



**City of North Little Rock
Board of Zoning Adjustment Agenda
Thursday, September 25, 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 - August 28, 2025

Public Hearing Items -

BOA 2025-21 - 410 W A Avenue, A variance from the area provisions of Section 4.1.2: R1: Single-Family District requirements to allow an accessory structure (swimming pool) to encroach into the 15-foot exterior side yard setback.

BOA 2025-22 - 2033 Topf Rd, A variance from the area provisions of Section 4.1.2: R1: Single-Family District requirements to allow the placement of an accessory structure within the side yard of a residential 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: October 01, 2025 - Hearing Date October 30, 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 – August 28, 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
Amy Fields, City Attorney

Others Present

Ryan Newcomb	P.O. Box 909, Rogers, AR 72757
Lynette Brown	919 N F St, NLR
Wilma Young-Bruce	920 N E St, NLR
Lucas Eaton	1600 E 5th St, NLR

Old Business

None

Administrative

None

Approval of Minutes

Approval of the minutes was moved to the end of the meeting

Public Hearing Items –

BOA 2025-18 – 1601 & 1603 Orange St, A variance request from the area provisions of 4.1.4 to allow a rear yard setback to be less than 25-feet and to allow an exterior side yard setback to be less than 15-feet in width as prescribed for R3 zoned properties.

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. Ryan Newcomb explained the history of the property noting the small size of each parcel.

Chairman Brown inquired if the parcels were two separate properties. Mr. Newcomb replied that they were.

Mr. Sparr inquired about the off street parking. Staff explained the parking requirements to Mr. Sparr's satisfaction.

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

BOA 2025-19 - 917 N F St, A variance request from the area provisions of Section 4.1 to allow the placement of an accessory structure on a residential zoned lot without a primary structure.

Chairman Brown called the item and requested the applicant to come forward and provide the Commission with a statement of hardship. The property owner Ms. Lynette Brown explained her history with this and other properties in the neighborhood. Ms. Brown noted that her intention to locate the shed away from the main house to avoid hindering future expansion.

Mr. Sparr questioned if a fence would be installed around the proposed shed. Ms. Brown conveyed that she did not have plans to install a fence.

The board discussed replatting the property to merge the parcel in question with the one containing Ms. Brown's home. Ms. Brown noted that while she would prefer this option, she cannot afford it at this time.

Ms. Wilma Young-Bruce spoke in opposition to allowing the shed to be placed on the parcel without a primary structure. Ms. Young-Bruce stated her concerns of the property becoming derelict and unkempt in the future.

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. After the third request and the absence of a motion, the Board moved to the next item on the agenda.

BOA 2025-20 - 1600 E 5th Street, A variance from the area provisions of Section 5.11.6: Industrial Zoning Districts Requirements, to allow a fence to be placed in the front yard of an industrial zoned property and

to also allow the fence to exceed the 6-foot height maximum in both the front and side yards of the same I2 zoned 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. Lucas Eaton explained the history of the property noting that security was the main reason for the request. Mr. Eaton noted the break-ins, vandalism, and transient issues his business had encountered and is requesting a fence similar to the ones that have been allowed on the neighboring properties.

The board members discussed the layout of the property, the type of fence, and the location. Mr. Eaton was able to answer all of the questions to the Board's satisfaction.

Chairman Brown questioned if any of the Board members had any additional questions or comments. There being none, he stated he would entertain a motion. Mr. 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.

Public Comment, Old Business, Administrative and Adjournment

City Attorney Ms. Amy Fields addressed the Board concerning FOIA (Freedom of Information Act) and the restrictions on the conversations board members may have outside of their meetings with each other and with City staff.

Approval of Minutes

Chairman Brown called for a motion for approval of the previous meetings minutes Mr. Sparr formed a motion to approve the minutes from the July 24, 2025 meeting. Mr. Burton provided a second to the motion. Chairman Brown called for a vote, all members present voted in the affirmative, the motion was approved.

There being no further business before the Board, Brown Chairman Brown called for a motion to adjourn Mr. Sparr formed a motion to adjourn. Mr. Burton provided a second to the motion. Chairman Brown called for a vote, all members present voted in the affirmative, and the meeting was adjourned at 2:05pm

Respectively submitted:

D. Tracy Spillman, PLA
City Planner / Landscape Architect

Variance Requested: A variance from the area provisions of Section 4.1.2: R1: Single-Family District requirements to allow an accessory structure (swimming pool) to encroach into the 15-foot exterior side yard setback.

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:

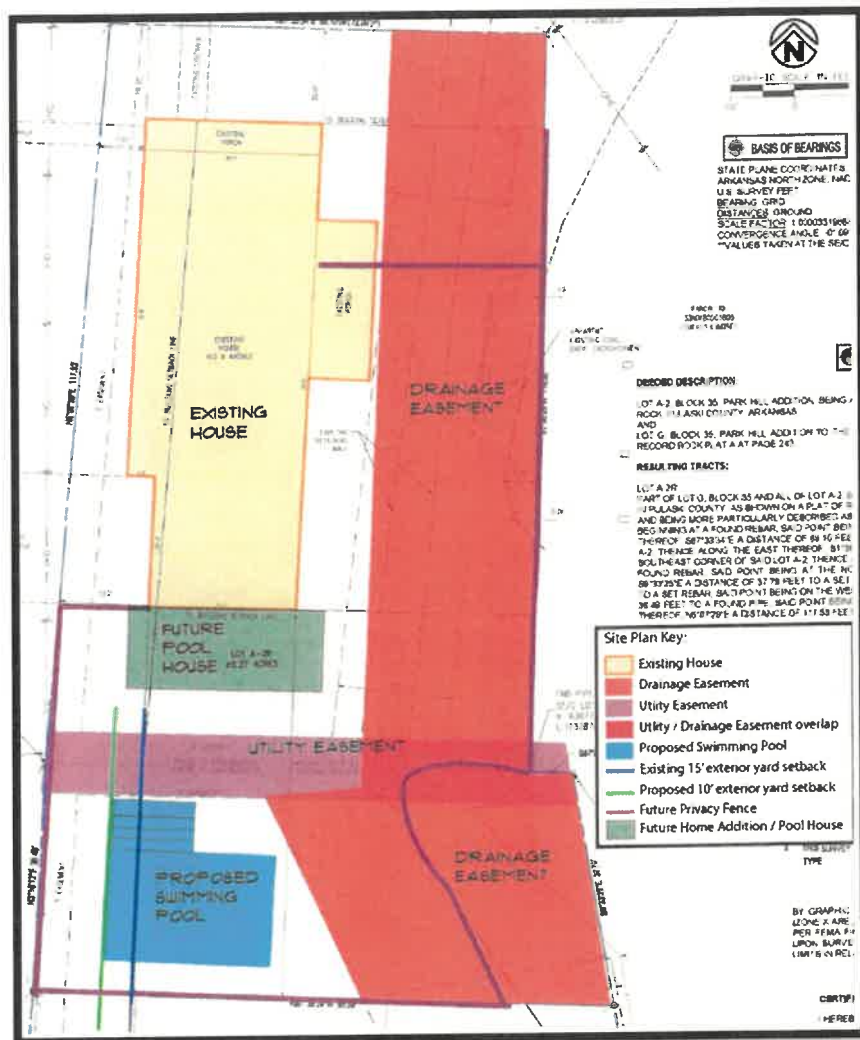
The site contains a recently constructed single family home. The home fronts on West A Avenue with the driveway located on North Poplar Street. North Poplar Street is a narrow paved roadway with open ditches for drainage. West A Avenue is paved with curb and gutter along the property frontage. There 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 occupied with 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 subject parcel was replatted in 2009 with reduced front yard building setbacks of 15 feet, rather than the standard 25 feet, along W. A Avenue and N. Poplar Street. These reduced setbacks were granted to accommodate the creek and drainage easement located on the eastern portion of the property and to allow for a reasonably sized home footprint of at least 2,400 square feet.

On April 20, 2017, the Board of Zoning Adjustment approved a variance request to reduce the front setback along N. Poplar Street from 15 feet to 10 feet. This adjustment allowed the construction of a new home. The applicant noted that “moving the home five feet to the west would allow for more room for future utility access, make construction less difficult, and avoid the natural

erosion area.” Building permits were issued, and the new home has since been completed.

The applicant later returned to the Board of Adjustment for two additional variance requests. In 2022, they sought approval to construct a retaining wall with a fence on top, for a combined height of 12 feet. This improvement was never built, as an alternative approach was implemented that did not require a variance. A subsequent request in July 2025 sought approval for a fence located in the side yard exceeding the standard 6-foot height limit. Both variance requests were approved.

The applicant is now proposing the installation of an in-ground swimming pool in the rear yard. As described in the applicant’s letter of hardship, existing drainage and utility easements occupy approximately 41% of the property’s rear and side yards, significantly limiting the available space for construction of this accessory structure.

Section 4.1.2, R-1 Accessory Structure Requirements Table, establishes a minimum exterior yard setback of 15 feet, measured from either the property line or the projected Master Street Plan right-of-way, whichever is greater. However, as noted above, a previous variance reduced the exterior yard setback adjacent to N. Poplar Street to 10 feet to accommodate construction of the home. The applicant is now requesting that the proposed accessory structure be permitted to encroach an additional 5 feet into the exterior yard setback, aligning



it with the existing house and respecting the building line established by that prior variance to make efficient use of the limited buildable area.

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

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

Board to Consider:

1. Is the variance being sought due to unique circumstances existing on the property, the unique circumstances were not created by the owner of the property, and are not due to or the result of

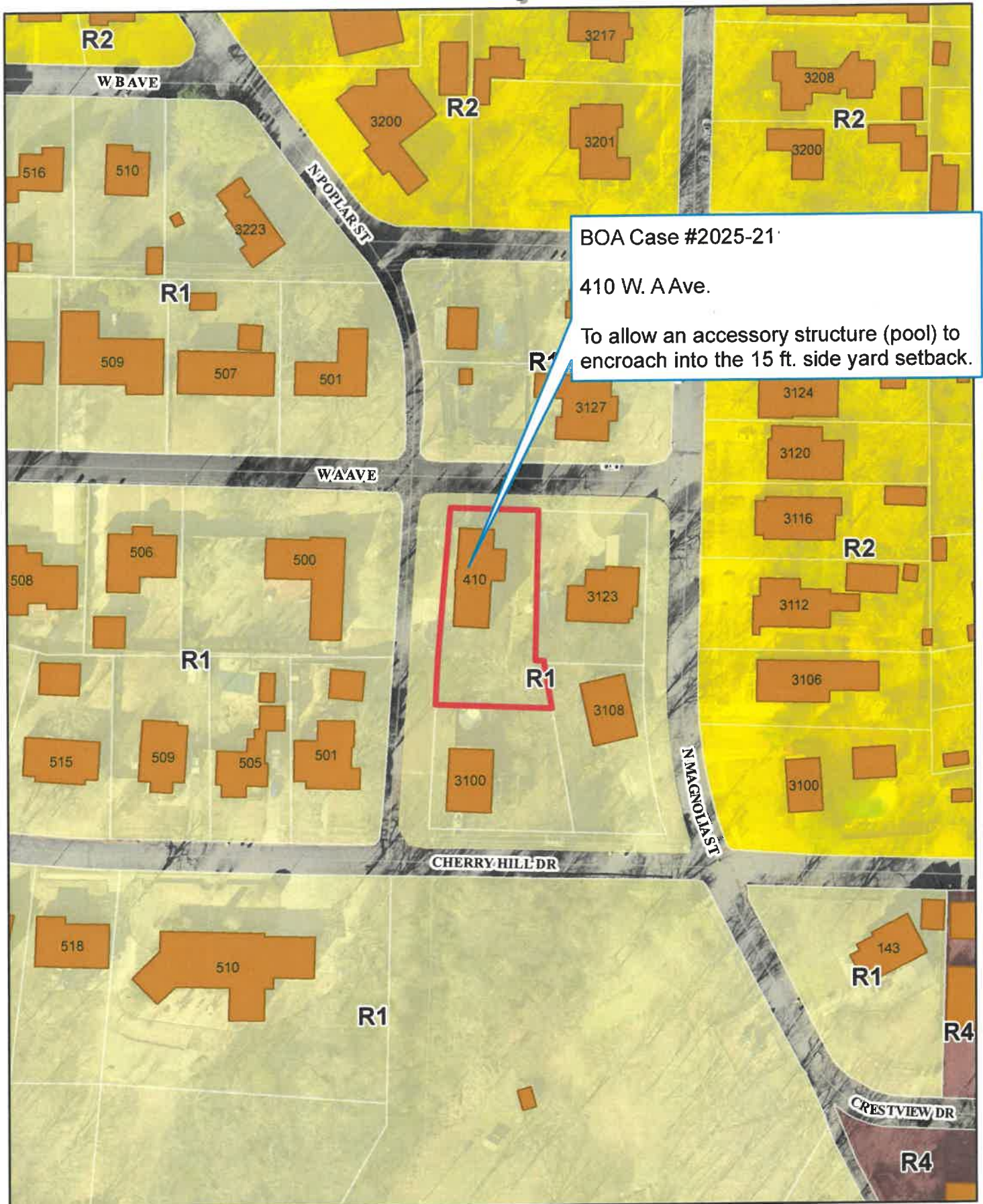
general conditions in the district in which the property is located? Yes, rear yard space is constrained by the narrow lot, the presence of a utility easement, and a previously granted variance permitting house encroachment into the exterior side yard.

2. Does the variance substantially or permanently injure the appropriate use of adjacent conforming property in the same district? No, there should be no impact on the adjacent properties.
3. Will approval of the variance alter the essential character of the district? No, the character of the site will not change.
4. Will approval of the variance weaken the general intent and purpose of the land use and zoning plan? No, the land use and zoning will remain unchanged.
5. Will the approval of the variance be in harmony with the spirit of the ordinance? No, accessory structures are to be located in the rear yard.
6. Will the approval of the variance adversely affect public health, safety, and general welfare? No, there will be no impact on the health, safety and general welfare of the area.

Approval Allows:

1. Approval will allow an accessory structure (swimming pool) to encroach into the 15-foot exterior side yard setback 5-feet as indicated on the attached site plan 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.

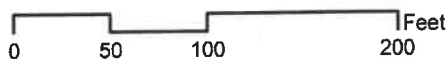
North Little Rock Board of Adjustment



BOA CASE #2025-21

Date: 9/5/2025

1 inch = 100 feet



User: jhale



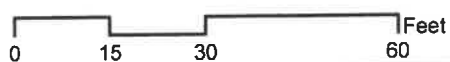
North Little Rock Board of Adjustment



BOA CASE #2025-21

Date: 9/5/2025

1 inch = 30 feet



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 for a deduction of the 15' exterior side yard setback to 10' to allow an accessory structure (an inground swimming pool) to be 10' from the exterior side yard.

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

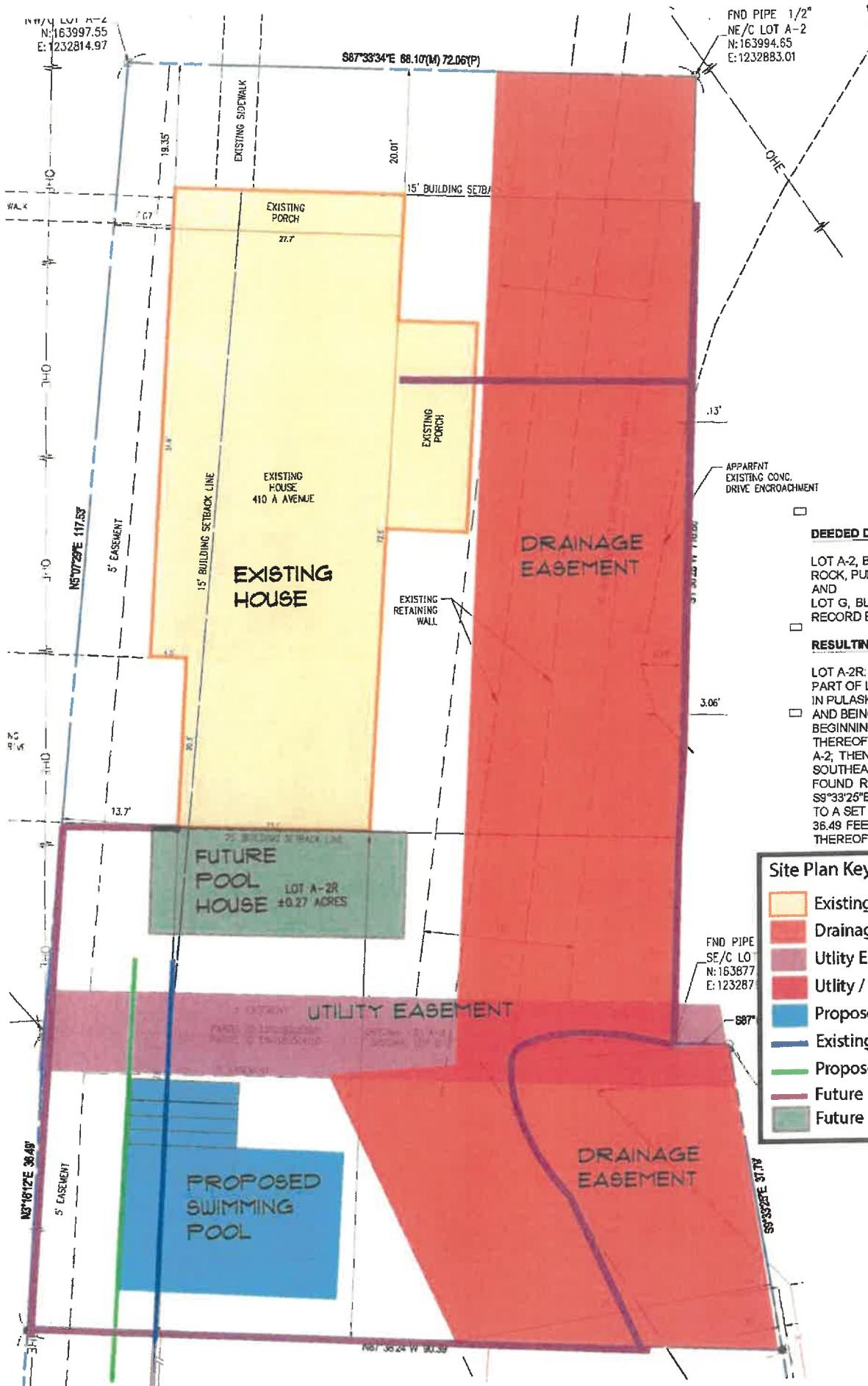
1. A creek / ditch runs through and along the east side of our property. This creek / ditch along with it's drainage easements occupies roughly 4,336sf of our property or about 41%. This creek / ditch is a vital waterway for our Park Hill Neighborhood and cannot be altered or disturbed in terms of using this portion of our yard. With that being said it does not leave opportunity for us much room to install an inground swimming pool. We also have a utility easement (with a waste water 6" pipe that runs through our property as well). The only area we can put a swimming pool is boxed in by the following: the drainage easement / ditch that occupies roughly 38' of the east side. The property line on the south side (no issue there). The property line with the 15' exterior yard setback on the west side, and then then the utility easement which is in the middle of our yard on the north side. The utility easement because it is in the middle of our yard essentially splits our back yard size in half as naturally we cannot cross it with a swimming pool.

In light of these circumstances, I respectfully request a waiver to decrease the exterior yard setback from 15' to 10' for an accessory structure (inground swimming pool). If we are able to obtain the variance to decrease the 15' setback, it will allow us to put in a small swimming pool with side entry steps to fit that available space.

Sincerely,

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

Damon Crawford



GRAPHIC SCALE IN FEET
10' 0'

BASIS OF BEARINGS

STATE PLANE COORDINATES,
ARKANSAS NORTH ZONE, NAD
U.S. SURVEY FEET
BEARING: GRID
DISTANCES: GROUND
SCALE FACTOR: 1.00003319886
CONVERGENCE ANGLE: -0° 09'
**VALUES TAKEN AT THE SE/C

PARCEL ID:
33N0180503900
FOWLES LINDSEY

DEEDED DESCRIPTION:

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

RESULTING TRACTS:

LOT A-2R:
PART OF LOT G, BLOCK 35 AND ALL OF LOT A-2, B
IN PULASKI COUNTY, AS SHOWN ON A PLAT OF R
AND BEING MORE PARTICULARLY DESCRIBED AS
BEGINNING AT A FOUND REBAR, SAID POINT BEIN
THEREOF, S87°33'34"E A DISTANCE OF 68.10 FEE
A-2; THENCE ALONG THE EAST THEREOF, S1°36'
SOUTHEAST CORNER OF SAID LOT A-2; THENCE,
FOUND REBAR, SAID POINT BEING AT THE NC
S9°33'25"E A DISTANCE OF 37.79 FEET TO A SET
TO A SET REBAR, SAID POINT BEING ON THE WE
36.49 FEET TO A FOUND PIPE, SAID POINT BEIN
THEREOF, N5°07'29"E A DISTANCE OF 117.53 FEET

Site Plan Key:

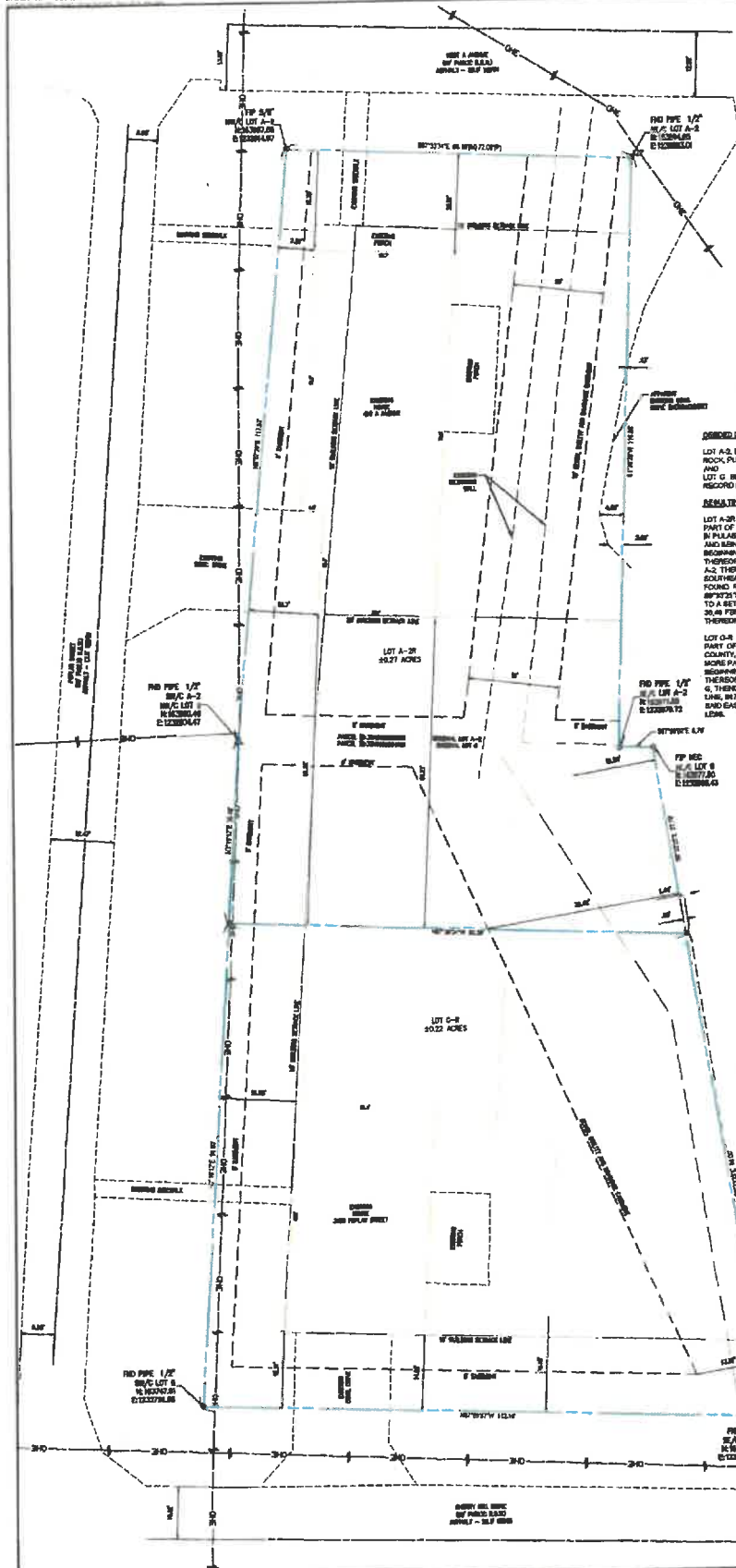
- Existing House
- Drainage Easement
- Utility Easement
- Utility / Drainage Easement overlap
- Proposed Swimming Pool
- Existing 15' exterior yard setback
- Proposed 10' exterior yard setback
- Future Privacy Fence
- Future Home Addition / Pool House

4. THIS SURVEY
TYPE

BY GRAPHIC
(ZONE X ARE,
PER FEMA FII
UPON SURVE
LIMITS IN REL

CERTIFY
I HEREB

LOT A-2R AND LOT G-R, BLK 35 PARKHILL ADDITION



LEGEND

- EXISTING MONUMENT AS DESCRIBED
- CALCULATED LOT CORNER
- SET BACK REBAR WITH CAP, LB #1755
- EXISTING POWER POLE

PROPERTY LINE

WATER LINES

BUILDING SETBACK LINES

EASEMENT LINES

ASPHALT-CONCRETE DRIVEWAYS

ROAD CENTERLINE

EXISTING LOT LINES

CHAIN LINK FENCE

OVERHEAD ELECTRIC

RIGHT OF WAY

GRAPHIC SCALE IN FEET

BASE OF BEARINGS

STATE PLANE COORDINATE
 ARKANSAS NORTH ZONE NAD83
 U.S. SURVEY FEET
 BEARING AND DISTANCE
 SCALE FACTOR 1.0000015888
 SOUTH OF NORTH ANGLE - 17° 10' 16.47391672"
 VALUES TANGENT TO THE SEC LOT 4"

LEGAL DESCRIPTION

LOT A-2, BLOCK 35, PARK HILL ADDITION BEING A REPLAT OF LOT A, BLOCK 35, PARK HILL ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORDED BOOK 147 AT PAGE 243.

GENERAL SURVEY NOTE

1. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. EVERY DOCUMENT OF RECORD HEREIN AND CONSIDERED AS A PART OF THIS SURVEY IS HEREBY HERIN AND CONSIDERED AS A PART OF THIS SURVEY.
3. ONLY THE DOCUMENTS HEREIN WERE SUPPLIED TO THE SURVEYOR, THESE MAY BE SUBJECT TO OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PLAT.
4. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PLAT.
5. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PLAT.
6. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PLAT.

FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN ON THIS SURVEY IS WITHIN ZONE X DUNE 2 ARE AREAS DEEMED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN. THIS SURVEYOR'S INTERPRETATION OF THE LOCATION OF THE FLOOD HAZARD BOUNDARY LIMITS IS SUBJECT TO THE PROPERTY LINES.

CERTIFICATE OF LAND SURVEYOR

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT ALL INFORMATION SHOWN HEREIN ACTUALLY EXIST AND THAT THE LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

DAVID L. TUCKER (SIGNED)
 DATE OF EXECUTION NAME
 REGISTERED LAND SURVEYOR NO. 17755, ARKANSAS

CERTIFICATE OF FINAL PLAT APPROVAL

PURSUANT TO THE NORTH LITTLE ROCK SUBDIVISION RULES AND REGULATIONS, AND ALL OF THE CONDITIONS OF APPROVAL, HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE CITY OF NORTH LITTLE ROCK.

DATE OF EXECUTION NAME (SIGNED)
 CHAIRMAN OR VICE CHAIRMAN
 NORTH LITTLE ROCK PLANNING COMMISSION

CERTIFICATE OF OWNERS

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN DO HEREBY CERTIFY THAT WE HAVE Laid OFF, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE CITY OF NORTH LITTLE ROCK.

DATE OF EXECUTION NAME (SIGNED)

CERTIFICATE OF RECORDING

THIS DOCUMENT, NUMBER _____ FILED FOR RECORD _____ AT _____ O'CLOCK _____ A.M. RECORDED _____ IN PLAT BOOK _____ PAGE _____

NAME (SIGNED)
 CLERK
 FOR DEPT. OF REVENUE SEE DEED RECORD BOOK _____ PAGE _____

SURVEY CERTIFICATION

FOR THE USE AND BENEFIT OF DAMON AND JENNIFER CRAWFORD
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY OF WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE SURVEYING STANDARDS OF THE ARKANSAS SURVEYING BOARD FOR SURVEYS OF THIS TYPE. THE FIELD WORK WAS COMPLETED UNDER MY SUPERVISION ON 04/22/2023.

DATE OF PLAT OR MAP 04/22/2023

NORTH LITTLE ROCK, ARKANSAS

DAVID L. TUCKER (SIGNED)

1. OLD PLAT OF RECORD
 2. OLD NOTES OF RECORD
 3. WARRANTY DEED AS PROVIDED BY CLIENT
 4. SUBDIVISION PLAT FOR LOTS A-1 AND A-2, BLK 35, PARK HILL ADDITION
 5. SUBDIVISION PLAT FOR LOTS F AND G, BLK 35, PARK HILL ADDITION

OWNER
 LOT A-2
 DAMON & JENNIFER CRAWFORD
 410 AVE
 NORTH LITTLE ROCK, AR 72118

LOT G
 MARCUS MAULIK & JESSICA BLAIR
 3109 POPLAR STREET
 NORTH LITTLE ROCK, AR 72118

STATE PLAT CODE: PLATTED SUBDIVISION

PROPOSED REPLAT
 LOTS A-2 & G, BLK 35 OF PARK HILL ADDITION
 LOTS A-2R & G-R, BLOCK 35, PARK HILL ADDITION
 410 AVE & 3100 POPLAR ST

PREPARED FOR:
 DAMON AND JENNIFER CRAWFORD

NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS

TUCKER

DAVID L. TUCKER
 SURVEYOR
 3109 POPLAR STREET
 NORTH LITTLE ROCK, AR 72118
 (501) 944-1111

1 OF 1

Variance Requested: A variance from the area provisions of Section 4.1.2: R1: Single-Family District requirements to allow the placement of an accessory structure within the side yard of a residential property.

Location of the Request: 2033 Topf Rd, North Little Rock, AR 72116

Legal Description of the Property: Lot 25, Block 22, Lakewood 3N Subdivision, City of North Little Rock, Pulaski County, AR

Owner/Applicant: Bart Thomas & Andrea Lisa Glaze Land

Present Use of the Property: Residential

Present Zoning of the Property: R1: Single-family

Site Characteristics: The property under review is located north of the Interstate 40, south of Fairway Ave, east of JFK Blvd, and west of North Hills Blvd in the Lakewood 3 North neighborhood. This neighborhood is predominately occupied with single-family homes that were developed in the 1950's thru 1990's. While there are very few vacant lots available in this area the homes have been maintained and the neighborhood remains a desirable location. Located on the east side of Topf Rd at the end of a cul-de-sac the irregularly shaped parcel was originally developed with a single family home in 1980. The adjacent properties to the east and west and across the street are also developed with single family homes. The neighborhood was developed around the neighborhood's Lake II with the east boundary of the subject property located on the shore of the northeast portion of the water.

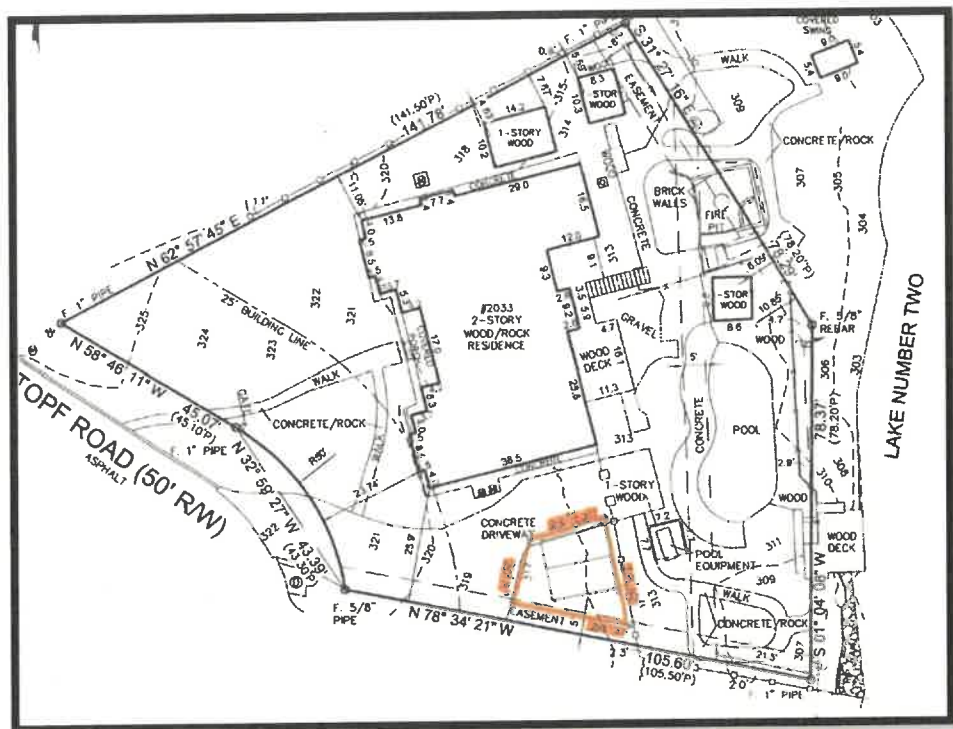
Surrounding Land Use and Zoning

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

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

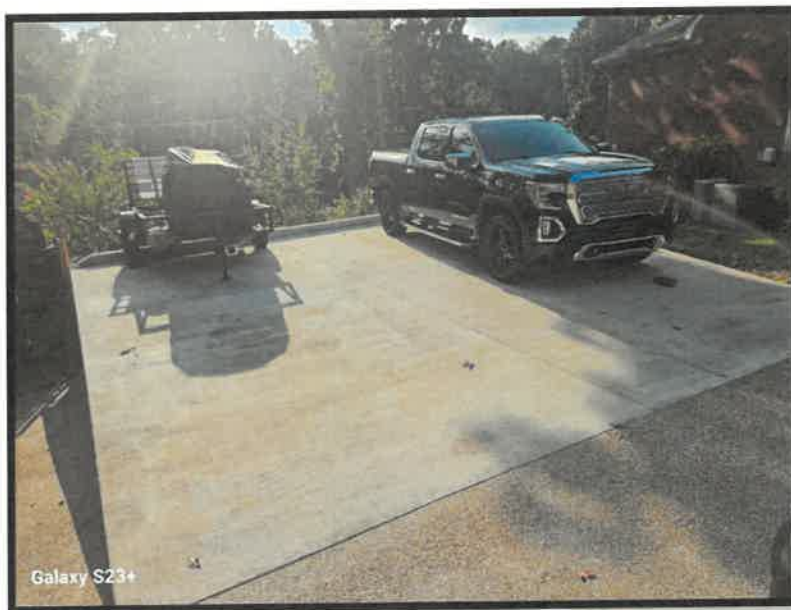
Staff Analysis:

The existing home is located in the approximate center of the lot. Due to the topography the parcel was platted with an asymmetrical layout that is approximately 150 x 150 at its widest points. Characterized by mature trees and a large swimming pool and deck in the rear yard there is little or no space left in the rear of the home to construct an additional accessory structure as per the zoning guidelines.



The applicant is seeking a variance to allow the construction of a carport in the south side yard of their property. The proposed covered structure will be approximately 20 x 20, separated from the house by a minimum of 10-feet and be placed a minimum of 5-feet from the side yard property line as required by the zoning

code. The applicant notes this location was chosen due to the lack of space within the rear yard area and the topography being relatively flat before sloping to the rear of the property and the shoreline of the lake.



The paving for the proposed carport has been installed and extends from the existing drive. This new surface is irregularly shaped and shown to be 28-feet 10-inches at its widest point and 29-feet 3-inches at its greatest

length. A small retaining wall on the south and east edge of the new surface maintains a flat parking area.

The applicant is seeking the hardship based on the special circumstance of the lot shape and the lot containing little to no usable back yard area for construction of the proposed carport. The Zoning Ordinance requires accessory structures to be placed a minimum of 5-feet from property lines and 10-feet from the primary structure. Not being connected to the existing home the carport is classified as an accessory structure and by code not allowable in the side yard of a residential property. However, it should



be noted that if the new building were connected to the house this same structure would be classified as an extension of the primary structure in which all code requirements would be met eliminating the need for the variance request.

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 1980 leaving little or no space to logically construct a carport facility for the occupants vehicles other than in the front or side yard of the property.

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 carport 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 carport will be constructed with a minimum 5-foot required setback from the side yard property line and minimum of 10-feet from the primary structure as required for accessory buildings
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. The placement of a carport as proposed will have no impact on the area.
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 and swimming pool / deck has created little to no rear yard to allow the placement of the proposed carport.
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 placement of an accessory structure (covered carport) in the side yard of the residential property as indicated on the attached site plan 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 #2025-22

Date: 9/5/2025

North Little Rock Board of Adjustment



BOA CASE #2025-22

Date: 9/5/2025

1 inch = 30 feet

0 15 30 60 Feet



User: jhale



Letter of Hardship

For whatever reason, when our house at 2033 Topf Road was built 44 years ago, the owners chose NOT to build either a garage or carport. The existing trees around it were obviously much smaller than they are today. Trees have caused damage to two of three cars and hail has also damaged two of those. Only reason that all three cars weren't damaged was because I was working the particular night of the storm.

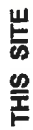
Late last year we received a permit from the city to build a level parking area at the bottom of our sloped driveway and we did so. It's now time to build the covering to protect our cars. To be able to build this covered area, one corner post needs to be able to be set approximately 5 to 5.5 feet from the property line of our neighbor. This would give us the room between the front corner posts to be able to park our two newer cars in this area.

We will build it using cedar and/or cypress to match our existing house and not be some eyesore to the neighborhood. We are seeking permission to do so, to plead our case, so to speak.

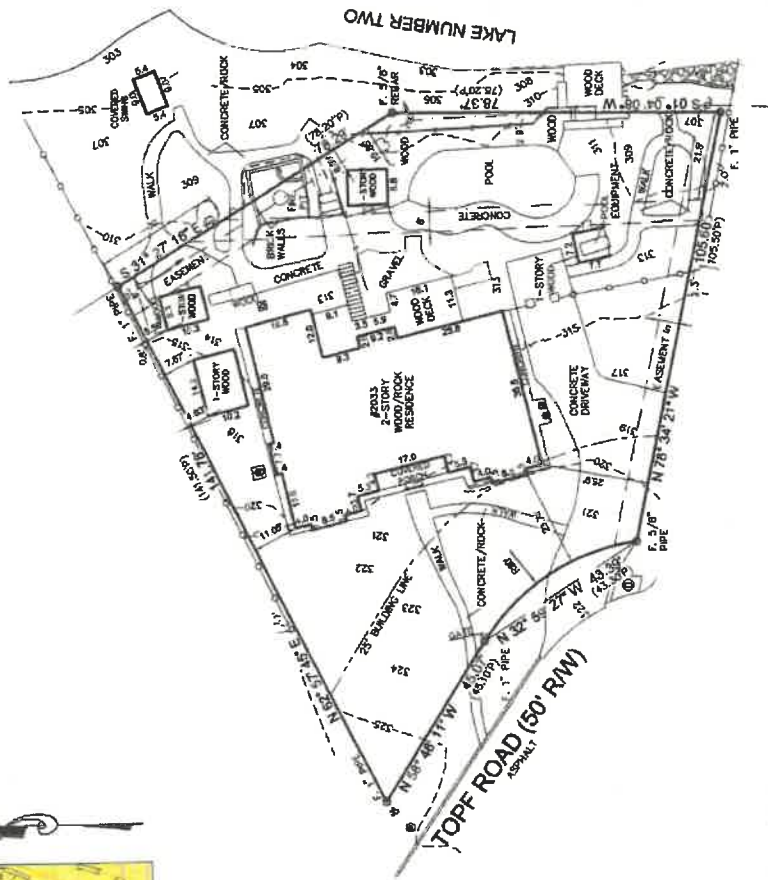
Thanks for your time.

Bart Land

2033 Topf Road



VICINITY MAP



- SUBJECTS/MATERIALS
1. THE INFORMATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THIS SURVEY SHALL BE THE BASIS FOR ANY CONSTRUCTION OF NEW UTILITIES. ALL MEASUREMENTS, MEASUREMENTS WERE TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE AGENCIES TO OBTAIN ADDITIONAL INFORMATION REGARDING ANY EXISTING UTILITIES. SEE EXACT FIELD LOCATION OF UTILITIES.
 2. BARS OF BEARING-ARKANSAS STATE PLANE, NORTH ZONE (GROTT)
 3. THE PROPERTY IS NOT BOUNDARY TO THE EAST BY ADJACENT LANDS. ALSO INSURANCE WITH COMPANY CARRIER NUMBER DOWNS 001 1 DATES JULY 9, 2015
 4. THE SURVEY SHOWS NO EVIDENCE OF ANY INTEREST OR INTEREST IN THE SEARCH FOR TITLE RECORDS, SUCH AS MORTGAGES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE DEFECTS, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 5. LOT 5 CONTAINS 7.86 ACRES SQ. FT. OR 0.269 ACRES, MORE OR LESS.

CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE DESCRIBED LAND HAS BEEN SURVEYED, THE CORNERS ARE MARKED AS SHOWN AND ARE IN ACCORDANCE WITH EXISTING MONUMENTS IN THE VICINITY. THIS CERTIFICATION IS FOR AND LIMITED TO THE PARTIES SHOWN HEREON.



**FOR USE AND BENEFIT OF:
LAND ANDREA LISA GLAZE/BART THOMAS**

TOPOGRAPHIC SURVEY OF

LOT 25, BLOCK 22,
LAKEWOOD ADDITION,
CITY OF NORTH LITTLE ROCK,
PULASKI COUNTY, ARKANSAS

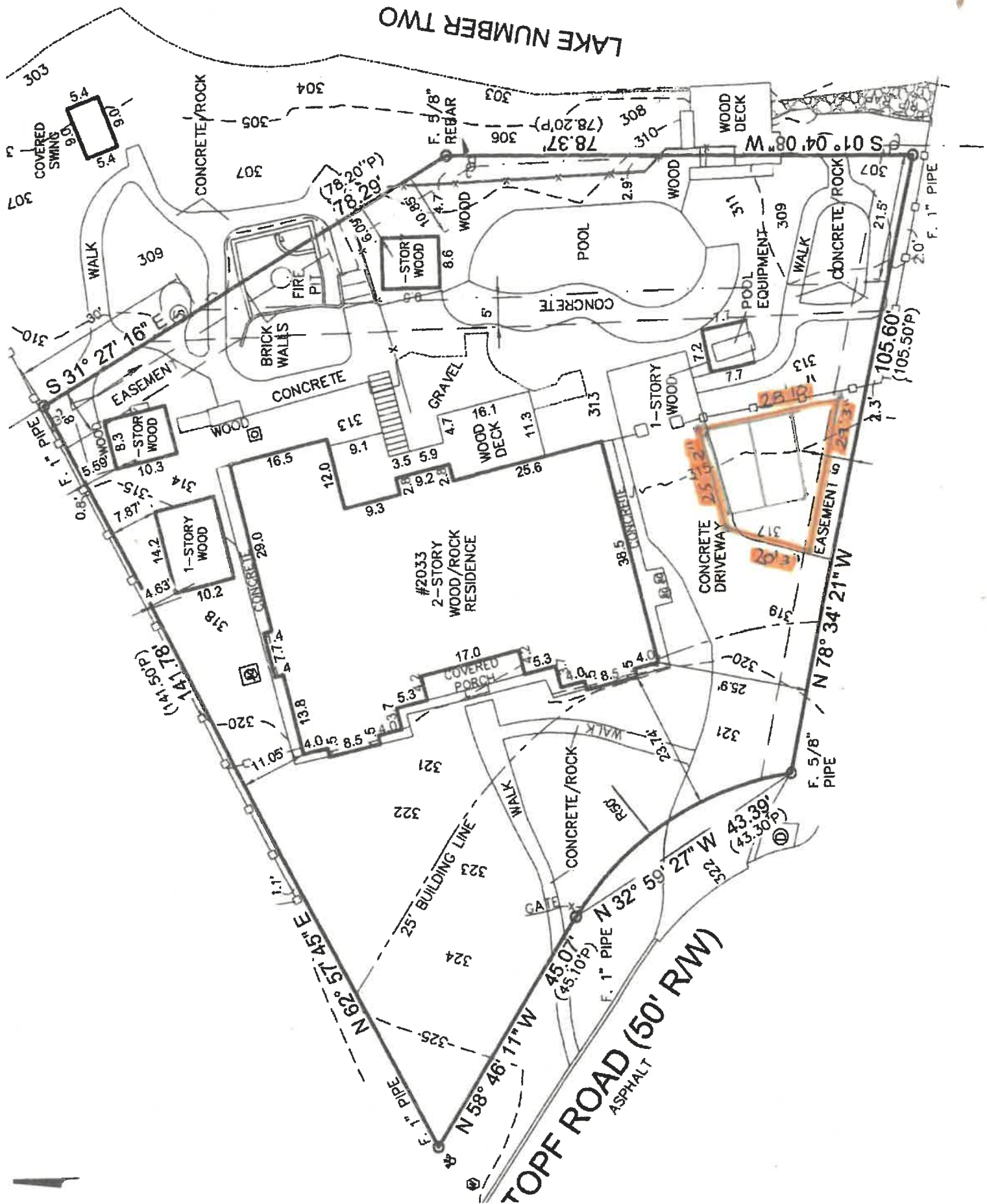
**THOMAS
ENGINEERING
COMPANY**

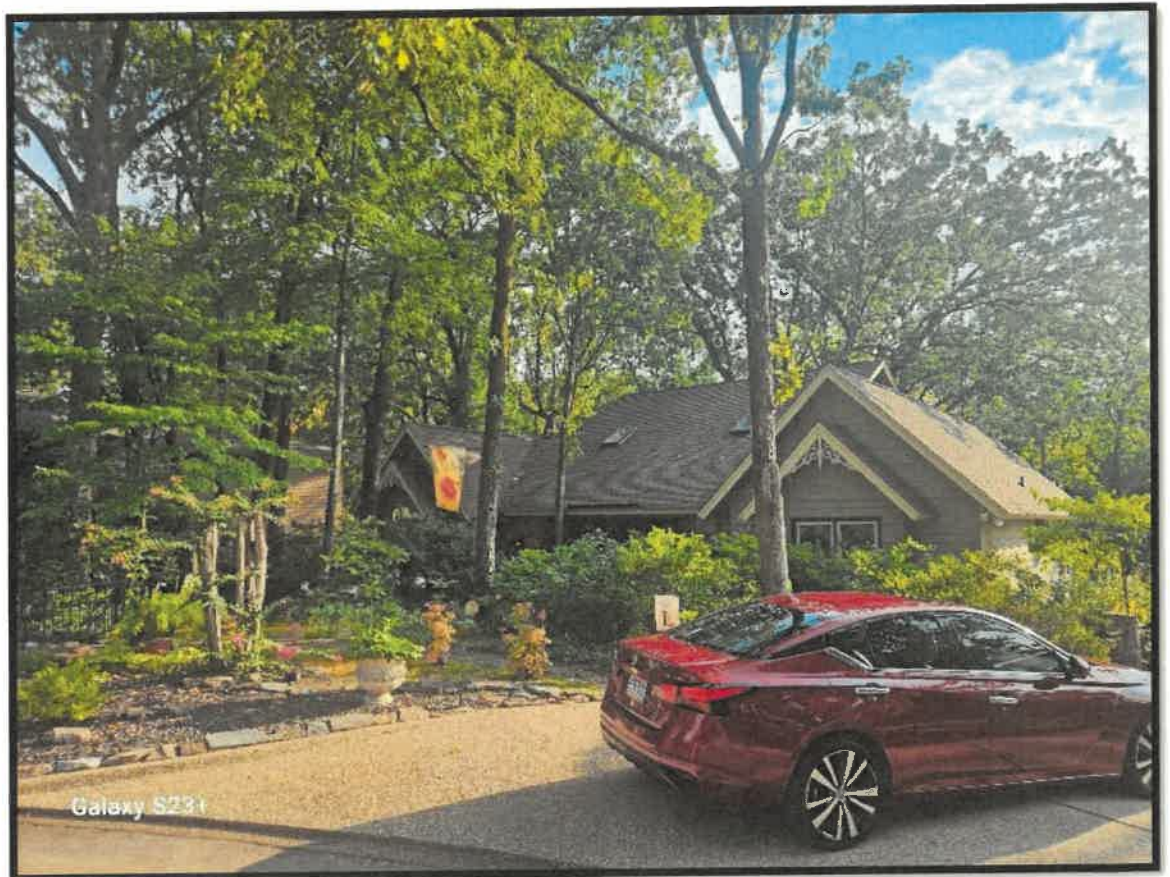
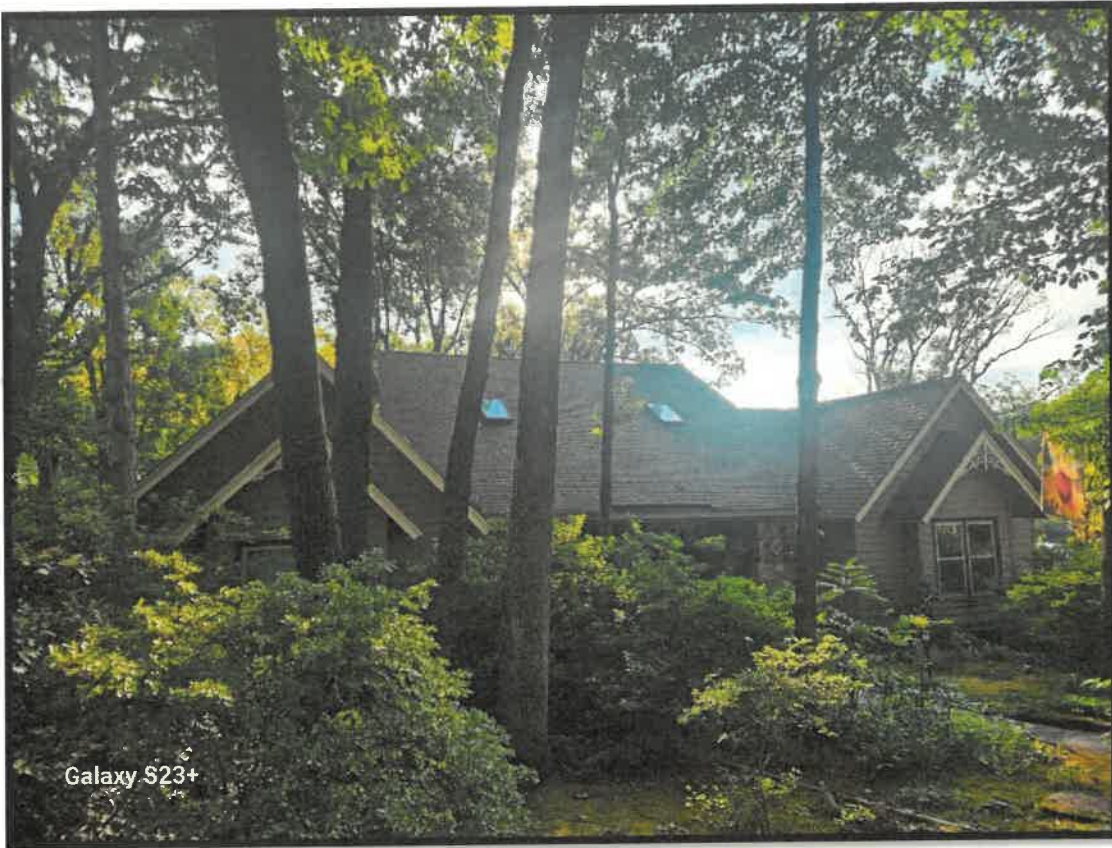
3810 LOOKOUT ROAD, N. LITTLE ROCK, AR 72116
TEL: 501-753-4463 FAX: 501-753-8814

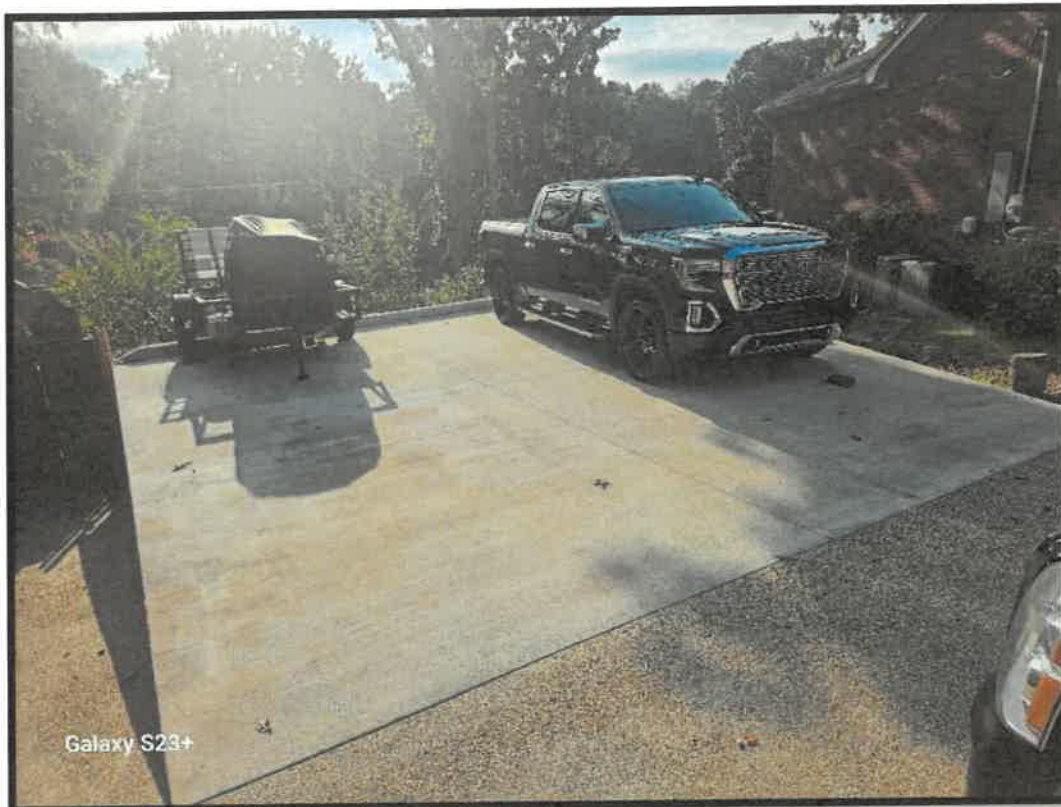
APPROVED	DRAWN BY MJC	DATE 10/30/24	SHEET NO. 1 OF 1
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LAKE NUMBER TWO







This rustic carport has a sense of warmth and mountain charm. The exposed wooden beams and stone accents create a cozy and inviting