

File No: Z-10138

Owner: David Ritchey

Applicant: Mark Caruthers (Agent)

Address: 2000 Country Club Lane

Legal Description: Lot 17 and 18, Block 2, Country Club Heights Addition to the City of Litte Rock

Current Zoning: R-2

Present Use: Single-Family Residence

Proposed Use: Single-Family Residence

Variance(s) Requested: A variance is requested from area regulations of Section 36-156 to allow an accessory structure to be less than six (6) feet from a residence.

A variance is requested from the area regulations of Section 36-156 to allow an accessory structure to be closer than fifteen (15) feet from a street sideline.

A variance is requested from area regulations of Section 36-156 to allow an accessory structure to be less than three (3) feet from a rear property line.

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

STAFF REPORT:

A. Planning and Development Civil Engineering Comments:

1. A driveway shall be a minimum of 5ft off the property line.
2. The proposed fireplace would need a variance for being within the setback.
3. The proposed wall shows to be in the right-of-way, and this is not allowed unless a franchise permit is given. Also, any wall 4ft in height or taller shall be permitted and shall have a set of engineered plans, profiles, and calculations. If application for franchise permit is denied, a revised site plan must be submitted showing relocated wall on property.

B. Landscape and Buffer Comments:

In October 2020 the City adopted the "Heights Landscape Design Overlay District," requiring installation of one (1) tree per forty (40) linear feet of street frontage within

the Heights District boundary, applicable to [among other types] residential construction in excess of 600 square feet.

C. Building Codes Comments:

As a Carriage House this structure is evaluated as a single-family dwelling and must meet all single-family dwelling codes and ordinances.

As per 2021 Arkansas Fire Prevention Code Volume III R302.1(1) Single Family Dwellings have the following requirements when dealing with Dwellings that are closer than 7' from the property line:

1. If the soffit assembly extends inside of 5' from the property line, it must be constructed with fire -treated materials. 5/8" Type "X" Drywall, stucco, fire treated plywood or some other fire treated material on underside of the soffit, fire treated fascia, elimination of soffit vents and gable vents and crawl space vents on the affected portion of the wall. Note: Vents must be relocated to ensure proper venting of the attic space.

a. Exceptions to this are to fire block this section of the exterior wall from the top plate to the underside of the roof decking and to fire caulk the blocking at all joints.

2. As per 2021 Arkansas Fire Prevention Code Volume III R302.1(1) Single Family Dwellings have the following requirements when dealing with Dwellings that are closer than 5' from the property line:

a. Exterior walls from 3 to 5' from the property line must be constructed of 1-hour fire rated material and the soffit must be constructed from 1-hour fire rated material. Soffit and gable vents are not allowed, and venting must be relocated to adjacent roof and wall sections.

b. Fire Treated roof decking must extend 4' up the roof as per the Authority having jurisdiction.

c. In applications 3' to 5' from the dwelling unit to the property line exterior windows are not allowed to exceed 25% of the wall area.

3. Zero Lot Line Construction must be processed through Zoning for such allowances. Once processed the following requirements apply.

a. No part of the footing/foundation is allowed to extend beyond the property line.

b. No overhang is allowed closer than 2' from the property line and must be constructed from 1-hour fire treated materials.

c. Roof decking must have 4' of fire treated material for the entire length of the wall and turning 4' along the adjacent wall with hip roof construction.

d. No windows or doors are allowed when the exterior wall is less than 3' from the property line. Windows are required in all sleeping rooms.

Utilities: Utilities are permitted below grade on property but cannot enter where dwellings are located less than 7' from the property line. HVAC Units must be located on dwelling unit property.

NOTE: Garage level is required to have an exit door opening to the outside.

NOTE: Carbon Monoxide detectors are required on both levels of this occupancy.

NOTE: Stair must be constructed as a closed stair so as not to allow airflow from the lower to upper floor.

NOTE: Floor assembly is not allowed to have any penetrations allowing air to flow from lower to upper floor.

NOTE: Email crichey@littlerock.gov to note compliance with requirements listed above.

D. Staff Analysis:

The R-2 zoned property located at 2000 Country Club Lane is occupied by a two-story single-family residence with an existing garage structure located at the southwest corner of the property. The property is located on the northwest corner of the intersection of Country Club Lane and Club Road.

The survey indicates a lot with a width of 120.26 feet and a depth of 145.48-feet. The centrally located residence is set 50 feet from the front (east) property line, 17.6-feet from the north property line, 32-feet from the south side property line, and 44.7-feet from the rear (west) property line abutting a closed alley.

As part of the improvement to the property, the applicant proposes to remove the existing garage structure at the southwest corner of the property and construct a new 1,800-square foot accessory garage structure with living-space. The applicant states that the new structure will have an occupiable space connecting to the rear yard area to the north and a garage area on the lower level with a paved access drive connecting to Club Road to the south. The site plan indicates that the new structure will be located 3-feet from the rear (west) property line, 3-feet from the south (side) property line and 5-feet from the southwest corner of the primary residence. The applicant states that the new garage structure will be located in approximately the same location as the former non-conforming structure.

The submitted site plan indicates the applicant intends to construct a 150 square foot shed to the west of the residence in the rear yard area within 1-foot of the rear property line along with a new exterior fireplace structure located 10-feet north of the new carriage house structure and 3.2 feet from the rear property line. Both structures are indicated to be within the east half of the closed alleyway.

Section 36-156 (a)(2)(b) of the City's Zoning Ordinance to have a separation of not less than 6-feet from the residence. Therefore, a variance is requested from the area regulations to allow an accessory structure to be no less than five (5) feet from a residence.

Sec. 36-156(a)(2)(c) states, "Accessory buildings or structures in the R-1 through R-4A districts shall not be located closer than sixty (60) feet to the front property line, fifteen (15) feet from a street sideline and may not occupy more than thirty (30) percent of the required rear yard area..." Therefore, the applicant is requesting a variance to allow the proposed accessory garage structure to be located less than 15-feet from a street sideline.

Section 36-156 (a)(2)(f) states "Accessory buildings shall maintain at least a three-foot setback from any side or rear yard property line except where said rear yard

abuts on a dedicated alley.” Therefore, the applicant is requesting a variance to allow accessory structure reduced rear yard setback to less than three (3) feet.

Staff is supportive of the requested variances for the accessory structures. Staff views the request as reasonable. The new structures will be located mainly along the east bordering the closed alley and south bordering Country Club Lane. Staff believes that the reduced setbacks will have no adverse impact on the surrounding properties.

E. STAFF RECOMMENDATION:

Staff recommends approval of the requested variances, subject to the descriptions and any conditions in the “staff analysis”, and the following conditions:

1. A building permit being obtained for all construction.
2. Install trees, if deemed applicable at the time of building permitting, in accordance with Heights Design Overlay District requirements.
3. All construction building codes being applied to meet separation requirements.
4. Retaining wall franchise agreement application submitted to city department.