

File No.: Z-10098

Owners: Jack Yeager

Applicant: Gordon Duckworth

Address: 28 Scenic Point

Legal Description: Lot 28, Scenic Heights Addition to the City of Little Rock, Pulaski County

Current Zoning: R-2

Present Use: Single Family Residential

Proposed Use: Single Family Residential

Variance(s) Requested: A variance is requested from the area provisions of Section 36-254 to allow a reduced front yard setback in an R-2 zoning.

A variance is requested from the building line regulations of Sec. 31-12 to allow the encroachment of a structure across a platted building line.

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

STAFF REPORT:

A. Planning and Development Civil Engineering Comments:

No comments.

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:

No Comments.

D. Analysis:

The property located at 28 Scenic Point is currently occupied by a single-story masonry single-family residence in the Heights Overlay District. The survey shows a

lot width of 60.7 feet at the front (south) property line and 145.46 feet at the rear (north) property line, with a lot depth of 173.32 feet at the left (west) property line and 176.8 feet at the right (east) property line.

The applicant is proposing to convert the existing carport into a single-story enclosed garage. The expanded building footprint will be extended into the front yard setback across the building line. The new garage will have 32-inch by 80-inch doors on the east and west side and a 7-foot by 18-foot section garage door in the front. The sketch indicates that garage expansion will be located 10-feet from the south (front) property line and extend south 8-feet beyond the platted building line.

Section 36-254(d)(1) states "There shall be a front yard setback having a depth of not less than twenty-five (25) feet." The new garage will be 16-feet from the front property line. Therefore, the applicant is requesting a variance to allow the front yard setback to be reduced to no less than 10-feet.

Section 31-12(b) of the City's Subdivision Ordinance states, "In those instances where a recorded subdivision plat has established building setback lines in accordance with this chapter, variances of those lines shall only be granted by the Board of Adjustment." Therefore, the applicant is requesting a variance to allow a reduction of the 20-foot platted rear building line to 10-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 one-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 sixteen (16) 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.