



**City of Farmington**  
354 West Main Street  
P.O. Box 150  
Farmington, Arkansas 72730  
479-267-3865  
479-267-3805 fax

---

***PLANNING COMMISSION AGENDA***  
***December 27, 2010***

**A meeting of the Farmington Planning Commission will be held on  
Monday, December 27, 2010 at 6:00 p.m. at City Hall  
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes – November 22, 2010
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. **Zoning ordinance and zoning map**
5. **NEW BUSINESS**
  - A. **Variance Request: 5 foot variance**  
Property Location: 12203 W.Hwy. 62  
Owner: Larry Stephens  
Presented by: Larry Stephens
  - B. **Telecommunications Permit: T-Mobile**  
Property Location: 12377 Jimmy Devault Rd.  
Owner: AAT Communications Corp.  
Presented by: Trevor Wood
6. Approve 2011 Schedule for Planning Commission Meetings and Submission Deadlines.
7. Committee reports

**PLANNING COMMISSION MINUTES OF  
NOVEMBER 22, 2010**

**1. Roll Call**

Present:

Sean Schader

Matt Hutcherson

Toni Bahn

Gerry Harris

Judy Horne

Bobby Wilson

Absent:

Josh Clary

Robert Mann

**2. Approval of minutes October 25, 2010**

Minutes approved with all commissioners present voting yes.

**3. Comments from Citizens: NONE**

**4. PUBLIC HEARING:**

**A. CONDITIONAL USE-DAYCARE**

Property Owned by: Rebecca Keeton

Property Location: 23 Ash

Presented by: Rebecca Keeton

Request approved with all commissioners present voting yes.

**5. Discussion of final draft of zoning classifications and zoning map for Farmington.**

Map was displayed for viewing. Commissioners made comments and asked questions in regards to draft that had been emailed to them from Steve Tennant.

**6. Discussion of December meeting date for work session and monthly meeting.**

There will be no Work Session in December.

December 27<sup>th</sup>, 2010, meeting at 6:00 pm for final hearing before submission to City Council.

**Motion to adjourn:**

**1<sup>st</sup> Wilson      2<sup>nd</sup> Schader. Approved.**

---

**Secretary of Planning Commission**

---

**Chairman of Planning Commission**

## TITLE 14

### Zoning

#### Sections:

<b>14.04.01</b>	<b>Title</b>
<b>14.04.02</b>	<b>Authority</b>
<b>14.04.03</b>	<b>Purpose</b>
<b>14.04.04</b>	<b>Jurisdiction</b>
<b>14.04.05</b>	<b>Nature and Application</b>

**Sec. 14.04.01 Title.** This article shall constitute the zoning regulations of the City of Farmington. It may be cited as the “zoning ordinance” or the “zoning code,” and consists of the text, which follows, as well the zoning district boundary map, entitled “Official Zoning Map of the City of Farmington, Arkansas,” which is on file in the Office of the City Clerk.

**Sec. 14.04.02 Authority.** These regulations are adopted pursuant to authority granted by the Arkansas General Assembly in Title 14, Chapter 56, Subchapter 4 of the Arkansas Code of 1987 Annotated, as amended.

**Sec. 14.04.03 Purpose.** The zoning regulations set forth herein are enacted to aid in the implementation of the land use portion of the *City of Farmington Comprehensive Land Use Plan*, and to promote, in accordance with present and future needs, the safety, order, convenience, prosperity, and general welfare of the citizens of Farmington. The regulations are intended to provide for orderly growth and development; for protection of the character and stability of residential, commercial and industrial properties; for efficiency and economy in the process of development for the appropriate and best use of land; for the use and occupancy of buildings; for healthful and convenient distribution of population; for good civic design and arrangement; and for adequate public utilities and facilities.

**Sec. 14.04.04 Jurisdiction.** The provisions of these regulations shall apply to all land, buildings and structures within the corporate limits of Farmington as they are now or may hereafter exist.

**Sec. 14.04.05 Nature and Application.**

(a) For the purposes stated above, the city has been divided into zoning districts in which the regulations contained herein will govern lot coverage; the height, area, location, and size of buildings; and the uses of land, buildings, and structures. In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, order, convenience, prosperity, and general welfare. Whenever these requirements are at variance with the requirements of any other lawfully adopted rules or regulations, the most restrictive, or that imposing the higher standards, shall govern; provided however, that the City of Farmington shall not be responsible for enforcing deed restrictions or restrictive covenants.

(b) No land shall be used or occupied, no structure shall be erected, moved, converted, altered, enlarged, used or occupied, and no use shall be operated, unless it is in conformity with the regulations herein prescribed for the district in which such structure or land is located. This provision shall not be construed to affect any lawful uses of land or structures that exist, or for which a lawfully issued permit has been issued, at the effective date of these regulations.

(c) No proposed plat of any new subdivision of land shall hereafter be considered for approval unless the lots within such plat equal or exceed the minimum size and area requirements specified in the applicable zoning district in which the land is located.

(d) Dedication to public use of land shall not be a condition for any zoning or conditional use approval.

(e) All structures constructed or occupied in conformance with these regulations shall also conform to all other codes and regulations of the city.

(f) The provisions of these regulations are severable. If any section, paragraph, sentence, or clause shall be declared invalid, the remainder of the regulations shall not be affected.

## **Chapter 14.08**

### **Rules of Construction and Definitions**

#### **Sections:**

- |                 |                                      |
|-----------------|--------------------------------------|
| <b>14.08.01</b> | <b>Rules of Construction</b>         |
| <b>14.08.02</b> | <b>Definitions of Terms and Uses</b> |

**Sec. 14.08.01 Rules of Construction.** For the purpose of these regulations, the following rules of construction shall apply:

- (a) Words, phrases, and terms defined herein shall be given the defined meaning.
- (b) Words, phrases, and terms not defined herein but in the building code of the city shall be construed as defined in such code.
- (c) Words, phrases, and terms neither defined herein nor in the building code, shall be given their usual and customary meanings except where the context clearly indicates a different meaning.
- (d) In case of any difference of meaning or implication between the text and any heading, table or figure, the text shall control.
- (e) The particular shall control the general.

(f) The word “shall” is always mandatory and not discretionary. The word “may” is permissive and not mandatory.

(g) Words used in the present tense include the future tense, and words used in the future tense include the present tense.

(h) Words used in the singular include the plural, and words used in the plural include the singular.

(i) The words “building” and “structure” are synonymous, and include any part thereof.

(j) The word “person” includes individuals, firms, corporations, associations and any other similar entities.

(k) The words “lot,” “parcel,” “site,” “tract,” or other unit of ownership are synonymous and may be used interchangeably.

(l) The word “used” shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used.

(m) All public officials, bodies, and agencies to which reference is made are those of the City of Farmington, unless otherwise indicated.

(n) Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such resolution, ordinance, statute, regulation, or document, unless otherwise expressly stated.

(o) Whenever a provision appears requiring the head of a department or another officer or employee to perform an act or duty, that provision shall be construed as authorizing the department head or officer or employee to delegate the responsibility to subordinates, unless the terms of the provision specify otherwise.

(p) Unless the context clearly suggests the contrary, the conjunction “and” indicates that all connected items, conditions, provisions or events shall apply, and the conjunction “or” indicates that one or more of the connected items, conditions, provisions or events shall apply.

**Sec. 14.08.02 Definitions of Terms and Uses.** This section contains definitions of general terms used throughout the text. It also contains definitions for the uses identified in the text. The use definitions are intended to be mutually exclusive, which means that uses that are specifically defined shall not also be considered a part of a more general definition of that use. The use “retail/service,” for example, does not include the more specific use “convenience store.”

*Accessory buildings and uses:* A subordinate building or a portion of the principal building, the use of which is customarily incidental to that of the dominant use of the principal building or land. An accessory use is one that is customarily incidental, appropriate and subordinate to the principal use of land and buildings. Accessory buildings and uses are located on the same lot and in the same zoning district as the principal use.

*Adult entertainment:* Any adult cabaret, adult theater, adult bookstore, adult massage establishment, model studio, or sexual encounter or meditation center which depicts or describes matters or activities relating to specified sexual activities or specified anatomical areas.

*Agriculture, crop:* The use of any land for the purpose of growing plants, crops, trees and other agricultural or forestry products.

*Agriculture, animal:* The use of any land for the purpose of raising livestock.

*Agriculture, product sales:* The retail sale of agricultural products produced on the same site.

*Area:* The amount of land surface in a lot or parcel of land.

*Basic industry:* The first operation or operations that transform a material from its raw state to a form suitable for fabrication.

*Building:* Any structure including a roof supported by walls, designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels, or property and forming a construction that is safe and stable.

*Building height:* The vertical distance measured from the average elevation of the finished lot grade at the front of the building to the highest point of the structure, exclusive of chimneys, ventilators, or other extension above the roof line.

*Building lines:* The lines that are parallel to the front, side, or rear lot lines of a lot at a distance equal to the minimum setback requirements, and beyond which the vertical wall of a building or structure shall not be located closer to said lot lines.

*Cemetery:* Land used, or intended to be used, for burial of the dead, whether human or animal, including a mausoleum, columbarium or cinerarium.

*Certificate of occupancy:* Permission to occupy a building and/or property.

*Church:* A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, including day cares, is maintained and controlled by a religious body organized to sustain public worship.

*Club or lodge:* An association of persons for the promotion of some nonprofit common purpose,

such as charity, literature, science, politics, fellowship, etc., meeting periodically, and limited to members.

*Comprehensive plan:* The City of Farmington Comprehensive Land Use Plan.

*Construction sales and service:* An establishment engaged in the retail or wholesale sale of materials used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lots other than construction sites. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, electrical, plumbing, air conditioning and heating supply stores, swimming pool sales, and construction and trade contractor storage yards.

*Convenience store:* An establishment, not exceeding three thousand five hundred (3,500) square feet of gross floor area, serving a limited market area, and engaged in the retail sale of food, beverages, gasoline and other frequently or recurrently needed merchandise for household or automotive use, and which may specifically include a car wash as an accessory use.

*Country club:* A chartered, nonprofit membership club catering primarily to its membership, providing one or more of the following social and recreational activities: golf, tennis, swimming, riding, or outdoor recreation. Such clubs typically include dining facilities, clubhouses, locker rooms, and pro shops.

*Day care, general (day care center):* A commercial establishment where adult day care services are provided, or where child day care services are provided for more than ten (10) children; with both such services to be provided pursuant to state laws and fire codes, and in accordance with, and licensed by appropriate state agencies.

*Day care, limited (child care family home):* A home where day care services are provided to a maximum of ten (10) children, with a maximum of two (2) adults in attendance. It shall be limited to one (1) license per home. The operator shall reside in the structure, and the facility must conform to all codes and regulations, both state and local, applicable thereto, with the most restrictive regulations prevailing. The babysitting of not more than four (4) children shall not be subject to provisions of these regulations.

*Detached structure:* A structure having no party or common wall with another structure except an accessory structure.

*Development:* The act of changing the state of a tract of land after its function has been purposefully changed by man; including, but not limited to, structures on the land and alterations to the land.

*Development or site plan:* A dimensioned presentation of the proposed development of a specified parcel of land that reflects thereon the location of buildings, easements, parking arrangements, public access, and other similar and pertinent features.

*District, zoning:* Any portion or section of the city within which uniform zoning regulations apply.

*Drive-in establishments:* A facility where services or products are delivered to persons in vehicles by means of a drive-up window or carhop.

*Dwelling:* A building or portion thereof which is designed or used as living quarters for one or more families; but not including motels, boardinghouses, tourist homes, convalescent homes, travel trailers, mobile homes, or manufactured housing.

*Dwelling, attached:* A dwelling that is joined to another dwelling at one (1) or more sides by a wall or walls.

*Dwelling, detached:* A dwelling that is entirely surrounded by open space on the same lot.

*Dwelling, multi-family:* A dwelling designed for or occupied by three (3) or more families living independently of each other, exclusive of auto or trailer courts or camps, hotels, or motels.

*Dwelling, single-family:* A dwelling designed for or occupied by one family only, and being on a permanent foundation.

*Dwelling, two-family (duplex):* A dwelling designed for or occupied by not more than two (2) families living independently of each other.

*Dwelling unit:* A room or group of rooms located within a dwelling and forming a single habitable unit with facilities for living, sanitation, sleeping, and cooking.

*Family:* One or more persons related by blood, marriage or adoption, or a group of not more than three (3) unrelated persons living together and subsisting in common as a single, non-profit housekeeping unit utilizing only one kitchen. A family may include domestic servants employed by said family.

*Farm:* A parcel of land used for the growing or raising of agricultural products including related structures thereon.

*Floodplain regulations:* Provisions of the City of Farmington Flood Damage Prevention Code.

*Floor area:* The sum of the gross horizontal areas of all of the floors of a principal building or buildings, excluding garages and covered parking areas, measured from the exterior faces of exterior walls, or from the centerline of walls separating two (2) buildings.

*Frontage:* That edge of a lot bordering a street.

*Golf course:* A facility providing private or public golf recreation services and support facilities, excluding miniature golf facilities.

*Government services:* Buildings or facilities owned or operated by government entities and providing services for the public, excluding utilities and recreational services. Typical uses include administrative offices of government agencies and utility billing offices.

*Greenhouse or nursery:* An establishment primarily engaged in the raising and retail sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes.

*Hobby Kennel:* Any kennel where dogs or cats are kept for organized shows, breeding, for exhibition, or for the enjoyment of the household.

*Home occupation:* Any occupation or profession carried on by the inhabitants which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, which is conducted entirely within the main building, and which meets all other applicable standards and use limitations as described herein.

*Hotel or motel:* An establishment where overnight accommodations are supplied for transient guests. Typical accessory uses include dining, swimming, and meeting facilities.

*Kennel:* A facility operated commercially and principally for the purpose of boarding, housing, grooming, breeding, or training dogs or cats, or both. A kennel, for the purposes of this chapter, does not include the ownership of dogs that are for the purpose of hunting, exhibiting in field trials or for guarding the homeowner's property. Occasional sale of puppies or kittens, by the owner, lessee or other occupant of such property shall not make the property a kennel for the purposes of this chapter.

*Lot:* Land occupied or intended for occupancy by a use permitted in these regulations, including one main building together with its accessory building, and the open spaces and parking spaces required herein, and having its principal frontage upon a street.

*Lot, area:* The total horizontal area of a lot lying within the lot lines.

*Lot, corner:* A lot abutting two (2) or more streets at their intersection.

*Lot, double frontage:* A lot that is an interior lot extending from one street to another and abutting a street on two (2) ends.

*Lot, interior:* Any lot which is not a corner lot.

*Lot lines:* The boundary lines of a lot.

*Lot line, front:* In the case of an interior lot, the line separating said lot from that street which is designed as the front street in the request for a building permit.

*Lot line, rear:* The lot boundary opposite and most distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line.

*Lot line, side:* Any lot line other than a front or rear lot line as defined herein.

*Lot of record:* A lot that is a part of a subdivision, the plat of which has been recorded in the office of the Washington County Circuit Clerk.

*Lot width:* The width of a lot measured at the front building setback line.

*Manufactured housing unit:* A detached single-family housing unit fabricated in an off-site manufacturing facility for installation or assembly at the building site as a permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the National Manufactured Housing Construction and Safety Standards Act.

*Manufactured housing park:* A tract of land in one ownership that is used or intended to be used by two (2) or more manufactured housing units, and which has public sanitary sewer facilities or step sewer system, public water, electricity, and other utilities available.

*Manufacturing, general:* An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding “basic industry.”

*Manufacturing, limited:* An establishment primarily engaged in the on-site production of goods by hand manufacturing which generally involves only the use of hand tools or other equipment not exceeding two (2) horsepower, which may include assembly and packaging, as well as incidental, direct sales to consumers of those goods produced on-site.

*Medical service:* An establishment providing therapeutic, preventative, or corrective personal treatment services on an out-patient basis by physicians, dentists, and other licensed practitioners, as well as the provision of medical testing and analysis services.

*Mobile home:* A transportable, factory-built housing unit, fabricated prior to June 15, 1976, the effective date for the Federal Mobile Home Construction and Safety Standards Code.

*Nonconforming structure:* A structure, or portion thereof, lawfully existing at the time these regulations became effective, or as amended, which does not comply with the setback, height, or other development standards applicable in the district in which the structure is located.

*Nonconforming use:* Any structure or land lawfully occupied by a use at the time these regulations, or any amendment thereto, became effective, which does not conform to the use or area regulations of the district within which it is located.

*Office, general:* An establishment providing executive, management, administrative or professional services, but not involving medical or dental services or the sale of merchandise, except as incidental to a permitted use. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting and similar offices.

*Owner:* The property owner of record, according to the office of the Washington County Circuit Clerk.

*Parks and recreation:* A park, playground, open space, or facility, open to the general public and reserved for active or passive recreational activities.

*Person:* The term “person” shall mean and include any individual, firm, corporation, association, or partnership.

*Pet Shop:* A facility operated commercially and principally for the purpose of selling animals, which in the hands of their immediate owners, will be pets.

*Recreation and entertainment, indoor:* An establishment offering recreation, entertainment or games of skill to the general public for a fee or charge, and that is wholly enclosed in a building. Typical uses include bowling alleys, indoor theaters, pool halls and video game arcades.

*Recreation and entertainment, outdoor:* An establishment offering recreation, entertainment or games of skill to the general public for a fee or charge, wherein any portion of the activity takes place in the open. Typical uses include archery ranges, batting cages, golf driving ranges, and miniature golf courses.

*Research service:* An establishment engaged in conducting basic and applied research, including production of prototype products when limited to the minimum scale necessary for full investigation of the merits of a product, excluding production of products used primarily or customarily for sale or for use in non-prototype production operations.

*Restaurant, drive-in:* An establishment where the principal business is the sale of food and non-alcoholic beverages in a ready-to-consume state, and where the design or principal method of operation is that of a fast-food or drive-in-style restaurant offering quick food service, where orders are generally not taken at the customer’s table, where food is generally served in disposable wrapping or containers, and where food and beverages may be served directly to the customer in an automobile.

*Restaurant, general:* An establishment, other than “fast-food restaurant,” where the principal business is the sale of food and beverages in a ready-to-consume state, where there is no service to a customer in an automobile, and where the design or principal method of operation consists of one or more of the following: (1) a sit-down restaurant where customers, normally provided with an individual menu, are generally served food and beverages in non-disposable containers by a restaurant employee at the same table or counter at which the food and beverage items are

consumed; or (2) a cafeteria or cafeteria-type operation where food and beverages generally are served in non-disposable containers and consumed within the restaurant.

*Retail/service:* The sale or rental of commonly used goods and merchandise for personal or household use or the provision of services to consumers, excluding those retail and service uses classified more specifically herein. Typical uses include grocery stores, department stores, furniture stores, clothing stores and establishments providing the following products or services: household electronic equipment, sporting goods, bicycles, office supplies, home furnishings, electronics repair, shoe repair, household appliances, wallpaper, carpeting and floor-covering, art supplies, kitchen utensils, jewelry, drugs, laundromats, dry cleaners, cosmetics, books, antiques, or automotive parts and accessories.

*Running at large:* The term “running at large” shall mean off the premises of the owner and not under the control of the owner or a member of his or her immediate family.

*Service station:* An establishment primarily engaged in the retail sale of gasoline or other motor fuels, which may include accessory activities, such as the sale of lubricants, automotive accessories, or supplies, the lubrication or washing of motor vehicles, or the minor adjustment or minor repair of motor vehicles.

*Use:* Any functional, social, or technological activity, which is imposed or applied to land or to structures on the land.

*Vehicle and equipment sales:* An establishment engaged in the retail sale or rental, from the premises, of motorized vehicles, along with incidental service or maintenance. Typical uses include automobile and truck sales, automobile rental, boat sales, and motorcycle sales.

*Vehicle repair, general:* An establishment primarily engaged in painting of, or bodywork to, motor vehicles or heavy equipment. Typical uses include paint and body shops.

*Vehicle repair, limited:* An establishment primarily engaged in automotive repair other than paint and body shops.

*Veterinary care, general:* A use providing animal care, veterinary services or boarding.

*Veterinary care, limited:* A use providing small animal (household pet) boarding or veterinary services, with no outside runs.

*Warehouse, residential storage (mini-warehouse):* An enclosed storage facility containing independent, separate units or cubicles that are intended to be leased to persons exclusively for dead storage of their household goods or personal property. The active utilization of any storage space or cubicle within such a storage area for a retail or wholesale business operation is expressly prohibited.

*Yard:* An open space on the same lot with a building, unobstructed from the ground upward, and

measured as the minimum horizontal distance between the lot line and the main building.

*Yard, front:* A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street right-of-way line and the main building or any projections thereof other than the projections of uncovered steps, uncovered balconies, terraces, or uncovered porches. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

*Yard, rear:* A yard extending across the rear of the lot between the side lot lines, and measured between the rear lot line in the rear of the main building or any projection other than steps, unenclosed porches, or entranceways.

*Yard, side:* A yard between the main building and the side line of the lot, and extending from the front lot line to the rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projection thereof.

## **Chapter 14.12**

### **Nonconforming Structures and Uses**

#### **Sections:**

<b>14.12.01</b>	<b>Continuance of Use</b>
<b>14.12.02</b>	<b>Discontinuance of Use</b>
<b>14.12.03</b>	<b>Change of Use</b>
<b>14.12.04</b>	<b>Repairs and Alterations</b>
<b>14.12.05</b>	<b>Damage and Destruction</b>
<b>14.12.06</b>	<b>District Changes</b>

#### **Sec. 14.12.01 Continuance of Use.**

(a) Any lawfully established use of a structure or land, on the effective date of these regulations or of amendments hereto, that does not conform to the use regulations for the district in which it is located, shall be deemed to be a legal nonconforming use and may be continued, except as otherwise provided herein.

(b) Any legal nonconforming structure may be continued in use provided there is no physical change other than necessary maintenance and repair, except as otherwise permitted herein.

(c) Any structure for which a building permit has been lawfully granted prior to the effective date of these regulations, or of amendments hereto, may be completed in accordance with the approved plans. Such building shall thereafter be deemed a lawfully established building.

**Sec. 14.12.02 Discontinuance of Use.**

(a) Whenever any part of a structure or land occupied by a nonconforming use is changed to, or replaced by, a use conforming to the provisions of these regulations, such premises shall not thereafter be used or occupied by a nonconforming use, even though the structure may have been originally designed and constructed for the prior nonconforming use.

(b) Whenever a nonconforming use of a structure or part thereof, has been discontinued or abandoned for a period of one (1) year or more, such use shall not be re-established, and the use of the premises thereafter shall be in conformity with the regulations of the district.

**Sec. 14.12.03 Change of Use.**

(a) The nonconforming use of any structure or portion thereof, may be occupied by a similar or less intense nonconforming use as may be determined by the zoning official, subject to appeal to the board of the Farmington Planning Commission. No building in which a nonconforming use has been changed to a more restricted use shall again be devoted to a less restricted use.

(b) A nonconforming use of land without substantial buildings or structures may not be extended or expanded, nor shall it occupy more area than was in use on the effective date of these regulations. If such nonconforming use or portion thereof is discontinued for a period of one (1) year, or changed, any future use of such land or change of use shall be in conformity with the provisions of the district in which such land is located.

**Sec. 14.12.04 Repairs and Alterations.**

(a) Normal maintenance of a nonconforming structure or of a conforming structure containing a nonconforming use is permitted.

(b) Alterations may be made when required by law, or when such alterations will actually result in eliminating the nonconformity.

(c) No structure occupied, or partially occupied, by a nonconforming use shall be altered in such a way as to permit the enlargement or expansion of the space occupied by such nonconforming use.

**Sec. 14.12.05 Damage and Destruction.** If a nonconforming structure or a structure containing a nonconforming use is damaged or destroyed by natural disaster, fire, or other casualty, the structure may be repaired or reconstructed and used for the same purpose as it was before the occurrence; provided such repair or reconstruction is commenced within eighteen (18) months of the date of such damage or destruction and completed. Failure to exercise this option within the time specified, shall be considered a voluntary abandonment and the structure may be rebuilt and used thereafter only for a conforming use, and in compliance with provisions of the district in which it is located.

**Sec. 14.12.06 District Changes.** Whenever the boundaries of a zoning district are changed, so as to transfer an area from one district to another, the foregoing provisions shall also apply to any newly created nonconforming uses therein.

## Chapter 14.16

### Establishment of Zoning Districts and Boundaries

**Sections:**

- 14.16.01        Zoning Districts Established**
- 14.16.02        Zoning District Boundary Map**
- 14.16.03        Interpretation of District Boundaries**
- 14.16.04        Classification of Annexed Lands**
- 14.16.05        Vacation of Public Rights-of-Ways**

**Sec. 14.16.01 Zoning Districts Established.** The following zoning districts, which may be referred to by their abbreviations, are hereby established:

- A-1        Agriculture
- RE-1      Residential Estate
- RE-2      Residential Estate
- R-1        Residential Single-Family
- R-2        Residential Single-Family
- MF-1      Multi-Family Residential
- MF-2      Multi-Family Residential
- MHP      Mobile Home Park
- R-O        Residential Office
- C-1        General Commercial
- C-2        Highway Commercial
- I          Industrial

**Sec. 14.16.02 Zoning District Boundary Map.** The location and boundaries of the zoning districts established herein are defined as shown on a map entitled “Official Zoning Map of the City of Farmington, Arkansas,” which is on file in the office of the City Clerk. This map, together with all explanatory data thereon, is hereby adopted by reference, and declared to be a part of these regulations. The official zoning map shall be certified as such by signature of the Mayor, attested by the City Clerk.

If, in accordance with the provisions of these regulations, changes are made in district boundaries or other data portrayed on the official zoning map, such changes shall be made on said map within thirty (30) days after the amendment has been approved by the City Council.

No changes of any nature shall be made on the official zoning map or information shown thereon, except in conformity with the procedures set forth in these regulations. Any

unauthorized change of whatever kind by any person or persons shall be considered a violation of these regulations, and punishable pursuant to misdemeanor provisions contained herein.

Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning map located in the office of the Farmington City Business Manager shall be the final authority as to the current zoning status of property in the city.

**Sec. 14.16.03 Interpretation of District Boundaries.** Where uncertainty exists as to the boundaries of districts shown on the official zoning map, the zoning official shall employ the following rules in interpretations thereof. Decisions of the zoning official are subject to appeal to the Farmington Planning Commission.

(a) Boundaries indicated as approximately following the centerlines of streets or alleys shall be construed to follow such centerlines.

(b) Boundaries indicated as approximately following city limits shall be construed as following city limits.

(c) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

(d) Boundaries indicated as following waterways shall be construed to be following the center of the stream.

(e) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

(f) Boundaries indicated as parallel to, or extensions of features mentioned in the preceding rules, shall be so construed.

**Sec. 14.16.04 Classification of Annexed Lands.** All lands annexed into the city shall initially be assigned an A-1 zoning district classification. Consideration of a more appropriate classification may subsequently be considered.

**Sec. 14.16.05 Vacation of Public Rights-of-Ways.** Whenever any street, alley, or other public way is vacated or abandoned by action of the city council pursuant to law, the zoning district classification of the property to which the vacated portions of land accrue, shall become the classification of the vacated land.

## Chapter 14.20

### District Regulations

#### Sections:

<b>14.20.01</b>	<b>Agriculture and Residential Districts</b>
<b>14.20.02</b>	<b>Commercial Districts</b>
<b>14.20.03</b>	<b>Industrial Districts</b>
<b>14.20.04</b>	<b>Commercial and Industrial Uses Permitted</b>

#### **Sec. 14.20.01 Agriculture and Residential Districts.**

(a) General Description. In addition to the agriculture district, which is considered to be a very low density single-family district, and acts to serve as a holding zone for subsequent higher density consideration, there are nine (9) residential districts designed to meet present and future housing needs; to protect the character of, and property values in, residential areas; to encourage an environment conducive to quality family life; and to provide choice in density, as well as in type of housing. Five (5) of the districts are for single-family uses, and are intended to be defined and protected from the encroachment of uses not performing a function necessary to the low and medium density residential environment. One (1) of the districts is intended for single-family mobile home use, two (2) exist for multi-family residential uses, and one (1) combines both residential and office uses. More specific descriptions, permitted uses and conditional uses in the residential districts are as follows.

Uses permitted in the residential districts are set forth in the following descriptions of the districts. Only one (1) single-family dwelling unit per lot shall be permitted in A-1, RE-1, RE-2, R-1, R-2, R-O, and MF-1.

Conditional uses in the residential districts are set forth in the following descriptions of the districts.

(1) A-1 Agriculture District. The purpose of this district is to provide for a very low density single family district, while helping to preserve existing agricultural resources, and to guide the conversion of these lands to higher density residential development by application of the zoning standards set forth in this ordinance.

Permitted uses include single-family dwellings, churches and cemeteries; field and truck crops, orchards, vineyards, greenhouses, nurseries, landscape gardening; pasture land, livestock and kennels; essential governmental facilities and services, utility facilities such as electric regulating stations or pressure control stations and uses customarily accessory to permitted uses.

(2) RE-1 Residential Estate District. The purpose of this district is to accommodate

single-family residential development on low density, large estate type lots to provide and preserve a rural environment.

Permitted uses include single-family dwelling and accessory building, agriculture, private stable and/or corral, cemetery, golf course (excluding miniature), parks, and essential government facilities.

Conditional uses include churches and schools, educational facilities: public or private; private parks, public utility and child care family home.

(3) RE-2 Residential Estate District. The purpose of this district is to accommodate single-family residential development on low density, large estate type lots. This zone is intended to help preserve rural/estate character and provide for rural amenities with the primary residential nature of the zone.

Permitted uses include single-family dwelling and accessory building; or agriculture, cemetery, golf course (excluding miniature), private stable and/or corral, parks, and essential governmental facilities.

Conditional uses include churches and schools, educational facilities; public or private, private parks, public utility and child care family home.

(4) R-1 Single-Family Residential. The purpose of this district is to accommodate single-family residential uses on residential lots of at least 10,000 square feet.

Permitted uses include single-family detached dwellings and essential governmental facilities and services.

Conditional uses include utility facilities such as electric regulating stations or pressure control stations and child care family home.

(5) R-2 Single-Family Residential. This district is intended to principally provide single-family residential use on moderately sized, medium-density lots of at least 7,500 square feet.

Permitted uses include single-family detached dwelling and essential governmental facilities and services.

Conditional uses include utility facilities such as electric regulating stations or pressure control stations and uses customarily accessory to appeal uses or child care family home.

(6.) R-O Residential-Office District. The purpose of the Residential-Office District to is to provide areas within the city for the placement of offices or offices and residential in combination; to recognize existing offices and in some cases encourage their expansion and to provide a transition use from residential to commercial.

Permitted uses include business and professional offices, business and professional services; art and teaching studios, barber and beauty shops, single-family in combination with any of the above uses, duplexes, multi-family, veterinary clinic with no overnight accommodations, governmental offices, essential governmental facilities and services and uses customarily accessory to permitted uses.

Conditional uses may include child care family home and utility facilities such as electric regulating stations or pressure control stations.

Occupation permitted in residential structures utilized for residential purposes in the residential and agricultural districts. An occupation may be carried on in a residential structure in the R-O and A-1 Districts only when:

- (A) Does not require the use of more than fifteen (15) percent of the living area.
- (B) Does not require the use of an accessory building or yard space or any activity outside the main structure not normally associated with the residential uses.
- (C) Does not have a sign in excess of four square feet in area to denote the business, occupation or profession, and such sign must be attached to the structure.
- (D) Does not involve the outside display of goods and services.
- (E) The person operating the home occupation must be the person residing in the residential structure.
- (F) The person requesting a home occupation shall submit a request for the proposed use to the Planning Commission for approval.

(7) MF-1 Single and Multi-family Residential. This district is characterized by single and multi-family residential development on medium-density lots of at least 7,500 square feet. As with other residential zones, this district also serves as a buffer in providing for a graduation in intensity from higher to lower density residential development.

Permitted uses include single-family detached dwelling, multi-family units, and essential governmental facilities and services.

Conditional uses include churches and schools, and utility facilities such as electric regulating stations or pressure control stations.

(8) MF-2 Multi-Family Residential. The purpose of this district is to provide for high density residential development for attached living complexes. A minimum of 6,000 square feet of land is required for each dwelling unit. Municipal utility services must be available to be zoned in this classification.

Permitted uses include multi-family units and essential governmental facilities and services.

Conditional uses include utility facilities such as electric regulating stations.

(9) MHP Mobile Home Park District. The purpose of the Mobile Home Park District is to provide areas within the city for the placement of mobile homes; to recognize existing mobile home parks and to allow for their expansions or the establishment of new facilities; and to provide a variety of housing types for all income levels.

Permitted uses shall include mobile homes, laundry facilities (for the mobile home park only), special recreation facilities, essential government facilities and services and uses customarily accessory to permitted uses.

The remainder of this page is intentionally blank

Zoning Districts:	A-1	RE-1	RE-2
Single Family Minimum land area:	2 acres	2 acres	1 acre
Minimum Land Area per dwelling unit:	2 acres	2 acres	1 acre
Front Setback:	35	50	25
Side Setback:	15	15	10
Rear Setback:	30	50	20
Lot Frontage:	200 feet	200 feet	75 feet
Duplex	NP	NP	NP
Triplex	NP	NP	NP
4 Plex and Larger	NP	NP	NP
Churches and Schools Minimum land area:	3 acres	3 acres	3 acres
Front Setback:	50	50	30
Side Setback:	30	30	25
Rear Setback:	50	50	25
Lot Frontage:	200 feet	200 feet	100 feet
All other Uses Minimum land area:	5 acres	5 acres	5 acres
Front Setback:	30*	30	25
Side Setback:	30*	30	25
Rear Setback:	30*	30	25
Lot Frontage:		200 feet	100 feet
NP=Not Permitted			

\*all structures involved in agriculture uses shall provide a 50 ft. front side and rear yard.

Zoning Districts:	R-1	R-2	R-O
Single Family Minimum land area:	10,000	7,500	7,500
Minimum Land Area per dwelling unit:	10,000	7,500	7,500
Front Setback:	25	25	50
Side Setback:	10	10	20
Rear Setback:	20	20	30
Lot Frontage:	75 feet	75 feet	100 feet
Duplex	NP	NP	NP
Triplex	NP	NP	NP
4plex and Larger	NP	NP	NP
Churches and Schools Minimum land area:	43,560 ft.	43,560 ft.	NP
Front Setback:	30	30	
Side Setback:	25	25	
Rear Setback:	25	25	
Lot Frontage:	100	100	
All other Uses Minimum land area:	43,560 ft.	43,560 ft.	43,560 ft.
Front Setback:	25	25	25
Side Setback:	25	25	25
Rear Setback:	25	25	25
Lot Frontage:	100 feet	100 feet	100 feet
NP=Not Permitted			

Zoning Districts:	MF-1	MF-2	MHP-1
Single Family Minimum land area:	7,500 ft.	NP	43,560 Min. land area Sq. Ft.
Minimum Land Area per dwelling unit:	7,500 ft.		4,000
Front Setback:	25		25
Side Setback:	10		25
Rear Setback:	20		25
Lot Frontage:	75 feet		100
Duplex Minimum land area:	12,000 ft.	12,000 ft.	NP
Minimum Land Area per dwelling unit:	6,000 ft.	6,000 ft.	
Front Setback:	25	25	
Side Setback:	10	10	
Rear Setback:	10	20	
Lot Frontage:	75	75	
Triplex Minimum land area:	NP	18,000 ft.	NP
Minimum Land Area per dwelling unit:		6,000 ft.	
Front Setback:		30	
Side Setback:		15	
Rear Setback:		20	
Lot Frontage:		100	
4 Plex and Larger Minimum land area:	NP	24,000 ft	NP
Minimum Land Area per dwelling unit:		6,000 ft	
Front Setback:		30	
Side Setback:		25	
Rear Setback:		20	
Lot Frontage		100	
Churches and Schools Minimum land area:	NP	43,560 ft.	NP
Front Setback:		30	
Side Setback:		25	
Rear Setback:		25	
Lot Frontage:		100	

NP=Not permitted

**MISCELLANEOUS PROVISIONS  
RESIDENTIAL DISTRICTS**

**(a) Minimum Dimension Requirements**

(1) When an existing lot is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining area is at least seventy-five percent (75%) of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to comply with minimum lot size requirements.

(2) Minimum lot size requirements shall not be interpreted as prohibiting the construction of a single-family residential dwelling unit on a lot that was legally platted and recorded before the adoption of these regulations. For lots that are rendered nonconforming, the necessity of obtaining a variance from such created nonconformity shall not be required as a condition of issuance of a building permit, provided all setback and other requirements can be met.

(3) When an existing setback is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining setback is at least seventy-five percent (75%) of the required minimum setback for the district in which it is located, then that remaining setback shall be deemed to satisfy minimum setback requirements.

**(b) Maximum Lot Coverage**

(1) The maximum lot coverage (all buildings) shall not exceed forty percent (40%) in R-1, R-2, MF-1, and MF-2 zones.

(2) The maximum lot coverage for the R-O zone is sixty percent (60%) of the lot or parcel.

**(c) Height Limitations**

(1) The maximum height for all structures is thirty-five (35) feet in R-1, R-2, MF-1, and MF-2 zones. The maximum height for all structures is 20 feet in MHP zones.

(2) The maximum height for all structures is forty (40) feet in the R-O zone.

**(d) Off-street parking**

(1) Parking requirements for R-1 and R-2 zones are as follows:

2 per each single-family dwelling;

1 per each 10 seats in a church auditorium or sanctuary;

1 per each 1,000 square feet of school floor area; and  
1 per each 500 square feet of floor area in all other areas.

(2) Parking requirements for MF-1 and MF-2 zones are as follows:

2 per each single-family dwelling in MF-1;  
4 per each duplex;  
6 per each triplex;  
8 per each fourplex;  
2 per each dwelling unit in any structure larger than a fourplex;  
1 per each 10 seats in a church auditorium or sanctuary;  
1 per 100 square feet of school floor area; and  
1 per each 500 square feet of floor area in all other uses.

(3) Parking requirements for MHP zones are 2 per each mobile home space.

(4) Parking requirements for R-O zones are as follows:

2 per each dwelling unit;  
2 per each dwelling unit plus 1 per each 300 square feet of office or business space in combination; and  
1 per each 500 square feet of floor area in all other uses.

#### **Sec. 14.20.02. Commercial Districts.**

(a) General description. Commercial districts are principally intended for the provision of services and the conduct of business and retail trade essential to support residents within the city and the surrounding area. Two (2) such districts are established herein to provide for the diversity of uses and appropriate locations required for the range of goods and services needed in Farmington.

Uses permitted and conditional uses in the commercial districts are set forth in the following descriptions

(1) C-1 General Commercial . The purpose of this zoning district is to provide areas within the city for the conduct of commerce and the provision of personal services; to group retail activities for the convenience of the consumer, to reduce energy costs, to take maximum advantages of public facilities and services and to reduce the impact on surrounding property; and to recognize and encourage the continuance of certain existing commercial groupings.

Permitted uses may include all uses listed in the R-O District except residential uses, restaurants, all retail and service uses; trade and repair services, cultural and recreation facilities, veterinary with inside holding pens, hotel and motel facilities and public and

private uses customarily accessory to permitted uses.

**Minimum Area Requirements:**

<b>Minimum Land. Sq. Ft .</b>	<b>Front Yard Feet</b>	<b>Side Yard Feet</b>	<b>Rear Yard Feet</b>
N/A	50	25	20

Lot coverage: No more than 60% of the lot or parcel may be covered by structures.

Height requirements: The maximum height shall be 40 feet.

Off-street parking requirements:

- 1 per each 200 sq. feet of floor area for eating places and retail establishments
- 1 per each room for hotel and motels;
- 1 per each 500 sq. feet of floor area for all other uses.

(2) C-2 Highway Commercial. The purpose of the Highway Commercial District is to provide areas adjacent to highways within the city for the conduct of commerce and the provision of personal services; to groups retail activities for the convenience of the consumer, to reduce energy costs, to take maximum advantage of public facilities and services and to reduce the impact on surrounding property, and to recognize and encourage the continuance of certain existing commercial groupings.

Permitted uses may include all uses listed in the R-O District, except residential, and C-1 District, including but not limited to, Advertising agency, Antique shop without refinishing, Architects supplies, Artists studio, Artists supplies, Arts & crafts shop, Barber or beauty shop, Bicycle shop, Book & stationery store, Camera shop, China shop, Clothing store, convenience food store dispensing fuel, cosmetic sales, costume rental, Curtain sales, Dental supplies, Detective service, Drafting service, Drive-in establishments, Drugstore or pharmacy, Dry-cleaning, Laundromats, Fire station, Florist shop, Food specialties store, Handicraft, ceramics, sculpture of similar artwork, Health food store, Health studio or spa, Hearing aid, Interior decorating, Key shop, Leather goods & luggage, Library, Art gallery, Medical appliance fittings & sales, Medical supplies and services, News & magazine store, Offices, Optical shop, Optical supplies, Park, Parkway, Pet Shops, Photocopying, Photography studio, Picture framing, Playfield & playground, Police substation, Pressure control station, Real estate office, Shoe repair, Shoe store, Sidewalk, Tobacco or Candy store, all utility facilities, Watch repair.

Conditional uses may include: Amusement commercial indoor, Auditorium, Auto parts,

Bait shop, Bakery or confectionery, Bindery, Broadcast studio, Bus station, Carnival or circus, Carpeting, Car wash, Catalog sales, Catering service, Church, Country club, Custom sewing, Cutlery engraving, Child care, Employment agency, Janitorial, Jewelry store or repair, Music instrument, Nursing & convalescent homes, Office furnishings, Paint & wallpaper store, Parking, Pawn shop, Pet store, Radio station, Reading rooms, Record & tape shop, Restaurant, Rug cleaning or repair, Scientific instruments sales, Second hand store, Sign painting, sporting goods, Tailor, Taxidermist, Ticket office, Toy store, Travel agency, Vacuum cleaner sales & service, Video and Window cleaning.

**Minimum Area Requirements:**

<b>Minimum Land Sq. Ft .</b>	<b>Minimum Land Area Sq. Ft./D.U.</b>	<b>Front Yard Feet</b>	<b>Side Yard Feet</b>	<b>Rear Yard Feet</b>	<b>Lot Frontage Feet</b>	<b>Corner Lot Feet</b>
N/A	N/A	50*	25	20	50	35

**\* The specific properties most affected by the Highway 62 project and described in Exhibit “A,” which is attached hereto and incorporated by reference, will be allowed a Front Yard Setback of 35 feet.**

**\*\* Street side setbacks and side setbacks adjacent to residential zones will be 15 feet.**

The replacement of buildings and structures in the C-2 Highway Commercial Zone that are substantially destroyed by fire, acts of God or demolished by the property owners shall meet all setback requirements established herein. For purposes of this section, buildings and structures are substantially destroyed if fifty percent (50%) of the building or structure would require reconstruction, as determined by the Farmington Building Inspector.

Lot coverage: No more than 60% of the lot or parcel may be covered by structures.

Height requirements: The maximum height shall be 40 feet.

Off-street parking requirements:

- 1 per each room plus 1 per each employee for hotel and motels;
- 1 per 200 sq. feet of floor area for offices;
- 1 per 300 sq. feet of floor area for commercial;
- 1 per 4 seating capacity for restaurants;
- 1 per 400 sq. feet of floor area for services uses;
- 1 per each 500 sq. feet of floor area for all other uses.

**Sec. 14.20.03. I Light Industrial District.** The Light Industrial zoning district is intended to provide for the development of light to medium intensity industrial uses and their related facilities. Certain commercial and other complementary uses may be permitted. Appropriate standards for the district are designed to assure compatibility with other similar

uses and to minimize any conflicts with non-industrial uses located in close proximity to industrial uses. Suitable uses in this district include such limited manufacturing as does not create a nuisance for residential and commercial neighbors. Adequate and suitable transportation facilities are a necessity to this district.

Permitted uses may include warehousing and wholesale, limited and general manufacturing, packaging, assembling and fabrication of prepared materials, storage, trade and repair services, sale and service of transportation equipment and heavy machinery, building material establishments, contract construction, construction sales and service, essential governmental and utility facilities and services and uses customarily accessory to permitted uses.

**Minimum Area Requirements:**

<b>Minimum Land. Sq. Ft .</b>	<b>Front Yard Feet</b>	<b>Side Yard Feet</b>	<b>Rear Yard Feet</b>	<b>Lot Frontage Feet</b>
N/A	50	25	25	50

**Chapter 14.21**

**Animals and Livestock**

**Sections:**

- 14.21.01      Animals and Livestock Permitted**
- 14.21.02      Setback Requirements**
- 14.21.03      Nuisance Animals**
- 14.21.04      Prohibited Animals**
- 14.21.05      Farmington City Ordinance**
- 14.21.06      Exceptions and Exemptions**

**14.21.01 Animals and Livestock Permitted.** To preserve the rural environment and character of the A-1 Agriculture, RE-1 Residential Estate, and RE-2 Residential Estate Districts, livestock shall be permitted within the city limits of Farmington, but not in excess and beyond the following limitations and exceptions as follows:

- (1) One (1) large animal, such as a horse, mule, cow, llama, or pig per one acre of land in each lot or parcel.
- (2) One (1) small animal such as a goat, sheep, or emu per one-half (1/2) acre of land in each lot or parcel.
- (3) Ten (10) fowl or rabbits for each lot or parcel in the A-1 Agriculture District.

(4) Five (5) fowl or rabbits for each lot or parcel in the RE-1 or RE-2 Districts.

(5) Hobby Kennels are permitted in A-1, RE-1, and RE-2 Districts. Kennels are permitted in A-1 Districts but are prohibited in RE-1 and RE-2 Districts.

**14.21.02 Setback Requirements.** To help safeguard and prevent animals from becoming nuisances and to protect citizens from potential harm in the newly formed residential estate districts, the following setback requirements must be met in order to own or harbor livestock.

(1) The primary dwelling for large animals in the A-1, RE-1 and RE-2 Districts must be at least 100 feet from any neighbor's home.

(2) The primary dwelling for small animals in the A-1, RE-1 and RE-2 Districts must be at least 50 feet from any neighbor's home.

(3) The primary dwelling for fowl, and rabbits in the A-1, RE-1, and RE-2 Districts must be at least 100 feet from any neighbor's home.

(4) Fencing for any livestock must be constructed in such a manner that animals may not reach legs, necks, wings, or any other body part onto a neighbor's property, or to any shrubs or plants growing onto a neighbor's property.

(5) Fencing shall be constructed in such a manner as to secure livestock and shall be maintained in good condition at all times.

(6) Concentrated feed operations for confined livestock shall not be permitted in any zoning district.

(7) Manure shall not be allowed to accumulate to a point in which it creates an objectionable odor that is disturbing to any person within a reasonable proximity to the premises.

**14.21.03 Nuisance animals.** While preserving the rural environment and character of the A-1 Agriculture, RE-1 Residential Estate and RE-2 Residential Estate Districts, it is vitally important for owners to exercise control of animals. No owner shall fail to exercise proper care and control of his or her animals to prevent them from becoming a public nuisance. Any animal doing any of the following shall constitute a public nuisance.

(1) Running at large in violation of Title 6 of the Farmington City Ordinance.

(2) Permitting, either willfully or through failure to exercise due care and control, any animal to bark, yelp, whine, screech, howl, bray, or make other oral noises in a habitual, unreasonable, continued, or unprovoked manner that can be heard beyond the boundary of the owner's property and disturbs the peace and quiet of any person or persons.

**14.21.04 Prohibited animals.**

(1) No person shall harbor, maintain or control a wild, vicious or undomesticated animal within the City of Farmington as prescribed in Title 6, Farmington City ordinance.

(2) Farmington City Ordinance. All persons in all zoning districts shall be required to comply with the Animal Control Regulations prescribed by Title 6 of the Farmington City Ordinances.

**14.21.06 Exceptions and Exemptions.** All persons who have stables or kennels or numbers of animals in excess of what is prescribed herein that are not in compliance at the effective date of this ordinance shall be permitted to continue as a legal nonconforming use and may be continued, until and except as provided in Chapter 14, Section 12 of the zoning ordinance.

**Chapter 14.32**

**Special Conditions Applicable to Certain Uses**

**Sections:**

- 14.32.01        General**
- 14.32.02        Adult Entertainment**
- 14.32.03        Manufactured Housing Parks**
- 14.32.04        Manufactured Housing Units**

**Sec. 14.32.01 General.** Uses permitted, or those permitted subject to conditional use approval, shall be subject to the requirements of the district provisions as supplemented or modified by this chapter.

**Sec. 14.32.02 Adult Entertainment.** All sexually oriented businesses shall be limited to the C-2 Highway Commercial District and shall comply with Title 7, Chapter 7 of the Farmington City Ordinance.

**Sec. 14.32.03 Manufactured Housing Parks.** Manufacturing housing units, as defined herein and in accordance with state and federal law, are not mobile homes, as defined in Chapter 14, Section 4. A manufactured housing park is not a Mobile Home Park District as described in Chapter 14, Section 20 of the zoning ordinance. Manufacturing housing parks are permitted uses in the A-1 Agricultural Districts and are therefore not a separate residential district. The following minimum standards apply to manufactured housing parks:

(a) Setbacks. Each manufactured housing unit space shall be set back at least thirty feet (30') from all street right-of-ways, and at least twenty feet (20') from all other lot lines.

(b) Minimum Lot Size and Space Size. Manufactured housing parks shall contain at least

four thousand three hundred fifty (4,350) square feet of gross site area for each manufactured housing unit space within the park. Each individual manufactured housing unit space shall be at least three thousand (3,000) square feet in area, but shall not occupy more than fifty percent (50%) of the lot area.

(c) Separation of Units. Each manufactured housing unit and accessory structure shall be separated by at least twenty feet (20') of horizontal distance from all other manufactured housing units and accessory structures.

(d) Parking. At least two paved parking spaces, one hundred eighty (180) square feet in area in each space, shall be provided as a part of each manufactured housing unit space. To provide for guests, one additional paved parking space, at least one hundred eighty (180) square feet in area, shall be provided for each ten (10) manufactured housing unit spaces. These guest parking spaces shall be centrally located within the park.

(e) Driveways.

(1) Length and Design. Internal driveways or courts designed to have one end permanently closed, shall be no more than four hundred feet (400') long unless approved by the planning commission. A turn-around having an outside roadway diameter of at least eighty feet (80') shall be provided at the closed end of any driveway.

(2) Paving. All internal driveways shall be paved with asphalt. The minimum requirements are six inches (6") of compacted SB2 gravel with three inches (3") of asphalt surface on firm subgrade. Property owners shall be responsible for maintaining paving on all internal driveways.

(3) Width. Drives shall have a minimum paved width of twenty-six feet (26'). One-way drives are specifically prohibited.

(f) Signs. One detached, indirectly illuminated sign, not exceeding twenty (20) square feet in area, may be erected at the main entrance to the manufactured housing park.

(g) Fire Protection. Fire lines and fire hydrants shall be shown on the site plan, and shall be provided in accordance with recommendations of the fire chief. No manufactured housing unit space shall be more than two hundred fifty feet (250') from a fire hydrant.

(h) Water and Wastewater Service. Each manufactured housing unit shall be connected to a public sanitary sewer or a step sewer system and a public water supply system.

(i) Underground Utilities. All light, gas, water, telephone and cable television distribution and service lines to each individual manufactured housing unit shall be placed underground and conform to all state and local codes and regulations.

(j) Inspections. It shall be the duty of the building inspector to make an annual inspection of

each approved manufactured housing park, and present to the park owner and unit owner, a written list of existing violations, should there be any.

(k) Resident Managers. In manufactured housing parks containing thirty (30) or more units, a manager must reside within the park area.

**Sec. 14.32.04 Manufactured Housing Units.** Manufactured housing units shall be considered permitted uses in the A-1 zone, which are single-family districts, and in manufactured housing parks. All manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer, and the standards established by the International Building Code, as adopted by the State of Arkansas, as well as those established by the Arkansas Manufactured Home Commission.

### Chapter 14.35

#### Re-zoning and Development Regulations

##### Sections:

- 14.35.01 Re-zoning**
- 14.35.02 Large Scale Development**
- 14.35.03 Lot Splits**
- 14.35.04 Conditions for uses on appeal**

**Sec. 14.35.01 Re-zoning.** The following rules and regulations for re-zoning are as follows:

(a) Fees. The applicants for change in zoning shall pay (in addition to all required advertising costs) to the City Clerk a filing fee of \$25.00 to cover such costs as may be incurred in connection with such application. Such fee is to be deposited in the General Fund of the city of Farmington. The filing fee shall be waived for six (6) months following the effective date of this zoning ordinance.

(b) Petition process.

(1) The zoning regulations, when amended, shall be amended in conformance with the requirements of Title 14 , Chapter 56, Subchapter 4 of Arkansas Code of 1987 Annotated, as amended, as required for the initial adoption of this ordinance.

(2) The Planning Commission shall establish the procedure for processing requests for revision in the zoning regulations.

(3) No application for 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, whichever is later, unless the Planning Commission or City

Council finds that a substantial reason exists for waiving this limitation.

(4)

(A) All applicants submitting requests for rezoning or amendments to zoning ordinances before the Planning Commission shall provide written notice of the time and place of the public hearing to the owners of all real property adjacent to the subject property. The notice shall include the name and address of the applicant, location of the subject property, and the time and place of the public hearing. Notices shall be sent to the owners of all real property adjacent to the subject property by certified mail, return receipt requested, to the last known address shown on the most recent tax records at the Washington County Tax collector's office.

(B) That prior to the public hearing, applicants must submit a verified affidavit attesting to the delivery of the notice to owners of all real property adjacent to the subject property, a copy of the notice that was delivered to each property owner, and copies of receipts evidencing pre-paid postage for each notice. The affidavit and supporting documents referred to herein must be submitted seven (7) days prior to the public hearing.

(C) The Farmington City Business Manager shall post a notice of the public hearing on the subject property adjacent to the nearest city street or state highway. The notice shall be posted a minimum of seven (7) days prior to the public hearing, shall be clearly visible from the public thoroughfare, and shall contain the name and address of the applicant, location of the subject property, and the time and place of the public hearing. If the Planning Commission denies the proposed amendment, the petitioner may appeal such denial to the City Council, provided that the petitioner states specifically in writing to the City Clerk what he considers the Planning Commission's findings and decisions are in error. Such appeal shall be filed with the City Clerk within fifteen (15) days from the date of the Planning Commission action.

**Sec. 14.35.02 Large scale development.**

- (a) A large scale development plan shall be required for all industrial and commercial developments, multi-family and residential developments without regard to lot size; all site improvements to real property zoned commercial and industrial; and additions to existing structures on real property zoned commercial and industrial, when the improvements or additions to existing structures exceed 25% of the remaining real property.
- (b) A large scale development plan shall be submitted to the Planning Commission for their approval and shall include the following:
  - (1) A map drawn to scale showing the size and shape of the property

on which the development is proposed;

(2) The location, size and arrangement of existing buildings, signs, improvements, water courses or bodies, and any other features that will remain after the development is completed;

(3) The location and size of all proposed buildings, parking and loading areas, the type of surfacing proposed for such areas, streets, driveways, curb cuts, landscaping and any other facilities proposed;

(4) A correct legal description;

(5) The location and names of all abutting or intersecting streets;

(6) The location of all proposed public facilities;

(7) Sufficient right-of-way dedication to comply with the Master Street Plan; and

(8) Sufficient easements to meet utility and drainage requirements.

- (c) The Planning Commission shall approve, approve with conditions or disapprove within thirty (30) days of receipt of all large scale developments submitted. Grounds for disapproval may be failure to comply with any of the above requirements.

A large scale development plan approved with conditions or disapproved may be appealed to the City Council. An appeal must be submitted in writing to the City Clerk within fifteen (15) days of the Planning Commission's decision and shall state the reasons for appeal.

- (d)
- (1) All applicants submitting preliminary plats of Large Scale Developments before the Planning Commission shall provide written notice of the time and place of the regular or special meeting to the owners of all real property adjacent to the project. The notice shall include the name and address of the applicant, location of the project, and the time and place of the scheduled meeting. Notices shall be sent by certified mail, return receipt requested, to the last known address shown on the most recent tax records at the Washington County Tax Collector's office.

(2) That prior to the regular or special meeting of the Planning Commission, applicants must submit a verified affidavit attesting to the delivery of the notice to all owners of real property adjacent to the project, a copy of the

notice to each property owner, and copies of receipts evidencing pre-paid postage for each notice. The affidavit and supporting documents referred to herein must be submitted seven (7) days prior to the regular or special meeting of the Planning Commission.

(3) The notice and verification provisions contained herein shall be required for all industrial and commercial developments, multi-family and residential developments without regard to lot size; all site improvements to real property zoned commercial and industrial; and additions to existing structures on real property zoned commercial and industrial, when the improvements or additions to existing structures exceed 25% of the remaining real property.

- (e) The owner or developer shall submit sufficient plans and specification for all improvements required by the Planning Commission and shall install at his expense said improvements.
- (f) Fees. Large scale developments shall be subject to the following review fees. Said fees are to be paid when the Plan is submitted for placement on the agenda of the Planning Commission.

(1) That prior to submitting a preliminary plat of a large scale development for single or multi-family subdivisions to the Farmington Planning Commission, owners and/or developers shall complete an application provided by the City Business Manager, provide all documents requested, and remit a non-refundable review fee of Two Thousand Dollars (\$2000.00). In the event engineering review fees and costs incurred by the city of Farmington exceed Two Thousand Dollars (\$2000.00), owners and/or developers of subdivisions shall reimburse the city of Farmington for all additional expenses before the final plat is submitted to the Farmington Planning Commission. In the event a final plat is submitted but not approved, and additional engineering review is required, owners and/or developers shall remit payment for all additional engineering review fees and costs incurred by the city of Farmington prior to the plat being resubmitted to the Farmington Planning Commission for final plat approval. If additional fees are incurred after final plat approval, signature of Planning Commission officials on the final plat shall be withheld until the city has been reimbursed for all engineering fees related to the project.

(2) That for all other large scale developments, owners and/or developers shall complete an application provided by the City Business Manager, provide all documents requested, and remit a non-refundable review fee of Five Hundred Dollars (\$500.00), the owners and/or developers shall reimburse the city of Farmington for all additional expenses incurred prior to review by the Farmington Planning Commission. In the event the Farmington Planning Commission requires modifications to the large scale development and additional engineering fees and costs are incurred, the owners and/or developers shall

reimburse the City of Farmington before the large scale development is resubmitted to the Farmington Planning Commission.

**Sec. 14.35.03 Lot splits**

- (a) Delegation of authority The Farmington Planning Commission delegates the authority for approving or disapproving lot splits to the City Business Manager or to any city official designated by the Mayor. The City Business Manager, or other city official, as the case may be, shall either approve or disapprove the proposed lot split within thirty (30) days of application. If approved, and after all conditions have been met, the City Business Manager shall execute a written approval of the lot split and furnish a certified copy to the applicant, which shall be submitted to the Washington County Planning Office. If the lot split is not approved, the City Business Manager shall, in writing, state the reason for the disapproval. The applicant may appeal the decision of the City Business Manager to the Farmington Planning Commission.
- (b) Lot size The minimum lot size of tracts within the incorporated boundaries of the city of Farmington shall be governed by the lot size specified by the zoning classification of the subject property. Individual lots or parcels within the incorporated boundaries of the city of Farmington and lots or parcels within one (1) mile of the unincorporated boundaries surrounding the city of Farmington that require a septic system shall be constructed and installed in compliance with Arkansas law, Arkansas State Health Department regulations and Washington County Health Department regulations.
- (c) Metes and bounds Applicants shall not be permitted to submit metes and bounds descriptions of tracts, parcels or lots on lot split applications.
- (d) Administrative provisions for division of land
  - (1) Real property that has not been divided within ten (10) years prior to the application required herein shall be entitled to a division of not more than four (4) lots, subject to the requirements of (B) and (C) above.
  - (2) The division of land into four (4) parcels, all of which must be a minimum of five (5) acres when the tract or parcel being divided was derived from a previous lot split within ten (10) years from the date of application.
  - (3) The division of land and adjustment of boundary lines for sale or exchange of tracts between adjoining land owners where the sale or exchange of land does not create additional lots.
  - (4) Division of land into an unspecified number of tracts, with each

tract consisting of at least forty (40) acres, more or less, in size.

(5) Division of land as required by a court order.

(6) Division of land to be used for cemetery purposes and division of and to create burial plots in a cemetery.

(7) Division of land acquired by public acquisition for the widening or opening of streets and/or easements.

(8) Division of land required for the transfer of an interest for mortgages, liens or deeds of trust provided the division is not the result of a seller-financed transaction.

(9) Division of land and conveyance necessary to correct errors in prior conveyances.

(10) Division of land in the C-2 Highway Commercial Zone that meet the minimum are requirements of all applicable zoning ordinances.

(e) Additional requirements. Administrative division of land in Section D, 1 through 10 above is subject to the following requirements:

(1) Completion of application for a lot split and providing all necessary documents required with the application and a survey of the tract and the proposed division of land.

(2) Parcels of land not fronting a public road or directly connected to a public road must have a sixty (60) foot easement for ingress, egress and utilities. The easement can be a shared easement.

(3) Parcels fronting a public road must have at least seventy-five (75) feet of frontage if they are less than one (1) acre in size and at least one hundred (100) feet of frontage if they are less than five (5) acres in size and at least one hundred sixty-five (165) feet of frontage if the parcels are five (5) acres or greater in size.

#### **Sec. 14.35.04 Conditions for uses on appeal**

The Planning Commission shall hear and decide each request for conditional uses in each zoning district. The Planning Commission shall hold a public meeting on each request and may authorize the conditional use after all of the following requirements have been met.

(1) A written application has been filed with the city and the \$50.00 permit

application fee or renewal application fee has been paid.

(2) The applicant has provided proof that each adjacent property owner has been notified by return receipt mail or personal contact. If personal contact, a signed affidavit by the owner must be submitted.

(3) Are public services and utilities available and adequate:

(4) Is fire protection adequate?

(5) Is the proposed use compatible with the surrounding area and the planned use for the area?

(6) Is screening and egress safe and convenient?

(7) Are off-street parking and loading areas adequate?

(8) Will refuse and service areas not cause adverse affects on adjacent property?

(9) Will off-street parking and loading areas not cause adverse effects on adjacent property?

(10) Will signs be in compliance with the city's sign ordinance?

Renewal of use on appeal permits: Use on Appeal Permits issued by the city will be valid for one calendar year and will expire one year from the date the permit is issued. The person or business holding a Use on Appeal Permit is required to re-apply annually to have their Use On Appeal Permit reinstated. When presenting the written application for the Use On Appeal Permit, a renewal application fee of \$50.00 will also be required with each application. Any applications submitted without the requisite fee will not be accepted. All applications and fees should be delivered to Farmington City Hall. All Renewal applications must be submitted no later than 45 days before the expiration date in order to process the paperwork in a timely manner and avoid disruption of business at the location.

## **Chapter 14.38**

### **14.38.01 Administration and enforcement**

#### **14.38.01: Board of Adjustment**

(a) Designation, organization, meetings of the Board

1. The Board of Adjustment, hereinafter referred to as "The Board," shall

consist of the members of the Planning Commission.

2. The Board shall establish regular meeting dates, adopt rules for the conduct of its business, establish a quorum and procedures, and keep a public record of all findings and decisions.
3. Each session of the Board shall be a public meeting with public notice of said meeting and business to be carried out and published in a newspaper of general circulation in the city at least one time seven days prior to the meeting.

(b) Appeals from the decision of Enforcement Officer: The Board may hear appeals from the decision of the Enforcement Officer in respect to the enforcement and application of these regulations and may affirm or reverse, in whole or part, such decisions of the Enforcement Officer.

(c) Variances: The Board may hear request for variances from the literal provisions of the zoning ordinances in instance where strict enforcement of the zoning ordinances would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intend of the provisions of the zoning ordinance. The Board shall not permit, as a variance, any use in a zone that is not permitted under the regulations. The Board may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

(d) Fees: the appellant to the Board of Adjustment shall pay (in addition to all required advertising costs) to the City Clerk a filing fee of \$25.00 to cover such other costs as may be incurred in connection with such appeal. Such fee is to be deposited in the General Fund of the city of Farmington.

(e) Appeals from the decision of Board: The decision of the Board in respect to appeals from the decision of the Enforcement Officer and to request for variances shall be subject to appeal only to a court of record having jurisdiction.

#### **14.38.02: Compliance required**

(a) Enforcement:

- (1) The provisions of this ordinance shall be administered by an Enforcement Officer designated by the City Council.
- (2) No structure shall be erected, moved, added to or structurally altered, without a building permit. All applications for buildings permits shall provide such information as is necessary to determine conformance with these regulations.

- (b) Penalty for a violation: Violation of the provisions of this zoning ordinance or failure to comply with any of its requirements (including violations or conditions and safeguards established in connection with grants or variance or special exceptions) shall constitute a misdemeanor. Any person who violates this zoning ordinance or fails to comply with any of its requirements shall upon conviction thereon be subject to a fine not to exceed Five Hundred Dollars (\$500.00) for any one specified offense or violation, or double that sum for each repetition of such offense or violation. If the prohibited action is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof shall not exceed Two Hundred and Fifty Dollars (\$250.00) for each day that the same may be unlawfully continued.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, engineer, agent or other person who commits, participates in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

## CHAPTER 14.40

### FLOOD DAMAGE PREVENTION

#### Sections:

- |                 |  |
|-----------------|--|
| <b>14.40.01</b> | <b>Flood Damage Prevention Code adopted by reference</b> |
| <b>14.40.02</b> | <b>Fine</b>  |
| <b>14.40.03</b> | <b>Amendments</b>  |

**14.40.01 Flood Damage Prevention Code Adopted by reference** A Flood Damage Prevention Regulatory Code, which is attached hereto as Exhibit A, is hereby adopted for the City of Farmington, such Flood Damage Prevention Regulatory Code having been authorized by the legislature of the state of Arkansas in A.C.A. 14-268-101 through 14-268-105. A copy of the referenced regulatory code shall be filed in the office of the Business Manager of the city of Farmington and shall be available for inspection and copying by any person during normal office hours. The code shall include the following articles:

- |            |                                       |
|------------|---------------------------------------|
| Article 1: | Findings of fact, purpose and methods |
| Article 2: | Definitions                           |
| Article 3: | General provisions                    |
| Article 4: | Administration                        |

Article 5: Provisions for flood hazard reduction

**14.40.02 Fine.** Any person or corporation who violates any measure adopted under this code shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than the maximum amount allowed by ordinance for each offense. Each day during which such violation exists is a separate offense.

**14.40.03 Amendments.** Article 3, Section B, should be and is hereby amended as follows: The areas of special flood hazard identified by the Federal Emergency Management Agency on its Flood Insurance Rate Map (FIRM), Community Number 050215, dated December 20, 2000, or in a Flood Hazard Study by the Army Corps of Engineers dated February 1996 for Goose Creek, Farmington Branch, Spring Mountain Creek, and South Fork Farmington Branch, and any revisions thereto are hereby adopted by reference and declared to be a part of this code

Article \_\_\_\_, Section D, should be and is hereby amended to provide for penalties for non-compliance with the Flood Damage Prevention Regulatory Code.

**Chapter 14.42**

**Validity and Repeal**

**Sections:**

- 14.42.01      Validity**
- 14.42.02      Repeal**

**Sec. 14.42.01 Validity.** These zoning regulations and the various parts, sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, sentence, or paragraph, section or subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of these zoning regulations shall not be affected thereby.

The city council hereby declares that all such remaining parts would have been passed irrespective of the validity or invalidity of any parts found to be invalid.

**Sec. 14.42.02 Repeal.** All ordinances, codes, or regulations, or parts of ordinances, codes, or regulations, in conflict with these zoning regulations, or inconsistent with provisions of these regulations are hereby repealed to the extent necessary to give these zoning regulations full force and effect upon their adoption by the city council.

City of Farmington  
Application for Variance

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: LARRY STEPHENS Day Phone: 479-879-5717  
Address: 14190 Bethel Blacktop Fax: \_\_\_\_\_  
Representative: Same Day Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Property Owner: Same Day Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ 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 -- 12203 W. HWY 62  
Current Zoning -- C-2

Attach legal description and site plan (include a scale and dimensions)

Type of variance and reason for request (financial concerns are not considered valid reasons when requesting a variance):

Need A 5' variance TO BE ABLE TO BUILD  
A Building ON MY PROPERTY.  
Building size 40 x 80

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.

Larry Stephens Date 12/18  
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.)

Larry Stephens Date 12/18  
Owner/Agent Signature

# SITE PLAN

TOTAL ACREAGE  
 PARCEL #760-02403-500  
 0.54 ACRES +/-

FIELD WORK:  
 MAY 26-27, 2010

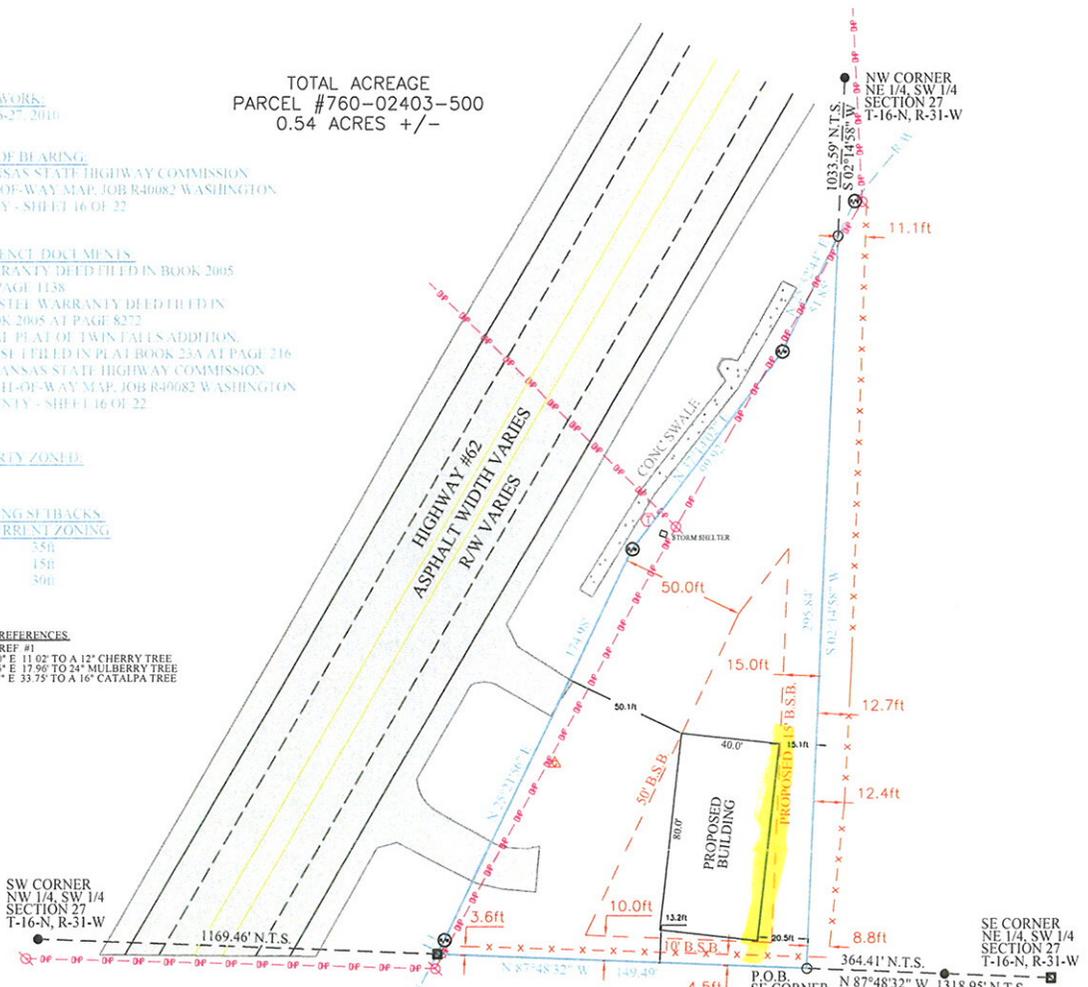
BASIS OF BEARING:  
 ARKANSAS STATE HIGHWAY COMMISSION  
 RIGHT-OF-WAY MAP, JOB R40082 WASHINGTON  
 COUNTY - SHEET 16 OF 22

REFERENCE DOCUMENTS:  
 1) WARRANTY DEED FILED IN BOOK 2005  
 AT PAGE 1138  
 2) TRUSTEE WARRANTY DEED FILED IN  
 BOOK 2005 AT PAGE 8272  
 3) FINAL PLAT OF TWIN FALLS ADDITION,  
 PHASE I FILED IN PLAT BOOK 23A AT PAGE 216  
 4) ARKANSAS STATE HIGHWAY COMMISSION  
 RIGHT-OF-WAY MAP, JOB R40082 WASHINGTON  
 COUNTY - SHEET 16 OF 22

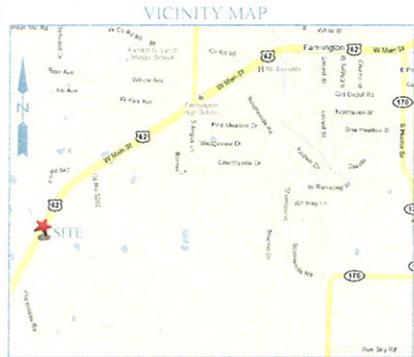
PROPERTY ZONED:  
 A-1

BUILDING SETBACKS  
 PER CURRENT ZONING:  
 FRONT 35ft  
 SIDE 15ft  
 REAR 30ft

CORNER REFERENCES:  
 CORNER REF #1  
 N 18°58'00" E 11.02' TO A 12" CHERRY TREE  
 N 71°54'35" E 17.99' TO 24" MULBERRY TREE  
 S 21°44'27" E 33.75' TO A 16" CATALPA TREE



**SURVEY DESCRIPTION:**  
 A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG THE SOUTH LINE THEREOF N87°48'32" W 149.49' TO AN EXISTING ALUMINUM MONUMENT ON THE EAST RIGHT-OF-WAY OF ARKANSAS STATE HIGHWAY #62, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: N27°48'51" E 6.32' TO A RIGHT-OF-WAY MARKER, N25°21'56" E 174.98' TO A RIGHT-OF-WAY MARKER, N37°14'02" E 99.92' TO A RIGHT-OF-WAY MARKER, N25°52'44" E 51.85' TO THE EAST LINE OF SAID FORTY ACRE TRACT, THENCE LEAVING SAID RIGHT-OF-WAY, ALONG SAID EAST LINE S02°14'58" W 295.84' TO THE POINT OF BEGINNING, CONTAINING 0.54 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 27°48'51" E	6.32'

**FLOOD CERTIFICATION:**  
 NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR WASHINGTON COUNTY, ARKANSAS. (FIRM PANEL #05143C0195F, DATED MAY 16, 2008)

FOR USE AND BENEFIT OF:  
**LARRY STEPHENS**  
 ADDRESS:  
 12203 W. HWY #62  
 FARMINGTON, ARKANSAS

DATE: 5/27/10 SCALE: 1"=50'  
 LOCATION: SEC 27 T-16-N, R-31-W  
 SURVEYED: JREQ DT  
 DRAFTED: DT  
 REVIEWED: DT

**Bates & Associates, Inc.**  
 Civil Engineering & Land Surveying  
 91 W. Colt Square Dr. Fayetteville, Arkansas 72703 479.442.0360 Fax: 479.521.8350

BATES & ASSOCIATES, INC. Copyright 2010  
 This survey was conducted for the purpose of providing a plan which shall not be relied upon for any other purpose than that for which it was prepared. It is not to be used for any other purpose without the express written consent of Bates & Associates, Inc. Notices of this nature are hereby given. Any and all notices provided in this plan in the performance of this survey are hereby given. The accuracy of this survey is based on the best available data and the best available methods of surveying. It is not to be used for any other purpose than that for which it was prepared. It is not to be used for any other purpose without the express written consent of Bates & Associates, Inc. Copyright 2010.

**LEGEND:** THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING

- FOUND S.W. REBAR
- FOUND ALUM. MONUMENT (999)
- RIGHT-OF-WAY MARKER (120)
- SET S.W. REBAR CAP
- TELEPHONE PEG/STAKE
- BOUNDARY LINE
- FORTY LINE
- RIGHT-OF-WAY
- x - x - FENCE
- - - BUILDING SETBACK LINE
- - - OVERHEAD POWER LINE
- GANTRY
- POWER POLE



DRAWING 10-104



December 3, 2010

**VIA FEDERAL EXPRESS**

Melissa McCarville  
City Business Manager  
City of Farmington, Arkansas  
354 W. Main  
Farmington AR 72730  
(479)267-3865

Re: T-Mobile Central LLC, d/b/a T-Mobile - Application for  
Telecommunications Permit (Collocation of Antennas on existing  
tower) at 12377 Jimmy Devault Road, Farmington AR 72730

Dear Ms. McCarville:

Attached is an application for a Telecommunications Permit for a collocation on an existing wireless communication facility located at 12377 Jimmy Devault Road, Farmington. Please find attached hereto the following documents:

1. Completed City of Farmington Application for a Telecommunications Permit (please note we have signed as both Applicant and as Owner, pursuant to a lease between T-Mobile Central, LLC and SBA Structures, Inc., dated 11/1/2010)
2. Ten (10) sets of plans showing the proposed facility and compound, including T-Mobile's proposed configuration on the property
3. An application fee in the amount of \$2500.00
4. An RF engineer's propagation study depicting wireless coverage without site AR01473 and with site AR01473

**PROJECT DESCRIPTION**

The accompanying attachments and this letter describe a proposed wireless communication facility that is proposed by T-Mobile. T-Mobile proposes to install new antennas on an existing multi-carrier wireless communication facility adjacent Jimmy Devault Road.

**T-MOBILE'S TECHNICAL NEED FOR SITE**

This location was chosen after a Search Area Request Form (SARF) was developed and issued by T-Mobile's Radio Frequency Engineering team. The SARF indicates a geographic area in which potential sites may be located which will effectuate the maximum amount of coverage where service is poor or non-existent.

Typical considerations in locating communication facilities are the ground elevation and clearance above ground clutter, such as buildings and trees, and the proximity of adjacent network sites. The facility must be located in the correct geographical area to provide continuous coverage to areas having poor levels of service.

Typically, Site Acquisition Specialists target potential collocation sites within the SARF area first, in order to minimize the cost of new construction of wireless facilities and in order to meet the spirit and intent of local regulations that encourage collocation in order to minimize the number of towers in a jurisdiction.

The above factors were considered in selecting the site that is the subject of this application. RF engineering propagation maps accompany this application, and demonstrate the proposed collocation site will accommodate T-Mobile's coverage needs. The propagation prediction maps document the current coverage gap T-Mobile's network suffers in this area of Washington County. The prediction maps show proposed coverage after implementation of site AR01473.

#### **SITE CONFIGURATION**

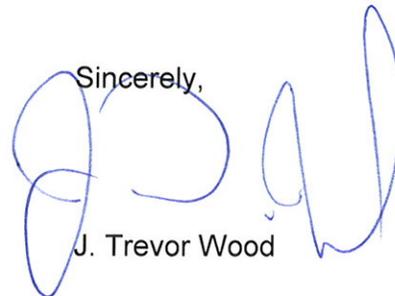
T-Mobile intends to utilize the 280' antenna centerline for its antennas. The compound has been designed to allow collocation for multiple carriers, and T-Mobile's equipment will fit within the existing compound.

#### **PROCEDURE – CONCLUSION**

With the filing of this application, we would like your support at the City Planning Commission's December 27, 2010 meeting and request your confirmation to that body that T-Mobile has met the criteria for the issuance of a Telecommunication Permit.

Please contact me at (913) 438-7700 to discuss this application at your convenience.

Sincerely,



J. Trevor Wood

Cc: Garth Adcock, T-Mobile  
Ed Mickells, SSC  
Cheri Edwards, SSC

**City of Farmington**  
**Application for a Telecommunications Permit**

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: T-Mobile Central, LLC Day Phone: (913) 402-6626  
12980 Foster, Ste. 200  
Address: Overland Park, KS 66213 Fax: \_\_\_\_\_  
Representative: Trew Wood, SBC, Inc. Day Phone: (913) 438-7700  
8500 W. 110th St. Ste. 300  
Address: Overland Park, KS 66210 Fax: (913) 438-7777  
Property Owner: SBA Structures, Inc. Day Phone: \_\_\_\_\_  
5900 Broken Sound Pkwy, N.W., 2nd floor  
Address: Boca Raton, FL 33487 Fax: \_\_\_\_\_

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

Fee: A non-refundable review fee of **\$2500** for co-location request and **\$5000** for a new tower is required at the time the application is accepted.

Fee paid \$ 2,500 Date \_\_\_\_\_ Receipt # \_\_\_\_\_

Describe Proposed Property (Attach additional pages if necessary)

Property Description

Site Address -- 12377 Jimmy Devault Road Farmington AR 72730  
Current Zoning -- A-1  
Property size (acres, square feet) -- 10,000 square foot lease area  
Attach legal description: Attached

Financial Interests

The following entities or people have a financial interest in this project:

SBA Structures, Inc.

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.*

[Signature] Date 12/3/10  
Applicant Signature

Property Owner/Authorized Agent: *I certify under penalty of perjury that I am the ~~owner~~ <sup>Agent of Lessee</sup> 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.)*

[Signature] Date 12/3/10  
Owner/Agent Signature

State of ~~Arkansas~~ Johnson  
County of ~~Washington~~

On this the 3rd day of December, 2010, the undersigned notary, personally appeared John Trevor Wood known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My Commission expires: 7/6/2012

Megan Brown

Notary Public

**MEGAN BROWN**  
Notary Public - State of Kansas  
My Appt. Expires 7/6/2012

A part of 12377 Jimmy Devault Road, Farmington, AR 72730, a 100 Ft x 100 Ft rectangular shaped parcel in the SW corner of tax parcel number 001-12268-001 which is more fully described as follows:

Tract 3 – A part of the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  and Part of the North  $\frac{1}{2}$  SW  $\frac{1}{4}$  and West  $\frac{1}{2}$  SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 27, Township 16 North, Range 31 West, more particularly described as: Beginning at a Pt N 00° 51' 17" E 664.64 Ft from the SW Corner of said SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  and running thence N 00° 51' 17" E 664.64 Ft, Thence S 89° 09' 52" E 425.10 Ft, Thence S 00° 75' 57" W 664.19 Ft, Thence N 89° 13' 28" W 423.81 Ft to the P.O.B., containing 6.64 acres more or less.



**VIA CERTIFIED MAIL**

December 10, 2010

Dear Property Owner:

This letter is to notify you of a public hearing to be held at the City of Farmington City Hall, 354 West Main Street, Farmington AR 72730, to consider a Telecommunication Permit on the following tract of land:

PROPERTY DESCRIPTION:

**12377 Jimmy Devault Road (WC627), situated in the City of Farmington, County of Washington, State of Arkansas 72730**

**A part of 12377 Jimmy Devault Road, Farmington, AR 72730, a 100 Ft x 100 Ft rectangular shaped parcel in the SW corner of tax parcel number 001-12268-001 which is more fully described as follows:**

**Tract 3 -- A part of the SE ¼ SW ¼ and Part of the North ½ SW ¼ and West ½ SW ¼ of the SE ¼ Section 27, Township 16 North, Range 31 West, more particularly described as: Beginning at a Pt N 00° 51' 17" E 664.64 Ft from the SW Corner of said SW ¼ SW ¼ and running thence N 00° 51' 17" E 664.64 Ft, Thence S 89° 09' 52" E 425.10 Ft, Thence S 00° 75' 57" W 664.19 Ft, Thence N 89° 13' 28" W 423.81 Ft to the P.O.B., containing 6.64 acres more or less.**

The public hearing scheduled to consider the addition of antennas to an existing communication tower will be held before the Planning Commission at City Hall on **Monday, December 27, 2010 at 6:00 P.M.** The Telecommunication Permit proposes the installation of new antennas as shown on the attached site plan to allow T-Mobile to enhance its wireless service in the area. Any interested property owners are invited to attend. A copy of the proposed plan is available at the Farmington City Hall ((479)267-3865), or you may contact the undersigned for additional information regarding this application.

Respectfully,



J. Trevor Wood  
Selective Site Consultants, Inc.  
(913)438-7700 (Office)

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

A. Signature  *Laura M. Nally*

B. Received by (Printed Name)  *Laura M. Nally*

C. Date of Delivery  *2/10/04*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

NALL, MARTY & LAURA  
8890 W GOOSE CREEK  
FAYETTEVILLE, AR 72704

3. Service Type  Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number **7009 2620 0003 6688 2142**  
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

A. Signature  *Marty Nally*

B. Received by (Printed Name)  *Marty Nally*

C. Date of Delivery  *2/10*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

NALL PROPERTIES OF NWA LLC  
2820 W. DOROTHY JEANNE ST.  
FAYETTEVILLE, AR 72704-6714

3. Service Type  Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number **7009 2620 0003 6688 2135**  
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

A. Signature  *M. Bannley*

B. Received by (Printed Name)  *M. Bannley*

C. Date of Delivery  *1-15-10*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

AAT COMMUNICATIONS CORP.  
SITE ID AR21828-A  
5900 BROKEN SOUND PARKWAY, N.W.  
BOCA RATON, FL 33487

3. Service Type  Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number **7009 2620 0003 6688 2050**  
(Transfer from service label)

PS Form 3811 February 2004 Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

A. Signature  *Marty Nally*

B. Received by (Printed Name)  *Marty Nally*

C. Date of Delivery  *12-15-10*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

CITY OF FARMINGTON  
PO BOX 150  
FARMINGTON, AR 72730-0150

3. Service Type  Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number **7009 2620 0003 6688 2111**  
(Transfer from service label)

PS Form 3811 February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addresssee

*Donald Williams*

B. Received by (Printed Name)  C. Date of Delivery

*Donald Williams*  *12-13-10*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

WILLIAMS, DONALD & MARIBELLE  
496 N DOUBLE SPRINGS RD.  
FARMINGTON, AR 72730-9548

2. Article Number 7009 2820 0003 6688 2128  
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addresssee

*Sharon Morris*

B. Received by (Printed Name)  C. Date of Delivery

*Sharon Morris*  *12-13-10*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

TWIN FALLS DEVELOPMENT LLC  
PO BOX 605  
FARMINGTON, AR 72730

2. Article Number 7009 2820 0003 6688 2104  
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addresssee

*Alice G. Meador*

B. Received by (Printed Name)  C. Date of Delivery

*Alice G. Meador*  *12-13-10*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

MCELLAND, ALICE G; JOHNNY N  
MEADORS  
PO BOX 554  
FARMINGTON, AR 72730-0554

2. Article Number 7009 2820 0003 6688 2081  
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addresssee

*B. Beck*

B. Received by (Printed Name)  C. Date of Delivery

*B. Beck*  *12-14-10*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

ARKANSAS STATE HIGHWAY  
COMMISSION  
PO BOX 2261  
LITTLE ROCK, AR 72203-2261

2. Article Number 7009 2820 0003 6688 2074  
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DAUGHERTY, ROBERT R TRUST  
2745 N HIDDEN SPRINGS DR.  
FAYETTEVILLE, AR 72703

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*Robert R. Daugherty*  Address  
 B. Received by (Printed Name)  Date of Delivery  
*Robert R. Daugherty*  12-14-10  
 C. Is delivery address different from item 1?  Yes  No  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AYERS, JAMES DAVID & REBECCA  
MARIE AYERS CO-TTEES  
11337 S. WEDDINGTON BLACKTOP  
LINCOLN, AR 72744

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*James David Ayers*  Address  
 B. Received by (Printed Name)  Date of Delivery  
*James David Ayers*  12-14-10  
 C. Is delivery address different from item 1?  Yes  No  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  Express Mail  
 Certified Mail  Return Receipt for Merchandise  
 Registered  Insured Mail  C.O.D.  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

3. Service Type  Express Mail  
 Certified Mail  Return Receipt for Merchandise  
 Registered  Insured Mail  C.O.D.  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7009 2820 0003 6688 2098

2. Article Number (Transfer from service label) 7009 2820 0003 6688 2067

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AYERS, JAMES DAVID & REBECCA  
MARIE AYERS CO-TITEES  
11337 S. WEDINGTON BLACKTOP  
LINCOLN, AR 72744

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee
- B. Received by (Printed Name)  Date of Delivery  
 JAMES DAVID AYERS 12/17/10
- C. Date of Delivery  
 12/17/10
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

2. Article Number  
(Transfer from service label)

7009 2820 0003 6688 2067

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DAUGHERTY, ROBERT R TRUST  
2745 N HIDDEN SPRINGS DR.  
FAYETTEVILLE, AR 72703

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee  
 Robert R. Daugherty
- B. Received by (Printed Name)  Date of Delivery  
 Robert R. Daugherty 12-14-10
- C. Date of Delivery  
 12-14-10
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

2. Article Number  
(Transfer from service label)

7009 2820 0003 6688 2098

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

3. Service Type
- Certified Mail
  - Registered
  - Insured Mail
  - Express Mail
  - Return Receipt for Merchandise
  - C.O.D.
4. Restricted Delivery? (Extra Fee)  Yes

7009 2820 0003 6688 2142

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)  
**OFFICIAL USE**

Postage	\$ .44	Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & F		

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4  
**NALL, MARTY & LAURA**  
**8890 W GOOSE CREEK**  
**FAYETTEVILLE, AR 72704**

PS Form 3800, Aug 2004

7009 2820 0003 6688 2135

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)  
**OFFICIAL USE**

Postage	\$ .44	Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4  
**NALL PROPERTIES OF NWA LLC**  
**2820 W. DOROTHY JEANNE ST.**  
**FAYETTEVILLE, AR 72704-6714**

PS Form 3800, Aug 2004

7009 2820 0003 6688 2122

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)  
**OFFICIAL USE**

Postage	\$ .44	Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & F		

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4  
**WILLIAMS, DONALD & MARIBELLE**  
**496 N DOUBLE SPRINGS RD.**  
**FARMINGTON, AR 72730-9548**

PS Form 3800, Aug 2004

7009 2820 0003 6688 2111

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)  
**OFFICIAL USE**

Postage	\$ .44	Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & F		

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4  
**CITY OF FARMINGTON**  
**PO BOX 150**  
**FARMINGTON, AR 72730-0150**

PS Form 3800, Aug 2004

7009 2820 0003 6688 2050

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4

AAT COMMUNICATIONS CORP.  
 SITE ID AR21828-A  
 5900 BROKEN SOUND PARKWAY, N.W.  
 BOCA RATON, FL 33487

PS Form 3800, A



7009 2820 0003 6688 2067

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4

AYERS, JAMES DAVID & REBECCA  
 MARIE AYERS CO-TTEES  
 11337 S. WEDINGTON BLACKTOP  
 LINCOLN, AR 72744

PS Form 3800, A



7009 2820 0003 6688 2081

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4

MCELLAND, ALICE G; JOHNNY N  
 MEADORS  
 PO BOX 554  
 FARMINGTON, AR 72730-0554

PS Form 3800, A



7009 2820 0003 6688 2074

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4

ARKANSAS STATE HIGHWAY  
 COMMISSION  
 PO BOX 2261  
 LITTLE ROCK, AR 72203-2261

PS Form 3800, A



7009 2820 0003 6688 2104

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4

TWIN FALLS DEVELOPMENT LLC  
 PO BOX 605  
 FARMINGTON, AR 72730

PS Form 3800, A



7009 2820 0003 6688 2096

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

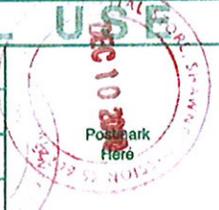
**OFFICIAL USE**

Postage	\$ .44
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

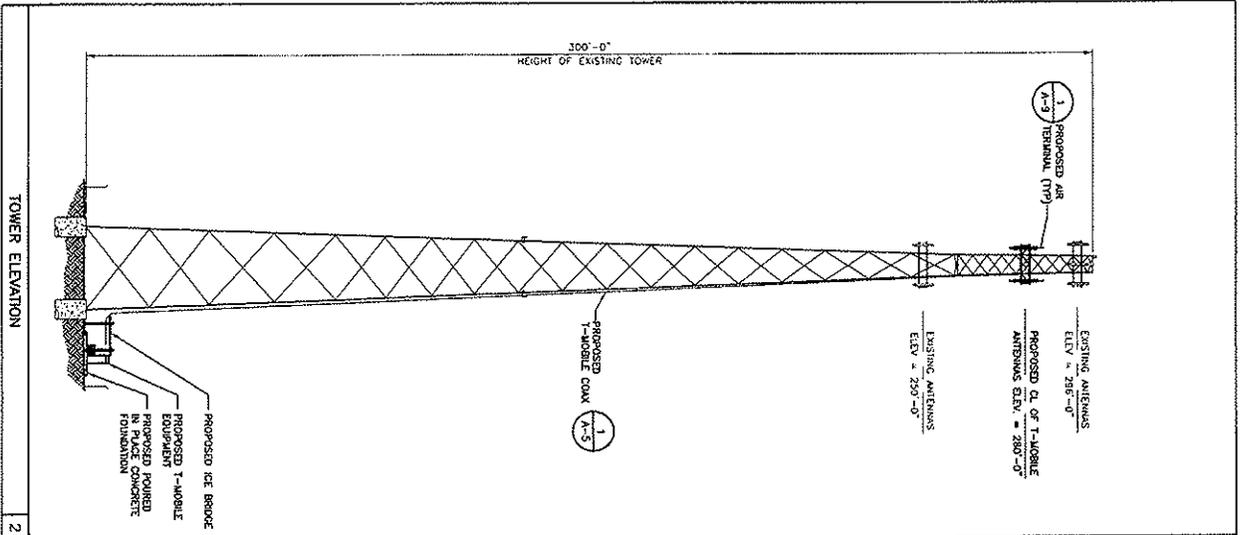
Sent To  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4

DAUGHERTY, ROBERT R TRUST  
 2745 N HIDDEN SPRINGS DR.  
 FAYETTEVILLE, AR 72703

PS Form 3800, A

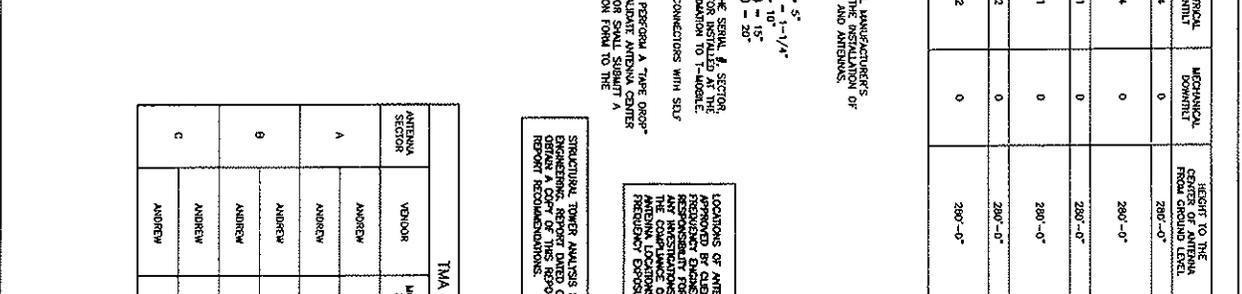






**PCS ANTENNA KEY**

ANTENNA NUMBER	COAX COLOR CODE	SEAM WIDTH	ANTENNA SECTOR	MODEL NO.	AZIMUTH	ELECTRICAL DOWNDRAUGHT	Mechanical DOWNDRAUGHT	HEIGHT TO THE CENTER OF ANTENNA FROM ORIGIN LEVEL	DOWNDRAUGHT FEEDER SIZE	LENGTH
A-1 GSM	RED 1 STRIPE	65"	ANDREW	*	60°	4	0	280'-0"	1 5/8"	300'
A-2 UMS	RED 3 STRIPES	65"	ANDREW	*	60°	4	0	280'-0"	1 5/8"	300'
B-1 GSM	RED 4 STRIPES	65"	ANDREW	*	190°	1	0	280'-0"	1 5/8"	300'
B-2 UMS	YELLOW 2 STRIPES	65"	ANDREW	*	190°	1	0	280'-0"	1 5/8"	300'
C-1 GSM	BLUE 1 STRIPE	65"	ANDREW	*	300°	2	0	280'-0"	1 5/8"	300'
C-2 UMS	BLUE 2 STRIPES	65"	ANDREW	*	300°	2	0	280'-0"	1 5/8"	300'



**ANTENNA NOTES:**

- CONTRACTOR SHALL RESIDE ALL ANTENNA MOUNTING PICES ARE PLUMB AND APPROXIMATE CONTRACTOR TO VERIFY ACTUAL LENGTH BEFORE ORDERING.
- COLOR CODING: USE 1 STRIPE FOR MAIN LINE AND 2 STRIPES FOR DIVERSITY LINE. SUFFICIENT EXPANSION COAX RIGID SHOULD BE LABELED 3 STRIPES, 4 STRIPES, ETC...
- IN ADDITION TO THE COAX COLOR CODE SHOWN IN THIS KEY, CONTRACTOR SHALL LABEL ALL ANTENNA JUNCTIONS WITH AN ADDITIONAL SINGLE GREEN AND WHITE CHECKER STRIPE.
- UNITS 1 & 2 TO HAVE TMA'S MOUNTED ON PIPE BEHIND ANTENNAS.
- MULTI PORT ANTENNAS, TREATMENT UNUSED ANTENNA PORTS WITH CONNECTOR CAP & WEATHERPROOF THROUGHOUT.
- MEASUREMENT TO COMPASS/VAULT ANTENNA CENTER LINE (ACL) HEIGHT, CONTRACTOR SHALL SUBMIT A COMPLETED HEIGHT VERIFICATION FORM TO THE CONSTRUCTION MANAGER.
- CONTRACTOR MUST FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS REGARDING THE INSTALLATION OF COAXIAL CABLES, CONNECTIONS, AND ANTENNAS.
- MINIMUM BEND RADII:
  - LEW-50A (1/2" HARD LINE) = 5'
  - LEW-50B (1/2" SUPER LINE) = 1'-1 1/4"
  - AW7-50A (1-5/8" HARD LINE) = 15'
  - LEW-50A (1-5/8" HARD LINE) = 20'
- CONTRACTOR SHALL RECORD THE SERIAL #, SECTOR AND POSITION OF EACH ANTENNA INSTALLED AT THE ANTENNA AND ONE THE INFORMATION TO T-MOBILE. WEATHERPROOF ALL ANTENNA CONNECTIONS WITH SELF ADHESIVE TAPE.
- ANTENNA CONTRACTORS SHALL PERFORM A "TIRE GOOP" REAPPLICATION TO COMPASS/VAULT ANTENNA CENTER LINE (ACL) HEIGHT, CONTRACTOR SHALL SUBMIT A COMPLETED HEIGHT VERIFICATION FORM TO THE CONSTRUCTION MANAGER.

**STRUCTURAL TOWER ANALYSIS HAS BEEN PERFORMED BY TMA ENGINEERING, INC. FOR THE TOWER AND ANTENNA. ALL ANTENNA LOADS AND WIND LOADS SHALL BE IN ACCORDANCE WITH THE REPORT REQUIREMENTS.**

**LOADING OF ANTENNAS AS SHOWN HAS BEEN PERFORMED BY TMA ENGINEERING, INC. FOR THE TOWER AND ANTENNA. ALL ANTENNA LOADS AND WIND LOADS SHALL BE IN ACCORDANCE WITH THE REPORT REQUIREMENTS.**

**RESPONSIBILITY FOR NOT HAVING SSC PERFORMED THE DESIGNING OR CHECKING FOR CORRECT ANTENNA LOCATIONS WITH ANY FCC, RADIO REGULATORY DEPARTMENT REQUIREMENTS.**

**SSC**

8800 W. 110th Street, Suite 300  
Overland Park, Kansas 66204  
Phone: 913-428-7100 Fax: 913-428-7177

DESIGNER: T.E. STORKEY  
LEAD E.L.: T.M. SUPER  
LEAD C.E.S.: M.L. OWENS

DATE: 11/17/00  
BY: J.S. [Signature]

**CONTRACTOR OF ANTENNA: 8711**

CONTRACTOR: J. [Signature]

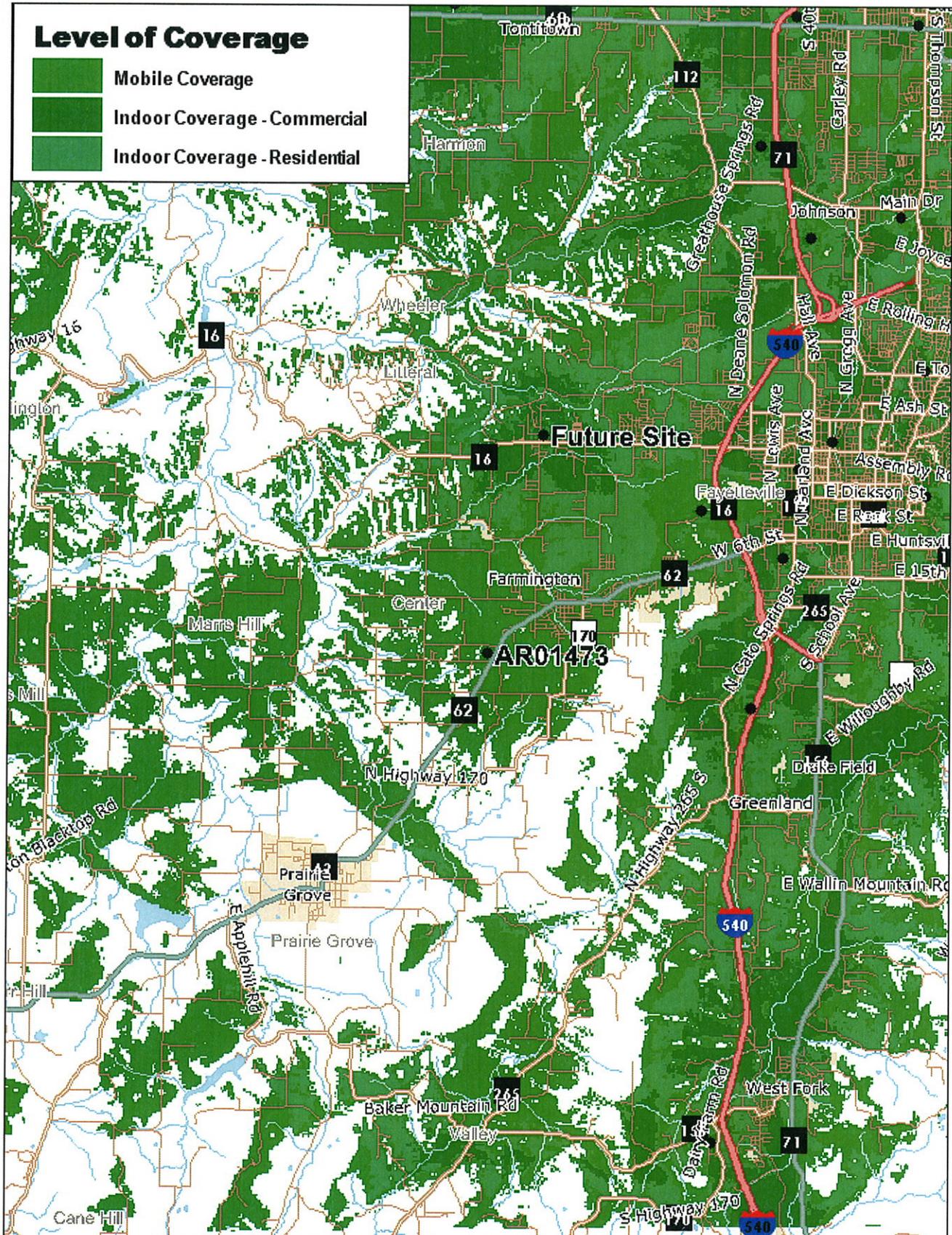
SITE NAME: JIMMY DEVAULT  
SBA # AR21828-A

SITE NUMBER: AR01473

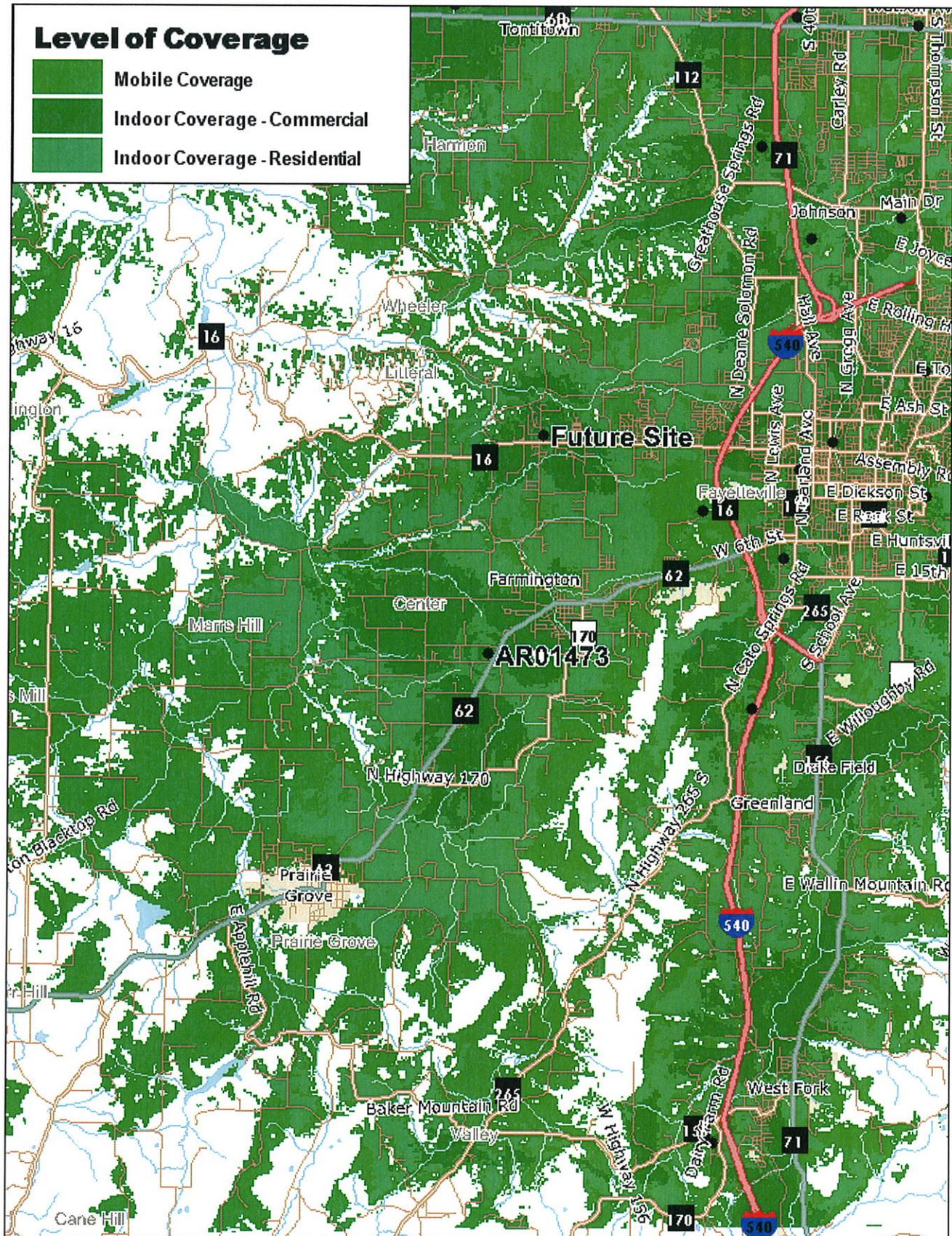
SITE ADDRESS: 12377 JIMMY DEVAULT ROAD  
FARMINGTON, ARKANSAS  
72730

SHEET TITLE: TOWER ELEVATION & ANTENNA DETAILS  
SHEET NUMBER: A-2

# T-Mobile Coverage without the addition of Proposed Site AR01473



# T-Mobile Coverage with the addition of Proposed Site AR01473



**Structural Analysis for  
SBA Network Services, Inc.**

**300' Self Support Tower**

**SBA Site Name: Jimmy Devault Rd Tower  
SBA Site ID: AR21828-A**

FDH Project Number 10-09152E S1

Prepared By:



Blake A. Bartok, EI  
Project Engineer

Reviewed By:



Christopher M. Murphy, PE  
President  
AR PE License No. 11912

**FDH Engineering, Inc.**  
2730 Rowland Rd.  
Raleigh, NC 27615  
(919) 755-1012  
info@fdh-inc.com

September 27, 2010



**TABLE OF CONTENTS**

EXECUTIVE SUMMARY.....	3
Conclusions	
Recommendations	
APPURTENANCE LISTING.....	4
RESULTS.....	6
GENERAL COMMENTS.....	7
LIMITATIONS.....	7
APPENDIX.....	8

## EXECUTIVE SUMMARY

At the request of SBA Network Services, Inc., FDH Engineering, Inc. performed an analysis of the existing self supported tower located in Farmington, AR to determine whether the tower is structurally adequate to support both the existing and proposed loads, pursuant to the *Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, TIA/EIA-222-F*. Information pertaining to the existing/proposed antenna loading, current tower geometry, member sizes, and soil parameters was obtained from Stellar Communications Inc. (Job No. 5113) original design drawings dated November 24, 2000, GeoSystems Engineering Inc. (Job No. 3005269) Subsurface Exploration and Geotechnical Report (Project No. 3005269) dated November 21, 2000, and SBA Network Services, Inc.

The *basic design wind speed* per *TIA/EIA-222-F* standards is 70 mph without ice and 19 mph with 1" radial ice. Ice is considered to increase in thickness with height.

## Conclusions

With the existing and proposed loading from T-Mobile in place at 280 ft, the tower meets the requirements of the *TIA/EIA-222-F* standards provided the **Recommendations** below are satisfied. Furthermore, provided the foundations were designed and constructed to support the original design reactions (see Stellar Job No. 5113), the foundations should have the necessary capacity to support the existing and proposed loading. For a more detailed description of the analysis of the tower, see the **Results** section of this report.

Our structural analysis has been performed assuming all information provided to FDH Engineering, Inc. is accurate (i.e., the steel data, tower layout, existing antenna loading, and proposed antenna loading) and that the tower has been properly erected and maintained per the original design drawings.

## Recommendations

To ensure the requirements of the *TIA/EIA-222-F* standards are met with the existing and proposed loading in place, we have the following recommendations:

1. Coax lines must be installed as shown in **Figure 1**.
  2. The proposed TMAs should be installed directly behind the proposed panel antennas.
-

## APPURTENANCE LISTING

The proposed and existing antennas with their corresponding cables/coax lines are shown in **Table 1**. *If the actual layout determined in the field deviates from this layout, FDH Engineering, Inc. should be contacted to perform a revised analysis.*

**Table 1 – Appurtenance Loading**

### Existing Loading:

Antenna No.	Antenna Elevation (ft)	Description	Coax and Lines <sup>1</sup>	Carrier	Mount Elevation (ft)	Mount Type
1-9	296	(6) Celwave APL868013 (3) Antel BXA-70063/4CF-2	(12) 1-5/8"	Verizon	294	(3) T-Frames
10-21	250 <sup>2</sup>	(6) Kathrein 800 10123 (6) Decibel DB980H90T2 (12) Powerwave LGP 17205 TMAs (12) Kathrein 860-10025 RCUs	(12) 1-5/8" (1) 3/8"	AT&T	250	(3) T-Frames

<sup>1</sup> See **Figure 1** for coax location.

<sup>2</sup> Currently, AT&T has (6) Kathrein 800 10123 antennas installed at 250 ft. According to information provided by SBA, AT&T may install up to (6) Kathrein 800 10123 antennas and (6) Decibel DB980H90T2 antennas. Analysis performed with total leased loading in place.

### Proposed Loading:

Antenna No.	Antenna Elevation (ft)	Description	Coax and Lines	Carrier	Mount Elevation (ft)	Mount Type
1-6	280	(6) Andrew TMBXX-6517-R2M (6) Andrew ETT19V2S12UB TMAs	(12) 1-5/8"	T-Mobile	280	(3) T-Frames (C <sub>A</sub> A <sub>A</sub> =13.1 ft <sup>2</sup> /each)

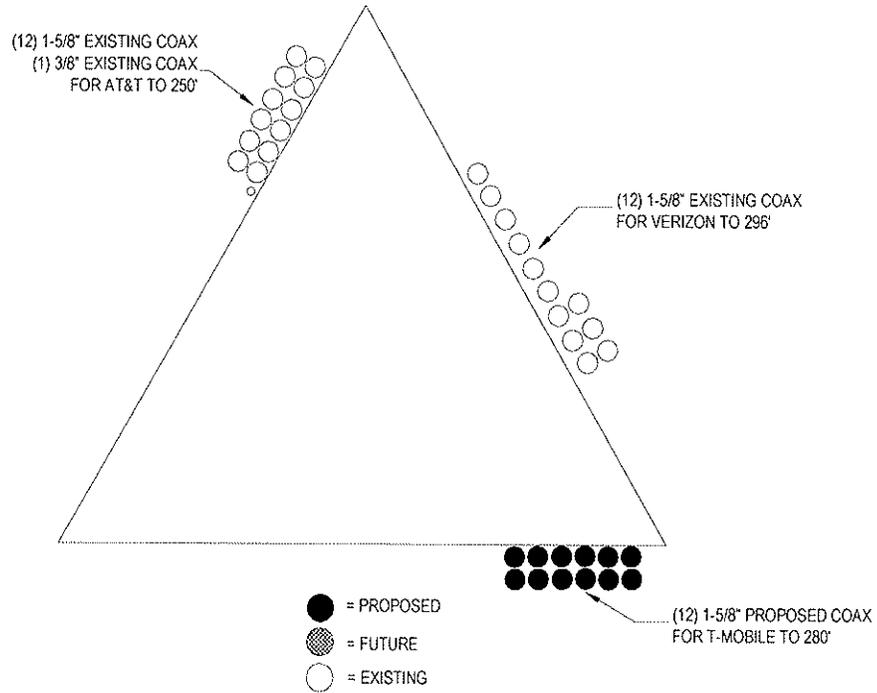


Figure 1 – Coax Layout

---

## RESULTS

The following yield strength of steel for individual members was used for analysis:

**Table 2 - Material Strength**

Member Type	Yield Strength
Legs	50 ksi
Diagonals	36 ksi
Horizontals	36 ksi

**Table 3** displays the summary of the ratio (as a percentage) of force in the member to their capacities. Values greater than 100% indicate locations where the maximum force in the member exceeds its capacity. *Note: Capacities up to 105% are considered acceptable.* **Table 4** displays the maximum foundation reactions.

If the assumptions outlined in this report differ from actual field conditions, FDH Engineering, Inc. should be contacted to perform a revised analysis. Furthermore, as no information pertaining to the allowable twist and sway requirements for the existing or proposed appurtenances was provided, deflection and rotation were not taken into consideration when performing this analysis.

See the **Appendix** for detailed modeling information

**Table 3 – Working Percentage of Structural Components**

Section No.	Elevation ft	Component Type	Size	% Capacity	Pass Fail
T1	300 - 280	Leg	1 3/4	34.3	Pass
		Diagonal	L1 3/4x1 3/4x3/16	16.3 18.4 (b)	Pass
		Top Girt	L1 3/4x1 3/4x3/16	0.6	Pass
T2	280 - 260	Leg	2 1/4	54.0	Pass
		Diagonal	L1 3/4x1 3/4x3/16	36.0 41.2 (b)	Pass
T3	260 - 240	Leg	2 1/2	63.1	Pass
		Diagonal	L1 3/4x1 3/4x3/16	45.9	Pass
		Top Girt	L1 3/4x1 3/4x3/16	6.0	Pass
T4	240 - 220	Leg	2 3/4	65.2	Pass
		Diagonal	L1 3/4x1 3/4x3/16	58.8	Pass
T5	220 - 200	Leg	3	63.0	Pass
		Diagonal	L1 3/4x1 3/4x3/16	79.2	Pass
T6	200 - 180	Leg	3	74.7	Pass
		Diagonal	L2x2x3/16	72.2	Pass
T7	180 - 160	Leg	3 1/4	68.9	Pass
		Diagonal	L2x2x3/16	97.8	Pass
T8	160 - 140	Leg	3 3/4	65.6	Pass
		Diagonal	L2 1/2x2 1/2x3/16	76.1	Pass
T9	140 - 120	Leg	3 3/4	73.1	Pass
		Diagonal	L2 1/2x2 1/2x3/16	98.3	Pass
T10	120 - 100	Leg	4	66.9	Pass
		Diagonal	L3x3x3/16	72.0	Pass
T11	100 - 80	Leg	4	73.3	Pass
		Diagonal	L3x3x3/16	90.7	Pass
T12	80 - 60	Leg	4	79.7	Pass
		Diagonal	L3x3x3/16	103.9	Pass
T13	60 - 40	Leg	4 1/4	72.8	Pass

Section No.	Elevation ft	Component Type	Size	% Capacity	Pass Fail
		Diagonal	L3 1/2x3 1/2x1/4	66.0 75.4 (b)	Pass
T14	40 - 20	Leg	4 1/2	67.2	Pass
		Diagonal	L3 1/2x3 1/2x1/4	78.3	Pass
T15	20 - 0	Leg	4 1/2	72.0	Pass
		Diagonal	L4x4x1/4	62.7	Pass

\*Capacities include 1/3 allowable increase for wind.

**Table 4 – Maximum Base Reactions**

Load Type	Direction	Current Analysis (TIA/EIA-222-F)	Original Design (TIA/EIA-222-F)
Individual Foundation	Horizontal	24 k	---
	Uplift	259 k	330 k
	Compression	319 k	383 k
Overturning Moment	---	6,164 k-ft	7,409 k-ft

## GENERAL COMMENTS

This engineering analysis is based upon the theoretical capacity of the structure. It is not a condition assessment of the tower and its foundation. It is the responsibility of SBA Network Services, Inc. to verify that the tower modeled and analyzed is the correct structure (with accurate antenna loading information) modeled. If there are substantial modifications to be made or the assumptions made in this analysis are not accurate, FDH Engineering, Inc. should be notified immediately to perform a revised analysis.

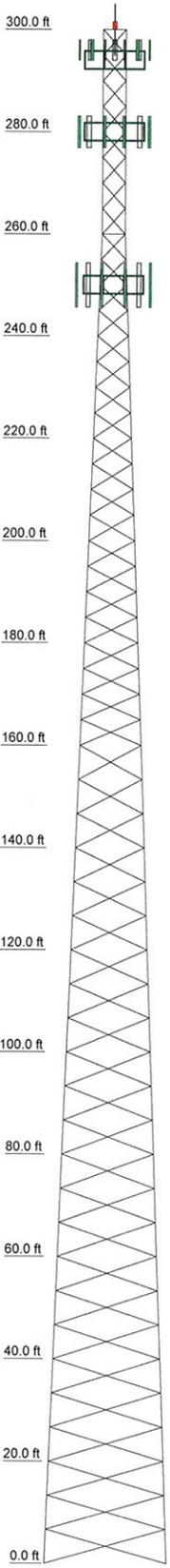
## LIMITATIONS

All opinions and conclusions are considered accurate to a reasonable degree of engineering certainty based upon the evidence available at the time of this report. All opinions and conclusions are subject to revision based upon receipt of new or additional/updated information. All services are provided exercising a level of care and diligence equivalent to the standard and care of our profession. No other warranty or guarantee, expressed or implied, is offered. Our services are confidential in nature and we will not release this report to any other party without the client's consent. The use of this engineering work is limited to the express purpose for which it was commissioned and it may not be reused, copied, or distributed for any other purpose without the written consent of FDH Engineering, Inc.

## APPENDIX

---

Section	T1	T2	T3	T4	T5	T6	T7	T8	T9	T10	T11	T12	T13	T14	T15
Legs	SR 1 3/4	SR 2 1/4	SR 2 1/2	SR 2 3/4	SR 3	SR 3 1/4	SR 3 1/4	SR 3 3/4	SR 3 3/4	SR 4	SR 4 1/4	SR 4 1/4	SR 4 1/2	SR 4 1/2	SR 4 1/2
Leg Grade	L1 3/4x1 3/4x3/16														
Diagonals	L2x2x3/16														
Diagonal Grade	A-36														
Top Girts	N.A.														
Face Width (ft)	4.5	6	6	7.5	9	10.5	12	13.5	15	16.5	18	19.5	21	22.5	24
# Panels @ (ft)	28 @ 5														
Weight (K)	0.9	1.2	1.4	1.6	1.9	2.1	2.4	3.1	3.1	3.7	3.8	3.9	5.1	5.6	6.1



### DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION
Lightning Rod	300	(2) TMBXX-6517-R2M W/Mount Pipe (T-Mobile)	280
Beacon	300	(2) ETT19V2S12UB TMA (T-Mobile)	280
(2) APL868013 w/Mount Pipe (Verizon)	294	(2) ETT19V2S12UB TMA (T-Mobile)	280
(2) APL868013 w/Mount Pipe (Verizon)	294	(2) ETT19V2S12UB TMA (T-Mobile)	280
(2) APL868013 w/Mount Pipe (Verizon)	294	(3) T-Frames (T-Mobile)	280
BXA-70063/4CF W/ Mount Pipe (Verizon)	294	(2) 800 10123 W/Mount Pipe (ATT)	250
BXA-70063/4CF W/ Mount Pipe (Verizon)	294	(2) 800 10123 W/Mount Pipe (ATT)	250
BXA-70063/4CF W/ Mount Pipe (Verizon)	294	(2) DB980H90T2 w/Mount Pipe (ATT)	250
BXA-70063/4CF W/ Mount Pipe (Verizon)	294	(2) DB980H90T2 w/Mount Pipe (ATT)	250
BXA-70063/4CF W/ Mount Pipe (Verizon)	294	(2) DB980H90T2 w/Mount Pipe (ATT)	250
(3) T-Frames (Verizon)	294	(4) LGP 17205 TMA (ATT)	250
(2) TMBXX-6517-R2M W/Mount Pipe (T-Mobile)	280	(4) LGP 17205 TMA (ATT)	250
(2) TMBXX-6517-R2M W/Mount Pipe (T-Mobile)	280	(4) 860-10025 RCU (ATT)	250
		(4) 860-10025 RCU (ATT)	250
		(4) 860-10025 RCU (ATT)	250
		(3) T-Frames (ATT)	250

### SYMBOL LIST

MARK	SIZE	MARK	SIZE
A	L1 3/4x1 3/4x3/16		

### MATERIAL STRENGTH

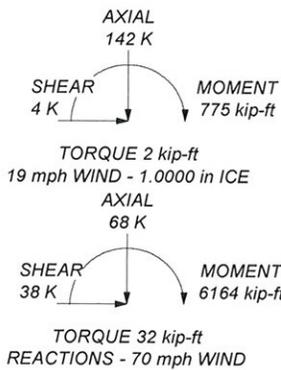
GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	50 ksi	65 ksi	A36	36 ksi	58 ksi

### TOWER DESIGN NOTES

1. Tower is located in Washington County, Arkansas.
2. Tower designed for a 70 mph basic wind in accordance with the TIA/EIA-222-F Standard.
3. Tower is also designed for a 19 mph basic wind with 1.00 in ice. Ice is considered to increase in thickness with height.
4. Deflections are based upon a 50 mph wind.
5. TOWER RATING: 103.9%

#### MAX. CORNER REACTIONS AT BASE:

DOWN: 319 K  
 UPLIFT: -259 K  
 SHEAR: 24 K



 Tower Analysis	<b>FDH Engineering, Inc.</b> 2730 Rowland Road Raleigh, North Carolina Phone: (919) 755-1012 FAX: (919) 755-1031	Job: <b>Jimmy Devault Rd Tower (AR21828-A)</b> Project: <b>10-09152E S1</b> Client: SBA Network Services, Inc.	Drawn by: BAB Date: 09/27/10 Path:
	Code: TIA/EIA-222-F	App'd: Scale: NTS	Dwg No. E-1



**McGoodwin Williams & Yates**  
Engineering Confidence

December 20, 2010

Ms. Melissa McCarville  
City Business Manager  
354 W. Main  
P.O. Box 150  
Farmington, AR. 72730

Re: T-Mobile Cell Tower Modification Review  
Farmington, Arkansas  
MWY Project No. F-50

Dear Melissa:

Pursuant to your request, we have reviewed the application for a telecommunications permit submitted by T-Mobile Central LLC for the site at 12377 Jimmy Devault Road, and our comments are summarized below:

**General Application Review:**

We reviewed the submitted application for general compliance with the requirements of Ordinance No. 2009-06, and we have noted the following with corresponding sections of the Ordinance for reference:

1. Section 7 (E) – The survey attached to the application may illustrate rights-of-way or easements pertinent to the requirement of this section. However, the scale and resolution of the survey copy was not legible and we could not confirm the information. A copy of the lease agreement or the property owner's signature on the application may also be necessary to confirm the requirements of this section.
2. Section 7 (F) - Written statements described in this ordinance section were not found in the application.
3. Section 7 (H) 15 – The frequency, modulation and class of service of radio or other transmitting equipment was not found in the application.
4. Section 7 (H) 16 – The actual intended transmission power stated as the maximum effective radiated power in watts was not found in the application.
5. Section 7 (H) 20 – Copy of the City of Farmington Business License was not provided.

Ms. Melissa McCarville  
December 20, 2010  
Page 2

6. Section 7 (N) – Photo simulation of the co-location was not provided. However, the plans that were submitted may adequately describe the facility without the need for a photo simulation.
7. The application was not signed by the property owner or the owner's authorized agent. Instead, the application was signed by the "Agent of Lessee" as shown by the handwritten addition. See also Comment No. 1 above.

While we noted that an adjacent property owner list was attached, we did not verify that all property owners were included. However, we would be happy to perform the research at your request.

**Review of Plans and Structural Calculations:**

We reviewed the plans and structural calculations for general compliance with the requirements of Ordinance No. 2009-06, and we have the following comments:

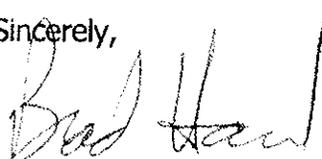
1. The plans were not signed and sealed by a professional engineer licensed in the State of Arkansas.

**Limitations of our Review:**

Please note that the scope of our work was limited to a review of the application for general compliance with the city's Ordinance. The detailed design of the improvements is the responsibility of the professional engineers that seal the plans and calculations. By reviewing the application and attachments, McGoodwin, Williams, and Yates accepts no responsibility for the design of the facility and makes no warranties or guarantees regarding the adequacy of the design.

As always, we appreciate the opportunity to be of service to the city of Farmington. If you have any questions or comments, please do not hesitate to contact us.

Sincerely,



Brad B. Hammond, P.E.  
President

BBH:bh

December 21<sup>st</sup>, 2010

**VIA FEDERAL EXPRESS AND ELECTRONIC MAIL**

Melissa McCarville  
City Business Manager  
City of Farmington, Arkansas  
354 W. Main  
Farmington, AR 72730  
(479) 267-3865

Re: T-Mobile Central LLC, d/b/a T-Mobile — Application for  
Telecommunications Permit (Collocation of Antennas on existing  
tower) at 12377 Jimmy Devault Road, Farmington, AR 72730

Dear Ms. McCarville:

This letter is written in regard to the above application and is responsive to the Staff review letter generated by Brad Hammond, PE, on December 20, 2010.

Pursuant to Section 7 (E), we are Fedexing you a copy of the notarized, executed ground lease agreement, which commits the owner of the property to cooperating with tenant to obtain government approvals, and which further commits the owner to ensuring all necessary access and utility easements to and from the tower compound space. is and/or other property interests to access the site as may be necessary for repair and maintenance of the facility. Such documentation may consist of an executed warranty deed or other conveyances clearly depicting the site and all easements for utilities, and ingress and egress.

In accordance with Section 7 (F) of the City of Farmington Ordinance No. 2009-06 relating to wireless telecommunications facilities, T-Mobile Central is in the process of drafting a letter containing the following statements:

1. That the applicant's proposed wireless telecommunications facilities shall be maintained in a safe manner, and in compliance with all conditions of the telecommunications permit, without exception, as well as all applicable building codes and ordinances, including any and all applicable city, state, and federal laws, rules, and regulations;
2. That the construction of the applicant's wireless telecommunications facilities is legally permissible, including, but not limited to demonstration of the applicant's authority to do business in the State of Arkansas.

Pursuant to Section 7 (N), a photo simulation of the proposed new wireless telecommunications facility accompanies this application..

Pursuant to Section 7 (H) 15, T-Mobile's service is generally 1900 MHz bandwidth PCS and AWS service.

The precise frequency, modulation and class of service of radio or other transmitting service is as follows:

Transmit Frequencies:	PCS	1965 - 1970	AWS 2135-2140
Receive Frequencies:	PCS	1885-1890	AWS 1735-1740

Section 7 (H) 16 – The actual intended transmission power stated as the maximum effective radiated power in watts:

ERP / Channel	53 dBm / 200 W	53 dBm / 200 W	53 dBm / 200 W
Total ERP	5 2000 W	5 2000 W	5 2000 W

Plans signed and sealed by a registered Arkansas PE will accompany the Federal Express.

Please contact me at (913) 438-7700 if there are further questions concerns.

Sincerely,

J. Trevor Wood

Attachments

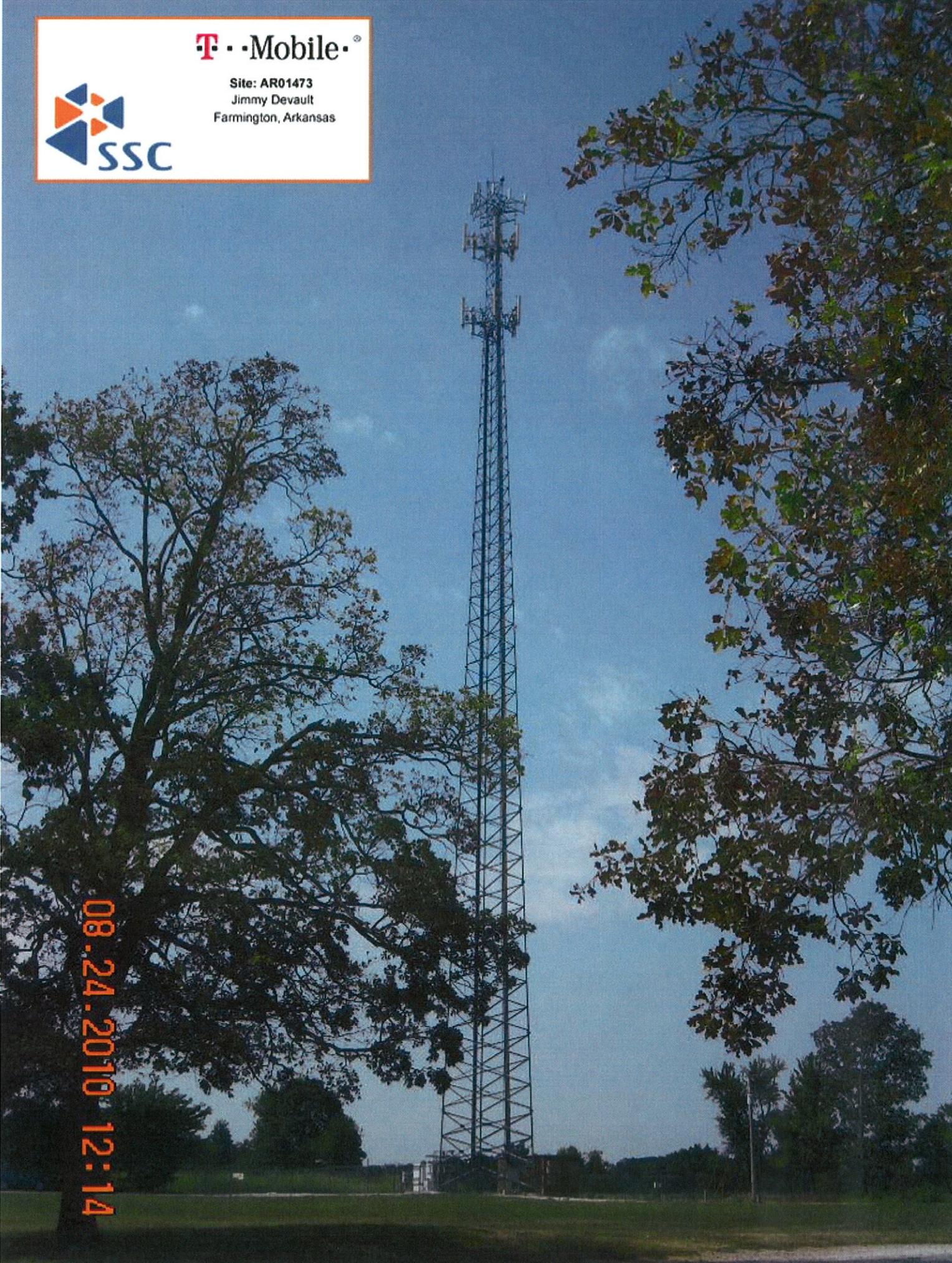
Cc: Garth Adcock, T-Mobile  
Ed Mickells, SSC  
Cheri Edwards, SSC

T-Mobile®

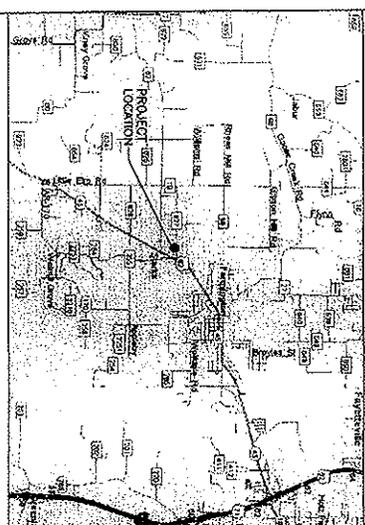


Site: AR01473  
Jimmy Devault  
Farmington, Arkansas

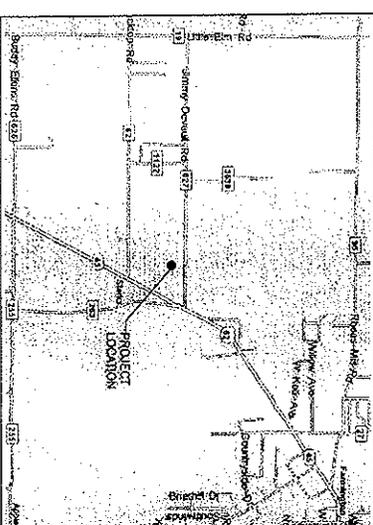
08.24.2010 12:14



**AREA MAP**



**VICINITY MAP**



**DRIVING DIRECTIONS**

DRIVE TO DIRECTIONS AS FOLLOWS:  
 FROM THE INTERCHANGE OF US-412 & US-71 IN SPRINGDALE, ARKANSAS, TAKE US-71 SOUTH (4.7 MI), CONTINUE SOUTH ON JOHN PAUL HANSEN DRIVE (0.7 MI), CONTINUE SOUTH ON I-540 (US-62) (3.6 MI) TO S SHELBY DRIVE, TAKE S SHELBY DRIVE (0.4 MI) TO US-62, TAKE US-62 (4.2 MI) TO SHAW DEVOLT ROAD, TAKE JIMMY DEVOLT ROAD (0.3 MI) TO SITE ENTRANCE, ACCESS DRIVE, TAKE ACCESS DRIVE SOUTH TO JOB SITE.

**CODE COMPLIANCE**

- 1. INTERNATIONAL BUILDING CODE
- 2. ANSI/IEEE 695-1992
- 3. ANSI/IEEE 738-1992
- 4. NFPA 780 - LIGHTNING PROTECTION STANDARD
- 5. UNDERGROUND TELEPHONE CODE
- 6. NATIONAL ELECTRICAL CODE

**PROJECT INFORMATION**

**PROJECT ADDRESS:** 12377 JIMMY DEVOLUT ROAD, FARMINGTON, ARKANSAS 72730  
**PROPERTY OWNER:** SBA STRUCTURES, INC., 3900 BROOKER SOUND DRIVE, NW, BOCA RATON, FLORIDA 33487  
**PROJECT NO.:** AR01473  
**DATE:** 11/15/10  
**APPLICANT:** T-MOBILE, 12880 S. ROSTER STREET, SUITE 300, OVERLAND PARK, KANSAS 66213

**CONSULTING TEAM**

**ENGINEER:** SSC, INC., 8800 WEST 110TH STREET, SUITE 300, OVERLAND PARK, KANSAS 66210, PHONE: (913) 458-7700, FAX: (913) 458-7777  
**M.L. OWENS - LEAD ENGINEER**  
**T.M. SUPER - LEAD ELECTRICAL**  
**T.E. STOREY - LEAD DESIGNER**

**APPROVALS**

**M.L.O.** [Signature] DATE: 11/15/10  
**TELCO** [Signature] DATE: 11/15/10  
**T-MOBILE** [Signature] DATE: 11/15/10  
**OPERATIONS** [Signature] DATE: 11/15/10  
**REAL ESTATE** [Signature] DATE: 11/15/10

**EQUIPMENT**

**EQUIPMENT FURNISHED AND/OR INSTALLED, ETC.**  
 DESIGNS: T-MOBILE  
 ANTENNAS: T-MOBILE  
 PARALLEL/TELE CABINET: T-MOBILE  
 COAX: T-MOBILE  
 COAX HARNESS: T-MOBILE  
 CONNECTORS: T-MOBILE  
 LEAF ANTENNA SWAPER: T-MOBILE  
 P.C.: T-MOBILE

**DRAWING INDEX**

PAGE NUMBER	TITLE DESCRIPTION	REVISION	RESPONSIBLE ENGINEER
T-1	TITLE SHEET	1	MLO
A-1	SITE PLAN	1	MLO
A-2	TOWER ELEVATION & ANTENNA DETAILS	1	MLO
A-3	FOUNDATION PLAN & DETAILS	1	MLO
A-4	PRE-CAST PLAN & ELEVATION	1	MLO
A-5	EQUIPMENT PLAN & DETAILS	1	MLO
A-6	CO BINDING DETAILS (1 OF 2)	1	MLO
A-7	EQUIPMENT CANOPY DETAILS (2 OF 2)	1	MLO
A-8	ANTENNA & COAX DETAILS	1	MLO
A-9	OVERALL UTILITY PLAN	1	TMS
E-1	ENLARGED UTILITY PLAN & DETAILS	1	TMS
E-2	ELECTRICAL NOTES & DETAILS	1	TMS
E-3	ELECTRICAL NOTES & DETAILS	1	TMS
E-4	PRE-CAST REBAR DIAGRAM	1	TMS
G-1	GROUNDING PLAN	1	TMS
G-2	GROUNDING REBAR DIAGRAM	1	TMS
G-3	GROUNDING DETAILS	1	TMS
SP-1	SPECIFICATIONS (1 OF 3)	1	MLO
SP-2	SPECIFICATIONS (2 OF 3)	1	TMS
SP-3	SPECIFICATIONS (3 OF 3)	1	TMS



**SITE NAME:**

**JIMMY DEVAULT**

**SBA # AR21828-A**

**SITE NUMBER:**

**AR01473**



8800 W. 110th Street, Suite 300  
 Overland Park, Kansas 66210  
 Phone: 913-458-7700 Fax: 913-458-7777

**DESIGNER:** T.E. STOREY  
**LEAD EE:** T.M. SUPER  
**LEAD CE/SE:** M.L. OWENS

NO.	DATE	DESCRIPTION	BY
1	11/15/10	ISSUED FOR PERMIT	MLO
2	11/15/10	ISSUED FOR CONSTRUCTION	TMS
3	11/15/10	ISSUED FOR CONSTRUCTION	TMS
4	11/15/10	ISSUED FOR CONSTRUCTION	TMS

**SITE NAME:** JIMMY DEVAULT  
**SBA #:** AR21828-A  
**SITE NUMBER:** AR01473  
**SITE ADDRESS:** 12377 JIMMY DEVAULT ROAD, FARMINGTON, ARKANSAS 72730  
**SHEET TITLE:** TITLE SHEET  
**SHEET NUMBER:** T-1



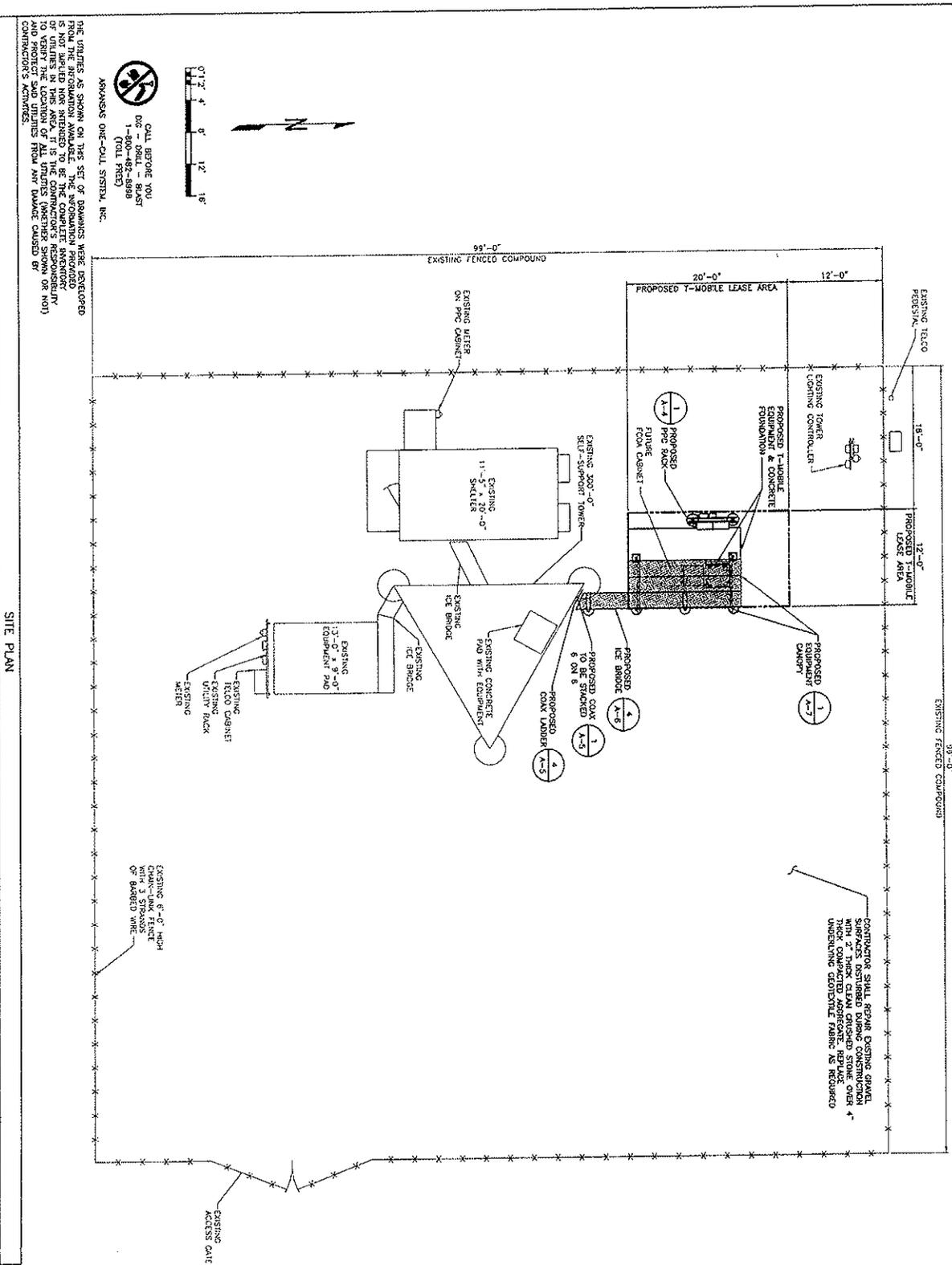
8030 W. 118th Street, Suite 300  
Overland Park, Kansas 66210  
Phone: 913-438-7700 Fax: 913-438-7777

DESIGNER: T.E. STORER  
LEAD BY: T.L. SUPER  
LEAD C/SES: M.L. OWENS

NO.	DATE	REVISION
1	11/14/20	ISSUED FOR CONSTRUCTION
2	11/14/20	ISSUED FOR CONSTRUCTION
3	11/14/20	ISSUED FOR CONSTRUCTION

**NOTES:** THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.

SITE NAME	JIMMY DEVAULT SBA # AR21828-A
SITE NUMBER	AR01473
SITE ADDRESS	12377 JIMMY DEVAULT ROAD FARMINGTON, ARKANSAS 72730
SHEET TITLE	SITE PLAN
SHEET NUMBER	A-1



THE DIMENSIONS AS SHOWN ON THIS SET OF DRAWINGS WERE DEVELOPED FROM THE CONTRACTOR'S FIELD SURVEY AND ARE NOT NECESSARILY TO BE THE COMPLETE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES (WATER, GAS, ELECTRICITY, TELEPHONE, AND CABLE) PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.

CALL BEFORE YOU DIG - 800-482-8989  
1-800-482-8989  
(TOLL FREE)  
ARKANSAS ONE-CALL SYSTEM, INC.

SITE PLAN





880 W. 110th Street, Suite 300  
Phon: 918-487-7700 Fax: 918-428-7777

DESIGNER: T.E. SHANK

LEAD EST: T.A. SUPER  
LEAD CE/SE: M.L. OWENS

NO.	DATE	DESCRIPTION	BY
1	10/14/00	ISSUED FOR REVIEW	TES
2	10/17/00	ISSUED FOR CONSTRUCTION	MSJ
3	11/06/00	REVISED FOR UTILITY COMMENTS	MSJ

NOTES: THE DRAWING HAS NOT BEEN REPRODUCED AND SHOULD NOT BE USED FOR CONSTRUCTION UNLESS THE ORIGINAL DRAWING IS REFERENCED. THE ORIGINAL DRAWING IS THE ONLY AUTHORITY FOR THE CORRECT DIMENSIONS AND DETAILS. ANY CHANGES TO THE ORIGINAL DRAWING MUST BE APPROVED BY THE DESIGNER. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE USER. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE USER. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE USER.

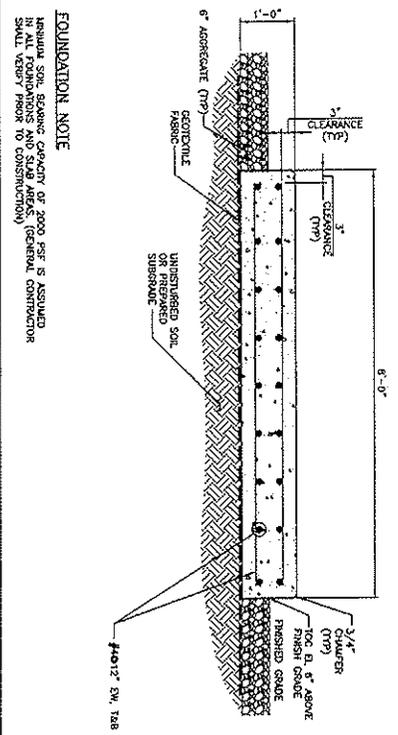
SITE NAME: JIMMY DEVAULT  
SBA # AR21828-A

SITE NUMBER: AR01473

SITE ADDRESS: 12377 JIMMY DEVAULT ROAD  
FARMINGTON, ARKANSAS  
72730

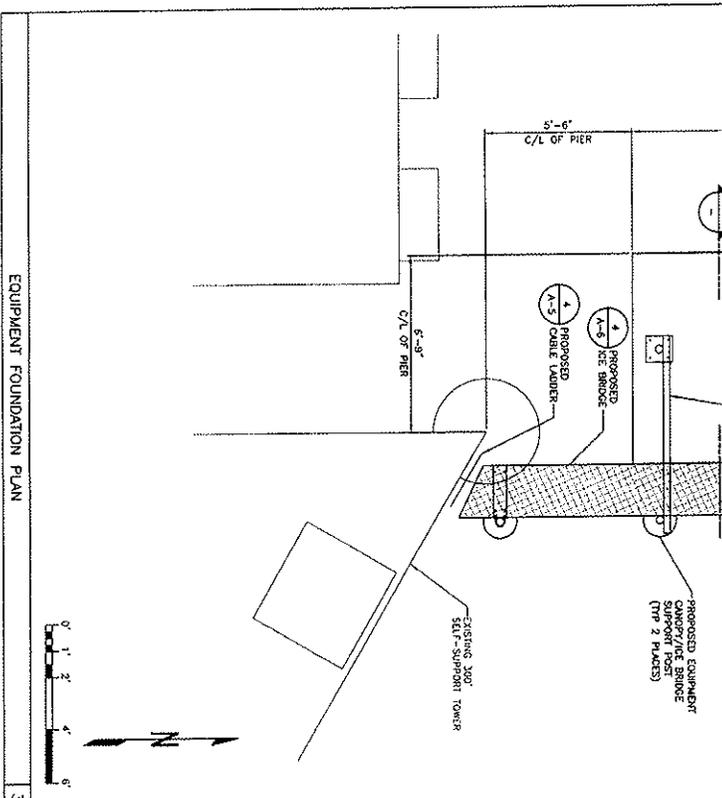
FOUNDATION PLAN & DETAILS

SHEET NUMBER: A-3



**FOUNDATION NOTE**  
MINIMUM SOIL BEARING CAPACITY OF 2000 PSF IS ASSUMED IN ALL FOUNDATIONS AND SLAB AREAS. (GENERAL CONTRACTOR SHALL VERIFY PRIOR TO CONSTRUCTION)

EQUIPMENT FOUNDATION SECTION



EQUIPMENT FOUNDATION PLAN

3

2

1

**FARMINGTON PLANNING COMMISSION -- 2011 Schedule of Meetings and Submission Deadlines**

<b>PLANNING COMMISSION WORK SESSION DATES 6:00 P.M.</b>	<b>*PLANNING COMMISSION MEETING DATES 6:00 P.M.</b>	<b>TECHNICAL REVIEW MEETING DATES 2:00 P.M.</b>	<b>SUBMISSION DEADLINE FOR TR MEETING 12:00 Noon</b>	<b>RESUBMISSION DEADLINE TR TO PC MEETING 12:00 Noon</b>	<b>SUBMISSION DEADLINE FOR ITEM REQUIRING A PUBLIC HEARING (ZONING, CONDITIONAL USE) 12:00 Noon</b>
January 17, 2011	January 24, 2011	January 4, 2011	December 21, 2010	January 11, 2011	December 21, 2010
February 21, 2011	February 28, 2011	February 8, 2011	January 25, 2011	February 15, 2011	January 25, 2011
March 21, 2011	March 28, 2011	March 8, 2011	February 22, 2011	March 15, 2011	February 22, 2011
May 16, 2011	April 25, 2011	April 5, 2011	March 22, 2011	April 12, 2011	March 22, 2011
May 16, 2011	May 23, 2011	May 3, 2011	April 19, 2011	May 10, 2011	April 19, 2011
June 20, 2011	June 27, 2011	June 7, 2011	May 24, 2011	June 14, 2011	May 24, 2011
July 18, 2011	July 25, 2011	July 5, 2011	June 21, 2011	July 12, 2011	June 21, 2011
August 15, 2011	August 22, 2011	August 2, 2011	July 19, 2011	August 9, 2011	July 19, 2011
September 19, 2011	September 26, 2011	September 6, 2011	August 23, 2011	September 13, 2011	August 23, 2011
October 17, 2011	October 24, 2011	October 4, 2011	September 20, 2011	October 11, 2011	September 20, 2011
November 21, 2011	November 28, 2011	November 8, 2011	October 25, 2011	November 15, 2011	October 25, 2011
December 12, 2011	December 19, 2011	November 29, 2011	November 15, 2011	December 6, 2011	November 15, 2011

*\*Planning commission meetings are normally scheduled for the 4th Monday in the month, work sessions are the Monday prior, in months containing Monday Holidays this schedule may be altered slightly. In 2011 this is true in December the work session has been changed to a Tuesday and the meeting date to the third Monday accommodate the Christmas Holiday.*