

ORDINANCE NO. 2006-01-242

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Fee Amt: \$20.00 Page 1 of 5
Washington County, AR
Betty Stearns Circuit Clerk
File 2006-00001218

AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING NO. 2005-12-236, THE SAME BEING THE OFFICIAL ZONING MAP OF THE CITY OF TONTITOWN, ARKANSAS, AND THE PLAT PERTAINING THERETO, AND THE CITY CODE OF ORDINANCES; FOR REZONING THE LAND DESCRIBED IN APPLICATION NO. 689, THE PETITIONERS BEING CELESTER J. PENZO and RITA JOYCE PENZO; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, the Tontitown Planning Commission of the City of Tontitown, Washington County, Arkansas, gave notice as required by law and set a hearing date of February 15, 2005 for hearing the matter of redistricting the hereafter described tract of real estate:

The rezoning from R-1 to R-3, of areas of land contained within the property described as follows:

Legal Description attached to this Ordinance as Ordinance No. ____, Exhibit A of the City of Tontitown Arkansas.

AND WHEREAS, after giving notice as required by law, the Tontitown Planning Commission of the City of Tontitown, Arkansas, held a hearing; and after hearing arguments for and against such rezoning; and the Tontitown Planning Commission feeling that the area described herein should be redistricted and changed from R-1 to R-3 in that the purpose of the Zoning Ordinance would be more properly carried out by such redistricting; and that unless granted, citizens of Tontitown will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.


NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of Tontitown, Arkansas:

SECTION 1: Ordinance No. 2005-12-236, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Tontitown, Arkansas and; The City Code of Ordinances are hereby amended by rezoning the hereinafter described tract of real estate from R-1 to R-3:

Legal Description attached to this Ordinance as Ordinance No. ____, Exhibit A, of the City of Tontitown Arkansas.

SECTION 2: EMERGENCY CLAUSE: The City Council determines that an emergency exists and this Ordinance, being necessary for the preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas, shall be in effect from and

PASSED AND APPROVED on this 3rd Day of January, 2006.


Paul Maestri, MAYOR

ATTEST

RECORDER / TREASURER

EXHIBIT A

The North Half of the Northeast Quarter of the Southeast Quarter of Section Thirty-five (35), Township Eighteen (18) North, Range Thirty-one (31) West, containing 20 acres, more or less.

Subject to easements, rights-of-way, and protective covenants of record, if any.

ROLL CALL:

Shall the Ordinance pass:

	YEA	NAY	
Alderman Andrew Penzo	<u>✓</u>	<u> </u>	<i>(Ward 2, Position 2)</i>
Alderman Arthur Penzo	<u>✓</u>	<u> </u>	<i>(Ward 2, Position 1)</i>
Alderman Henry Piazza	<u> </u>	<u> </u>	<i>(Ward 1, Position 2)</i>
Alderman Bradley Marveggio	<u>✓</u>	<u> </u>	<i>(Ward 1, Position 1)</i>
Alderman Ken Robertson	<u>✓</u>	<u> </u>	<i>(Ward 3, Position 2)</i>
Alderman Steve Smith	<u>✓</u>	<u> </u>	<i>(Ward 3, Position 1)</i>
Mayor Paul Maestri	<u> </u>	<u> </u>	

Yeas: 5 **Nays:** 0 *(total)*

ROLL CALL:

Shall the Emergency Clause pass:

	YEA	NAY	
Alderman Andrew Penzo	<u>✓</u>	<u> </u>	<i>(Ward 2, Position 2)</i>
Alderman Arthur Penzo	<u>✓</u>	<u> </u>	<i>(Ward 2, Position 1)</i>
Alderman Henry Piazza	<u> </u>	<u> </u>	<i>(Ward 1, Position 2)</i>
Alderman Bradley Marveggio	<u>✓</u>	<u> </u>	<i>(Ward 1, Position 1)</i>
Alderman Ken Robertson	<u>✓</u>	<u> </u>	<i>(Ward 3, Position 2)</i>
Alderman Steve Smith	<u>✓</u>	<u> </u>	<i>(Ward 3, Position 1)</i>
Mayor Paul Maestri	<u> </u>	<u> </u>	

Yeas: 5 **Nays:** 0 *(total)*