

File No.: Z-10165

Owners: JTL Properties 2 LLC

Applicant: Tiffany Lindsey (Owner/Agent)

Address: 4920 Country Club Blvd.

Legal Description: Lot 7, Block 14, Newtons Subdivision 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 front yard setback in the R-2 district.

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

STAFF REPORT:

A. Planning and Development Civil Engineering Comments:

- a. Driveway is proposed completely in the City's Right-of-Way and Per City Code 30-43 the driveway is limited to 40% of the lots width allowing on the 50ft wide lot a 20ft driveway. This is all that staff could allow unless a variance was granted from the Board of Directors.
- b. New retaining wall would require Retaining Wall Permit (RTW) and provided engineered plans, profiles, and calculations from an Arkansas Licensed Engineer (Structural).
- c. Be aware of fences around the pool as well as any fence that is placed on the wall or an fence in general 7ft or taller measured from the bottom of the footing of the wall or from the ground if the fence is not built on the wall will require to have a permit as it is attached to the wall making it taller than 7ft. At this point it will require engineered plans, profiles, and calculations from an Arkansas Licensed Engineer (Structural).
- d. Please add note to remove old drive.
- e. Parking is shown to be in the Right-of-Way (ROW), previous parking was on the side of the residence and was out of the ROW. Revise plan to show parking outside of the ROW unless applicant intends to build out the street to its complete project standard per its 80ft notated ROW.

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:

No Comment on variance. The following comment refers to side setback of 5’.

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:

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. Compliance with this comment must be stated as part of the building permit.**

D. Staff Analysis:

The R-2 zoned property is located at 4920 Country Club Blvd. 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 4,987 square-foot single-family residence on the lot. The applicant states that the proposed location is more in line with the surrounding front yards in the area.

The site plan indicates that the new structure will commence zero-feet from the front (south) property line leaving a 26.9-foot front yard setback and extend to the north 96-feet into the lot to within 40-feet of the rear property line. The site plan further indicates that the applicant proposes to install a new 30-foot wide paved access drive connection to Country Club Blvd at the southwest corner of the lot along with a 350 square foot in-ground accessory pool structure in the remaining rear yard area.

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 zero feet along the front (south) property line.

Staff is not supportive of the requested variance. Staff believes that the proposed location of parking for the residence within the city Right of Way will be detrimental to any future expansion of Country Club Blvd. Staff feels that the reduction of the front setback to zero, proposed driveway width, and use of the Country Club Blvd. city Right of Way as primary parking exceeds the intent of the city ordinance and may have a negative impact to the surrounding properties in the area.

E. Staff Recommendation:

Staff recommends denial of the variance as requested.