

File No.: Z-10149

Owners: Aaron & Elizabeth Clark

Applicant: Jim Yeary  
Yeary Lindsey Architects

Address: 5716 Hawthorne Road

Legal Description: Lot 14 & 15 Forest Heights Place, 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 area regulations of Sec. 36-254 to allow a reduced rear yard setback in the R-2 district.

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

#### STAFF REPORT

A. Planning and Development Civil Engineering Comments:

Check variance for pool being placed within the setback, also note if pool requires a retaining wall then you are to be 5ft away from the property line to the wall.

B. Buffering and Landscape 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:

No Comments.

D. Staff Analysis:

The R-2 zoned property located at 5716/5714 Hawthorne Road is within the Heights Design Overlay District and is currently vacant. The applicant purchased the property; combined the lots and subsequently had the existing structures demolished.

The applicant proposes to construct a new dwelling with an attached garage adjacent to V Street, at the rear of the property. In order to provide an appropriate depth for the garage the owner is requesting a 5-foot reduction to the rear yard setback, allowing the north end of the garage to be twenty (20) feet away from the rear property line.

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 of the garage into the rear yard setback reducing the setback to twenty (20) feet.

Staff is supportive of the requested variance. Staff views the request reasonable. Staff believes that the requested variance will have no adverse impact on the surrounding properties.

E. Staff Recommendation:

Staff recommends approval of the requested rear yard setback reduction from twenty-five (25) feet to twenty feet (20 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.