

North Little Rock Board of Adjustment

Minutes

April 29, 2010

The regular meeting of the North Little Rock Board of Adjustment was called to order by Chairman Carl Jackson at 1:32 P.M. in the Planning Office (Conference Room B).

Members Present

Mike Abele
Tom Brown
Andy Hight
Carl Jackson, Chairman

Members Absent

Steve Sparr

Staff Present

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

Others Present

George W. Goodwin, Jr., 4405 Glenmere Rd., NLR, AR
Floyd Winkler, 4600 Pike Ave., NLR, AR
Kal Makan, 2508 Calico Creek, NLR, AR
Peggy Borel, 4524 Pike Ave., NLR, AR
Joetta Duke, 700 Skyline Dr., NLR, AR
Steve Tallant, 700 Skyline Dr., NLR, AR

Approval of Minutes

Chairman Jackson called for approval of the minutes. Mr. Brown made a motion for approval with Mr. Abele seconding. The motion passed unanimously.

Chairman Jackson read a letter from the newest Board member, Steve Sparr, explaining his absence from today's meeting.

Mr. Brown formed a motion to excuse Steve Sparr from today's meeting. Mr. Abele seconded the motion and there was no dissent.

Old Business

None

New Business

1. **BOA CASE #1442** – Ms. Peggy Borel – 4601 Schaer St, legally described as Lots 8 and 9, Block 1, Holeads Addition – The request is to allow a 4 foot chain link fence around the perimeter of the property.

Chairman Jackson stated the case number, the applicant's name and swore in the applicant.

Mr. Dunlap showed photographs of the property. He explained that the request is for fencing in a vacant lot to protect a garden spot.

Mr. Voyles noted that the two adjacent properties have front yard fences.

Chairman Jackson asked the applicant to state a hardship.

Ms. Borel explained that her father owned the property and is disabled. She added that his wife has multiple sclerosis and she is concerned for their safety. She noted that the neighborhood has lots of renters and transients with an extremely troublesome area in the rear by the alley. Ms. Borel is concerned that someone might enter the garden area by way of the alley without the knowledge of her parents. She would like the assurance a barrier of protection could provide. She pointed out a specific property that is of particular concern, noting that the police had been called to the site three times in only one day.

The Board discussed what type of fencing is being requested.

Ms. Borel responded that the request is for a four foot chain link fence with no obstructions. She explained that she wanted visibility through the fencing.

Chairman Jackson explained that since the property is on a corner lot, they might need to install fencing cut to allow for good visibility at the stop sign.

Ms. Borel was agreeable.

Mr. Brown interjected that he thought the fence is a good idea and recommended they consider a five foot fence.

Mr. Dunlap explained that the request for a taller fence would have to be advertised again.

Chairman Jackson asked for staff recommendations.

Mr. Voyles explained that staff could allow a three and one half foot fence, with the fence along the alley even higher.

Ms. Borel agreed that a four foot fence should be sufficient, but wished they had known they could ask for higher fencing in the rear.

Chairman Jackson suggested that they could install higher fence at the alley without Board approval.

Mr. Dunlap corrected that approval from the Board is necessary, considering it is a vacant lot.

Mr. Abele asked if the front of the fence would be in line with the neighbor's fence.

The applicant responded in the affirmative.

Chairman Jackson suggested that the fence looks to be situated far enough back, not to necessitate cutting the corner. It appears it will not obstruct the view.

Mr. Brown formed a motion to approve the applicant's request for a four foot front yard fence and a six foot fence in the rear along the alley.

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

2. **BOA CASE #1444** – Mr. George Goodwin, Jr. – 4405 Glenmere Rd, legally described as Lot 11, Block 3 Lakewood Addition – The request is to allow a 1.075 ft. variance to the side yard setback for a room addition to the residence.

Chairman Jackson stated the case number, the applicant's name and swore in the applicant.

Mr. Dunlap showed photographs of the property illustrating the existing back porch which is one foot closer to the property line than is currently required. He explained that the applicant wanted to demolish the existing porch, remove the slab and rebuild a room addition in the same location.

Mr. Goodwin explained that the existing porch needed extensive repairs. Considering that the space is already heated and cooled and can be used ten months of the year, he would like to upgrade the space rather than only repair the existing one.

Mr. Dunlap added that the proposed space would be in line with the existing house line and have no additional encroachment.

Chairman Jackson asked for staff recommendations.

Mr. Voyles replied that staff is supportive of the request.

Mr. Hight asked if the flat roof would be changed to a pitched roofline.

The applicant replied in the affirmative.

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

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

3. **BOA CASE #1445** – Mr. Kal Makan – 4000 Springhill Plaza Court, legally described as Lots 1 and 2, Springhill Plaza Addition – The request is to allow a height variance of 11.5 ft. above the allowed 45 ft. in a C-3 zone.

Chairman Jackson stated the case number, the applicant's name and swore in the applicant.

Mr. Dunlap displayed video relating to the case.

Chairman Jackson asked for an update on the case, specifically what had already been granted.

Mr. Dunlap explained that the request was for the same variance that had previously been approved by this Board. The applicant had unforeseen delays caused by his architect's process of obtaining the proper Arkansas licensing. During the delay the applicant's variance had expired, as he was unable to obtain his permit in the allotted time frame. The request is for the same variance to allow fifty-six feet in height for the hotel front façade.

Chairman Jackson clarified that the request is only due to expiration of the previous variance granted by this Board.

Mr. Dunlap replied in the affirmative and explained that the height had gone from nine feet to eleven and one half feet in height, creating a total height of fifty-six and one half feet at the front façade.

Chairman Jackson asked the applicant to remind the Board of his hardship.

Mr. Makan explained that he was building a four story hotel and the added height for the parapet in the front would make the building more aesthetically pleasing and similar to other hotels in the area.

Mr. Voyles added that it would be a western style roof.

Mr. Dunlap reiterated that the variance was only for the façade, not a total roof height.

Chairman Jackson asked if other similar variances had been granted in the area.

Mr. Voyles replied in the affirmative, that variances had been granted to hotels in the area.

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

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

4. **BOA CASE #1446** – Mr. Steve Tallent – 700 Skyline Drive, legally described as Lot 56, Block 107 Park Hill Addition – The request is to allow an attached garage with a side yard setback of 8 ft. on a corner lot, and a setback of 17 ft. from the front property line.

Chairman Jackson stated the case number, the applicant's name and swore in the applicant, along with the owners, Mr. & Mrs. Duke.

Mr. Dunlap showed video of the property, explaining that the property is a corner lot with a triangle shape and that the existing structures are close to the road by current standards. He noted that due to the curve of the road, the requested addition would not be as close to the roadway as the existing structure. He explained that staff supports the request as houses to the east of the property are even closer to the road than the applicant's.

Chairman Jackson asked the applicant to state his hardship.

Mr. Voyles started to cite the pie shape of the property, but Chairman Jackson asked him to let the applicant state his own hardship.

Mr. Tallent explained that he had written a letter of hardship noting that the existing garage had been taken in for storage. He added that it is difficult to enter the rear of the property. He also informed the Board that the owner of the home has a bad back, making stairs very difficult and making it necessary to try and maintain a one level residence.

Mr. Dunlap noted that the owners are constructing with a breezeway as they do not want to cover windows.

Mr. Voyles asked if the request was for a detached garage.

Mr. Dunlap replied in the negative and explained that the requested garage was attached to the home by a breezeway.

Mr. Brown asked if the proposed garage would match the façade of the existing home.

Mr. Tallent replied in the affirmative and added that the garage would have a brick façade.

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

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

Administrative:

None

PUBLIC COMMENT/ADJOURNMENT:

Mr. Hight moved for the Board to adjourn at 2:02pm. There was no dissent.

PASSED: _____ RESPECTFULLY SUBMITTED:

CARL JACKSON, CHAIRMAN

ROBERT VOYLES, DIRECTOR