

# **North Little Rock Board of Adjustment**

## **Minutes**

**June 30, 2011**

The regular meeting of the North Little Rock Board of Adjustment was called to order by Chairman Carl Jackson at 1:30 P.M. in the Planning Office (Conference Room B).

### **Members Present**

Carl Jackson, Chairman  
Mike Abele  
Tom Brown  
Andy Hight  
Steve Sparr

### **Members Absent**

None

### **Staff Present**

Robert Voyles, Planning Director  
B. J. Jones, Secretary

### **Others Present**

Jeremiah Leggs, Sr., 1016 Graham Ave., NLR, AR  
Alderman Maurice Taylor, 4101 Rogers, NLR, AR

### **Approval of Minutes**

Chairman Jackson called for approval of the minutes from the April meeting of the Board. Mr. Sparr made a motion for approval with Mr. Hight seconding. The motion passed unanimously.

### **Old Business**

None

## New Business

1. **BOA CASE #1468** – Mr. Jeremiah Leggs, Sr. – 1016 Graham Avenue, legally described as, Lot 12, Block 10 Greenlea Addition – The request is to allow a 4 ft. chain link fence in the front yard of a residential lot, along the side yard lines to the front property line, in an R-3 zoning district.

Chairman Jackson swore in Mr. Leggs.

Mr. Voyles displayed video of the property and explained that Mr. Leggs is asking for a front yard fence forty-eight inches in height. Mr. Voyles added that Alderwoman Linda Robinson had called voicing support for Mr. Leggs' request and suggested he fence all of the front rather than just the sides he has specified. Mr. Voyles acknowledged that staff recommends approval of the applicant's request.

Chairman Jackson asked the applicant to state his hardship.

Mr. Leggs explained that neighborhood pedestrian traffic uses his yard as a shortcut, causing damage and destruction to his personal property. He explained he is retired and disabled and tries to keep his yard nice, planting flowers and adding decorative lighting. He noted that his solar lights get scattered and his birdbath disheveled. He directed the Board's attention to the basketball goal next door in the video, and complained that the ball players extend their court to his yard, showing no respect for his property. Mr. Leggs noted that trash is also a big problem from pedestrians using the lawn as a shortcut. Mr. Leggs added that he had asked for cooperation from neighbors and the landlord, but had received none.

Mr. Leggs agreed that Ms. Robinson's suggestion might help protect his property more than just the side fences initially requested. After considering her suggestion, he told the Board he would like to amend his request to include fencing across the front of the property, but not to include his double driveway.

Alderman Taylor added that Mr. Leggs had called him, so he paid a visit to the property. He told the Board that on the evening he went by Mr. Leggs' property there were thirty to forty children playing outdoors, running through the yard, and creating total mayhem. He voiced support for Mr. Leggs' request, adding that he thought the fence will give the applicant some relief.

Mr. Brown asked the applicant if he is attaching the proposed fencing to an existing fence.

The applicant replied in the affirmative.

Chairman Jackson cautioned the applicant to find his survey pin to be certain the fencing is on his own property. He explained that this Board cannot authorize use of City easements or right of ways.

Chairman Jackson focused on the matter of the hardship.

Mr. Voyles noted that a forty-two inch fence is legal and questioned if forty-eight inches is really going to help solve the problem.

Mr. Brown voiced support of the forty-eight inch request, as did Alderman Taylor.

Mr. Sparr added that he had visited the property and commended the applicant on the fine upkeep of his property. He acknowledged that he understood the applicant's concern.

Mr. Brown added that he had visited the property also and complimented the applicant for having the prettiest property in the neighborhood. He then formed a motion to approve the applicant's request for a forty-eight inch chain link fence in the front yard for both the sides and the front of the property. He added that the applicant could also put a gate on the driveway if he desired to do so later.

Mr. Sparr seconded the motion and it passed with a unanimous vote.

Mr. Brown advised the applicant that he could install a gate on the driveway if he would like to do so.

Mr. Leggs responded that he did not think a gate was necessary.

Mr. Brown advised him that if he changed his mind he would not have to come back to the Board for approval.

**Administrative:**

None

**PUBLIC COMMENT/ADJOURNMENT:**

Mr. Sparr moved for the Board to adjourn at 1:45pm. There was no dissent.

**PASSED: \_\_\_\_\_ RESPECTFULLY SUBMITTED:**

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**CARL JACKSON, CHAIRMAN**

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**ROBERT VOYLES, DIRECTOR**