

File No.: Z-9982

Owners: Kyly McMurray

Applicant: Kyly McMurray

Address: 10013 Charterhouse Road

Legal Description: Lot 71, Colony West Fourth Addition, to the City of Little Rock, Pulaski County Arkansas

Zoned: R-2

Present Use: Single Family Residence

Proposed Use: Single Family Residence

Variance(s) Requested: A variance is requested from the building line regulations of Sec. 31-12 to allow the encroachment of a structure across a platted building line.

A variance is requested from the area provisions of Section 36-254 to allow a residence with a reduced side yard setback.

Justification: The applicant's justification is presented as per the attached letter dated March 18, 2024.

STAFF REPORT

A. Planning and Development Civil Engineering Comments:

No Comments

B. Buffering and Landscape Comments:

No Comments

C. Building Codes Comments:

No Comment,

D. Staff Analysis:

The R-2 zoned property located on a corner lot at 10013 Charterhouse Road and Queenspark Road is occupied by an existing one-story single-family residence.

The survey indicates a lot width of 105 feet along Charterhouse Road, and 105 feet along Queenspark Road, a width of 88 feet along the south property line and a depth of 105 feet along the west property line. The residence is set over 25-feet from the front (north) and rear (south) property lines

As part of an improvement to the residence, the applicant wishes to construct a 576-square foot addition on the west side of the residence nine (9) feet into the west setback and approximately two (2) feet into the rear (south) yard setback. The other setbacks comply with required minimum setbacks in the R-2 zoning district.

The addition would follow the roof line at the rear portion of the house. The addition would maintain the consistent and uniform roof line in the rear. The addition would also not require modifying any existing structural configurations to the existing dwelling.

Section 36-254(d)(2) of the City's Zoning Ordinance requires a minimum side yard setback of 7.5 feet for the principal structure on this R-2 zoned lot. Therefore, the applicant is requesting a variance to allow the addition to be constructed with a reduced rear (south) yard setback of two (2) feet and a side (west) yard setback of nine (9) feet along the west side property line.

Section 31-12(b) of the City's Subdivision Ordinance states, "In those instances where a recorded subdivision plat has established building setback lines in accordance with this chapter variances of those lines shall only be granted by the Board of Adjustment." Therefore, the applicant is requesting a variance to allow a reduction of the 25-foot platted side building line to 16-foot and a reduction of the rear (south) setback line to 23-feet..

In Staff's opinion, the proposed building line set back, poses no negative effect upon the health, safety, or welfare of the general public, and does not detract from the value or aesthetic of the neighborhood or surrounding properties. In addition, Staff finds the request to generally be in conformance with the development pattern in the neighborhood. Based on the above assessment and analysis, Staff finds the requested variances to be reasonable.

E. Staff Recommendation:

Staff recommends approval of the requested variances as outlined in the above analysis.

Staff recommends approval of the requested rear yard setback line reduction from 25-feet to a minimum of 16-feet to accommodate the new enclosed garage structure.

Staff recommends approval of the requested side (west) yard setback from 25-feet to a minimum of 23-feet.

The Staff recommendations are subject to the above analysis, submitted survey / site plan sketch, and required to meet the following conditions:

1. A building permit being obtained for all construction.
2. Compliance with the Building Codes requirements as noted in paragraph C. of the Staff report.