

January 16, 2019

Jonesboro Board of Zoning Adjustment
300 S. Church Street
Jonesboro, AR 72403

RE: Prospect Farms Replat – Lot 1-B

Dear Commissioners,

Please accept this letter as a request for a setback variance to allow for an encroachment into the building setback. The subject property was originally platted in 2004 in the Prospect Farms Subdivision. At that time, the entrance into the subdivision (Prospect Farms Lane) was connected to Aggie Road about 200 feet west of the current intersection. Sometime around 2013, Prospect Farms Lane was relocated to create a T-intersection with Aggie Road. This improvement required the construction of a new cul-de-sac in the subdivision and for several of the existing lots to be re-platted to match the new street alignment. This new alignment resulted in 5 lots around the new cul-de-sac, including the subject property. In addition to the realignment, 80-feet of right-of-way was acquired for Aggie Road.

Since the street alignment was completed, single-family homes have been constructed on all the cul-de-sac lots, except for Lot 1-B. It has remained a vacant lot for several years due to the lack of buildable depth. The east half of the property is only 81-feet deep and the lot has a 25-foot front setback along Prospect Farm Road and another 25-foot front setback along Aggie Road, resulting in a buildable depth of only 31 feet.

There are special conditions and circumstances that are unique to this property. The realignment of Prospect Farm Lane and Aggie Road created the subject property, which is squeezed between the radius of the cul-de-sac, 80-feet of right-of-way for Aggie Road that was acquired when the street was realigned, a 25-foot front setback on Aggie Road and 20-foot utility easement on the west property line. The result, is a lot with 64% of the land area dedicated to building setbacks and easements and only 36% available to build on. It must be noted that the 4 other lots around the cul-de-sac are much larger lots and each has been developed with a standard single-family home. The subject property has not been developed in the last 5 years, because it does not contain sufficient depth for home.

In addition to the narrowness of the lot, the original developer filed covenants that requires a one-story home to be at least 1,500 square feet. A footprint of this size is not an option on this property, so the plan was to construct a two-story home that has a much smaller footprint. However, the covenants also require the first-floor of a two-story home to be at least 1,3000, which is also not possible on such a narrow lot. At this point there is no way to meet both the covenants of the subdivision and the building setbacks (See Page 7 of the attached covenants).

The literal interpretation of the zoning ordinance prohibits the development of this lot with a basic, single-family home, that is consistent with the homes constructed on adjacent and nearby lots. As noted above, over 60% of this property has been restricted by building setbacks and utility easements, restricting the depth of the lot to a mere 31 feet. This is significantly shallower than any other lot in the area.

The special circumstances and conditions are not a result of the applicant. The subject property was created after a major road realignment, over 5 years ago, under previous ownership. We just purchased the property around October 2018. While the lot has sufficient area for the zoning district, the lot was platted without sufficient buildable area for a home. To further exacerbate the narrow lot size, the original developer also filed restrictive covenants that requires a minimum first-floor area of at least 1,300 square feet for a two-story home, or 1,500 square feet for a one-story home.

Finally, granting a rear setback variance for a single-family home will be in harmony with the general purpose of the zoning ordinance and will in no way be injurious to the neighborhood or public welfare. In it's current state, the subject property is vacant, rarely mowed, and most certainly a nuisance and eyesore to the neighbors. Our goal is to get a homeowner into a new home, and for the property to be maintained just like the other homes on this street. The front of the home will be aligned at the front 25-foot building setback, just like the other homes. The only difference is that the rear corner of the home will extend into the rear setback, which is located along Aggie Road, outside of the subdivision. Further, there is 80-feet of right-of-way for Aggie Road, so the rear of the home will still be over 30 feet from the curb line. The rear side of the home will also be screened from Aggie Road by a privacy fence. Given this, the rear setback encroachment will be almost unnoticeable to homeowners in the neighborhood, or the general public driving down Aggie Road. Additionally, the setback encroachment will not hinder any further widening plans to Aggie Road, since there is already 80 feet of right-of-way that was dedicated with the replat of this lot.

I appreciate your time in reviewing this application. Please don't hesitate to contact me with any questions.

Sincerely,



Jesse Fulcher
479-301-6639

Google Earth – 2010



Google Earth – 2015

