

**ORDINANCE NO. 2021-\_\_\_\_\_**

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE REZONING APPROXIMATELY 19.87 ACRES OF REAL PROPERTY LOCATED AT 664 KELLY AVENUE, WITHIN THE CITY LIMITS OF TONTITOWN ARKANSAS FROM R-3, RESIDENTIAL TO R-4, RESIDENTIAL.**

**WHEREAS**, a rezoning application was submitted and filed with the City of Tontitown by Kenneth Lynch (“Owner”) in order to request the City of Tontitown to rezone approximately 19.87 acres of real property located at 664 Kelly Avenue, Springdale, Arkansas 72762, Parcel No. 830-37962-000, within the city limits of Tontitown, Arkansas, described therein and as depicted in the survey and legal description attached as Exhibit “A” from R-3, Residential to R-4, Residential; and

**WHEREAS**, after due notice as required by law and a public hearing, the City of Tontitown, Arkansas, Planning Commission has heard all persons desiring to be heard on the question and has ascertained that the rezoning requested should be approved and has recommended approval to the Tontitown City Council; and

**WHEREAS**, the Owner has voluntarily offered a Bill of Assurance as a binding condition of this Ordinance and which is attached hereto as Exhibit “B” and incorporated herein.

**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 R-4, Residential.

**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, Residential to R-4, Residential, for certain real property located at 664 Kelly Avenue, located within the City Limits of the City of Tontitown Arkansas, more particularly described as:

[See Exhibit “A” attached hereto]

Section 2: The Owner has offered a Bill of Assurance that is attached hereto as Exhibit “B” and as incorporated into this Ordinance.

Section 3: 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 Any ordinance or parts thereof in conflict with this ordinance is hereby repealed and declared invalid.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 4: 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 September, 2021

APPROVED:

\_\_\_\_\_  
PAUL COLVIN, JR., Mayor

ATTEST:

\_\_\_\_\_  
Rhonda Ardemagni, City Clerk-Treasurer  
(SEAL)