



April 29, 2025

Department of Planning and Development
723 W. Markham
Little Rock, AR 72201

Re: *Amended Variance Request for 4 Overlook Drive, Little Rock, Arkansas 72207*

Dear Members of the Board and Staff:

I amend my original cover letter to update the height of the proposed fence and to add additional justification for the variance.

Pursuant to the "Instructions for Making Application for Residential Zoning Variance," applicant states as follows:

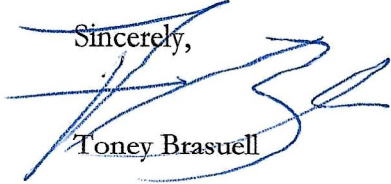
1. My wife and I are the current owners of 4 Overlook Drive, Little Rock, Arkansas 72207. We purchased the property in May 2024;
2. On the Northeast side of the property lies the proposed area in which we seek a variance request from the 4ft. fence height requirement to the proposed 6'11" or below fence height. This area is the back yard of the property that runs partially adjacent to our neighbor's backyard;
3. The reasons for the proposed request include excessive slope, safety, security, and privacy;
4. The excessive slope between the residential structure, back yard, and the proposed fence site is approximately 3-4 ft to the fence and 8-9 ft. to the street thus necessitating this request for a fence height increase to adjust for the slope variation. The slope presents a unique problem that is only resolved by erecting a higher fence;
5. The public street that runs along the back and side of our property is Timberlake Drive. Timberlake Drive is a commonly used street for members of the community to access the Arkansas River Trail. The road is heavily trafficked by automobiles, bikers, and walkers at all times of the day and night. Because we have a large pool in the backyard, erecting a fence with the ordinance requirement of a 4ft fence would create a risk of danger to children as an attractive nuisance. Further, the proposed fence would allow us to completely close in the backyard.

Members of the Board and Staff, the topography of our lot makes it difficult to meet the current fence zoning requirements. The variance request would not change the essential character of the neighborhood, it would serve a specific purpose without any undue burden to neighbors or

passersby and still incorporate the spirit of the ordinance, and would serve public safety by preventing any unauthorized child access to the property thereby creating a safer environment for all the families in the neighborhood.

My wife and I greatly appreciate your consideration in this variance request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Toney Brasuell', is written over the printed name.

Toney Brasuell

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