

File No.: Z-10137

Owners: Jeff Fuller Homes, LLC

Applicant: Jeff Fuller (Owner/Agent)

Address: 1819 North Harrison Street

Legal Description: Lot 5, Block 1, Englewood 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.

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

STAFF REPORT:

A. Planning and Development Civil Engineering Comments:

1. The plat shows Newton St. as an alley and that needs to be revised.
2. If street improvements are ever proposed, this variance would not allow for the road widening.
3. If reduction of rear setback is wanted, a distance no closer than 7 feet to the property line will be acceptable.

B. Buffering and Landscape Comments:

No Comments.

C. Building Codes Comments:

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.

D. Staff Analysis:

The R-2 zoned property is located at 1819 Harrison Street within the Heights Design Overlay District. The lot is currently occupied by a one-level single family residence with a single-story accessory structure in the rear yard area.

The applicant proposes to remove the existing structures and construct a new two level 5,254 square foot single-family residence on the lot. The applicant states that the proposed layout is necessary to provide garage space to accommodate multiple vehicles with access to the adjacent street. The site plan indicates that the new structure will extend from east to west upon the lot to within seven (7) feet of the rear (east) property line abutting Newton Street with a paved access drive connection. The site plan further indicates that the applicant proposes to commence the front of the new residence at 22.45 feet aligning it with the surrounding houses along the block, thus reducing the front (west) yard setback by 2.55 feet.

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 primary structure into the rear yard setback reducing the setback to no less than seven (7) feet.

Section 36-254(d)(1) of the City's Zoning Ordinance requires a minimum front yard setback of 25 feet for the principal structure on this R-2 zoned lot. Therefore, the applicant is requesting a variance to allow the new residence to be constructed with a reduced front yard setback of 22.45 feet along the front (west) property line.

Staff is supportive of the requested variances to allow reduced front and rear yard setbacks. Staff Believes that the front yard reduction is in conformance with forty (40) percent of the existing block setbacks and that the proposed location of the new garage will occupy essentially the same area as the existing structure. The overall development should have no adverse impact on the surrounding properties.

E. Staff Recommendation:

Staff recommends approval of the requested front yard setback reduction to no less than 22.45 feet and the rear yard setback reduction to no less than 7.82 feet subject to the following conditions:

1. A building permit must be obtained prior to construction.
2. Install trees, if deemed applicable at the time of building permit, in accordance with the Heights Design Overlay District requirements.