

North Little Rock Board of Adjustment

Minutes

August 26, 2010

The regular meeting of the North Little Rock Board of Adjustment was called to order by Vice-Chairman Tom Brown at 1:28 P.M. in the Planning Office (Conference Room B).

Members Present

Mike Abele
Tom Brown
Andy Hight
Steve Sparr

Members Absent

Carl Jackson, Chairman

Staff Present

Robert Voyles, Planning Director
Wade Dunlap, City Planner
B. J. Jones, Secretary

Others Present

Vanessa Dolphin, 4104 Moss St., NLR, AR
George Velas, #45 Jaynelle Pl, NLR, AR
Brian Cox, 401 Main St., NLR, AR
Richard Prewitt, 3120 Edgerstoune Ln., LR, AR 72205
Ari Patel, 2809 Pines Mall Dr., Pine Bluff, AR

Approval of Minutes

Vice-Chairman Brown called for approval of the minutes. Mr. Sparr made a motion for approval with Mr. Hight seconding. The motion passed unanimously.

Old Business

None

New Business

1. BOA CASE #1453 – Mrs. Vanessa Dolphin – 4104 Moss Street, legally described as Lot 44, CW Harrod's Addition – The request is to enclose a carport which will be 4'6" from the property line, the required distance is 6'0".

Vice-Chairman Brown stated the case number, the applicant's name and swore in the applicant with her contractor, Mr. Lawrence Velas. He asked the applicant to state her hardship.

Ms. Dolphin explained that her family is outgrowing the small two bedroom house. She stated that her two sons shared one bedroom but that the difference in their ages necessitated an additional bedroom. One son is fifteen years old and the other is only twenty-two months old. The younger son has health issues that increase his need for his own space.

Mr. Brown questioned if the project had already been started before appealing to the Board. He asked if the work was started without a permit.

Ms. Dolphin confirmed that the building had already begun and that they had indeed purchased a permit for the work.

Mr. Dunlap interjected that the contractor's initial drawing of the site plan had been approved and a permit issued. That initial drawing indicated the room addition would meet the city requirement to be six feet from the property line. After the contractor checked his measurements, he realized the addition would only be four and one half feet from the property line, called the Planning office, and was informed he would need a variance to continue the work.

Mr. Velas explained that the room addition was being built in the same location as a carport had previously been located. He was unaware that removing the old carport relinquished any right to build on the same site.

Ms. Dolphin added that she had brought along the original survey showing where the old carport had been located.

Mr. Abele questioned the letter enclosed in the packet from the Fire Marshal's office.

Mr. Dunlap explained that fire marshal objections to the building would be pertinent to the case. He added that the fire marshal office is notified of all cases coming before the Board so they may attend the meeting if there are any concerns or notify staff with their approval.

Mr. Hight asked if the room addition is to be built on the same site as the old carport.

Ms. Dolphin replied in the affirmative, adding that the room would face Moss St.

Mr. Sparr asked if the room addition would have the same gabled roof as the home or would have a flat roof.

Mr. Velas responded that the roof would be gabled.

Mr. Brown asked for staff recommendations.

Mr. Dunlap responded that staff recommends approval.

Mr. Hight formed a motion to approve the applicant's request.

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

2. BOA CASE #1454 – Mr. Brian Cox – 1216 W. 8th Street, legally described as Lot 4 Block 7 Giles Addition – The request is to allow side yard variances of 1.1 ft from the required 6 ft. on each side of the property for a new construction residence.

Vice-Chairman Brown stated the case number, the applicant's name and swore in the applicant. He asked the applicant to state his hardship.

Mr. Cox stated that he had four lots at this location side by side. He explained that the lots are all a diagonal shape rather than straight with the street as others in the area, creating narrower lots.

Mr. Brown asked if he was building in the middle of the group of lots.

Mr. Cox explained that his intent is to build a house on each lot.

Mr. Dunlap added that the lots would be considered substandard by city requirements. He noted that the applicant could build without a variance if he builds the house on the diagonal, but that would not look uniform in appearance with other houses in the area.

Mr. Abele asked if any neighboring owners had objected.

Mr. Cox replied in the negative.

Mr. Brown asked for confirmation that notification had been made.

Mr. Cox confirmed.

Mr. Voyles interjected that approximately eighty percent of the properties in the area are rental property. He added that the goal is to try and build homes in the area to sell. He explained that there are two different grants being utilized for the projects.

Mr. Brown summarized that the applicant's hardship is topography.

Mr. Abele asked if all four houses for the adjoining lots are similar.

Mr. Cox replied in the affirmative.

Mr. Hight formed a motion to approve the applicant's request.

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

3. BOA CASE #1455 – Mr. Richard Prewitt – Lot 1, Block 4 Springhill Development (Corner of Springhill Drive and Stockton Drive – across from Baptist Hospital, Springhill), legally described as Lot 1, Block 4 Springhill Development – The request is to allow a 2 ft. height variance for the overall building structure and an 11 ft. height variance for the elevator tower, all above the 45 ft maximum allowed in a C-3 zone.

Vice-Chairman Brown stated the case number, the applicant's name and swore in the applicant and owner. He asked the applicant to state his hardship for the Board.

Mr. Prewitt explained that the hotel is to be a Hilton suites hotel and Hilton dictates specific requirements. Hilton requires a four story structure on less than a four acre tract. He presented a hand out to the Board to outline Hilton requirements and explained that the Hilton specifications exceeded what was allowed by the City, necessitating his variance requests. He noted that the elevator tower required the largest variance and the two foot height variance request for the overall building would be a parapet for decorative purposes.

Mr. Brown asked for staff recommendations.

Mr. Dunlap informed the Board that the Fire Marshal office had no objections to the request. He also pointed out that similar requests have previously been granted.

Mr. Voyles pointed out that the applicant is addressing his height variance for consideration before going to Planning Commission.

Mr. Hight formed a motion to approve the applicant’s request for a height variance to forty-seven feet on the building and fifty-six feet on the elevator tower.

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

Administrative:

Vice-Chairman Brown advised the Board that the carport from the previous month’s meeting had not been removed as directed by this Board. He added that he would visit with Code Enforcement to follow up on the directive.

Mr. Hight formed a motion to excuse Chairman Jackson’s absence today.

The motion was seconded by Mr. Abele and there was no dissent.

PUBLIC COMMENT/ADJOURNMENT:

Mr. Abele moved for the Board to adjourn at 1:48pm. There was no dissent.

PASSED: _____ RESPECTFULLY SUBMITTED:

TOM BROWN, VICE-CHAIRMAN

ROBERT VOYLES, DIRECTOR