

File No.: Z-10096

Owners: Kevin and Helen Brown

Applicant: Yeary Lindsey Architects

Address: 5725 S. Country Club Blvd.

Legal Description: Lot 104, Forest Heights Place Addition to the City of Little Rock, Pulaski County, Arkansas.

Current Zoning: R-2

Present Use: Single Family Residential

Proposed Use: Single Family Residential

Variance(s) Requested: Variances are requested from the area provisions of Section 36-156 to allow an accessory structure to be within 6 feet of a residence, have a reduced side yard setback, and have an increased rear yard coverage.

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 5725 South Country Club Boulevard is currently occupied by a two-story wood-frame single family residence in the Heights Design Overlay District. The survey shows a lot width of 60 feet and a depth of 135 feet. The residence is

centrally located on the lot with an existing carport in the rear yard with a paved access driveway connecting to North Pierce Street.

The applicant is proposing to demolish the existing carport and construct a new accessory carport structure with enclosed storage space and exercise area. The proposed accessory structure will be 15 feet from the west side property line, 3.7 feet from the east side property line, 3.8 feet from the rear (south) property line to avoid an existing easement, and 16.5 feet from the residence. The total area of the proposed accessory structure is approximately 1035.24 square feet.

The applicant is also proposing to construct an accessory pool structure in the west side yard. The proposed L-shaped pool will be 1 foot from the west side property line, 3.5 feet from the west side of the residence, 3.5 feet from the rear (south) of the residence, and 3.5 feet from the northwest corner of the proposed accessory carport structure. Approximately 180.49 square feet of the pool will be in the rear yard.

Section 36-156(2)(b) states "All single- and two-family residences shall be separated from accessory structures by a distance of not less than six (6) feet." The proposed accessory pool structure will be 3.5 feet from the residence in two locations. Therefore, the applicant is requesting a variance to reduce the distance between an accessory structure and a residence to no less than 3.5 feet.

Section 36-156(c) states "Accessory buildings or structures in the R-1 through R-4A districts shall not be located closer than...fifteen (15) feet from a street side line..." The proposed accessory pool structure will be 1 foot from the west side property line along North Pierce Street. Therefore, the applicant is requesting a variance to allow a reduced street side line setback to no less than 1 foot.

The rear yard space is approximately 2,590 square feet in area. The proposed carport accessory structure would yield approximately 40 percent coverage of the rear yard. The combined area of the proposed accessory carport and pool structures in the rear yard is approximately 1,215.73 square feet, which would yield approximately 47 percent coverage of the rear yard, exceeding the maximum code allowance of 30 percent.

Section 36-156(c) states "Accessory buildings or structures in the R-1 through R-4A districts...may not occupy more than thirty (30) percent of the required rear yard area." Therefore, the applicant is requesting a variance to allow an increase in the rear yard coverage to no more than 47 percent.

Based on the above assessment and analysis, Staff finds the requested variances to be partially reasonable. Staff is supportive of the requested variance to allow an increased rear yard coverage for the accessory carport structure. Staff believes the carport is generally in conformance with the development pattern in the neighborhood and would not have an adverse impact on surrounding properties. However, it is the

staff's opinion that the requested side yard reduction variance for the accessory pool structure be denied. Staff believes that the location of the pool structure within the side and rear yard area does not keep with the spirit or intent of the city ordinance and is out of character with the adjoining properties.

E. Staff Recommendation:

Staff recommends denial of the requested variances to allow the accessory pool structure to be within 1 foot of the side property line, and within 3.5 feet of the residence.

Staff recommends approval of the requested variance to allow an increase in rear yard coverage for an accessory structure to no more than 40 percent, 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.