Owners: Rush F. Harding, IV & Rachel Parker Harding
Applicant: Mark Caruthers (Agent)
Address: 4820 Stonewall Road
Legal Description: Lot 10 and 11, Country Club Heights, Little Rock, Pulaski County
Zoned: R-2
Present Use: Single-Family Residence
Proposed Use: Single-family Residence
Variance(s) Requested: A variance is requested from the area regulations of Section 36-254 to allow a reduced rear yard and in the R-2 zoning district.
Justification: The applicant’s justification is presented as per the attached letter.

STAFF REPORT

A. Planning and Development Civil Engineering Comments:
   No comments received.

B. Buffering and Landscape Comments:
   No comments received.

C. Building Codes Comments:
   No comments received.

D. Staff Analysis:

   The property at 4820 Stonewall Road is in a predominantly R-2 zoned neighborhood, within the Country Club Heights Subdivision. The property is located within the Heights Landscape Overlay District which generally has no bearing regarding the variance request.

   The subject property is located on the northwest corner of the terminus of Stonewall Road. The previous residence has been razed and currently, the property is grass
covered and undeveloped. A paved dedicated alley extends from the southeast corner of the property and extends north, ending at Country Club Road.

The site plan shows a 1-story, single-family residence to be constructed on Lot 10 and Lot 11. The proposed architecture of the residence and façade will be similar in nature to the surrounding properties. The property poses significant boundary issues with regards to Stonewall Road and the alley way to the east, thus greatly reducing the allowable footprint of the proposed residence despite the allowable footprint of the home sitting on two (2) lots.

Access to the property will be from Stonewall Road to the north, and the alley way to the east.

The site plan shows a front setback over thirty (30) feet from the front (south) property line, over twenty-two (22) feet from the east property line, ranges from eight (8) feet to twelve (12) feet from side (west) property line and 14.1 feet from the rear (north) property line.

Section 36-254(d)(3) states, “There shall be a rear yard setback having a depth of not less than twenty-five (25). In the case of a corner lot, however, when providing a twenty-five-foot exterior side yard, the rear yard may be reduced to not less than eight (8) feet.” Therefore, the applicant is requesting a variance to allow a reduced rear yard setback from twenty-five (25) feet to 14.1 feet.

Staff is supportive of the requested variance. Staff feels the request is reasonable and will not have an adverse impact upon the life, health, safety, or welfare of the public, or the surrounding properties in the general area.

E. **Staff Recommendation:**

Staff recommends approval of the requested rear yard setback to be reduced from twenty-five (25) feet to not less than 14.1 feet, as outlined in the staff analysis, and per the submitted survey/site plan sketch, subject to the following conditions:

1. Obtain a building permit prior to construction.

2. The proposed retaining wall shall be designed by a licensed professional and be permitted and inspected by the Department of Planning and Development via a building permit per City Code Section 8-31(c)(1)(n), 2021 Arkansas Fire Prevention Code Vol. II Building Chapter 1 Section 105.2, and 2021 Arkansas Fire Prevention Code Vol. III – Residential Chapter 4 – Section R404.1.1