

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

AN ORDINANCE FOR REZONING; A LOT-COMBINATION, REPLAT AND REZONING OF LOTS 1, 4, 5, 8 & 9 OF BLOCK 21 OF BARLETT'S REVISED ADDITION (1914) TOGETHER WITH THE EAST HALF OF THE VACATED ALLEY LYING WEST OF THE ADJOINING SAID LOTS, CONTAINING A TOTAL OF 0.41 ACRES ZONED R-2 GENERAL AGRICULTURAL DISTRICT. THE LOT-COMBINATION AND REPLAT WILL CONSIST OF ONE (1) NEWLY CREATED LOT WITH PROPOSED LOT 1R OF BLOCK 21 CONTAINING 0.41 ACRES THAT WILL BE REZONED TO A CONFORMING R-3 SINGLE-FAMILY RESIDENTIAL DISTRICT.

WHEREAS, an application for a Lot-Combination, Replat and Rezoning was filed with the Planning and Development Department of the City of Cave Springs, Arkansas, on the 10th day of November 2016 by Danae and Willie Jr Parker, requesting a Lot-Combination and Replat (**CSLS-16-10**) and the approval of a Rezoning (**CSZ-16-15**) from a non-conforming R-2 Single-Family Residential District to a conforming R-3 Single Family Residential District for proposed Lot 1R contingent upon the Lot-Combination and Replat approval of the platted lots, Lots 1, 4, 5, 8 & 9 of Block 21 of Bartlett's Revised Addition (1914) together with the east half of the vacated alley lying west of the adjoining said lots, located at 359 Clayton Road, Cave Springs, AR 72718. The Lot-Combination and Replat will consist of one (1) newly created lot, with proposed Lot 1R containing 0.41 acres that will be rezoned to a conforming R-3 Single-Family Residential District.

WHEREAS, after due notice, as required by law, at a regular meeting held on the 6th day of December, 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; Lot-Combination, Replat and Rezoning request by the owners and applicants, Danae and Willie Jr Parker, for real estate described to-wit:

CSLS-16-10 & CSZ-16-15 | Parker:

The owners and applicants, Danae and Willie Jr Parker, have requested a Lot-Combination, and Replat (**CSLS-16-10**) and the approval of a Rezoning (**CSZ-16-15**) from a non-conforming R-2 Single-Family Residential District to a conforming R-3 Single Family Residential District for proposed Lot 1R contingent upon the Lot-Combination and Replat approval of the platted lots, Lots 1, 4, 5, 8 & 9 of Block 21 of Bartlett's Revised Addition (1914) together with the east half of the vacated alley lying west of the adjoining said lots, located at 359 Clayton Road, Cave Springs, AR 72718. The Lot-Combination and Replat will consist of one (1) newly created lot, with proposed Lot 1R containing 0.41 acres that will be rezoned to a conforming R-3 Single-Family Residential District on the subject properties.

ADDRESS: 359 Clayton Road, Cave Springs, AR 72718

PARCELS: 05-10401-000 & 05-10403-000

STR: Section 6, Township 18 North, Range 30 West

PARENT LEGAL: Lots 1, 4, 5, 8 & 9 of Block 21, Together with the east half of the vacated alley lying west of the adjoining said lots as vacated by Ordinance no.48 in Deed Book 129 at page 39, Bartlett's Revised Addition to the City of Cave Springs, Benton County, Arkansas, as shown on Plat Record B at page 129.

PARENT TRACT SIZE: 0.41 acres (17,972 ft²)

LOT 1R | Rezone to R-3 Single-Family Residential Zoning District:

Lot 1R, Block 21, Bartlett's Revised Addition to the City of Cave Springs, Benton County, Arkansas, Subject to any Rights-Of-Ways, Easements, Liens, or Encumbrances which may or may not be of Record. Being described by survey as All of lots 4,5,8 and 9 and a portion of lot 1 all in Block 21 of the Bartlett's Revised Addition to the City of Cave Springs, Benton County, Arkansas being more particularly described as beginning a found iron pin at the Southeast Corner of Lot 9; thence North 87°55'45" West a distance of 150.00 feet to a found iron pin; thence North 02°08'55" East a distance 119.38 feet to a point on the South Right-Of-Way of State Highway 264; thence South 88°18'59" East along said Right-Of-Way a distance of 149.83 feet to a point; thence South 02 03 59" West a distance of 120.39 feet to the point of beginning containing in 0.41 acres (17,972 ft²), more or less and being further subject to any Rights-Of-Ways, Easements, Liens, or Encumbrances which may or may not be of record.

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 Lot-Combination and Replat (CSLS-16-10) and a Rezoning (CSZ-16-15) from a non-conforming R-2 Single-Family Residential District to a conforming R-3 Single Family Residential District for proposed lot, Lot 1R of Block 21, as requested; unanimously recommended for APPROVAL by the Cave Springs Planning Commission (CSPC) on the 6th day of December; 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 13th day of December, 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 13th day of December, 2016:

APPROVED:

Travis Lee, Mayor

ATTEST:

Kimberly Hutcheson, City Recorder | Treasurer

(SEAL)

