File No.:   Z-10148

Owners: For Real Core Six LLC

Applicant: Casey Cerrato (Owner)

Address: Northeast Corner of North Cedar Street and Hill Road

Legal Description: Lots A, B, C D and E of the Mildred M. Moss Replat of
                              Lots 4,5,6,7, 8, and 9, Block 14, Pulaski Heights Addition
                              to the City of Little Rock, Pulaski County

Current Zoning: R-5

Present Use: Vacant

Proposed Use: Vacant

Variance(s) Requested: A variance is requested from the area provisions of Section
                              36-259 to allow a reduced front yard setback in an R-5 zoning.

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

STAFF REPORT:

A. Planning and Development Civil Engineering Comments:

1. Plans show a 25ft reduction, not the reduction to 15ft.
2. Show driveways on plans.
3. Request to encroach on setback that fronts another main road.

B. Landscape and Buffer Comments:

In October 2020 the City adopted the "Heights Landscape Design Overlay District," requiring installation of one tree per 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:

The Arkansas Fire Prevention Code, Volume 3, regulates construction requirements for homes and requirements for structures concerning distance from the property line. Those distances are not shown on plans provided. Please note the following requirements for instances when the outside wall is less than 7' from the interior lot lines:

D. Analysis:

The R-5 zoned property is located at the northeast corner of Hill Road and North Cedar Street. The site is surrounded by R-5 and R-3 zoned properties that are occupied by an apartment complex to the west and single-family homes to the east and south. The property is currently undeveloped, with varying degrees of slopes from north to south with partial tree coverage along the western edge bordering North Cedar Street.

The recent survey indicates that the property is currently divided into five (5) platted lots with an existing perimeter of the site

The applicant proposed to divide the property into three (3) 0.34 acre lots for future development with access from the easement to the east. The proposed lots are indicated to have building lines of 25 feet along the west boundary of North Cedar Street and 30 foot building lines to the east. The new lots are indicated to be oriented to the east and have 25 foot rear (west) yard setbacks, six (6) foot side yard setbacks and fifteen (15) foot front (east) yard setbacks.

Section 36-259(d)(1) states "There shall be a front yard setback having a depth of not less than twenty-five (25) feet". Therefore, the applicant is requesting a variance to allow the front yard setback to be reduced to no less than fifteen (15) feet.

In Staff's opinion, the proposed building line adjustment 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.

If the Board approves the requested building line setback variance, the applicant must then produce a three-lot replat reflecting the approved change. As such, the applicant must also review filing procedures with the County Clerk's office to determine if the replat will require a revised Bill of Assurance and respond as necessary and appropriate, as part of said replat.

E. Staff Recommendation:

Staff recommends approval of the requested front yard setback to no less than fifteen (15) feet, subject to the following conditions:

1. Obtain a building permit prior to construction.
2. Install trees, if deemed applicable at the time of building permit, in accordance with the Heights Design Overlay District requirements.
3. A replat of the property be performed and filed.