



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

PLANNING COMMISSION AGENDA

May 28, 2024

**A meeting of the Farmington Planning Commission will be held on
Tuesday, May 28, 2024, at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes –April 22, 2024
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 limited to three minutes per person.

1. PUBLIC HEARINGS

- B. Variance – Prairie Grove Telephone Company**
Property owned by: Prairie Grove Telephone Company
Property Location: 17 Locust Street
Presented by: Blew and Associates

Planning Commission Minutes
April 22, 2024, at 6 PM

1. **ROLL CALL** – The meeting was called to order by Chair Robert Mann. A quorum was present.

PRESENT

Robert Mann, Chair
Bobby Wilson
Chad Ball
Judy Horne
Keith Macedo
Norm Toering
Howard Carter

ABSENT – Gerry Harris

City Employees Present: Melissa McCarville, City Business Manager; Jay Moore, City Attorney; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer; Bill Hellard, Fire Chief; Ernie Penn, Mayor

2. **Approval of Minutes:** The March 25, 2024, minutes were unanimously approved as written.

3. **Comments from Citizens:** No comments from Citizens.

1. Public Hearings

1B. Conditional Use for Meramec Specialty Co.; property located at 233 E. Main owned by Meramec; presented by Meramec Specialty Co.:

Dave Stewart represented this company. All requirements for the Conditional Use had been met. There was no public comment and no questions. Upon roll call vote, the Conditional Use Request was approved by unanimous vote.

2C. Amending Landscape Ordinance to add irrigation.

Keith Macedo asked if we require backflow prevention on irrigation, City Business Manager, Melissa McCarville answered yes.

Public Comment: None

Robert Mann called the question to forward amending the landscape ordinance to add irrigation to the City Council for consideration at their next meeting. Upon roll call vote, motion passed unanimously.

2D. Amending Zoning Ordinance to add curbing to parking lots.

Keith Macedo asked if the word “failed” in the second whereas could be taken out. Keith stated that Ordinance 2017-11 required off street parking to be dust free but failed to require concrete curb and gutter. City Business Manager, Melissa McCarville said she thought they should strike it and did not know why it was relevant. Chairman Robert Mann stated that at the last meeting someone brought up using asphalt. Melissa McCarville said that she would check with City Attorney Jay Moore and then make the appropriate changes. Keith Macedo said he would like to recommend striking the entire sentence or remove the word failed. Secretary Chad Ball stated that whereas is our legal term, and asked Keith Macedo if he was just wanting to change the wording by deleting “failed” but not delete the entire “Whereas” statement. That assumption was correct.

Public Comment: None.

Robert Mann called the question to forward the amended ordinance to the City Council with the changes to the word “failed” to change that to “did not require” if we’re not able to strike the entire sentence for consideration at their next meeting. Upon roll call vote, the motion passed unanimously.

Judy Horne asked if when we receive the applications from the firework stands is it required by law for the Planning Commission to see it. She wondered if the city employees could just verify that the companies had met all requirements. Melissa McCarville said that a public meeting with all attachments available, in case a citizen wants to oppose it.

Adjournment: Having no further business, motion was made and seconded to adjourn; it was approved unanimously, and meeting was adjourned.

Chad Ball, Secretary

Robert Mann, Chair

City of Farmington, Arkansas Application for Variance/Waiver



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

Applicant: Prairie Grove Telephone Co. Day phone: 479 846 7200
Address: 139 N. Mock St, Prairie Grove, AR 72753 Fax: _____
Representative: _____ Day phone: _____
Address: _____ Fax: _____
Property Owner: Prairie Grove Telephone Day phone: _____
Address: 139 N. Mock St. Fax: _____

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

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

Property description: Section 26, Township 16 North, Range 31 West
Site address: 17 Locust Street
Current zoning: C-2

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

Type of variance requested and reason for request:

We are requesting a Variance due to the building in Lot B being over the building setbacks. The building is encroaching the setbacks by 19ft - Front 10ft - Rear 7ft - Side 5ft - Side. This is a pre-existing utility structure that will never be altered or moved.

Responsibilities of the Applicant:

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

NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of Farmington on the _____ day of _____, 20____.

PLACE LEGAL DESCRIPTION HERE AND DESCRIPTION OF THE VARIANCE HERE

A public meeting to consider this request for variance at the above described property will be held on _____ day of _____, 20____, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

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

Prairie Grove Telephone Co. Date 4-2-2024
Applicant Signature

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

David M. Parks, President Date 4-2-2024
Owner/Agent Signature



Blew & Associates, P.A.
Civil Engineers Professional Land Surveyors

3825 N. Shiloh Dr.
Fayetteville, Arkansas 72703
479-443-4506
Fax 582-1883

April 17th, 2024

To Whom It May Concern,

Variance

Our client, Prairie Grove Telephone Co. is requesting a variance for 17 Locust Street, Farmington. If allowed the requested setbacks, with the setback encroachments for lot B it helps utilize the usable area of lot A, otherwise there is a large utility easement that takes up a good portion of lot A. This is a pre-existing utility structure that will never be altered or moved. The building within the setbacks is an electronics station for the telephone company. No employees work in the building and no cars are parked on the premises. Occasionally a service person will park the truck out front when doing service on the system. From the buildings sides to the lot line it currently sets as front-16ft, North side-7.8ft, South side-10ft, and Back-10ft. The North and East setbacks are pre-existing, non-conforming. We kindly ask for your approval for this Variance. The variance affects parcel: 760-00852-000

Sincerely,

Sydney Shockley
Project Coordinator
Blew & Associates, P.A.

WARRANTY DEED

with full power, sole authority and without release

KNOW ALL MEN BY THESE PRESENTS:

That we, Clint A. Thurman and Jessie K. Thurman, husband and wife ----- his wife -----

for and in consideration of the sum of One Dollar and other valuable considerations ----- to us in hand paid by Prairie Grove Telephone Company, Incorporated, -----

do hereby grant, bargain and sell unto the said Prairie Grove Telephone Company, Incorporated, and unto its successors

hereby and assigns, the following described land, situate in Washington ----- County, State of Arkansas, to-wit:

The South one hundred ten (110) feet of Lot Numbered Seven (7) and all Lot Numbered Eight (8) in Block Numbered Two (2) in the Town of Farmington, as designated upon the recorded plat of said town.

TO HAVE AND TO HOLD the said lands and appurtenances thereunto belonging unto the said ----- Prairie Grove Telephone Company, Incorporated, and unto its successors ----- and assigns, forever. And we, the said Clint A. Thurman and Jessie K. Thurman, -----

hereby covenant that we are lawfully seized of said land and premises; that the same is unincumbered, and we will forever warrant and defend the title to the said lands against all legal claims whatever.

Witness our hands and seals on this 25th day of June, 1969.

Clint A. Thurman [Seal]
Jessie K. Thurman [Seal]

ACKNOWLEDGMENT

STATE OF ARKANSAS }
County of Washington } ss.

BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public ----- within and for the County aforesaid, duly commissioned and acting, Clint A. Thurman and Jessie K. Thurman, ----- to me well known as the Grantors in the foregoing Deed, and stated that they ----- had executed the same for the consideration and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public this 25th day of June, A. D. 1969.

February 1, 1969. [Signature] Notary Public.

FILED FOR RECORD '69 JUL -6 PM 1:15 WASHINGTON COUNTY ARKANSAS ALMA KOLLIGER CIRCUIT CLERK

