

**ORDINANCE NO. 2016 - \_\_\_\_**  
**CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS**

**AN ORDINANCE FOR REZONING; A REZONING OF A PLATTED LOT CONTAINING 0.23 ACRES ZONED A NON-CONFORMING R-1 SINGLE FAMILY RESIDENTIAL DISTRICT, REZONED TO A CONFORMING R-3 SINGLE FAMILY RESIDENTIAL DISTRICT.**

**WHEREAS**, an application for a Rezoning was filed with the Planning and Development Department of City of Cave Springs, Arkansas, on the 11<sup>th</sup> day of August 2016 by Kirby Burks the agent for Can-Ark Diamond Realty Holdings LLC, requesting a Rezoning of a platted lot containing 0.23 acres, a non-conforming R-1 Single Family Residential District to a conforming R-3 Single Family Residential District on the subject property.

**WHEREAS**, after due notice, as required by law, at a regular meeting held September 6, 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 applicant, Kirby Burks the agent for Can-Ark Diamond Realty Holdings LLC, for real estate described to-wit:

**CSZ-16-09 | Burks:**

The applicant, Kirby Burks the agent for Can-Ark Diamond Realty Holdings LLC, requests a Rezoning (CSZ-16-09) of a 0.23 acre (10,019 ft<sup>2</sup>) lot, Lot 84 of Brentwood Subdivision currently zoned a non-conforming R-1 Single Family Residential District to a conforming R-3 Single Family Residential District located at 453 Sunset Drive, Cave Springs, AR 72718

<b>ADDRESS:</b>	453 Sunset Drive, Cave Springs, AR 72718
<b>PARENT PARCEL:</b>	05-11668-000
<b>STR:</b>	Section 5, Township 18 North, Range 30 West
<b>LOT LEGAL:</b>	Lot 84 of Brentwood Subdivision (2007)
<b>LOT SIZE:</b>	0.23 acre (10,019 ft <sup>2</sup> )

**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-16-09) of a 0.23 acre (10,019 ft<sup>2</sup>) lot, Lot 84 of Brentwood Subdivision currently zoned a non-conforming R-1 Single Family Residential District to a conforming R-3 Single Family Residential District located at 453 Sunset Drive, Cave Springs, AR 72718 as requested; unanimously recommended for APPROVAL by the Cave Springs Planning Commission (CSPC); That upon the conclusion of a properly advertised

public hearing and meaningful deliberation, the City Council of Cave Springs, by unanimous vote, did APPROVE the above styled applications and request, Done this 13th day of August, 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 13<sup>th</sup> day of September, 2016:

**APPROVED:**

---

Travis Lee, Mayor

**ATTEST:**

---

Kimberly Hutcheson, City Recorder | Treasurer  
(SEAL)