

April 10, 2025

ITEM NO.: 9

FILE NO.: Z-10134

NAME: Baker Accessory Dwelling – Conditional Use Permit

LOCATION: 4424 Lee Avenue

DEVELOPER:

Sarah Baker(Owner)
4424 Lee Avenue
Little Rock, AR 72034

OWNER/AUTHORIZED AGENT:

Brooks Surveying, Inc.
20820 Arch Street Pike
Little Rock, AR 72065

AREA: 0.16 acre

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 3

PLANNING DISTRICT: 4

CENSUS TRACT: 15.08

CURRENT ZONING: R-2

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a conditional use permit to construct a new, one-story accessory dwelling in the rear yard area of the property. The applicant notes that the existing single-family residence, and the accessory dwelling will not be rented or leased. The subject property is within the Hillcrest Design Overlay District.

B. EXISTING CONDITIONS:

The property contains an existing one-story, wood-frame single-family residence, approximately 1,764 square feet in area and a one-story accessory building located in the rear yard area of the property.

C. NEIGHBORHOOD NOTIFICATIONS:

All owners of property within 300 feet of the site and all neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS (PLANNING):

1. If Driveway is proposed, then it shall allow adequate room outside of the Right-of-Way.

ENGINEERING COMMENTS (PUBLIC WORKS):

1. Vehicle on-street parking is prohibited on the east side of Ash St.
2. If a driveway is proposed to be constructed for the proposed structure, the driveway must be of sufficient length to prevent vehicle parking within the public right-of-way.
3. Parking is prohibited within the public alley.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: No comments.

Entergy: No comments received.

Summit Utility: No comments.

AT & T: No comments received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of the request for water must be met.

Fire Department:

1. Full Life Safety Inspection.

Parks and Recreation: No comments received.

County Planning: No comments.

F. BUILDING CODES/LANDSCAPE:

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.

Utilities: Utilities are permitted below grade on property but cannot enter where dwellings are located less than 7' from the property line. HVAC Units must be located on dwelling unit property.

1' setback shown – No overhand and fire wall construction required. No windows or doors allowed.

4' setback shown – Fire wall required. Overhand limited to 12"

Other requirements as listed above.

Landscape: No comments.

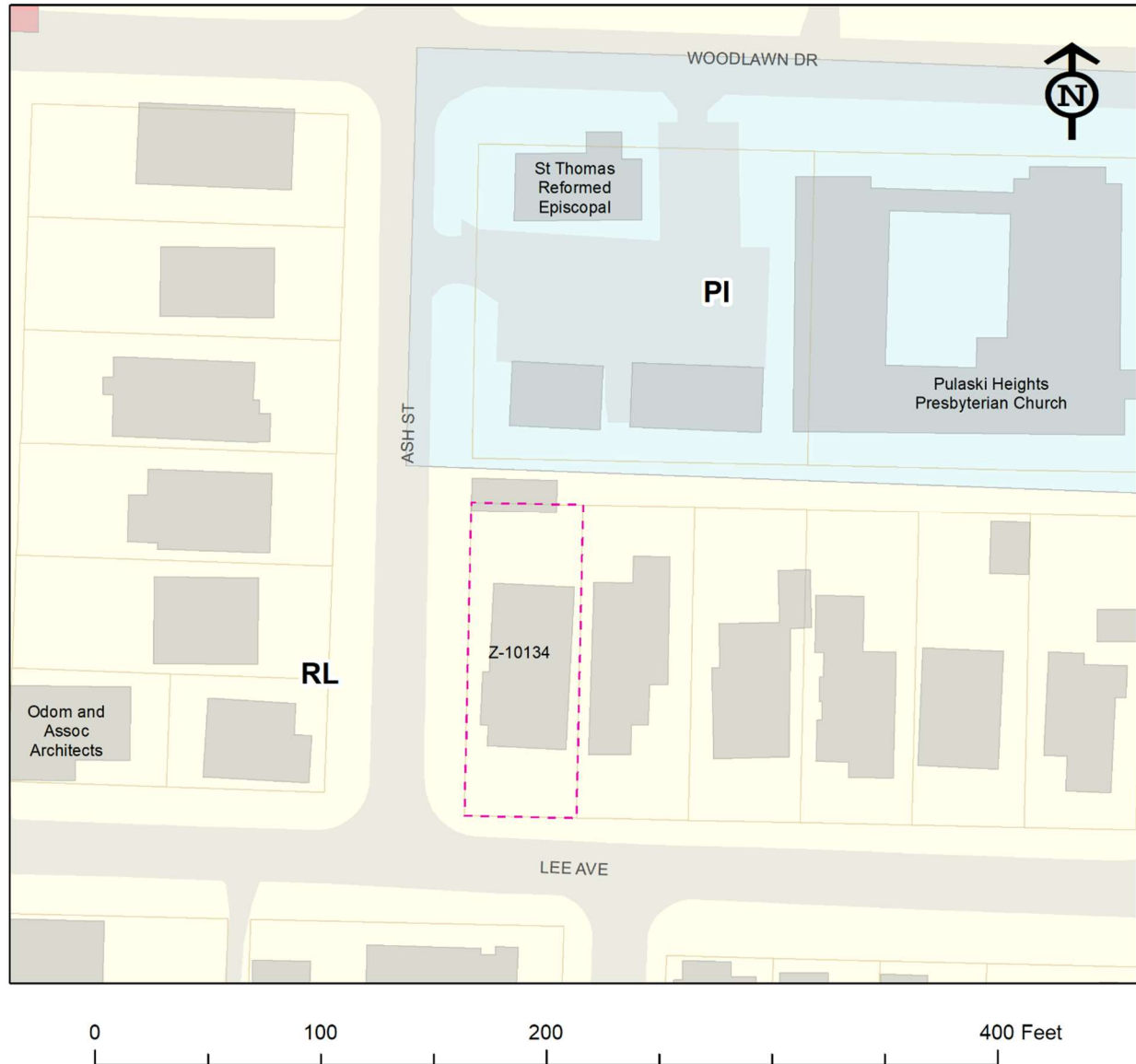
G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments received.

Planning Division:

The request is in the Heights/Hillcrest Planning District. The Land Use Plan shows RL for the requested area. The Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes but may also include patio or garden homes and cluster homes, provided that the density remains less than 6 units per acre. The application is for a CUP for an Accessory Dwelling.

Land Use Plan Z-10134



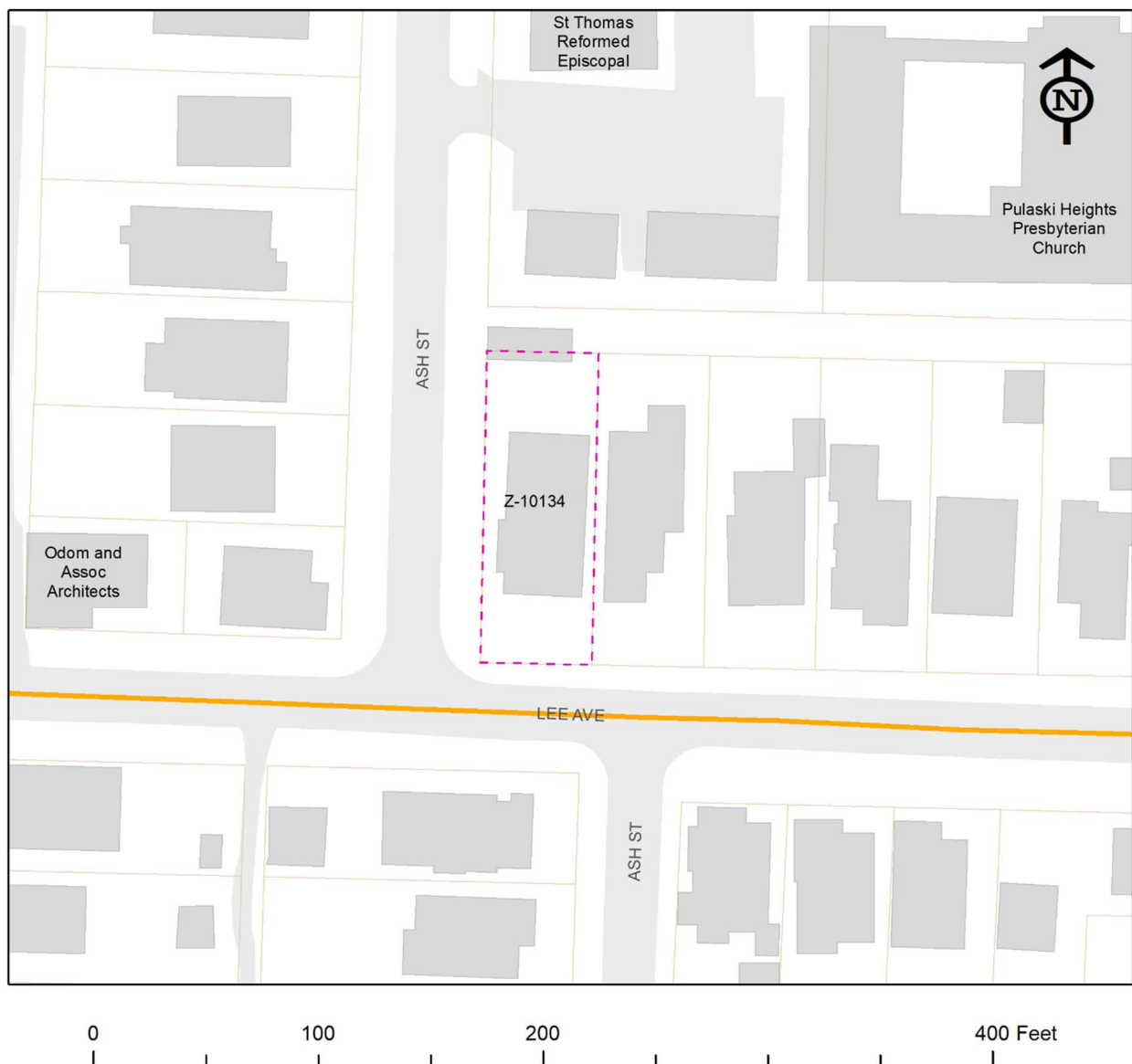
Surrounding the application area are single family homes and to the north is a faith based institution.

The subject site is located in the Hillcrest Design Overlay District (Ord. 20223).

Master Street Plan:

Lee Ave is a Collector on the Master Street Plan. Collectors are designed to connect traffic from Local Streets to Arterials or to activity centers, with the secondary function of providing access to adjoining property. The standard Right of way is 60'. Sidewalks are required on one side of Collectors. This street may require dedication of right-of-way and may require street improvements.

Master Street Plan Z-10134



Bicycle Plan:

Lee Ave is not shown on the Master Bike Plan with existing or proposed facilities in this area.

Historic Preservation Plan:

This property is not located in a Historic District.

H. ANALYSIS:

The applicant is requesting a conditional use permit to construct a new, one-story accessory dwelling in the rear yard area of the property. The applicant notes that the existing single-family residence, and the accessory dwelling will not be rented or leased. The subject property is within the Hillcrest Design Overlay District.

The property contains an existing one-story, wood-frame single-family residence, approximately 1,764 square feet in area and a one-story accessory building located in the rear yard area of the property.

The accessory dwelling will replace the existing accessory building in the rear yard area of the property and align with the existing single-family dwelling on the property. Entrance to the accessory dwelling is shown to be from a door (entrance stoop) on the north side of the building, along the alley in the rear of the property.

The dimensions are shown as 16.0 feet x 31.0 feet (496 square feet) that includes a 244 square foot loft. The loft will be accessed by stairs that lead to the upper area of the accessory dwelling. The total heated and cooled space will be 740 square feet in area.

Section 36-502 requires one (1) parking space for accessory dwellings. The applicant will build a new concrete driveway along Ash Street that will provide the off-street parking space as required by code. The driveway must comply with ordinance requirements.

Section 36-156(2)(c) requires an accessory building to be located no closer than fifteen (15) feet from a street side property line. The site plan shows a twelve (12) foot side yard setback from the west property line. Therefore, the applicant is requesting a variance to reduce the side yard setback from fifteen (15) feet to twelve (12) feet, along Ash Street. All remaining building setbacks, height, separation and rear yard coverage comply with the code. Staff supports the variance request.

Staff is supportive of the requested conditional use permit to allow for the construction of the accessory dwelling, as depicted on the site plan. Staff views

the request as reasonable. To staff's knowledge, the proposed accessory dwelling will not exceed the allowed rear yard coverage as required by the Hillcrest DOD section of the code. Several properties in the general area contain a mixture of residential zoning and uses that are denser than the proposed use of the subject property. Staff feels that the proposed use will not be out of character with the surrounding properties and should have no adverse impact on surrounding properties in the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested conditional use permit subject to compliance with the comments and conditions noted in paragraphs D, E, and F, and the staff analysis, of the agenda staff report.