

ORDINANCE NO. 2021-01-914

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE REZONING APPROXIMATELY 10 ACRES OF REAL PROPERTY LOCATED AT 380 S. KLENC ROAD, IN THE CITY LIMITS OF TONTITOWN ARKANSAS FROM R-3 SINGLE FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL AND 5 ACRES OF REAL PROPERTY LOCATED AT 380 S. KLENC ROAD, IN THE CITY LIMITS OF TONTITOWN, ARKANSAS FROM R-3 SINGLE FAMILY RESIDENTIAL TO C-1 LIGHT COMMERCIAL.

WHEREAS, a rezoning application was submitted and filed with the City of Tontitown on or around the 12th day of October 2020 by Jason Appel with Engineering Services, Inc. on behalf of Gillie Mantegani, Barbara Jean Greenlee and Tommy and Zita Greenlee requesting the City of Tontitown to rezone approximately 10 acres of real property (identified as Parcel Nos. 830-37667-005 and 830-37667-006) located at or around 380 S. Klenc Road within the city limits of the City of Tontitown, Arkansas from R-3 Single Family Residential to C-2 General Commercial and another 5 acres of real property (identified as Parcel No. 830-37667-004) located at or around 380 S. Klenc Road within the city limits of the City of Tontitown, Arkansas from R-3 Single Family Residential to C-1 Light Commercial; and

WHEREAS, after due notice as required by law and a public hearing, the City of Tontitown, Arkansas, Planning Commission has heard all those who wish to be heard regarding the rezoning application and voted to recommend the proposed rezoning; and


WHEREAS, the City Council of the City of Tontitown, Arkansas, has determined that said rezoning complies with the adopted plans and criteria of the City of Tontitown which are designed to protect the health, safety, and welfare of the citizens; and

WHEREAS, it is the desire of the City Council that the application be approved as submitted and said property be rezoned to C-2 General Commercial and C-1 Light Commercial, accordingly.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tontitown, Arkansas:

Section 1: The City of Tontitown hereby changes the zone classification from R-3 Single Family Residential to C-2 General Commercial for 10 acres of real property (identified as Parcel Nos. 830-37667-005 and 830-37667-006) located at or around 380 S. Klenc Drive, within the City Limits of the City of Tontitown, Arkansas, and from R-3 Single Family to C-1 Light Commercial for 5 acres of real property (identified as Parcel No. 830-37667-004) located at or around 380 S. Klenc Road within the city limits of the City of Tontitown, Arkansas, more particularly described as:

[See Exhibit "A" attached hereto]



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Fee Amt: \$30.00 Page 1 of 4
Washington County, AR
Kyle Sylvester Circuit Clerk
File **2021-00003506**

Section 2: That the official Zoning Map of the City of Tontitown, Arkansas, shall be amended to reflect this change within thirty (30) days of the date of this ordinance. Any ordinance or parts thereof in conflict with this ordinance is hereby repealed and declared invalid.

Section 3: That the Clerk-Treasurer shall cause this document, and any other documents needed to accomplish the intent of this ordinance, to be properly filed as required by law.


PASSED AND APPROVED this ___ day of January, 2021.

APPROVED:



PAUL COLVIN, JR., Mayor

ATTEST:



Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

Exhibit "A"

Parcel: 830-37667-004 - Gillie Mantegani Property (C1-LIGHT COMMERCIAL)

A PART OF THE WEST HALF (W ½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION ONE (1), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY-ONE (31) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID 80 ACRE TRACT; THENCE S03°44'22" W 1675.33 FEET ALONG THE WEST LINE OF SAID 80 ACRE TRACT TO THE TRUE POINT OF BEGINNING, SAID POINT BEING IN KLENC ROAD AND FROM WHICH A ½" REFERENCE IRON SET ON THE EAST RIGHT-OF-WAY LINE OF SAID ROAD BEARS S87°25'01" E 20.81 FEET; THENCE LEAVING THE WEST LINE OF SAID 80 ACRE TRACT, S87°25'01"E 715.00 TO A SET ½" IRON REBAR; THENCE S03°44'22"W 304.68 FEET TO AN EXISTING IRON REBAR; THENCE N87°25'01"W 715.00 FEET TO AN EXISTING COTTON SPINDLE ON THE WEST LINE OF SAID 80 ACRE TRACT, SAID POINT BEING IN KLENC ROAD AND FROM WHICH AN EXISTING REFERENCE IRON ON THE EAST RIGHT- OF-WAY LINE OF SAID ROAD BEARS S87°25'01"E 23.67 FEET; THENCE N03°44'22"E 304.68 FEET ALONG THE WEST LINE OF SAID 80 ACRE TRACT TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES, MORE OR LESS, TONTITOWN, WASHINGTON COUNTY, ARKANSAS. THE ABOVE DESCRIBED 5.00 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF KLENC ROAD AND ANY OTHER EASEMENTS AND/OR RIGHTS- OF-WAY WHETHER OR NOT OF RECORD.

Parcel: 830-37667-005 - Barbara Jean Greenlee Property (C2-GENERAL COMMERCIAL)

A PART OF THE WEST HALF (W ½) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION ONE (1). TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY-ONE (31) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID 80 ACRE TRACT; THENCE S03°44'22" W 1370.65 FEET ALONG THE WEST LINE OF SAID 80 ACRE TRACT TO THE TRUE POINT OF BEGINNING, SAID POINT BEING IN KLENC ROAD AND FROM WHICH A ½" REFERENCE IRON SET ON THE EAST RIGHT-OF-WAY LINE OF SAID ROAD BEARS S87°25'01"E 17.94 FEET; THENCE LEAVING THE WEST LINE OF SAID 80 ACRE TRACT, S87°25'01"E 715.00 FEET TO A SET ½" IRON REBAR; THENCE S03°44'22"W 304.68 FEET TO A SET ½" IRON REBAR; THENCE N87°25'01"W 715.00 FEET TO A POINT ON THE WEST LINE OF SAID 80 ACRE TRACT, SAID POINT BEING IN KLENC ROAD AND FROM WHICH AN EXISTING REFERENCE IRON ON THE EAST RIGHT-OF-WAY LINE OF SAID ROAD BEARS S87°25'01"E 20.81 FEET; THENCE N03°44'22"E 304.68 FEET ALONG THE WEST LINE OF SAID 80 ACRE TRACT TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES, MORE OR LESS, TONTITOWN, WASHINGTON COUNTY, ARKANSAS. THE ABOVE DESCRIBED 5.00 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF KLENC ROAD AND ANY OTHER EASEMENTS AND/OR RIGHTS-OF-WAY WHETHER OR NOT OF RECORD.

Parcel: 830-37667-006 - Tommy and Zita Greenlee Property (C2-GENERAL COMMERCIAL)

A PART OF THE WEST HALF (W ½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION ONE (1), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY-ONE (31) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID 80 ACRE TRACT; THENCE S03°44'22" W 1065.97 FEET ALONG THE WEST LINE OF SAID 80 ACRE TRACT TO THE TRUE POINT OF BEGINNING, SAID

POINT BEING IN KLENC ROAD AND FROM WHICH A ½" REFERENCE IRON SET ON THE EAST RIGHT-OF-WAY LINE OF SAID ROAD BEARS S87°25'01" E 15.08 FEET; THENCE LEAVING THE WEST LINE OF SAID 80 ACRE TRACT, S87°25'01"E 715.00 FEET TO A SET ½" IRON REBAR; THENCE S03°44'22"W 304.68 FEET TO A SET ½" IRON REBAR; THENCE N87°25'01"W 715.00 FEET TO A POINT ON THE WEST LINE OF SAID 80 ACRE TRACT, SAID POINT BEING IN KLENC ROAD AND FROM WHICH AN EXISTING REFERENCE IRON ON THE EAST RIGHT-OF-WAY LINE OF SAID ROAD BEARS S87°25'01 "E 17.94 FEET; THENCE N03°44'22"E 304.68 FEET ALONG THE WEST LINE OF SAID 80 ACRE TRACT TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES, MORE OR LESS, TONTITOWN, WASHINGTON COUNTY, ARKANSAS. THE ABOVE DESCRIBED 5.00 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF KLENC ROAD AND ANY OTHER EASEMENTS AND/OR RIGHTS-OF-WAY WHETHER OR NOT OF RECORD.

Washington County, AR
I certify this instrument was filed on
01/28/2021 03:00:19 PM
and recorded in Real Estate
File Number 2021-00003506
Kyle Sylvester - Circuit Clerk

by 