

ORDINANCE NO. 2016 - ____
CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS

AN ORDINANCE FOR REZONING; A REZONING OF A TRACT CONTAINING 0.48 ACRES ZONED A-1 GENERAL AGRICULTURAL DISTRICT, REZONED TO A C-2 GENERAL AND HIGHWAY COMMERCIAL DISTRICT.

WHEREAS, an application for a Rezoning was filed with the Planning and Development Department of the City of Cave Springs, Arkansas, on the 19th day of August 2016 by Pat Simpson, Trustee of the Simpson Marital Deduction Trust c/u the Simpson Family Revocable Living Trust, requesting to rezone (CSZ-16-10) a 0.48 acre (20,908 ft²) lot previously a non-conforming A-1 General Agricultural Zoning District to a conforming C-2 General and Highway Commercial Zoning District to legally operate a small engine repair services facility use, within an existing 2,880 ft² structure, on the subject property.

WHEREAS, after due notice, as required by law, at a regular meeting held on the 1st day of November, 2016, at the time and place mentioned in all notifications, heard by all persons desiring to be heard on the question and as ascertained of the requested Rezoning, the Cave Springs Planning Commission (CSPC), voted unanimously recommending APPROVAL to the City Council of Cave Springs of the following; Rezoning request by the owner and applicant, Pat Simpson, Trustee of the Simpson Marital Deduction Trust c/u the Simpson Family Revocable Living Trust, for real estate described to-wit:

CSZ-16-10 | Simpson:

The owner and applicant, Pat Simpson, Trustee of the Simpson Marital Deduction Trust c/u the Simpson Family Revocable Living Trust, has requested a rezoning from non-conforming A-1 General Agricultural Zoning District to a conforming C-2 General and Highway Commercial Zoning District to legally operate a small engine repair services facility use, within an existing 2,880 ft² structure, on the subject property.

ADDRESS: 223 N. Main Street, Cave Springs, AR 72718

PARENT PARCEL: 05-10147-000

STR: Section 1, Township 18 North, Range 31 West

TRACT LEGAL: Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, Township 18 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows: Commencing at the NW corner of said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and being an axle, thence along the West line of said SW $\frac{1}{4}$ of the

NE ¼ S02°48'19"W, 2033.95' to the Northerly right of way line of Arkansas State Highway 264; thence along said right of way line S80°38'00"E, 292.03' to the POINT OF BEGINNING; thence along said Northerly right of way line of Arkansas State Highway 264 S70°52'33"E, 126.46' to the West right of way line of Arkansas State Highway 112; thence Northerly along said West right of way line N21°06'30"E, 144.89' to a large drainage ditch; thence along said ditch N61°10'50"W, 75.11'; thence N81°14'26"W, 74.00', thence leaving said ditch S13°02'38"W, 144.96' to the POINT OF BEGINNING and containing .48 acres more or less. Subject to any and all easements of record or of fact.

LOT SIZE: 0.48 acres (20,908 ft²)

NOW, THEREFORE, be it enacted by the City Council of the City of Cave Springs as follows;

Section 1. That the above described real estate be APPROVED for a Rezoning (CSZ-16-10) of a 0.48 acre (20,908 ft²) lot previously a non-conforming A-1 General Agricultural Zoning District to a conforming C-2 General and Highway Commercial District to legally operate a small engine repair services facility use, within an existing 2,880 ft² structure, as requested; unanimously recommended for APPROVAL by the Cave Springs Planning Commission (CSPC) on the 1st day of November; That upon the conclusion of a properly advertised public hearing and meaningful deliberation, the City Council of Cave Springs, by majority vote, did APPROVE the above styled application and request, Done this 8th day of November, 2016:

Section 2. This ordinance shall have full force and effect from and after its passage. Any ordinance or parts thereof in conflict with this ordinance is hereby repealed and declared invalid.

Section 3. The Official Zoning Map of the City of Cave Springs, Benton County, Arkansas is hereby amended to reflect the Rezoning.

PASSED AND APPROVED this 8th day of November, 2016:

APPROVED:

ATTEST:

Travis Lee, Mayor

Kimberly Hutcheson, City Recorder | Treasurer

(SEAL)