



City of Farmington
354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

PLANNING COMMISSION AGENDA
November 27, 2017

**A meeting of the Farmington Planning Commission will be held on
Monday, November 27, 2017 at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes - November 27, 2017
3. Comments from Citizens – the Planning Commission will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
4. **PUBLIC HEARING**
 - A. **Rezone Request:** Lot 17 Rainsong (Grasslands Subdivision) from R-2 to MF-2
Property owned by: Southwinds Real Estate, Inc.
Property Location: Lot 17 Rainsong (Grassland Subdivision)
Presented by: Jason Young
 - B. **Rezone Request:** 65 N. Double Springs from R-1 to R-3
Property owned by: Home Star Rentals, LLC
Property Location: 65 N. Double Springs
Presented by: Ferdi Fourie, P.E.
 - C. **Request to reconsider rezoning prior to 12 months on Farmington Heights Phase 2.**
 - D. **Rezone Request:** S. 54th St. (Farmington Heights Phase 2) from A-1 to R-2 and R-3.
Property owned by: Indian Territory, LLC.
Property Location: S. 54th St.
Presented by: Ferdi Fourie, P.E.
 - E. **Variance Request:** requesting variance to waive subdivision requirements and allow the split of property into 4 lots.
Property owned by: Barbara J. Mashburn Rev. Trust
Property Location: 814 Gibson Hill Rd.
Presented by: James Layout Services, LLC.

**Planning Commission Minutes
October 23, 2017**

- 1. ROLL CALL** – Meeting was called to order by Chairman Robert Mann. A quorum was present.

PRESENT

Howard Carter
Matt Hutcherson
Toni Bahn
Robert Mann, Chair
Gerry Harris
Judy Horne
Bobby Wilson

ABSENT

Jay Moore

City Employees Present: Melissa McCarville, City Business Manager; Rick Brammall, City Inspector; Steve Tennant, City Attorney

- 2. Approval of Minutes:** Notes-taker Judy Horne explained that an e-mail from citizen Vicki Norvell had inadvertently been left out of the September 25, 2017 minutes sent to the Commissioners, but that has been corrected and the e-mail is a part of the September minutes. With that assurance, the Commissioners unanimously approved the September minutes.

- 3. Comments from Citizens:** No comments by citizens.

PUBLIC HEARING

4A. Rezoning Request from R-2 to MF-2 for Lot 17 on Rainsong Street, Grasslands Subdivision

Property owner is Southwinds Real Estate, Inc. Jason Young of Bates And Associates Engineers was present to discuss the request.

City had no comments.

Commissioners discussed the proposal and Gerry Harris presented information that created a question as to whether the property was in a “non-buildable flood zone.” There was concern regarding the creek that borders this property on the east side and it was determined that a portion of Lot 17 is Flood Plain and could not be built on. This creek separates the Lot 17 property from Peachtree Village Assisted Living complex that had a number of apartments flooded in the major flooding rains in Spring 2017.

After continuing discussion and review of the property in question, it was noted that if the Planning Commission denied the rezoning request, this same request could not be brought back for one year. Further discussion led to Mr. Jason Young asking to table the rezoning request until further review and study is completed.

- 5. Adjournment:** Having no further business, meeting was adjourned.

Judy Horne - Secretary

Robert Mann - Chair

City of Farmington
Application for Rezoning

Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission until all information is furnished.

Applicant: Nathan Ogden Day Phone: 479-973-5109
Address: 10024 N Campbell Rd, Fayetteville, AR 72701 Fax: _____
Representative: Jason Young Day Phone: 479-442-9350
Address: 7230 S. Pleasant Ridge Dr, Fayetteville, AR Fax: _____
Property Owner: Southwinds Real Estate Inc Day Phone: 479-267-4000
Address: P.O. Box 745, Farmington, AR 72730 Fax: _____
Indicate where correspondence should be sent (circle one): Applicant Representative Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property Description

Site Address -- W Rainsong St (Lot 17, Grasslands S/D)

Current Zoning -- R-2 Proposed Zoning -- MF-2

Attach legal description and site plan (a scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)

Type of zoning requested and reason for request:

Nathan Ogden, of Pick-It Construction, is requesting this rezoning for the purpose of constructing 2 7-unit multi-family dwellings.

Responsibilities of the Applicant:

1. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit (see attached), that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the City of Farmington has accepted the application and the date of the public hearing has been confirmed. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy

of notice) shall be filed with the City of Farmington no later than seven (7) days prior to the meeting date. A sample notice is attached.

2. Pay a \$25.00 application fee
3. Provide a copy of the deed of the property.
4. Written authorization from the property owner if someone other than the owner will be representing the request.
5. Publish the following notice of public hearing in a newspaper serving the City (*Northwest Times, the Morning News, Arkansas Democrat-Gazette or The Farmington Post*). **THE NOTICE MUST APPEAR IN THE PAPER A MINIMUM OF 15 DAYS BEFORE THE PUBLIC HEARING DATE.**

NOTICE OF PUBLIC HEARING

A petition to rezone the property as described below has been filed with the City of Farmington on the _____ day of _____, 201_____.

PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request to rezone the above described property from _____ to _____ will be held on the _____ day of _____, 201_____, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

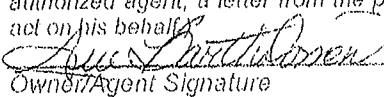
A copy of the proof of publication from the newspaper must be provided to the City 10 days before the meeting.

The City will post a sign on the property at a location visible to the public, notifying the public of the intent to rezone the property.

Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.

 _____ Date 9/19/17

Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his behalf.)

 _____ Date 9/19/17

RECEIPT DATE 9/19/17 No. 540304

RECEIVED FROM ~~XXXX~~ Bates & Associates \$ 25.00

Twenty five dollars and 00/100 DOLLARS

FOR RENT RE Zone W Ransong (Lot 17 Grosbeck's S/D)
 FOR _____

ACCOUNT	
PAYMENT	<u>25.00</u>
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____

BY Shasta

AGENT AUTHORIZATION

I (We), Southwinds Real Estate, Inc, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s), Nathan Ogden of Pick-It Construction, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City of Farmington considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Sue Bartholomew
Property Owner - Signature

Sue Bartholomew
Property Owner - Print

Property Owner - Signature

Property Owner - Print



**Bates &
Associates, Inc.**

Civil Engineering - Land Surveying - Landscape Architecture

7230 Pleasant Ridge Dr. / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

September 19, 2017

RE: West Rainsong Street Rezoning Request

To whom it may concern,

Bates & Associates, Inc. requests that the following notice be published in the Arkansas Democrat Gazette no later than Sunday, October 8. Please provide us with an affidavit of publication when the notice has run.

NOTICE OF PUBLIC MEETING

An petition to rezone the property as describe below has been filed with the City of Farmington on the 22nd day of September, 2017.

Legal Description:

LOT 17, GRASSLANDS SUBDIVISION, PHASE 2, TO THE CITY OF FARMINGTON, ARKANSAS, AS PER THE PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

Layman's Description:

2.05 acres, located on West Rainsong Street, West of Peachtree Village Retirement Community.

A public hearing to consider this request to rezone the above described property from R-2 to MF-2 will be held on the 23rd day of October, 2017, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

Sincerely,

Jason Young
Project Manager
Bates & Associates, Inc.

REZONING EXHIBIT

SUBJECT PROPERTY
 PARCEL #06-00229-000
 SOUTHWINDS REAL ESTATE INC
 PO BOX 72
 FARMINGTON, AR 72706-0072
 ZONED R-1

ADJACENT PROPERTY OWNERS
 17 PARCEL #06-00229-000
 CLARK, ARON D & KATHLEEN E
 141 W WILMINEY LN
 FARMINGTON, AR 72706
 ZONED R-1

2 PARCEL #06-00229-000
 BARTLETT, CHRISTY S
 142 W WILMINEY LN
 FARMINGTON, AR 72706-0072
 ZONED R-1

3 PARCEL #06-00219-000
 MELSER, DONALD
 1708 RAINSONG ST
 FARMINGTON, AR 72706
 ZONED R-1

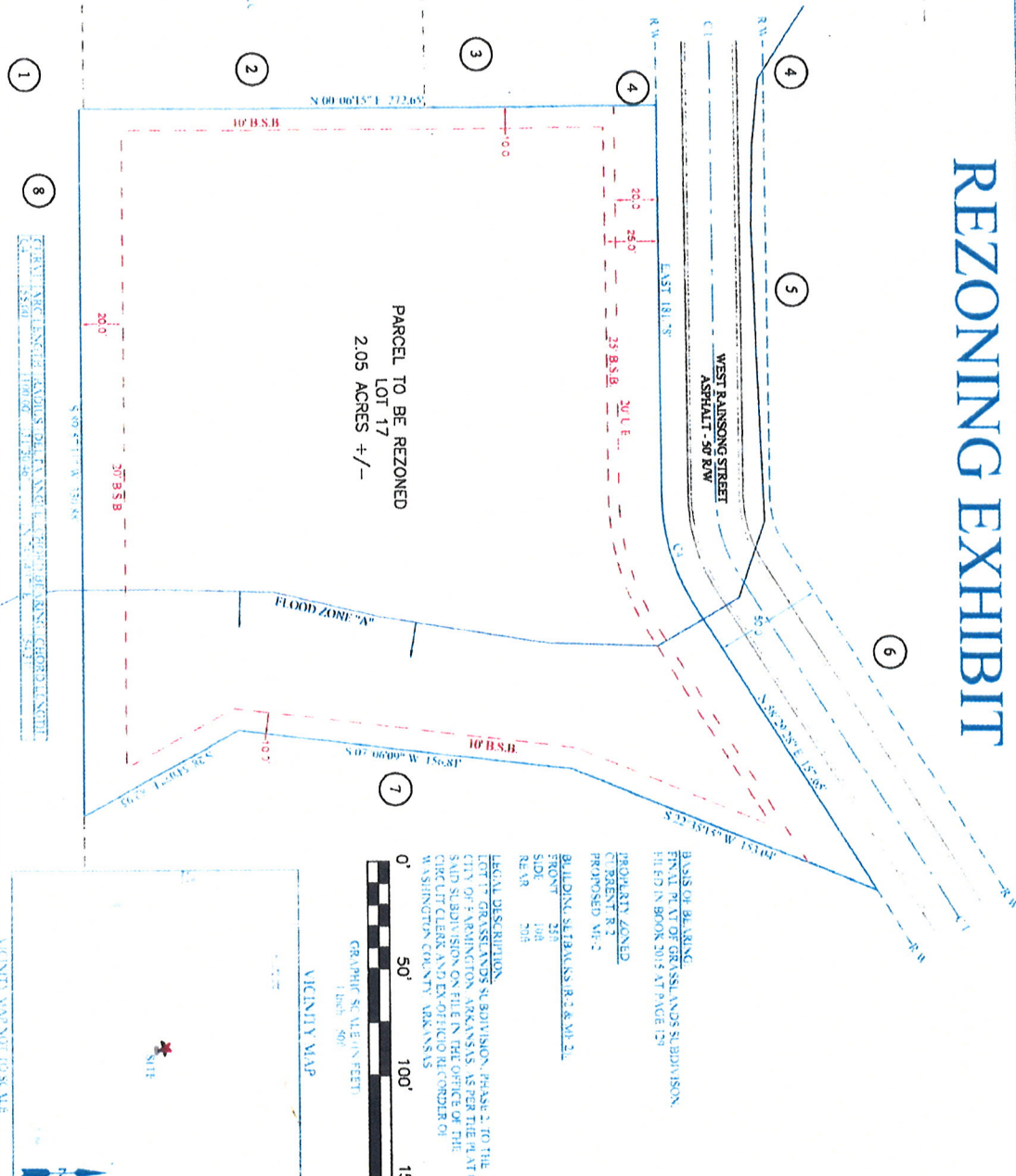
4 PARCEL #06-00219-000
 CLOUTIER INVESTMENTS, LLC
 PO BOX 72
 LINCOLN, AR 72744
 ZONED R-2

5 PARCEL #06-00219-000
 HELM LIVING TRUST
 DONALD WILHELM
 PO BOX 72
 LINCOLN, AR 72744-0072
 ZONED R-2

6 PARCEL #06-00219-000
 HELM LIVING TRUST
 DONALD WILHELM
 PO BOX 72
 LINCOLN, AR 72744-0072
 ZONED R-2

7 PARCEL #06-00219-000
 PLANTHILL LAND OF FARMINGTON, LLC
 1000 PLEASANT
 EAST STATE ST
 FARMINGTON, AR 72706-0072
 ZONED M-2

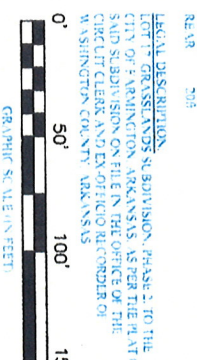
8 PARCEL #06-00219-000
 CLARY, LINA ELIZABETH,
 CLARY WILLIAM CHARLES
 1007 WINDSOR AVE
 SPRINGDALE, AR 72762
 ZONED R-1



PARCEL TO BE REZONED
 LOT 17
 2.05 ACRES +/-

PROPERTY ZONED
 PRESENT R-1
 PROPOSED M-2

LOCAL DESCRIPTION
 LOT 17, GRASSLANDS SUBDIVISION, PHASE 2 TO THE CITY OF FARMINGTON, ARKANSAS, AS PER THE PLAT OF SAID SUBDIVISION, FILED IN BOOK 2015 AT PAGE 129, WASHINGTON COUNTY, ARKANSAS



FOR USE AND THE BENEFIT OF
NATHAN OGDEN
 ADDRESS
WEST RAINSONG STREET
FARMINGTON, ARKANSAS
 DATE: 9/19/17
 LOCATION: LOT 17
 DRAWN AND: [Signature]
 CHECKED BY: [Signature]
 COA #1335

Bates & Associates, Inc.
 Engineers • Surveyors • Landscape Architects
 7228 N. Pleasant Ridge Dr., Fayetteville, Arkansas 72704 | 479-442-9300 | Fax 479-511-7040

LEGEND:

(Symbol)	ADJACENT PROPERTY
(Symbol)	ADJACENT PROPERTY ZONING
(Symbol)	CITY STREET
(Symbol)	STATE HIGHWAY
(Symbol)	RAILROAD
(Symbol)	UTILITY





**Bates &
Associates, Inc.**

Civil Engineering - Land Surveying - Landscape Architecture

7230 Pleasant Ridge Dr. / Fayetteville, AR 72704

PH: 479-442-9350 * FAX: 479-521-9350

September 19, 2017

**WEST RAINSONG ST (LOT 17 GRASSLANDS SUBDIVISION) REZONE
LEGAL DESCRIPTION**

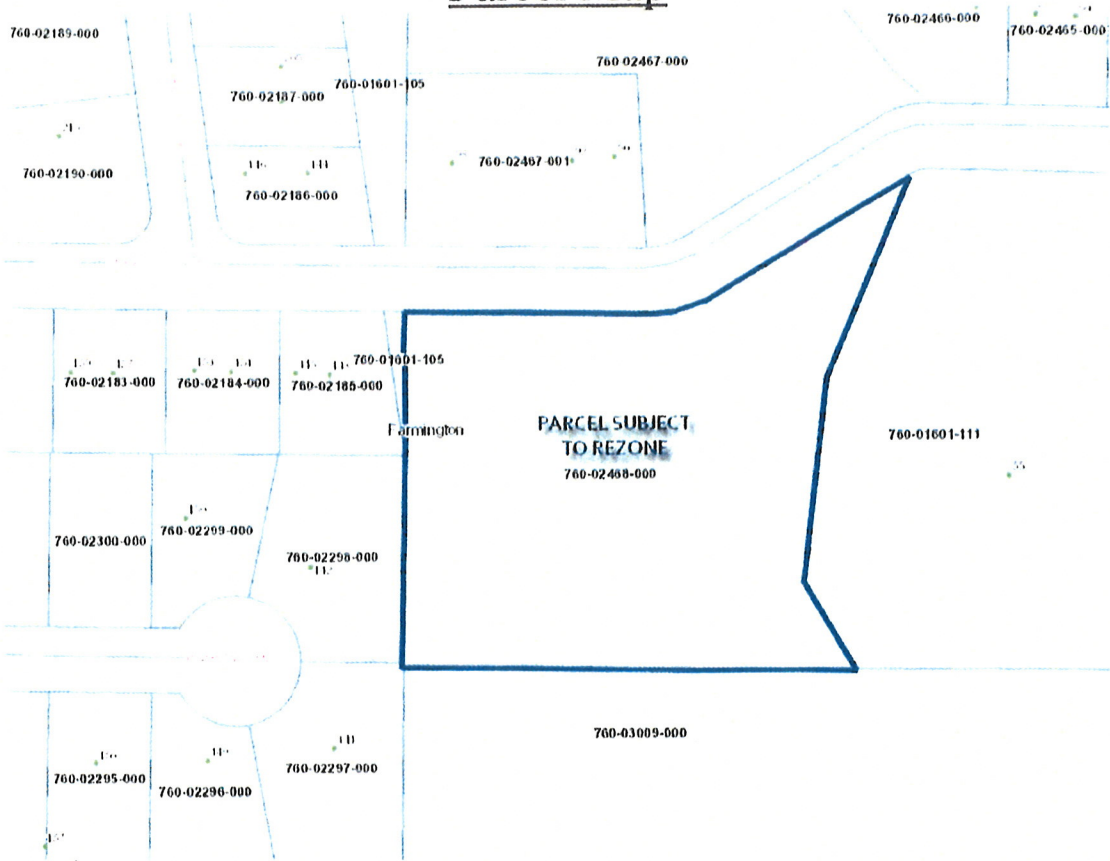
PARCEL #760-02468-000:

LOT 17, GRASSLANDS SUBDIVISION, PHASE 2, TO THE CITY OF FARMINGTON,
ARKANSAS, AS PER THE PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF
THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY,
ARKANSAS.

Sincerely,

Jason Young
Project Manager
Bates & Associates, Inc.

Parcel Map



WARRANTY DEED
(Partnership)

FILED FOR RECORD
01 NOV 19 PM 2 41

WASHINGTON COUNTY
B. STAMPS

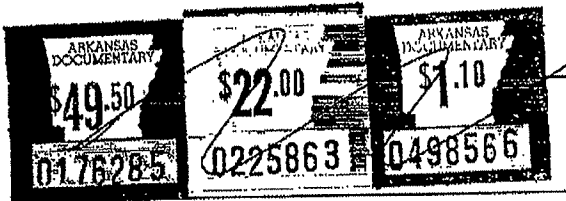
KNOW ALL MEN BY THESE PRESENTS:

That Vista West Limited Partnership, a partnership organized under and by the laws of the State of Arkansas, hereinafter called GRANTOR, by its duly authorized partner(s), for and in consideration of the sum of One dollar and no/100 and other good and valuable consideration paid by Southwinds Real Estate, Inc., an Arkansas Corporation, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Southwinds Real Estate, Inc., an Arkansas Corporation, hereafter called GRANTEE, and unto its heirs and assigns forever, the following described property situate in the County of Washington, State of Arkansas, to-wit:

Lot 17, Grasslands Subdivision, Phase 2, to the City of Farmington, Arkansas, as per the plat of said Subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

TO HAVE AND TO HOLD The same unto the GRANTEE and unto its heirs and assigns forever, with all appurtenances thereunto belonging. And we hereby covenant with GRANTEE that we will forever warrant and defend the title to the property against all lawful claims whatever.

WITNESS our hands this 16th day of November, 2001.



Vista West Limited Partnership

William E. Grisso
William E. Grisso, General Partner

ACKNOWLEDGMENT



**Bates &
Associates, Inc.**

Civil Engineering & Surveying

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

August 19, 2017

City of Farmington
354 W. Main St
Farmington, AR 72730

RE: West Rainsong St Rezone

Dear City Staff,

Please see the attached Parcel Map and list of Adjoining Property owners for the West Rainsong Street Rezone request.

ADJACENT PROPERTY OWNERS:

1) PARCEL #760-02297-000
CLARK, AARON D & KAYLAN E
141 W WHITNEY LN
FARMINGTON, AR 72730
ZONED: R-1

2) PARCEL #760-02298-000
BARTLETT, CHRISTY S
142 W WHITNEY LN
FARMINGTON, AR 72730-8632
ZONED: R-1

3) PARCEL #760-02185-000
KELSEY, DANIEL
143 W RAINSONG ST
FARMINGTON, AR 72730.
ZONED: R-2

4) PARCEL #760-01601-105
CLOVIS INVESTMENTS LLC
PO BOX 756
LINCOLN, AR 72744
ZONED: R-2

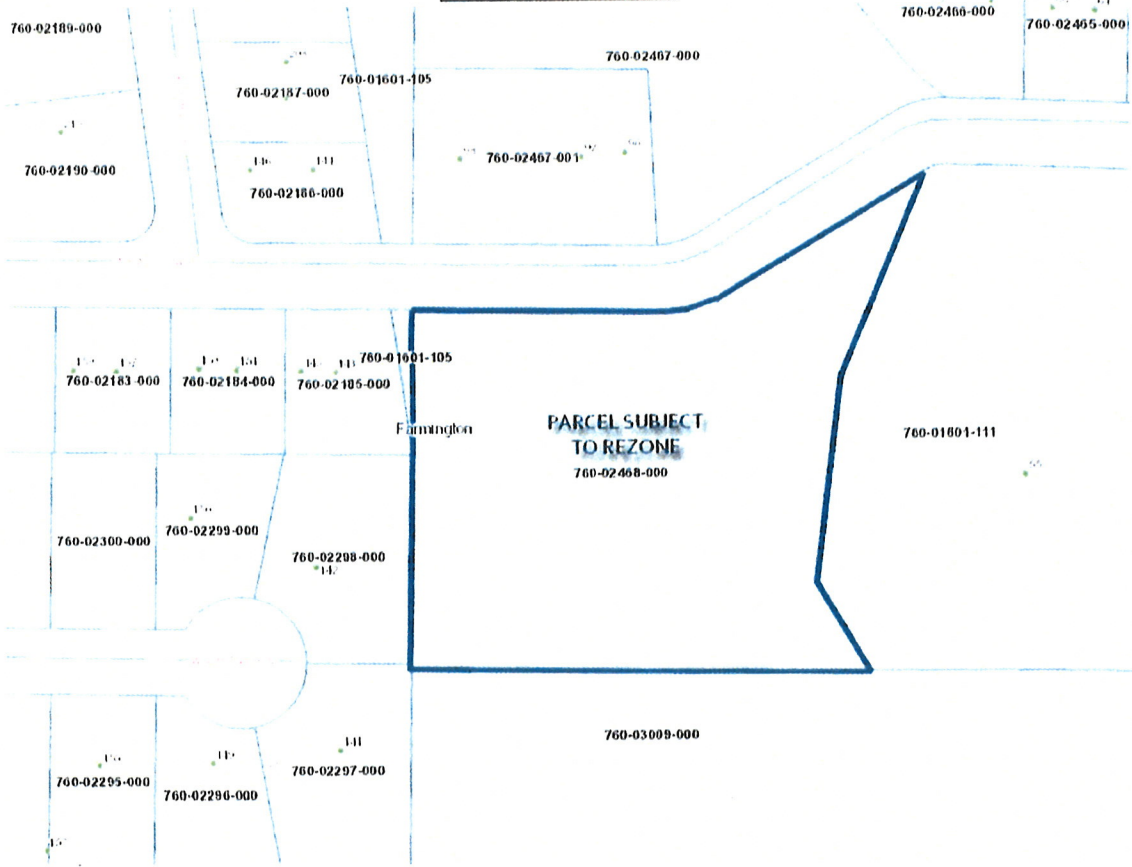
5) PARCEL #760-02467-001
HELM LIVING TRUST
DELBERT NEIL HELM
PO BOX 756
LINCOLN, AR 72744-0756
ZONED: R-2

6) PARCEL #760-02467-000
HELM LIVING TRUST
DELBERT NEIL HELM
PO BOX 756
LINCOLN, AR 72744-0756
ZONED: R-2

7) PARCEL #760-01601-111
PEACHTREE VILLAGE OF FARMINGTON, LLC
1500 FRESNO ST
FORT SMITH, AR 72901-7023
ZONED: MF-2

8) PARCEL 760-03009-000
COSBY, LENA ELIZABETH;
COSBY, WILLIAM CHARLES
1660 WINDSOR AVE
SPRINGDALE, AR 72764
ZONED: R-1

PARCEL MAP





**Bates &
Associates, Inc.**

Civil Engineering - Land Surveying - Landscape Architecture

7230 Pleasant Ridge Dr. / Fayetteville, AR 72704

PH: 479-442-9350 * FAX: 479-521-9350

September 19, 2017

**NOTICE OF PUBLIC HEARING BEFORE
THE FARMINGTON PLANNING COMMISSION
ON AN APPLICATION TO REZONE PROPERTY**

To all owners of land lying adjacent to the property at:

Washington County Parcel #760-02468-000, located on West Rainsong Street, West of Peachtree Village Retirement Community.

Owned by Southwinds Real Estate, Inc.

NOTICE IS HEREBY GIVEN THAT an application has been filed for REZONING of the above property from R-2 to MF-2

A public hearing on said application will be held by the Farmington Planning Commission at Farmington City Hall, 354 West Main, on October 23, 2017.

All parties interested in this matter may appear and be heard at said time and place; or may notify the Planning Commission of the views on this matter by letter. All persons interested in this request are invited to call or visit the City Business Manager at City Hall, 354 W. main, 479-267-3865.

Sincerely,

Jason Young
Project Manager
Bates & Associates, Inc.

Operating Manager, Peachtree Village of Farmington
Janet Nordlie, Operating Manager
55 West Rainsong St, Farmington, AR 72730



October 16, 2017

Farmington Planning Commission
Farmington City Hall
354 West Main St, Farmington, AR 72730

SUBJECT: Rezoning of Washington County Parcel #760-02468-000 from R-2 to MF-2

Dear Farmington Planning Commission,

We received notice of application for rezoning of Washington County Parcel #760-02468-000 from R-2 to MF-2. This letter documents our opposition to this request. We request that the rezoning of the subject parcel be denied.

INTRODUCTION: Our opposition is based on risk for increased flooding due to already inadequate drainage in this neighborhood. Numerous residences were flooded in the recent storms during April 2017, and there have been numerous high water and flood events prior to this. The drainage creek that runs under Rainsong Street and along the side of Parcel #760-02468-000 is not large enough to handle the water that runs into this drainage system as it is. As each new townhouse or apartment building with all the paved parking areas is added, the flooding gets worse and worse - less ground for the water to soak in. Rezoning the subject parcel puts residents of our neighborhood at risk of safety and decline in general welfare due to increased risk of flooding.

POINT 1: The Farmington Planning Commission's purpose provides for resident safety and general welfare as well as for adequate public utilities and facilities.

WHEREAS, Title 14, Chapter 14.04.03 states " ... and to promote, in accordance with present and future needs, the safety, order, convenience, prosperity, and general welfare of the citizens of Farmington."

WHEREAS, Title 14, Chapter 14.04.03 states " ... for healthful and convenient distribution of population; for good civic design and arrangement; and for adequate public utilities and facilities."

POINT 2: The existing drainage system on Rainsong Street is inadequate and puts residents at risk during flooding.

WHEREAS, Flooding has occurred numerous times on Rainsong Street, most recently in April 2017, due to the inadequate public drainage system.

WHEREAS, the drainage system is inadequate and water rises over the top of the street. See Figure 1 of the drainage under Rainsong. Figure 1 shows force and height of the flooding with the remaining debris. The tree had washed up into the road but was moved for passage. Figure 2 is same location, but camera is pointing towards the subject property. Figure 3 shows how high the water level got over the road before receding. All pictures were taken on April 30, 1017, after the floods had receded.



Figure 1 Drainage Creek Under Rainsong - Day After Flooding



Figure 2 Trees Washed up on Rainsong in Drainage Creek



Figure 3 Debris North of Drainage Ditch Showing Water Level

WHEREAS, during the flooding in April 2017, there was no way to evacuate residents safely. They had to harbor in place, introducing fall risks and other safety risks from the flood water.

POINT 3: MF-2 zoning allows for more building and parking coverage of the lot than R-2. More land coverage leaves less area for water absorption and causes more water drainage off the lot.

WHEREAS, Title 14, Chapter 14.20.01(8) MF-2 states "The purpose of this district is to provide for high density residential development for attached living complexes."

WHEREAS, Title 14, Chapter 14.20.01 MISCELLANEOUS PROVISIONS RESIDENTIAL DISTRICTS lists various requirements regarding lot coverage and parking. With Parcel #760-02468-000 being 2.18 acres, rezoning to MF-2 could result in additional 6 duplexes with a minimum of 12 parking spaces or a church with a minimum of 30 parking spaces.

SUMMARY: The Farmington Planning Commission has the people of Farmington's safety and well-being at heart when they make their decisions. They must also consider if the utilities and other services are adequate before approving zoning changes. There is a history of flooding and storm water drainage backup on Rainsong Street. MF-2 zoning would increase the amount of storm water runoff and increase the risk of flooding in the future.

Without extensive upgrades to the existing storm drainage system in this area, the subject request to change the zoning from R-2 to MF-2 should be denied. Rezoning the subject parcel puts residents of our neighborhood at risk of safety and decline in general welfare due to increased risk of flooding.

Sincerely,

Operating Manager, Peachtree Village of Farmington

City of Farmington Application for Rezoning

Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission until all information is furnished.

Applicant: Civil Design Engineers, Inc. Day Phone: 479-381-1066
4847 Kaylee Ave, Suite A
Address: Springdale, AR 72762 Fax: _____

Representative: Ferdi Fourie, P.E. Day Phone: 479-381-1066
4847 Kaylee Ave, Suite A
Address: Springdale, AR 72762 Fax: _____

Property Owner: Home Star Rentals, LLC. Day Phone: 479-530-2778
P.O. Box 1527
Address: Farmington, AR 72730 Fax: _____

Indicate where correspondence should be sent (circle one): Applicant Representative Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property Description

Site Address -- 65 N. Double Springs, Rd.

Current Zoning -- R-1 Proposed Zoning -- R-3 - Single Family with zero lot line

Attach legal description and site plan (a scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)

Type of zoning requested and reason for request:

Single-Family residential with zero lot line to allow construction of single family homes with rear garage and access drive

Responsibilities of the Applicant:

1. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit (see attached), that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the City of Farmington has accepted the application and the date of the public hearing has been confirmed. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy

of notice) shall be filed with the City of Farmington no later than seven (7) days prior to the meeting date. A sample notice is attached.

2. Pay a \$25.00 application fee
3. Provide a copy of the deed of the property.
4. Written authorization from the property owner if someone other than the owner will be representing the request.
5. Publish the following notice of public hearing in a newspaper serving the City (*Northwest Times, the Morning News, Arkansas Democrat-Gazette or The Farmington Post*). **THE NOTICE MUST APPEAR IN THE PAPER A MINIMUM OF 15 DAYS BEFORE THE PUBLIC HEARING DATE.**

NOTICE OF PUBLIC HEARING

A petition to rezone the property as described below has been filed with the City of Farmington on the _____ day of _____, 201____.

PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request to rezone the above described property from _____ to _____ will be held on the _____ day of _____, 201____, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

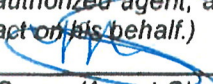
A copy of the proof of publication from the newspaper must be provided to the City 10 days before the meeting.

The City will post a sign on the property at a location visible to the public, notifying the public of the intent to rezone the property.

Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.

 _____ Date 7/20/17
Applicant Signature

Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his behalf.)

 _____ Date 7/20/17
Owner/Agent Signature

RECEIPT

DATE 7/20/17

No. 564583

RECEIVED FROM Ferd: Faurie

\$ 25.00

Twenty Five Dollars and no/100

DOLLARS

FOR RENT

FOR

Rezone Application - 65 N Double Springs

ACCOUNT	
PAYMENT	<u>25.00</u>
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

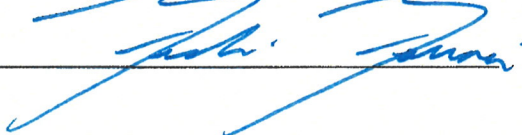
FROM _____ TO _____

BY Shasta

AFFIDAVIT

I hereby certify that I FERDINAND FOURIE
Print name

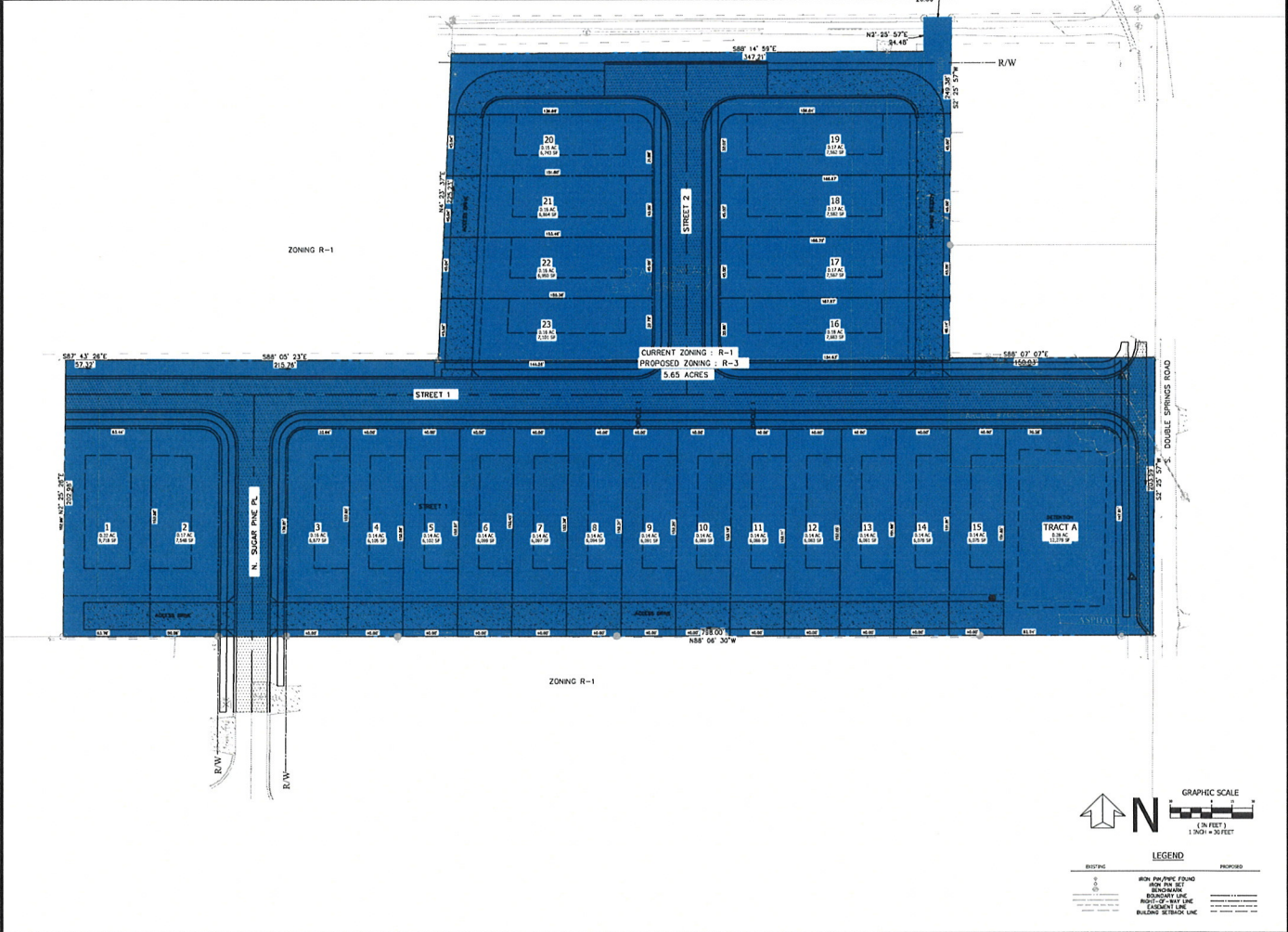
acting as agent/owner, have provided notice to affected parties in accordance with the requirements set forth in the instruction given with the application and that the notice information provided is to the best of my knowledge true and factual. I am hereby enclosing the following supporting documents: copy of the notice, mailing receipts, list of property owners of record, return cards, and any notices that were undeliverable.

Signature:  Date: 11-10-17


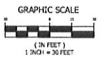
LEGAL DESCRIPTION – AREA TO BE REZONED

A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 22, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE NORTH LINE OF SAID FORTY ACRE TRACT WHICH IS N88°14'59"W 150.03-FEET FROM AN EXISTING NAIL MARKING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S02°25'57"W 249.38 FEET; THENCE S88°07'07"E 150.03-FEET TO THE EAST LINE OF SAID FORTY ACRE TRACT; THENCE ALONG SAID EAST LINE S02°25'57"W 203.59-FEET; THENCE LEAVING SAID EAST LINE N88°06'30"W 798 FEET TO AND ALONG THE NORTH LINE OF THE NORTH RIDGE SUBDIVISION; THENCE LEAVING SAID NORTH SUBDIVISION LINE N02°25'26"E 202.98 FEET; THENCE S87°43'26"E 57.32 FEET TO AN EXISTING REBAR; THENCE S88°05'23"E 215.76 FEET TO AN EXISTING REBAR; THENCE N04°23'37"E 225.23 FEET; THENCE S88°14'59"E 347.21 FEET; THENCE N02°25'57"E 24.48 FEET; THENCE S88°14'59"E 20.00 FEET; TO THE POINT OF BEGINNING; CONTAINING 5.65 ACRES MORE OR LESS.







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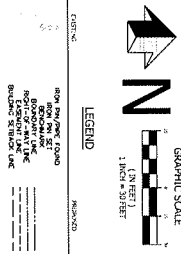
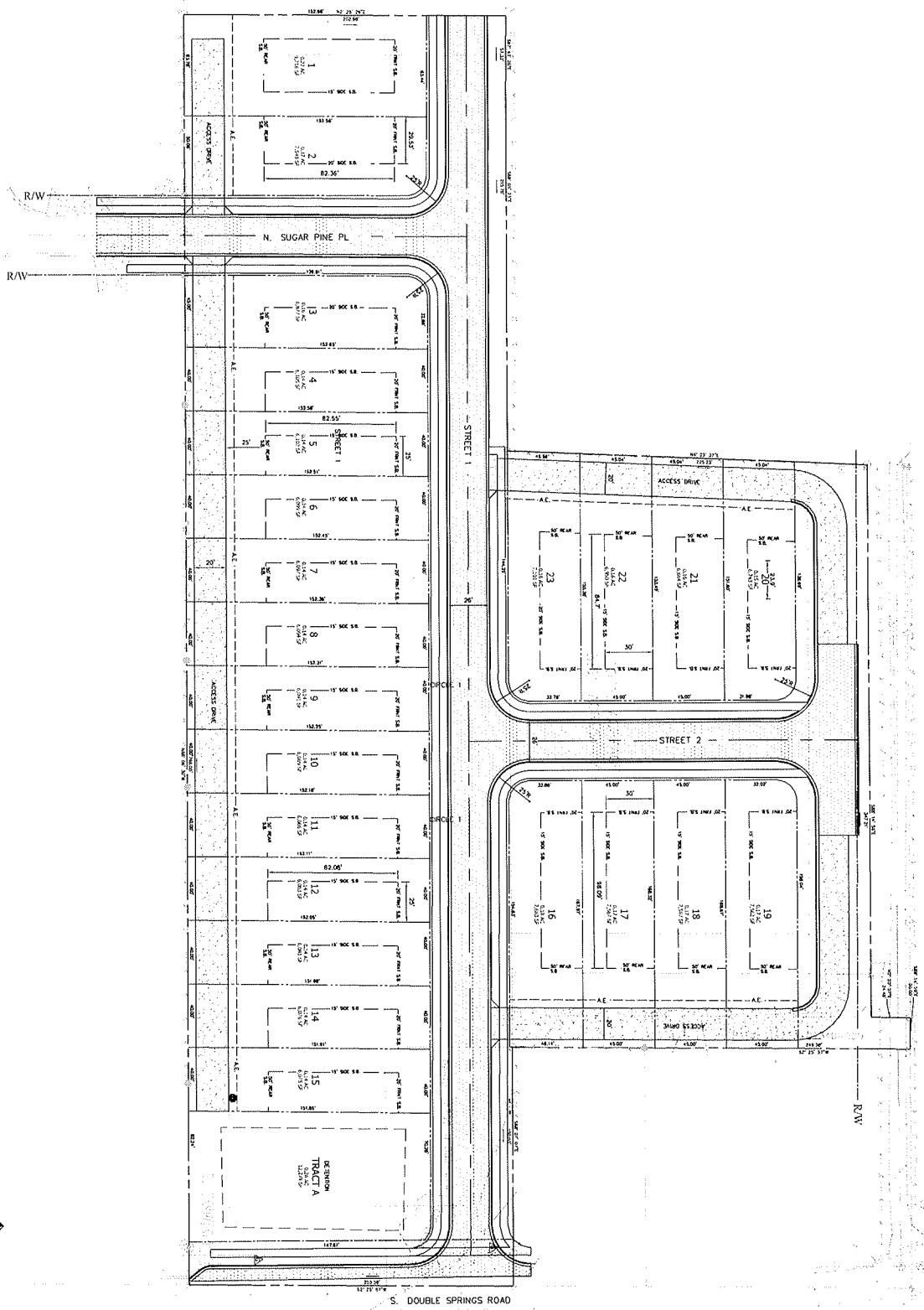


 CIVIL DESIGN ENGINEERS, INC. Springdale, Arkansas	REZONE EXHIBIT
DOUBLE SPRINGS SINGLE-FAMILY FARMINGTON, ARKANSAS	
DATE: _____	
 800-462-6998 Arkansas One-Call www.arkonecall.com	
DATE: 10/18/2017	DRAWN: _____
DESIGNED: _____	CHECKED: _____
SCALE: _____	
AS NOTED	
CDE PROJECT NO. _____	
SHEET	
1	

LEGEND

EXISTING   	PROPOSED   
---	---



DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 SCALE: AS NOTED
 CDE PROJECT NO. 1008
 SHEET 1

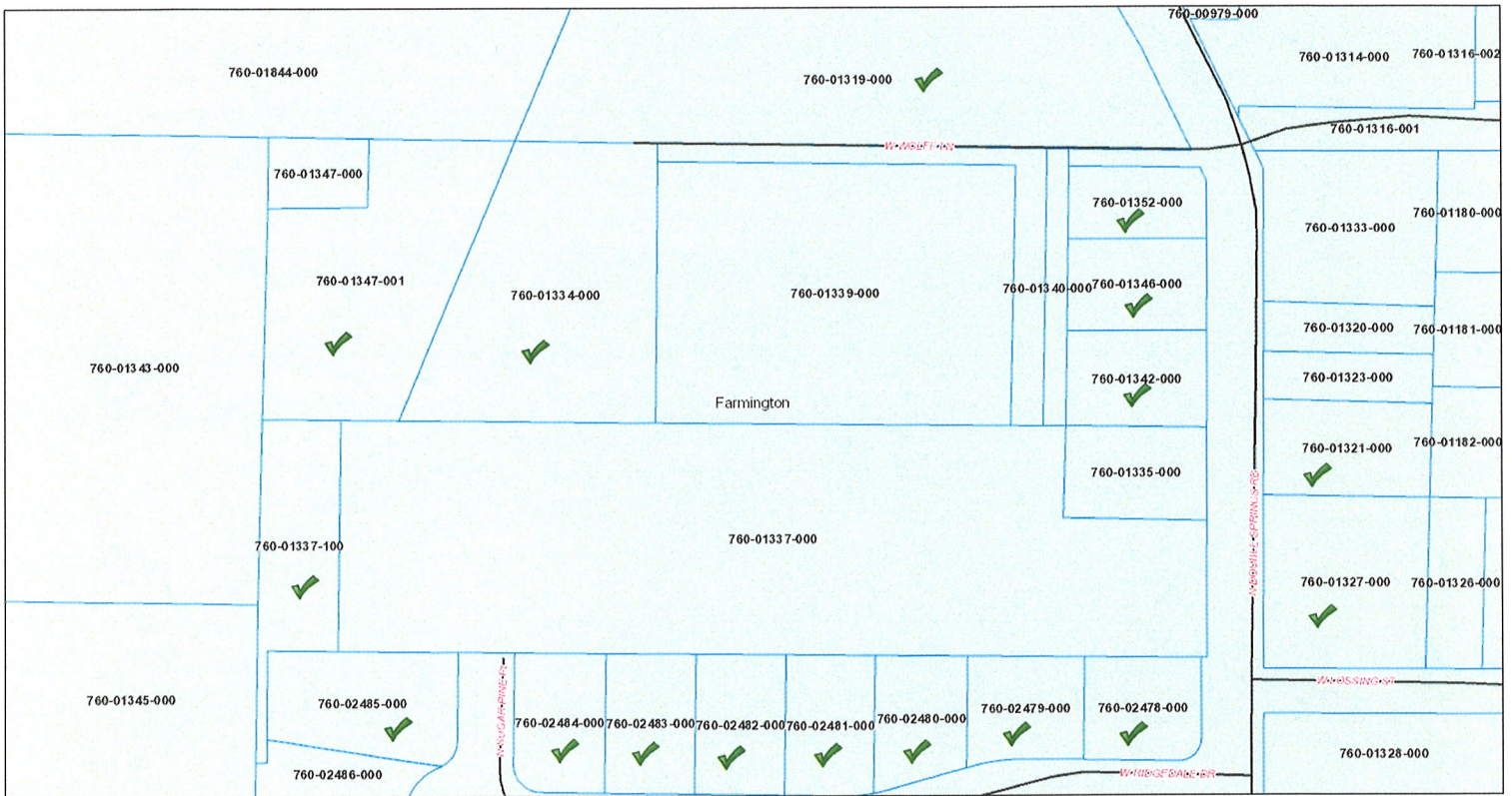


DOUBLE SPRINGS SINGLE-FAMILY
 FARMINGTON, ARKANSAS
 CONCEPTUAL 3



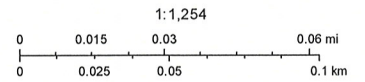
NO.	DATE	BY	CHKD

Washington County Public Map System



March 28, 2017

- | | | | | |
|--|---|---|---|---|
| <ul style="list-style-type: none"> County Street Centerlines -> <all other values> State Highway Local Paved Local Gravel Interstate Building Footprints 2013 Changed | <ul style="list-style-type: none"> Demolished Existing New Possibly Changed Unknown Building Structure Points AB - Agri Building Only BB - Billboard Only | <ul style="list-style-type: none"> BD - Boat Dock Only CB - Commercial Building Only EX - Exempt Property HPR - Horizontal Property Regime MH - Mobile Home RB - Res Building Only TWR - Tower County Parcels | <ul style="list-style-type: none"> City Limits Cane Hill Cincinnati Durham Dutch Mills Elkins Elm Springs Evansville Farmington Fayetteville Goshen Greenland Johnson Lincoln Litteral Morrow Prairie Grove Salem Springs Springdale Sulphur City Summers Tontitown West Fork Winslow | <ul style="list-style-type: none"> County Boundary |
|--|---|---|---|---|



WASHINGTON COUNTY, AR
Washington County, AR

**NOTICE OF PUBLIC HEARING BEFORE
THE FARMINGTON PLANNING COMMISSION
ON AN APPLICATION TO REZONE PROPERTY**

To All Owners of land lying adjacent to the property at:

65 N. Double Springs Road

Location

Home Star Rentals, LLC.

Owned by

NOTICE IS HEREBY GIVEN THAT an application has been filed for REZONING of the above property from R-1 to R-3 .

A public hearing on said application will be held by the Farmington Planning Commission at Farmington City Hall, 354 W. Main St. on November 27, 2017 at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place; or may notify the Planning Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the City Business Manager at City Hall, 354 W. Main, 479-267-3865.

7016 2710 0000 4575 1121

U.S. Postal Service™
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Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

0764
08

Postmark
Here

Postage \$0.49

11/10/2017

Total Postage \$4.84
Sent To BLAZZ SCHERER
PO BOX 392
FARMINGTON, AR 72730
Street and Apt.
City, State, ZIP Re-Zone of Double Springs Rd

PS Form 3800

7016 2710 0000 4575 1125

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FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

0764
08

Postmark
Here

Postage \$0.49

11/10/2017

Total Postage \$4.84
Sent To DOTSON & VELMA MILDRED COLLINS
76 DEBBIE RD
FARMINGTON, AR 72730-9549
Street and Apt.
City, State, ZIP Re-Zone of Double Springs Rd

PS Form 3800

7016 2710 0000 4575 1114

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LOWELL, AR 72745

OFFICIAL USE

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

0764
08

Postmark
Here

Postage \$0.49

11/10/2017

Total Postage \$4.84
Sent To PARCS LLC
P O BOX 2175
LOWELL, AR 72745
Street and Apt.
City, State, ZIP Re-Zone of Double Springs Rd

PS Form 3800

7016 2710 0000 4575 1145

U.S. Postal Service™
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FAYETTEVILLE, AR 72704

OFFICIAL USE

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

0764
08

Postmark
Here

Postage \$0.49

11/10/2017

Total Postage \$4.84
Sent To BROOK VENTURES LLC
3561 W. PROVIDENCE DR
FAYETTEVILLE, AR 72704
Street and Apt.
City, State, ZIP Re-Zone of Double Springs Rd

PS Form 3800

7016 2710 0000 4575 1136

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FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

0764
08

Postmark
Here

Postage \$0.49

11/10/2017

Total Postage \$4.84
Sent To NINA KAISER & LEONARD HALL
PO BOX 27
FARMINGTON, AR 72730-0027
Street and Apt.
City, State, ZIP Re-Zone of Double Springs Rd

PS Form 3800

7016 2710 0000 4575 1183

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FARMINGTON, AR 72730

Certified Mail Fee \$3.35 0764
 \$2.75 08

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.49
 Total Postage \$4.59

Postmark Here 11/10/2017

Sent To RICHARD WILLIAMSON & JAMIE LYNN RAMOS
 Street and Apt 330 W RIDGEDALE DR
 City, State, ZIP FARMINGTON, AR 72730-2517

PS Form 3800 Re-Zone of Double Springs Rd

7016 2710 0000 4575 1176

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FARMINGTON, AR 72730

Certified Mail Fee \$3.35 0764
 \$2.75 08

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.49
 Total Postage \$4.59

Postmark Here 11/10/2017

Sent To BARBARA H O'BRIEN
 Street and Apt 336 W RIDGEDALE DR
 City, State, ZIP FARMINGTON, AR 72730-2517

PS Form 3800 Re-Zone of Double Springs Rd

7016 2710 0000 4575 1169

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FARMINGTON, AR 72730

Certified Mail Fee \$3.35 0764
 \$2.75 08

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.49
 Total Postage \$4.59

Postmark Here 11/10/2017

Sent To JAMES D JONES
 Street and Apt 342 W RIDGEDALE DR
 City, State, ZIP FARMINGTON, AR 72730

PS Form 3800 Re-Zone of Double Springs Rd

7016 2710 0000 4575 1213

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FARMINGTON, AR 72730

Certified Mail Fee \$3.35 0764
 \$2.75 08

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.49
 Total Postage \$4.59

Postmark Here 11/10/2017

Sent To CECELIA & JEFFREY ALLEN
 Street and Apt 312 W RIDGEDALE DR
 City, State, ZIP FARMINGTON, AR 72730-2517

PS Form 3800 Re-Zone of Double Springs Rd

7016 2710 0000 4575 1206

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FARMINGTON, AR 72730

Certified Mail Fee \$3.35 0764
 \$2.75 08

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.49
 Total Postage \$4.59

Postmark Here 11/10/2017

Sent To CHRISTOPHER GALE & RACHEL RENEE HOBGOOD
 Street and Apt 318 W RIDGEDALE DR
 City, State, ZIP FARMINGTON, AR 72730

PS Form 3800 Re-Zone of Double Springs Rd

7016 2710 0000 4575 1190

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FARMINGTON, AR 72730

Certified Mail Fee \$3.35 0764
 \$2.75 08

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.49
 Total Postage \$4.59

Postmark Here 11/10/2017

Sent To DOUGLAS W & LISA DIANE FALKNER
 Street and Apt 324 W RIDGEDALE DR
 City, State, ZIP FARMINGTON, AR 72730-2517

PS Form 3800 Re-Zone of Double Springs Rd

7016 2710 0000 4575 1244

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FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage	\$6.59	

Postmark Here 11/10/2017

Sent To **JOSEPH E & JENNIFER D STEWART**
 PO BOX 335
 Street and Apt. **FARMINGTON, AR 72730-0335**
 City, State, ZIP **Re-Zone of Double Springs Rd**
 PS Form 3800

7016 2710 0000 4575 1262

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FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage	\$6.59	

Postmark Here 11/10/2017

Sent To **D&B OF NORTHWEST ARKANSAS LLC**
 PO BOX 1146
 Street and Apt. **FARMINGTON, AR 72730**
 City, State, ZIP **Re-Zone of Double Springs Rd**
 PS Form 3800

7016 2710 0000 4575 1237

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FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage	\$6.59	

Postmark Here 11/10/2017

Sent To **NANCY J BUTTS**
 PO BOX 1204
 Street and Apt. **FARMINGTON, AR 72730-1201**
 City, State, ZIP **Re-Zone of Double Springs Rd**
 PS Form 3800

7016 2710 0000 4575 1275

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FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage	\$6.59	

Postmark Here 11/10/2017

Sent To **BILLY & CAROLINE MCCORMICK**
 89 N DOUBLE SPRINGS RD
 Street and Apt. **FARMINGTON, AR 72730-0342**
 City, State, ZIP **Re-Zone of Double Springs Rd**
 PS Form 3800

7016 2710 0000 4575 1220

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For delivery information, visit our website at www.usps.com®.

LONOKE, AR 72086

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage	\$6.59	

Postmark Here 11/10/2017

Sent To **CHARLES ELLIS BRUCE**
 407 W PINE ST
 Street and Apt. **LONOKE, AR 72086-3141**
 City, State, ZIP **Re-Zone of Double Springs Rd**
 PS Form 3800

7016 2710 0000 4575 1268

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For delivery information, visit our website at www.usps.com®.

FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage	\$6.59	

Postmark Here 11/10/2017

Sent To **LEGACY PROPERTIES LLC**
 P O BOX 605
 Street and Apt. **FARMINGTON, AR 72730**
 City, State, ZIP **Re-Zone of Double Springs Rd**
 PS Form 3800



CIVIL DESIGN ENGINEERS, INC.

4847 Kaylee Avenue, Springdale, AR 72762

Phone: (479)381-1066

Email: ffourie@civilde.com

October 24, 2017

Planning Commission
City of Farmington
354 W. Main Street
Farmington, AR 72730
Phone: (479) 267-3865

Ferdinand Fourie, P.E.
Project Manager
4847 Kaylee Avenue-Suite A
Springdale, Arkansas 72762
479.381.1066 Telephone
479.872.7118 Facsimile

**Re: Rezone Request
Farmington Heights Phase 2
CDE Project No. 1105**

Dear Planning Commission:

We previously submitted a request to rezone the 30.19-acre property at S. 54th Street and Woolsey Farm Road (Farmington heights Phase 2) from Agricultural (A-1) to Multi-Family (MF-1). This request was considered and denied at the August 28, 2017 Planning Commission meeting.

We understand now that the current city Zoning Ordinance includes the following regulation under 14.04.08 2(c):

“No application for a change of zoning for a given property may be resubmitted within twelve(12) months from the date of action by the Planning Commission or City Council, which ever is later, unless the Planning Commission or City Council finds that a substantial reason exists for waiving this limitation”

We are resubmitting the request to rezone this property and sincerely ask that you would reconsider it based on the following reasons:

1. The request has been modified to single-family residential which is substantially different from the multi-family previously requested.
2. The R-3 single-family zoning designation did not exist at the time of the previous request. A portion of the revised request is for the new R-3 zoning designation.

Please let me know if you have any questions.

Sincerely,

Ferdi Fourie, P.E.
Project Manager
FF/FF

City of Farmington Application for Rezoning

Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission until all information is furnished.

Applicant: Indian Territory, LLC. Day Phone: 479-530-2778
PO Box 1527
Address: Farmington, AR 72730 Fax: _____
Representative: Ferdi Fourie, P.E. Day Phone: 479-381-1066
4847 Kaylee Ave, Suite A
Address: Springdale, AR 72762 Fax: _____
Property Owner: Indian Territory, LLC. Day Phone: 479-530-2778
PO Box 1527
Address: Farmington, AR 72730 Fax: _____

Indicate where correspondence should be sent (circle one): Applicant - Representative - Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property Description Unassigned, S. 54th Street
Site Address -- _____
Current Zoning -- A-1 Proposed Zoning -- R-2 AND R-3

Attach legal description and site plan (a scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)

Type of zoning requested and reason for request:

To allow for the development of a single-family subdivision

Responsibilities of the Applicant:

1. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit (see attached), that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the City of Farmington has accepted the application and the date of the public hearing has been confirmed. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy

of notice) shall be filed with the City of Farmington no later than seven (7) days prior to the meeting date. A sample notice is attached.

- 2. Pay a \$25.00 application fee
- 3. Provide a copy of the deed of the property.
- 4. Written authorization from the property owner if someone other than the owner will be representing the request.
- 5. Publish the following notice of public hearing in a newspaper serving the City (*Northwest Times, the Morning News, Arkansas Democrat-Gazette or The Farmington Post*). **THE NOTICE MUST APPEAR IN THE PAPER A MINIMUM OF 15 DAYS BEFORE THE PUBLIC HEARING DATE.**

NOTICE OF PUBLIC HEARING

A petition to rezone the property as described below has been filed with the City of Farmington on the 31 day of July, 2017.

PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request to rezone the above described property from _____ to _____ will be held on the _____ day of _____, 201____, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

A copy of the proof of publication from the newspaper must be provided to the City 10 days before the meeting.

The City will post a sign on the property at a location visible to the public, notifying the public of the intent to rezone the property.

Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.

Melissa Date 7/31/17
Applicant Signature

Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his behalf)

Melissa Date 7/31/17
Owner/Agent Signature

RECEIPT

DATE 10-24-77 No. 540315

RECEIVED FROM Civil Design Engineers \$ 25.00

Twenty five and 00/100 DOLLARS

FOR RENT
 FOR Rezone - 544 St. Farmington Heights
Ph. 2

ACCOUNT	
PAYMENT	<u>25.00</u>
BAL. DUE	<u>0</u>

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____
BY B. Colen

AFFIDAVIT

I hereby certify that I FERDINAND FOURIE
Print name

acting as agent/owner, have provided notice to affected parties in accordance with the requirements set forth in the instruction given with the application and that the notice information provided is to the best of my knowledge true and factual. I am hereby enclosing the following supporting documents: copy of the notice, mailing receipts, list of property owners of record, return cards, and any notices that were undeliverable.

Signature:  Date: 11-10-2017

LEGAL DESCRIPTION – PROPERTY

ALL OF THE SE1/4 OF THE SE1/4 OF THE SW1/4 OF SECTION 14 AND ALL OF THE E1/2 OF THE NW1/4 OF SECTION 23, ALL IN TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN ALUMINUM CAPPED STATE MONUMENT AT THE SE CORNER OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 23; THENCE ALONG THE SOUTH LINE OF SAID NE1/4 OF THE NW1/4 N87°50'38"W 661.20 FEET TO AN IRON PIN FOUND AT THE SW CORNER OF SAID E1/2 OF THE NW1/4; THENCE ALONG THE WEST LINE OF SAID E1/2 N02°26'48"E 1330.42 FEET TO AN IRON PIN FOUND AT THE NW CORNER OF SAID E1/2; THENCE ALONG THE WEST LINE OF SAID SE1/4 OF THE SE1/4 OF THE SW1/4 OF SECTION 14 N02°36'48"E 661.33 FEET TO THE NW CORNER OF SAID SE1/4 OF THE SE1/4 OF THE SW1/4; THENCE ALONG THE NORTH LINE OF SAID SE1/4 OF THE SE1/4 OF THE SW1/4 S87°41'00"E 660.16 FEET TO THE NE CORNER OF SAID SE1/4 OF THE SE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF THE SE1/4 OF THE SW1/4 OF SAID SECTION 14 S02°35'14"W 661.96 FEET TO AN ALUMINUM CAPPED STATE MONUMENT AT THE SE CORNER OF SAID SE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 OF THE NW1/4 OF SECTION 23 S02°24'54"W 1327.93 FEET TO THE POINT OF BEGINNING, CONTAINING 30.19 ACRES, MORE OR LESS AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

LEGAL DESCRIPTION – R-3 RESIDENTIAL SINGLE FAMILY ZERO LOT LINE

ALL OF THE SE1/4 OF THE SE1/4 OF THE SW1/4 OF SECTION 14 AND ALL OF THE E1/2 OF THE NW1/4 OF SECTION 23, ALL IN TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAPPED STATE MONUMENT AT THE SE CORNER OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 23 THENCE ALONG THE EAST LINE OF SAID NE1/4 OF THE NW1/4 N02°24'54"E 149.75 FEET; THENCE N87°50'38"W 165.55 FEET TO THE POINT OF BEGINNING;

THENCE N87°50'38"W 330.00 FEET; THENCE N02°24'54"E 1183.13 FEET; THENCE S88°59'52"E 330.10 FEET; THENCE S02°24'54"W 1189.77 FEET TO THE POINT OF BEGINNING, CONTAINING 8.99 ACRES OR 391,529 SQUARE FEET MORE OR LESS.

LEGAL DESCRIPTION – R-2 RESIDENTIAL SINGLE FAMILY

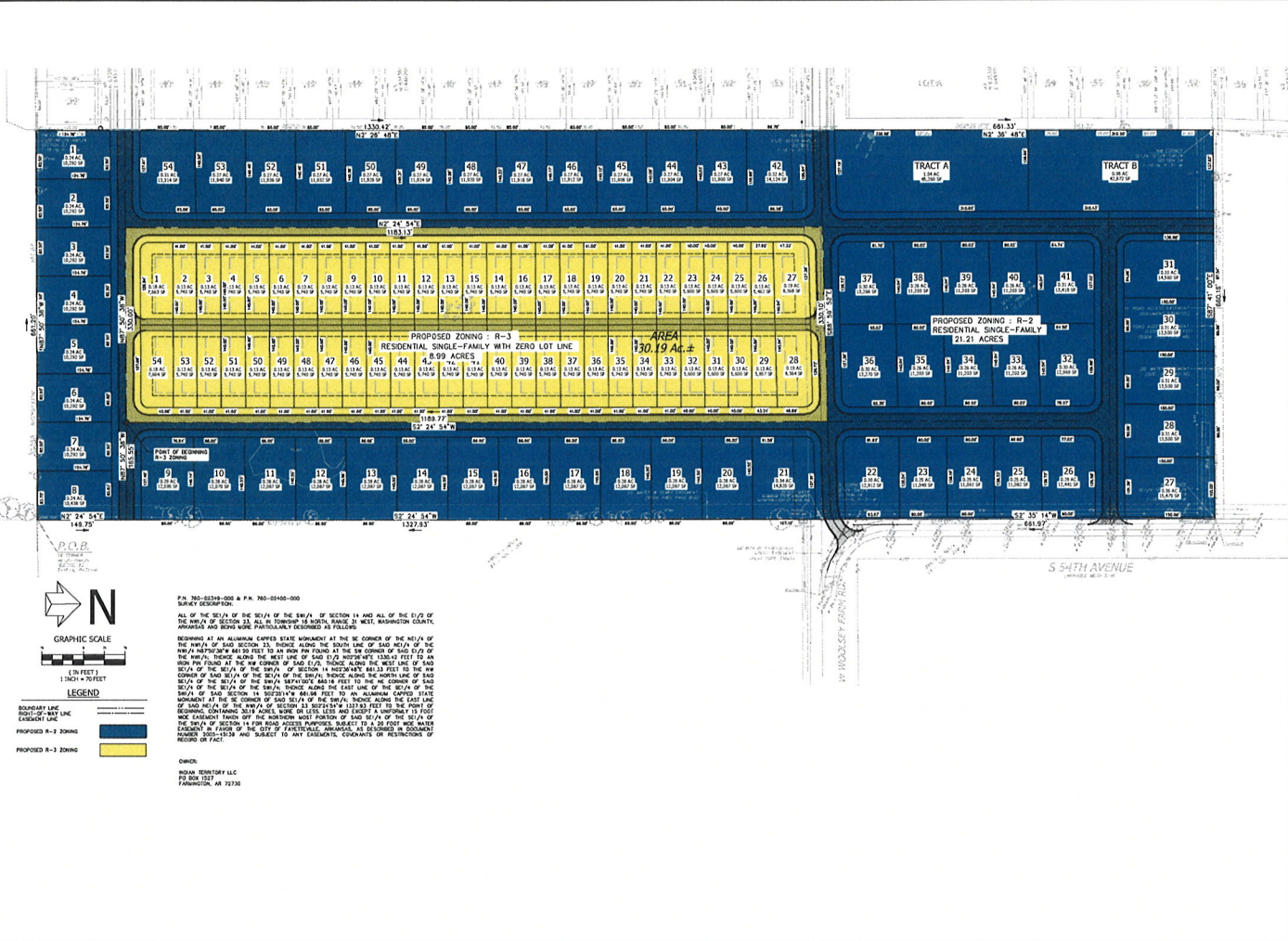
ALL OF THE SE1/4 OF THE SE1/4 OF THE SW1/4 OF SECTION 14 AND ALL OF THE E1/2 OF THE NW1/4 OF SECTION 23, ALL IN TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

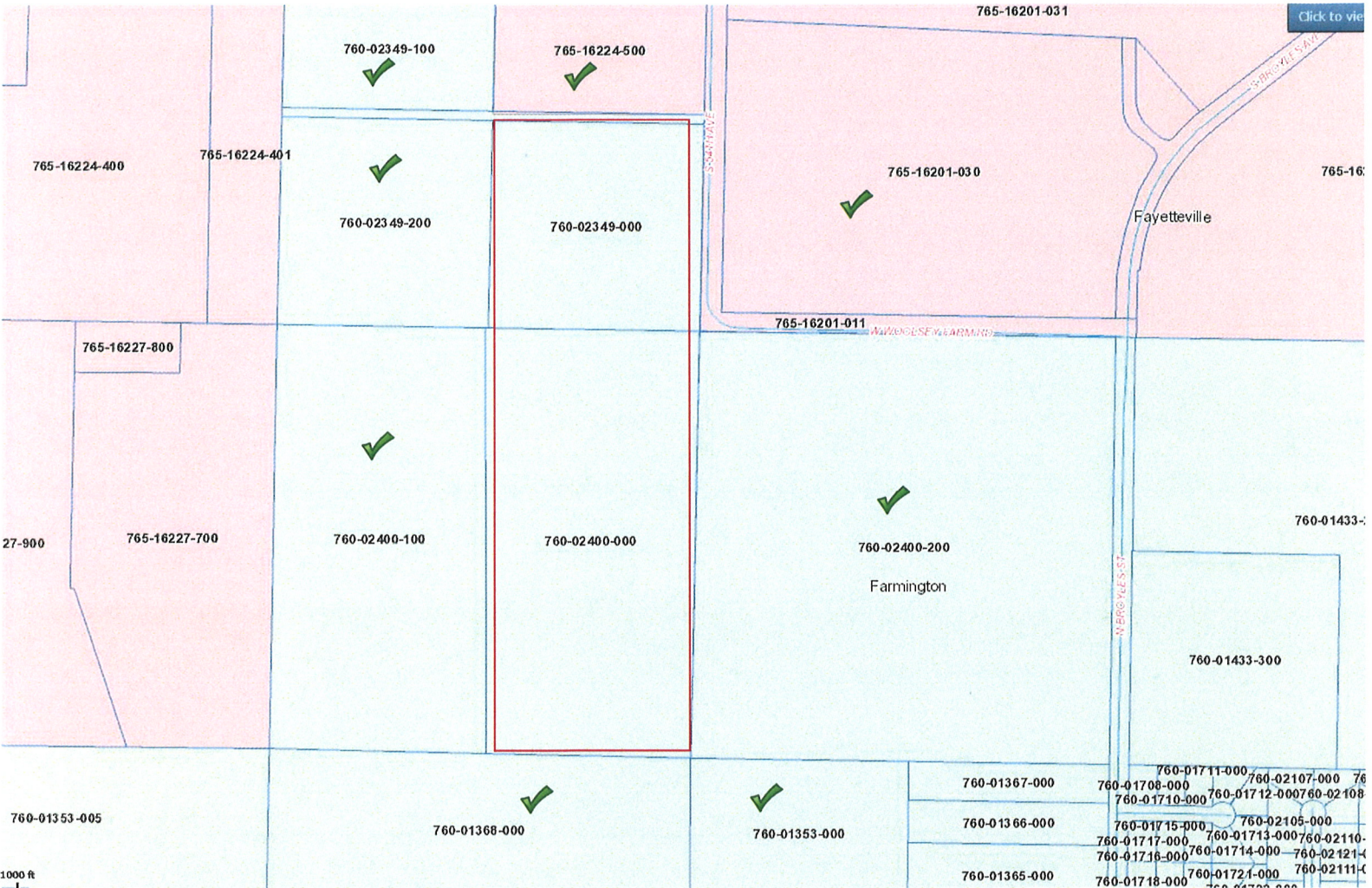
BEGINNING AT AN ALUMINUM CAPPED STATE MONUMENT AT THE SE CORNER OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 23; THENCE ALONG THE SOUTH LINE OF SAID NE1/4 OF THE NW1/4 N87°50'38"W 661.20 FEET TO AN IRON PIN FOUND AT THE SW CORNER OF SAID E1/2 OF THE NW1/4; THENCE ALONG THE WEST LINE OF SAID E1/2 N02°26'48"E 1330.42 FEET TO AN IRON PIN FOUND AT THE NW CORNER OF SAID E1/2; THENCE ALONG THE WEST LINE OF SAID SE1/4 OF THE SE1/4 OF THE SW1/4 OF SECTION 14 N02°36'48"E 661.33 FEET TO THE NW CORNER OF SAID SE1/4 OF THE SE1/4 OF THE SW1/4; THENCE ALONG THE NORTH LINE OF SAID SE1/4 OF THE SE1/4 OF THE SW1/4 S87°41'00"E 660.16 FEET TO THE NE CORNER OF SAID SE1/4 OF THE SE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF THE SE1/4 OF THE SW1/4 OF SAID SECTION 14 S02°35'14"W 661.96 FEET TO AN ALUMINUM CAPPED STATE MONUMENT AT THE SE CORNER OF SAID SE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 OF THE NW1/4 OF SECTION 23 S02°24'54"W 1327.93 FEET TO THE POINT OF BEGINNING CONTAINING 30.19 ACRES MORE OR LESS,

LESS AND EXCEPT THE FOLLOWING AREA:

COMMENCING AT AN ALUMINUM CAPPED STATE MONUMENT AT THE SE CORNER OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 23 THENCE ALONG THE EAST LINE OF SAID NE1/4 OF THE NW1/4 N02°24'54"E 149.75 FEET; THENCE N87°50'38"W 165.55 FEET TO THE POINT OF BEGINNING; THENCE N87°50'38"W 330.00 FEET; THENCE N02°24'54"E 1183.13 FEET; THENCE S88°59'52"E 330.10 FEET; THENCE S02°24'54"W 1189.77 FEET TO THE POINT OF BEGINNING, AN AREA CONTAINING 8.99 ACRES OR 391,529 SQUARE FEET MORE OR LESS.

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**NOTICE OF PUBLIC HEARING BEFORE
THE FARMINGTON PLANNING COMMISSION
ON AN APPLICATION TO REZONE PROPERTY**

To All Owners of land lying adjacent to the property at:

S54th Street and Woolsey Farm Road

Location

Indian Territory, LLC.

Owned by

NOTICE IS HEREBY GIVEN THAT an application has been filed for REZONING of the above property from A-1 to R-2 and R-3.

A public hearing on said application will be held by the Farmington Planning Commission at Farmington City Hall, 354 W. Main St. on November 27, 2017 at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place; or may notify the Planning Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the City Business Manager at City Hall, 354 W. Main, 479-267-3865.

7016 2710 0000 4575 1299

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SPRINGDALE, AR 72764

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.49

Total Postage \$4.59

Sent To Eldon Pitts Trust
2790 S Thompson Street
Springdale, AR 72764-6354

City, State, ZIP Farmington Heights Phase 2

PS Form 380

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FAYETTEVILLE, AR 72701

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.49

Total Postage \$4.59

Sent To City of Fayetteville
113 W Mountain Street
Fayetteville, AR 72701-6083

City, State, ZIP Farmington Heights Subdivision - REV

PS Form 380

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FARMINGTON, AR 72730

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.49

Total Postage \$4.59

Sent To Indian Territory LLC
PO Box 1527
Farmington, AR 72730

City, State, ZIP Farmington Heights Phase 2

PS Form 380

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FAYETTEVILLE, AR 72703

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.49

Total Postage \$4.59

Sent To Yates Family Charitable Remainder Trust
PO Box 10558
Fayetteville, AR 72703

City, State, ZIP Farmington Heights Phase 2

PS Form 380

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FARMINGTON, AR 72730

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.49

Total Postage \$4.59

Sent To David Alan Swaffar
Douglas Lee Swaffar
516 Rheas Mill Road
Farmington, AR 72730

City, State, ZIP Farmington Heights Phase 2

PS Form 380

7016 2710 0000 4575 1312

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FAYETTEVILLE, AR 72701

OFFICIAL USE

Certified Mail Fee	\$3.35	0764
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	08
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.49

Total Postage \$4.59

Sent To S H Holding LLC
1063 N Valley View Drive
Fayetteville, AR 72701

City, State, ZIP Farmington Heights Phase 2

PS Form 380

City of Farmington, Arkansas Application for Variance/Waiver



Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission/Board of Adjustment until all information is furnished.

Barbara J. Mashburn Rev. Trust

Applicant: Barbara J. Mashburn, Trustee Day phone: (479) 644-8812
236 Oakwood Fayetteville, AR
Address: 72703 Fax: (N/A)

James Layout Services, LLC
Representative: c/o Leonard Gabbard Day phone: (479) 409-9259
7521 W Wedington, Fayetteville,
Address: AR 72703 Fax: (N/A)

Property Owner: (Same as Applicant) Day phone: (Same as Applicant)
Address: _____ Fax: (N/A)

Indicate where the correspondence shall be sent (circle one): Applicant Representative Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property description: (SEE ATTACHED EXHIBIT 'A')
Site address: 814 Gibson Hill Road, Farmington, Arkansas
Current zoning: A-1

Attach legal description and site plan (a scaled drawing of the property showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.) Attach photos if they are helpful in describing your request.

Type of variance requested and reason for request:

Request is to waive subdivision requirements and allow the split of
the property into 4 lots (SEE ATTACHED EXHIBIT 'A')

Responsibilities of the Applicant:

1. Complete application and pay a \$25.00 application fee.
2. Provide a copy of the deed for the property. If the property is rented, provide written permission from the owner that the variance is allowable.
3. Written authorization from the property owner if someone other than the owners will be representing the request.
4. Publish the following notice in a newspaper of general circulation in the City no later than 7 days prior to the meeting, A copy of the proof of publication from the newspaper must be provided to the City 3 days before the meeting:

NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of Farmington on the 24th day of October, 2017.

PLACE LEGAL DESCRIPTION HERE AND DESCRIPTION OF THE VARIANCE HERE

(SEE ATTACHED EXHIBIT 'A')

A public meeting to consider this request for variance at the above described property will be held on 27th day of November, 2017, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.

Date 10/24/2017

Applicant Signature

Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating the agent is authorized to act on their behalf.)

Barbara J. Mashburn

Date 10/24/2017

Owner/Agent Signature

RECEIPT

DATE 10-24-17No. 540374RECEIVED FROM Leonard Gabbard \$ 25.00Twenty five no 100 DOLLARS FOR RENT FOR Variance Request - Barbara Madhoun Trust

ACCOUNT	
PAYMENT	<u>25.00</u>
BAL. DUE	<u>0</u>

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____

BY B. Coleman

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

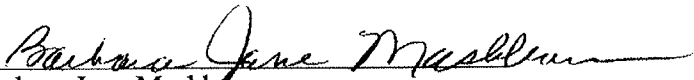
THAT Barbara Jane Mashburn, an unmarried person, GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, paid by Barbara J. Mashburn, as Trustee of the Barbara J. Mashburn Revocable Trust, dated November __, 2006, GRANTEE, do hereby grant, bargain, sell and convey unto the said Grantee and unto her successors and assigns forever, the following described lands lying in Washington County, State of Arkansas, to-wit:

See attached Exhibit A.

To have and to hold the same unto the said Grantee, and unto her successors and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And Grantor hereby covenants with the said Grantee that Grantor will forever warrant and defend the title to said lands against all lawful claims whatsoever.

EXECUTED by the undersigned on this 10 day of ^{December}~~November~~, 2007.


Barbara Jane Mashburn

PREPARED BY:
James W. Hyden, Esq.
HYDEN, MIRON & FOSTER, PLLC
200 Louisiana
Little Rock, AR 72201
(501)376-8222

ACKNOWLEDGMENT

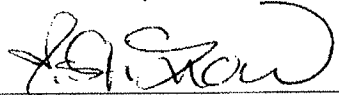
STATE OF ARKANSAS)
)ss.
COUNTY OF WASHINGTON)

BE IT REMEMBERED, that on this day came before me, the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, Barbara Jane Mashburn, to me well known or satisfactorily proven as the person named in the foregoing Deed, and acknowledged that she executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal this 10 day of ^{December} ~~November~~, 2007.

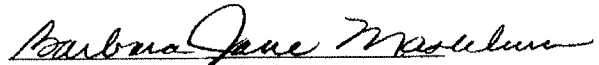


[SEAL]



Notary Public

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.



Grantor or Grantee's Agent

SEND TAX STATEMENTS TO:

Barbara J. Mashburn, Trustee,
Barbara J. Mashburn Revocable Trust
236 Oakwood
Fayetteville, Arkansas 72703

EXHIBIT "A"

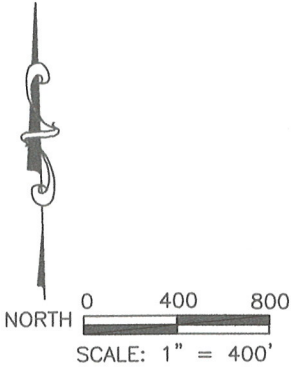
Tract One: Part of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 36, Township 18 North, Range 30 West, described as follows: Beginning at a point 30 rods West of the Northwest corner of Block 10 in the Old Town (now City) of Springdale (formerly Shiloh) and running thence 103 $\frac{1}{2}$ feet, thence West 167.5 feet, thence North 103 $\frac{1}{2}$ feet, thence East 167.5 feet to the point of beginning. It is the Grantors' intent to convey the same tract of land conveyed by Warranty Deed dated September 13, 1993, and recorded at document number 93 5452 on September 22, 1993, in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

Tract Two: Lots Nine (9), Ten (10) and Eleven (11) in Block One (1) of Evelyn Hills, an addition to the City of Fayetteville, Arkansas, as designated upon the recorded plat of said addition on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

Tract Three:

A part of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 16, described as follows: Beginning at the Southwest corner of said 40 acre tract, and running thence East 9.26 chains; thence North 11 degrees West 5.11 chains; thence North 64 degrees West 3 chains; thence South 83.5 degrees West 5.26 chains to the West line of said 40 acre tract; thence South 5.80 chains to the place of beginning, containing 5.25 acres; a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 16 described as follows: Beginning at the Southeast corner of said Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), and running thence North to the channel of the creek; thence in a Westerly direction with the meanderings of said creek to the West line of said Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) at a point 10 rods and 10 feet, more or less, North of the Southwest corner of said 40 acre tract; thence South 10 rods and 10 feet, more or less, to the Southwest corner; thence East 160 rods to the place of beginning, containing 25.61 acres, more or less; the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 21, containing 80 acres, and a part of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 21 described as follows: Beginning at the Southwest corner of said 40 acre tract, and running thence East 13.14 chains; thence North 10.75 degrees West 81 rods, more or less, to the North line of said 40 acre tract; thence West 9.26 chains to the Northwest corner thereof; thence South 80 rods to the place of beginning, containing 22.39 acres, all in Township 16 North, Range 31 West, containing in all 133.25 acres.

EXHIBIT 'A' continued



Adjoinder: Roy & Betty Hummel
Zoning is A-1

Adjoinder: Barton Keane & Stewart
Zoning is A-1

Adjoinder: Tina Albritton
Zoning is A-1

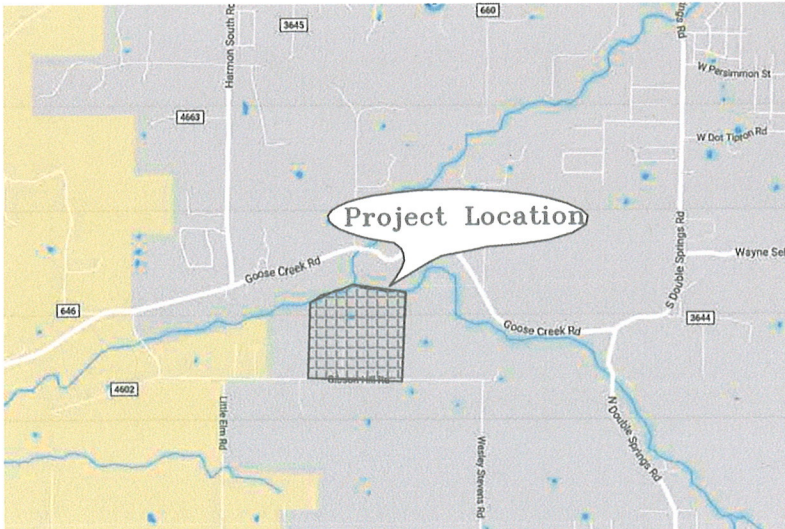
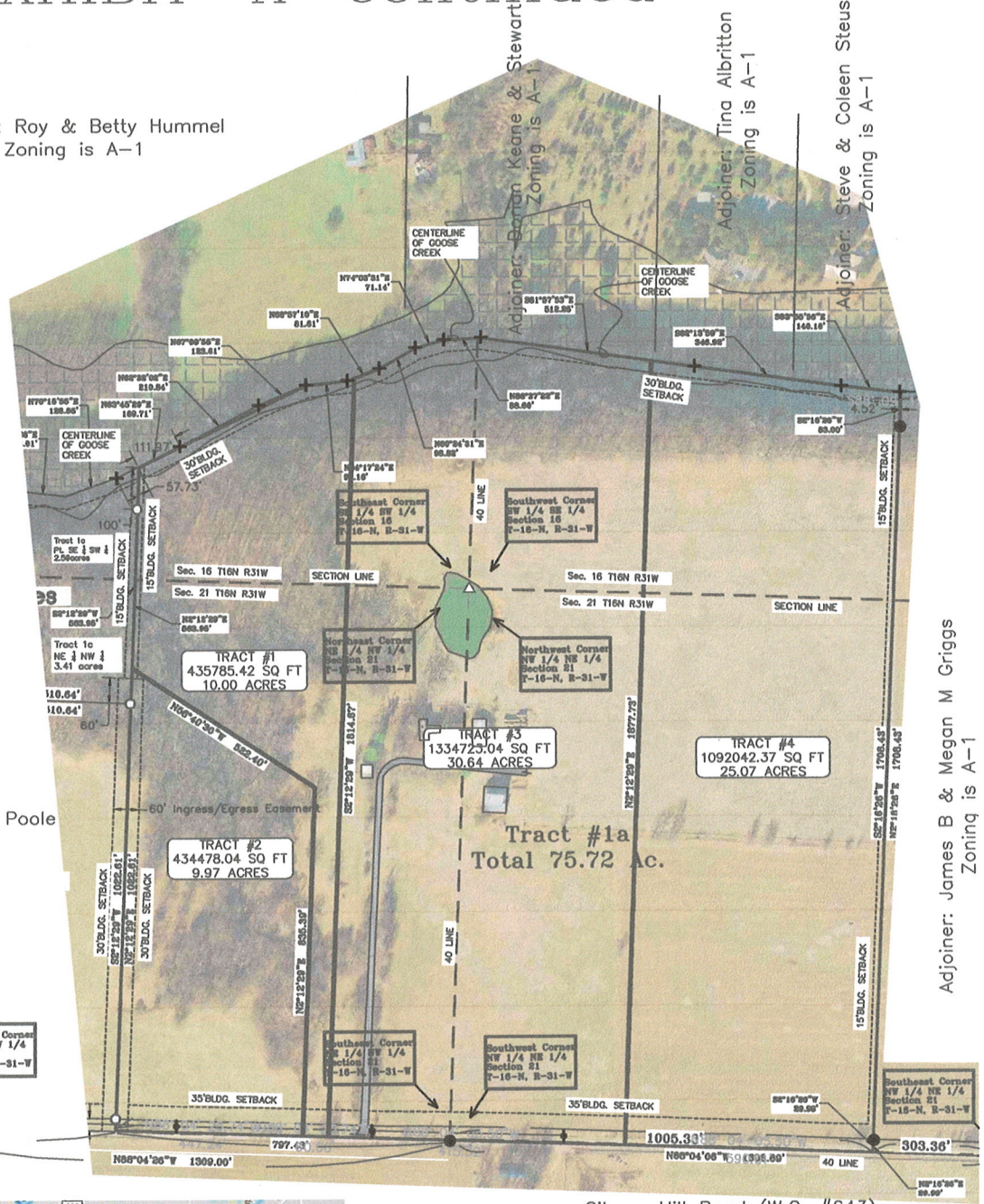
Adjoinder: Steve & Coleen Steussy
Zoning is A-1

Adjoinder: Andrew & Lindsey Horton
Zoning is A-1

Adjoinder: Lance & Lisa Poole
Zoning is A-1

Adjoinder: James B & Megan M Griggs
Zoning is A-1

N=834139.12
E=838275.09
STATE PLANE COORD.
AR NORTH ZONE
N.A.D. 83



Vicinity Map N.T.S.

Gibson Hill Road (W.C. #643)
Designated Collector Street
60' Right of Way

Adjoinder: Goose Creek Properties, LLC
Zoning is A-1