



**Earthplan Design Alternatives, PA**  
Civil Engineering / Landscape Architecture

March 19, 2019

City of Tontitown  
Planning Department  
Attention: Courtney McNair  
201 E Henri De Tonti Blvd.  
Tontitown, AR 72770

RE: Morsani Acres Subdivision  
**Fletcher Ave. Improvements Waiver Request**

Ms. McNair,

We are requesting a Waiver from code 90.400.4 90.400.4 and from any other portions of the code requiring the street improvements from which this Waiver is requested. The Waiver request is from some of the required road improvements along Fletcher Ave. south of the proposed Morsani Acres Subdivision. The submitted plan shows the full 70' Right of Way (ROW) to be dedicated for future extension of W. Fletcher Ave. Specifically, it is road improvements for the southern lane and the far east and western sides from which this Waiver request applies.

Currently, Tontitown's Master Street Plan (MSP) shows W. Fletcher Ave. extending straight eastward across Bausinger Rd. along the southern property line of the proposed Morsani Acres Subdivision. A number of extenuating circumstances exist for this request. Due to lack of ROW dedication with Hidden Valley Estates subdivision to the immediate south, the ROW dedication has been requested by the city to shift north by 35 ft. This will place the entire 70' right of way on this project instead of being shared between properties. This will also put a 35 ft. northward jog in the future Fletcher extension. Since Fletcher Ave.'s full extension has not been designed yet, the manner in which this jog will have to take place can't be known. Therefore, we are proposing the eastern and western stub-outs to not be developed. This is to give additional distance to realign the road to the original-proposed location. Lastly, the road section width the developer would be required to construct per code requirements of 90.400.4 - typically this requires the developer to construct their half of the road. However, in this case half of the road is only 18.5' and that width does not meet fire code requirements. We are proposing improving 26' of this section of Fletcher Ave's width - curb and gutter, sidewalk, and road improvements for the northern lane between lots 20 and 75. This would accommodate turning around of vehicles and emergency personal and would hopefully prevent the City of Tontitown from having to tear out some of the road when the jog and connection to Bausinger Rd. is constructed in the future. We

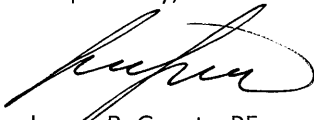
therefore feel that special conditions and circumstances exist which are peculiar to Morsani Acres. Subdivision which are not applicable to other land development in this area.

Literal interpretation of the provisions of this ordinance would deprive the Owner of rights enjoyed by the subdivision to the south known as Hidden Valley Estates which did not dedicate Right of Way for W. Fletcher Ave. and which also resulted in the property owner dedicating all the ROW from the Morsani Acres Subdivision lots. This also results in all of the W. Fletcher Ave. road width having to come out of the Morsani Acres Subdivision instead of the cost being divided between the two subdivisions.

The lack of ROW dedication or road improvements from Hidden Valley Estates to the south are special conditions and circumstances that did not result from the actions of the applicant for this subdivision.

Please contact us if additional documentation is or if clarification is needed to process this Waiver request. We look forward to working with your staff to complete the review of this proposed development.

Respectfully,

A handwritten signature in black ink, appearing to read 'James R. Geurtz', written in a cursive style.

James R. Geurtz, PE  
jrg@eda-pa.com