

File No.: Z-9915

Owner: Overdis and Peggy McKenzie Sr.

Applicant: Overdis McKenzie Sr.

Address: 9 Hatfield Drive

Legal Description: Lots 63, 64, and part of Lot 49, all in Chicot Terrace Subdivision in the City of Little Rock, Pulaski County, Arkansas

Current Zoning: R-2

Present Use: Single-Family Residence

Proposed Use: Single-Family Residence

Variance(s) Requested: Variances are requested from the height and area provisions of Section 36-516 to allow an increased fence height from four (4) feet to five (5) feet between a required building setback line and a street right-of-way.

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

STAFF REPORT:

A. Planning and Development Civil Engineering Comments:

No comments required.

B. Landscape and Buffer Comments:

No comments.

C. Building Codes Comments:

No comments required.

D. Analysis:

The R-2 zoned property located at 9 Hatfield Drive is occupied by a single-family residence. The survey indicates a triangular lot, with approximately 215 feet of street frontage and a depth of 196 feet on the west and 260 feet on the southeast.

The owner is concerned for the safety of his property and pets due to past experience of theft and vandalism.

The house is constructed within the building setback lines of the property with a 40-foot utility easement along the southeast (rear) property line. The applicant is proposing to construct a black chainlink fence with decorative wood posts and top rail, five (5) feet in height. The posts are to be topped with solar-powered lights for security purposes. The sketch provided indicates that the fence will essentially enclose the yard area of the property.

Section 36-516 (e)(1)(a) of the City's Zoning Ordinance states that the residential fence standards; "Between a required building setback line and a street right-of-way, the maximum height shall be four (4) feet. Other fences may be erected to a maximum height of eight (8) feet." Therefore, the applicant is requesting a variance to allow a fence to a height to five (5) feet between the building setback line and a street right-of-way.

According to Section 36-516 (f) (7), The proposed fence columns must comply with the following criteria: "(7) Support columns or support posts shall be permitted to exceed the allowable fence or wall height by no more than two (2) feet, including any ornamental features. Support columns or support posts shall have a maximum width of two (2) feet. There shall be a minimum distance of seven (7) feet six (6) inches between opposing faces of support columns or support posts which exceed the allowable fence or wall height, other than at gates or corners".

Staff is supportive of the requested fence height variance. Staff views the request as reasonable and the variance request to generally be in support of the owner's safety and welfare.

E. Staff Recommendation:

Staff recommends approval of the requested fence height variance to allow a chainlink and wood fence to be constructed to a height of five (5)-feet between the required building setback and the street right-of-way as per the staff analysis and submitted survey / site plan.

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Board of Adjustment

(APRIL 18, 2024)

This item is being deferred to the May 16, 2024 agenda as the applicant failed to notify surrounding property owners as required.

The item remained on the consent agenda for deferral. A motion was made and seconded to defer the item to the May 16, 2024 agenda. The vote was 5 ayes, 0 nays and 0 absent.