

File No.: Z-9753

Owners: Adoni and Latisia Mendez

Applicant: Adoni Mendez

Address: 7221 Fourche Dam Pike

Legal Description: Lot 1-R, Being a Replat of Lot 1 and 2, Clay Blackwell Addition to the City of Little Rock, Pulaski County

Current Zoning: R-2

Present Use: Single-Family Residence

Proposed Use: Single-Family Residence

Variance(s) Requested: Variances are requested from the height and area provisions of Section 36-516 to allow an increased fence height from four (4) feet to five (5) feet between a required building setback line and a street right-of-way.

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

STAFF REPORT:

A. Planning and Development Civil Engineering Comments:

No comments required.

B. Landscape and Buffer Comments:

No comments.

C. Building Codes Comments:

No comments required.

D. Analysis:

The R-2 zoned property located at 7221 Fourche Dam Pike is occupied by a single-family residence. The survey indicates a lot width of 160 feet and a depth of 173 feet. The residence is set over 60 feet from the front (north) property line, 35 feet from the south (rear) property line, over 34 feet from the east property line, and over 80 feet from the west property line.

The house is constructed within the building setback lines of the property with a 20-foot utility easement along the perimeter of the east property line. The applicant is proposing to construct a wood privacy fence with masonry columns (posts), five (5) feet in height along the north perimeter of the property's front yard area adjacent to Fourche Dam Pike.

The sketch provided indicates that the fence will begin at the northwest corner of the property connecting to an existing six (6) foot wood fence and runs approximately 169-feet east connecting with an existing five (5) foot chain link fence at the northeast corner of the property.

Section 36-516(e)(1)(a) of the City's Zoning Ordinance states that the residential fence standards; "Between a required building setback line and a street right-of-way, the maximum height shall be four (4) feet. Other fences may be erected to a maximum height of eight (8) feet." Therefore, the applicant is requesting a variance to allow a privacy fence to a height to five (5) feet between the building setback line and a street right-of-way.

According to Section 36-516(f) (7), The proposed fence columns must comply with the following criteria: "(7) Support columns or support posts shall be permitted to exceed the allowable fence or wall height by no more than two (2) feet, including any ornamental features. Support columns or support posts shall have a maximum width of two (2) feet. There shall be a minimum distance of seven (7) feet six (6) inches between opposing faces of support columns or support posts which exceed the allowable fence or wall height, other than at gates or corners".

Staff is supportive of the requested fence height variance. Staff views the request as reasonable and the variance request to generally be in conformance with the development pattern in the area. The proposed fence will essentially enclose the yard area of the property. It is also noted that a mixed use of construction materials for existing perimeter side yard fences exceeding four (4) feet in height at adjacent bordering properties is not uncommon within the area. The proposed fence should have no adverse visual impact on the adjacent bordering properties. A church development is located immediately to the west, with a large open field to the east.

E. Staff Recommendation:

Staff recommends approval of the requested fence height variance to allow a wood and masonry privacy fence to be constructed to a height of five (5)-feet between the required building setback and the street right-of-way as per the staff analysis and submitted survey / site plan.