

File No.: Z-10108

Owners: Ronald G. Parks

Applicant: Ronald G. Parks

Address: 53 Bentley Drive

Legal Description: Lot 41, Bentley Court Addition to the City of Little Rock

Zoned: R-2

Present Use: Single-family Residence

Proposed Use: Single-family Residence

Variance(s) Requested: A variance is requested from area regulations of Sec. 36-254 to allow a reduced rear yard setback in the R-2 district.

A variance is requested from the area provisions of Section 36-11 to allow an accessible ramp to encroach into a platted utility easement.

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

STAFF REPORT

A. Planning and Development Civil Engineering Comments:

No Comments.

B. Buffering and Landscape Comments:

No Comments.

C. Building Codes Comments:

No Comments.

D. Staff Analysis:

The property located at 53 Bentley Circle is occupied by a one-story single-family residence. A paved access driveway connecting to Bentley Circle is located along the east perimeter of the front yard area and an existing wood frame deck is located at the rear of the residence.

The site plan indicates that the existing 325-square foot wood frame deck is partially covered and extends south from the residence approximately 25-feet

ending in alignment with the rear wall of the residence. This existing portion of the residence extends approximately 15-feet into the rear (south) yard setback and is discontinued along the perimeter of an existing 10-foot easement.

The applicant proposes to remove the existing deck and construct a new 625-square foot addition to the rear of the residence. The applicant states the addition will contain an accessible sleeping area with bath. The site plan indicates that the addition will increase the overall square footage of the residence to 2,978 square feet.

The site plan further indicates that the applicant proposes to additionally construct a wood frame ramp that extends from east to west along the south perimeter of the residence. As part of the proposed addition the new ramp will extend from a new centrally located doorway and connect to a paved walkway along the east perimeter of the residence. The new paved walkway extends north connecting to the paved driveway at the front of the residence.

On April 30, 2012, the Board approved a variance to allow the applicant to construct a 440-square foot addition to the original residence which extends 15-feet into the rear yard setback. The applicant states that the request for the new addition is to accommodate their evolving needs as they age.

Section 36-254(d)(3) states "There shall be a rear yard setback having a depth of not less than twenty-five (25) feet. "Therefore, the applicant is requesting a variance to allow the extension and expansion of the primary structure into the rear yard setback area, reducing the setback to no less than 10-feet.

Section 36-11 (f) states, "No building or structure as defined in this chapter shall be erected, converted, reconstructed, or structurally altered that encroaches on, over or into any easement. This includes drainage, utility access or use easements within the boundary of any lot of record, platted or otherwise established. For purposes of fence placement within easements, fences shall not be constructed to be a building or structure." Therefore, the applicant is requesting to construct an accessible wood frame ramp 5.4-feet into the platted utility easement.

Staff views the variances requested as reasonable. The proposed reduced south rear yard setback will not be evidently out of character with the surrounding developments. The south utility easement encroachment will only expand the building to the 25-foot building line and would normally follow all code requirements. Additionally, the applicant has provided documentation from the utility companies stating that they have no objections to the requested variances.

D. Staff Recommendation:

Staff recommends approval of the requested south rear yard setback reduction from 25-feet to 10-feet. Staff also recommends approval of the proposed construction of an accessible ramp into the south utility easement reducing the utility easement

from 10 feet to 5-feet. Both variances are subject to the of above analysis, attached survey/site plan, and subject to compliance with the city building code requirements.