

File No.: Z-10160

Owners: JCB Family Trust

Applicant: Jason Duncan (Agent)

Address: 3000 North Taylor Street

Legal Description: Lot 7 and the South 10 feet of Lot 8, Block 8, Park View Addition to the City of Little Rock, Pulaski County Arkansas

Zoned: R-3

Present Use: Single-family Residence

Proposed Use: Single-family Residence

Variance(s) Requested: A variance is requested from area regulations of Sec. 36-255 to allow a reduced rear yard setback in the R-3 district.

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

Staff Report:

A. Planning and Development Civil Engineering Comments:

No Comments

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:

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.
2. 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 5' from the property line:
 - a. Exterior walls from 3 to 5' from the property line must be constructed of 1-hour fire rated material and the soffit must be constructed from 1-hour fire rated material. Soffit and gable vents are not allowed, and venting must be relocated to adjacent roof and wall sections.
 - b. Fire Treated roof decking must extend 4' up the roof as per the Authority having jurisdiction.
 - c. In applications 3' to 5' from the dwelling unit to the property line exterior windows are not allowed to exceed 25% of the wall area.
 3. Zero Lot Line Construction must be processed through Zoning for such allowances. Once processed the following requirements apply.
 - a. No part of the footing/foundation is allowed to extend beyond the property line.
 - b. No overhang is allowed closer than 2' from the property line and must be constructed from 1-hour fire treated materials.
 - c. Roof decking must have 4' of fire treated material for the entire length of the wall and turning 4' along the adjacent wall with hip roof construction.
 - d. No windows or doors are allowed when the exterior wall is less than 3' from the property line. Windows are required in all sleeping rooms.

D. Staff Analysis:

The R-3 zoned property located at 3000 North Taylor Street is currently scheduled for demolition. The property owners are proposing to construct a new house on the same footprint as the existing one.

The property owners are requesting a rear yard setback variance for the garage. The existing garage is already in the rear yard setback and the new garage will follow the same footprint as the original structure.

Section 36-255(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 thirteen (13) 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 no less than thirteen (13) 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.