1 zoned property.

Location of the Request: 410 W A Avenue, NLR, AR

Legal Description of the Property: Lot A2, Blk 35, Park Hill Addition to the City of North Little Rock, Pulaski County, AR

Owner/Applicant: Damon and Jennifer Crawford

Present Use of the Property: Single-family

Present Zoning of the Property: R1

Site Characteristics:

The site contains a recently constructed single family home. The home fronts on West A Avenue with the driveway located on North Poplar Street. North Poplar Street is a narrow paved roadway with open ditches for drainage. West A Avenue is paved with curb and gutter along the property frontage. There are no sidewalks in place along either street. There is a drainage creek located along the properties eastern boundary. This area of Park Hill is predominately single-family homes.

Surrounding Land Use and Zoning

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

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

Staff Analysis:

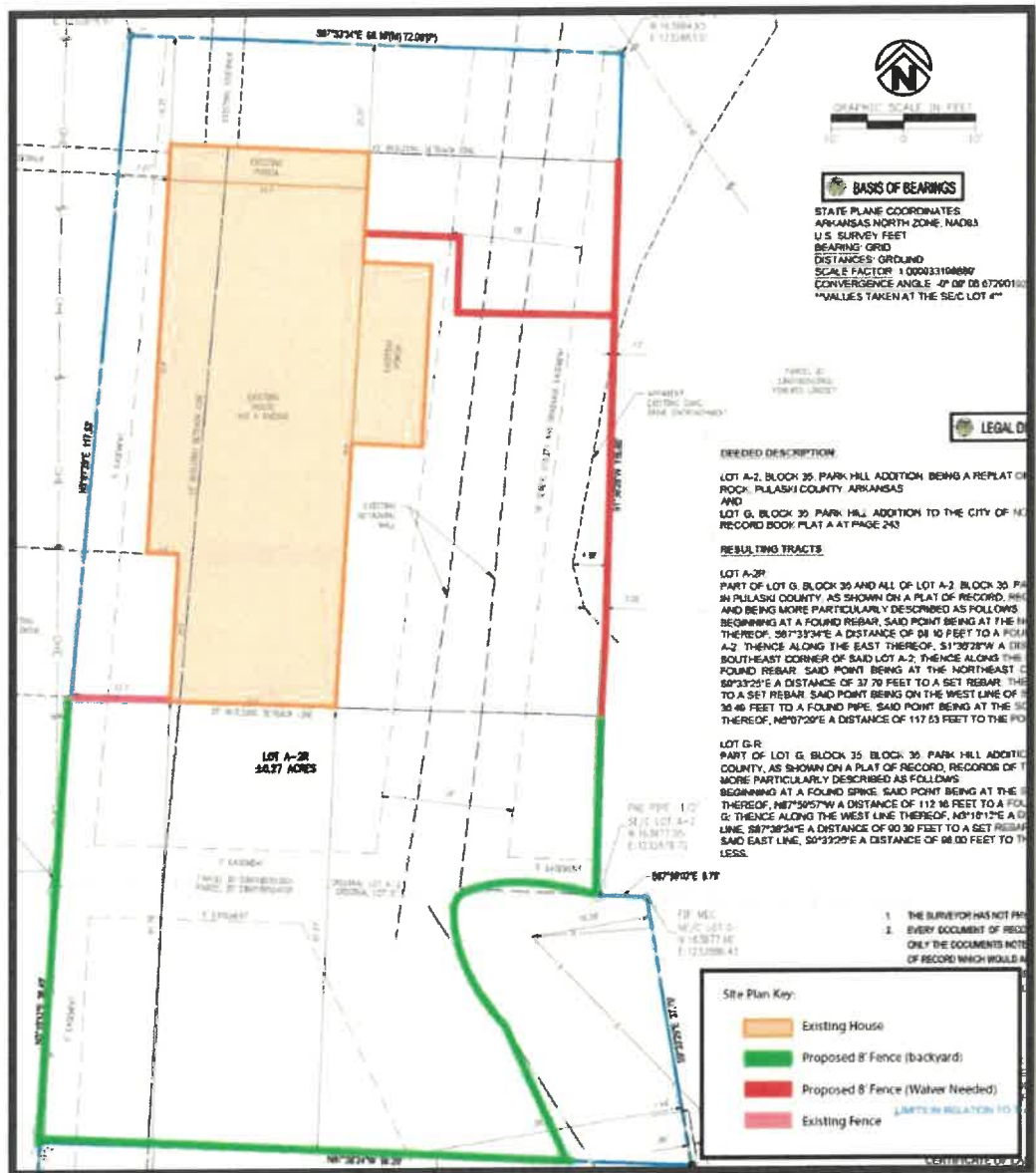
The lot was replatted in 2009 with a reduced front yard building setbacks of 15-feet, instead of 25-feet along W A Avenue and N Poplar Street. The reduced setbacks were granted to accommodate the creek and drainage easement located along the eastern portion of the lot and allow a reasonable size home footprint of at least 2,400 square feet.

On April 20, 2017, the Board of Zoning Adjustment approved a variance request to allow a 10-foot front building setback along North Poplar Street, reducing the setback from 15-feet to 10-feet to allow the construction of a new home. The applicant proposed *"moving the home five feet to the west to*

allow for more room for future utility access and make building the house less difficult while also avoiding the natural erosion area". Building permits were issued and the new home has been constructed.

On October 27, 2022, the applicant returned to the Board of Zoning Adjustment requesting a variance to allow the placement of a retaining wall and fence with an increased height. The

applicant stated that a creek/ditch runs through and along the east side of the property. The applicant further explained that the creek is vital waterway for the Park Hill Neighborhood that cannot be altered or disturbed limiting the use of this portion of their yard. The proposed retaining wall would allow a portion of the rear yard to be regraded to provide level outdoor living space. To accomplish this the applicant requested a variance to allow an increased retaining wall height to a maximum 6-feet with a 6-foot fence placed on top of the wall for a combined height of 12-feet. The Board approved this request.





While the before mentioned solution would have allowed the applicant to accomplish their goal it appears another solution has been adopted. Upon recent Staff review of the property it was found that the use of a reinforced concrete drainage pipe and headwall system has been installed within the creek allowing the property to be regraded to the east over the drainage swale to the property line without the use

of a retaining wall.

With the side yard being regraded the applicant now desires to complete the project and install a privacy fence in the rear and side yards of their property. The plan submitted indicates a fence 8-feet in height to be placed adjacent to the rear property lines which is allowable by code. However, the request is to also continue the 8-foot fence along the east side yard property line to the beginning of the front yard and also return a section of this same 8-foot fence to the northeast side of the house.



Due to the eastern drainage channel the house was constructed closer to the west property line at a higher elevation. The property originally sloped eastward to the creek while the house adjacent to the opposite side of the drainage channel fronting Magnolia St slopes to the west. The drainage channel does not divide the two properties and the applicant is in a property line dispute with the adjacent property owner. Both houses constructed on the highpoints of the perspective lots does not allow the privacy that would be provided with neighboring structures constructed on parcels without large elevation changes. While the creek is the low point between the properties the applicant states that a standard 6-foot high fence will not allow the privacy needed for the newly graded subject property.

Section 5.11 Fences and Dumpster Enclosures, Subsection 5.11.4 - Fences within Residential Zoning District, does not allow for fences placed in the side yard that exceed 6-feet in height. The applicant is requesting that a fence exceeding these standards be allowed in the side yard of their property and be allowed to erect an 8-foot high wood privacy fence.

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:

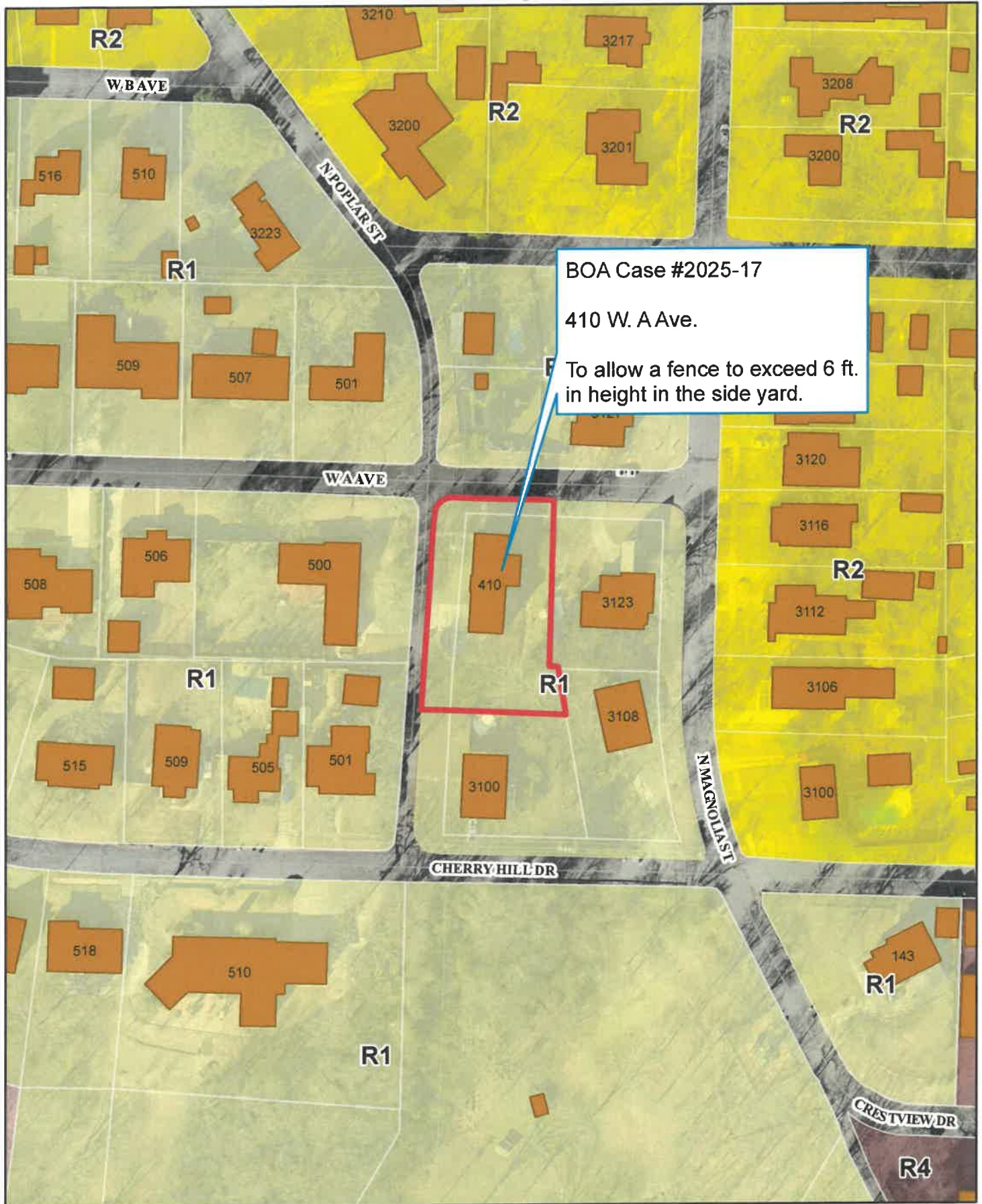
1. Is the variance being sought due to unique circumstances existing on the property, the unique circumstances were not created by the owner of the property, and are not due to or the result of general conditions in the district in which the property is located? Yes, the placement of the house and the slope of the property do not allow adequate screening form the neighboring property to the east that would normally be provided by a 6-foot privacy fence.
2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, there will be little impact on the adjacent properties.

3. Will approval of the variance alter the essential character of the district? No, the increased height of the privacy fence in the side yard will have little or no impact on the surrounding properties.
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, land use and zoning will not change.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? Possibly, the increased height of the fence is being requested to allow the home owner privacy from the neighboring property. The topography of the subject parcel is such that a 6-foot side yard fence would not be adequate to allow the same privacy on properties with less elevation change.
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 area residents with the increased height of the fence.

Approval Allows:

1. Approval will allow a the placement of an 8-foot high privacy fence in the east side yard of the property as described above and indicated on the attached 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.

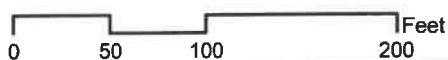
North Little Rock Board of Adjustment



BOA CASE #2025-17

Date: 7/8/2025

1 inch = 100 feet



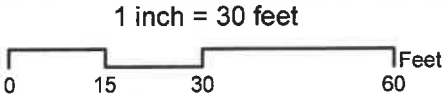
User: jhale



North Little Rock
Board of Adjustment



BOA CASE #2025-17
Date: 7/8/2025



User: jhale



Ref: Letter of Hardship regarding LT A2 BLK 35, North Little Rock 72116

Damon Crawford
410 West A Avenue
North Little Rock, AR 72116
damon372@yahoo.com | 501.920.7666

Dear Board of Adjustment Members,

Please accept this letter of hardship as I am seeking a variance or waiver to allow a 8' wooden privacy on the East Side Yard of our property.

There is a substantial reason I am asking for this variance or waiver:

We are currently in litigation with our neighbor located at 3123 N. Magnolia (east of our property) in regards to a property boundary dispute and are awaiting trial. This litigation has been in process January 16th 2025. Unfortunately during this dispute and the litigation process the neighbor located at 3123 N. Magnolia has started to harass, trespass, and threaten our family.

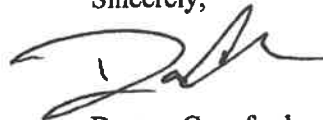
The neighbor has installed a temporary fence and an above-ground swimming pool during the ongoing property dispute. Unfortunately, the fence, paver bricks, and other unsecured items are frequently blown or knocked over, often falling into our yard. Most recently, following a storm, my wife and I had to return these items to her side of the property. The temporary structures pose a potential hazard to our children. We are addressing these matters through the proper legal channels.

On the east side of my property, near the property line with the above mentioned neighbor, there is a creek or drainage ditch that runs along and through this section of land. This waterway serves as a vital drainage channel for the Park Hill neighborhood. Due to the natural grading of the surrounding properties and the presence of this ditch, both my property and my neighbor's sit at a higher elevation than typical. As a result of this elevation difference and the lower grade of the ditch, a standard 6-foot fence offers little to no privacy for either property.

Given these ongoing safety concerns, we would like to proceed with installing a permanent fence on the portions of our property that are not currently subject to the boundary dispute discussed above. Once the litigation is resolved and a final determination has been made by the court, we intend to complete the 8-foot fence in accordance with the judge's ruling. For the disputed area, we plan to install a temporary construction-style barrier to provide a measure of security and safety until the court has rendered its decision.

In light of these circumstances, I respectfully request a waiver to allow the construction of an 8-foot fence along the eastern boundary of our property and side yard to ensure the safety and privacy of our family.

Sincerely,

A handwritten signature in black ink, appearing to read 'Damon', with a stylized flourish extending from the end.

Damon Crawford

N 163997.55
E 1232814.97

END PIPE 1/2"
NE/C LOT A-2
N 163994.65
E 1232883.01



GRAPHIC SCALE IN FEET
10' 0'

BASIS OF BEARINGS
STATE PLANE COORDINATE
ARKANSAS NORTH ZONE, N
U.S. SURVEY FEET
BEARING: GRID
DISTANCES: GROUND
SCALE FACTOR: 1.00003319
CONVERGENCE ANGLE: -0"
**VALUES TAKEN AT THE SE

PARCEL ID:
330108050300
FOLKES LINDSEY

DEEDED DESCRIPTION:

LOT A-2, BLOCK 35, PARK HILL ADDITION, BEN
ROCK, PULASKI COUNTY, ARKANSAS.
AND
LOT G, BLOCK 35, PARK HILL ADDITION TO T1
RECORD BOOK PLAT A AT PAGE 243.

RESULTING TRACTS:

LOT A-2R:
PART OF LOT G, BLOCK 35 AND ALL OF LOT A-2
IN PULASKI COUNTY, AS SHOWN ON A PLAT OF
AND BEING MORE PARTICULARLY DESCRIBED
BEGINNING AT A FOUND REBAR, SAID POINT B
THEREOF, S87°33'34"E A DISTANCE OF 68.10 F
A-2; THENCE ALONG THE EAST THEREOF, S1
SOUTHEAST CORNER OF SAID LOT A-2; THENCE
FOUND REBAR, SAID POINT BEING AT THE
S0°33'25"E A DISTANCE OF 37.79 FEET TO A SI
TO A SET REBAR, SAID POINT BEING ON THE V
38.40 FEET TO A FOUND PIPE, SAID POINT BE
THEREOF, N5°07'29"E A DISTANCE OF 117.53 FE

LOT G-R:
PART OF LOT G, BLOCK 35, PARK
COUNTY, AS SHOWN ON A PLAT OF RECORD, I
MORE PARTICULARLY DESCRIBED AS FOLLO
BEGINNING AT A FOUND SPIKE, SAID POINT B
THEREOF, N87°50'57"W A DISTANCE OF 112.16
G; THENCE ALONG THE WEST LINE THEREOF,
LINE, S87°38'24"E A DISTANCE OF 90.30 FEET T
SAID EAST LINE, S0°33'25"E A DISTANCE OF 98
LESS.

END PIPE 1/2"
SE/C LOT A-2
N 163877.55
E 1232879.72

FIP WEC
NE/C LOT G
N 163877.60
E 1232886.43

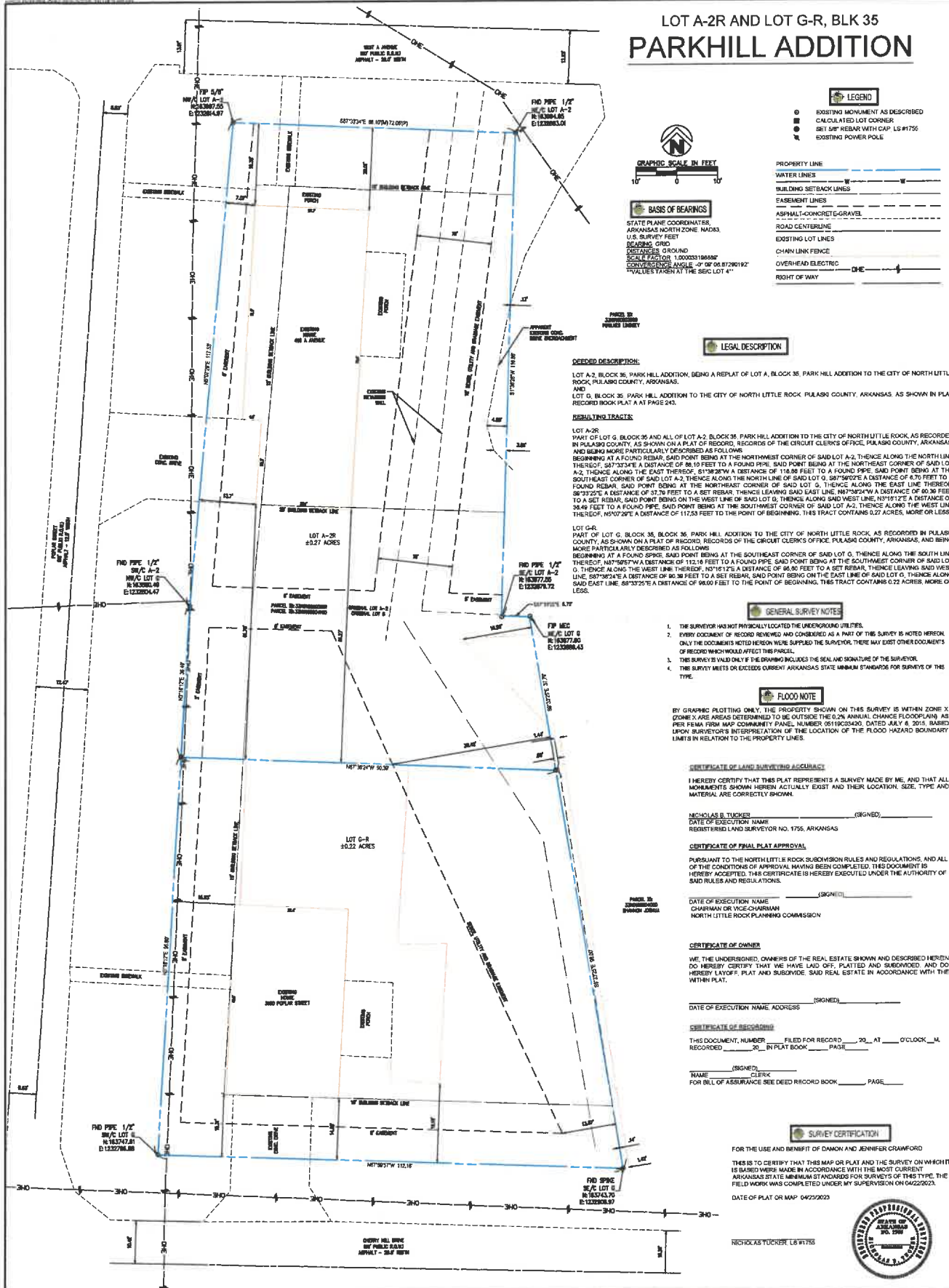
1. THE SURVEY
2. EVERY DO
- ONLY THE I
- OF RECORD

Site Plan Key:

- Existing House
- Proposed 8' Fence (backyard)
- Proposed 8' Fence (Walver I
- Existing Fence

LIMITS IN R

CERT



- NORTH LITTLE ROCK, PULASKI COUNTY ARKANSAS



NICHOLAS TUCKER, LS #1755



TUCKER



