ORDINANCE NO. 82-5

AN ORDINANCE AMENDING ORDINANCE NUMBER 325, REZONING CERTAIN PROPERTY IN THE CITY OF ATKINS, ARKANSAS, AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE CITY COUNCIL of the City of Atkins, Arkansas:

SECTION I: That the property described as follows:

"All that part of the SE ¼ SW ¼ SE ¼, Section 18, Township 7 North, Range 18 West, lying South of Interstate Highway 40;
ALSO, Part of the SE ¼ SE ¼ of Section 18, Township 7 North, Range 18 West, described as beginning at the SW-corner of the said SE ¼ SE ¼; thence East 209 feet; thence North 209 feet; thence West to the South right-of-way line of Interstate Highway 40; thence Southwesterly with said right-of-way line of Interstate Highway 40; thence Southwesterly with said right-of-way line of I-40 to a point due North of the point of beginning; thence South to the point of beginning.

and located at 305 Avenue 9 NW, Atkins, Arkansas, is hereby rezoned from R-1 Residential Zoning District to R-2 District by amendment to Ordinance Number 325 of the City of Atkins, Arknasas.

SECTION II; An emergency is hereby declared to exist and this Ordinance being necessary for the immediate protection of the public peace, health and safety, shall take effect immediately upon its passage and approval.

Dated the 14th day of DECEMBER, 1982.

Jimmy L. McDow
MAYOR

ATTEST:
Della Hare
CITY CLERK

PETITION NO. _____ FORM #2

PETITION FOR REZONING

FILING DATE _____

ENFORCEMENT OFFICER _____

TO THE ~~RUSSELLVILLE~~ ATKINS PLANNING COMMISSION:

APPLICATION IS HEREBY MADE TO THE CITY PLANNING COMMISSION, PURSUANT TO THE ARKANSAS LAW ON CITY PLANNING, ACT 186 OF 1957, ACTS OF ARKANSAS, AS AMENDED, AND THE ~~RUSSELLVILLE~~ ZONING ORDINANCE NO. _____ AS AMENDED, PETITIONING FOR A REZONING OF THE FOLLOWING DESCRIBED AREA:

1) LEGAL DESCRIPTION:
All that part of the SE¼ SW¼ SE¼ Section 18, Township 7 North Range 18 West lying So. of Interstate Highway 40. Also part of the SE¼ SE¼ of Section 18, Township 7 North Range 18 West described as beginning at the Southwest Corner of the said SE¼ SE¼; thence East 209 ft. thence North 209 ft. thence West to the South Right of Way line of I-40 thence Southwesterly with said right of way line of I-40 to a point due North of the point of beginning, thence So. to the Point of beginning.

2) STREET ADDRESS OR APPROXIMATION THEREOF 305 Ave 9 NW. ATKINS

3) TITLE TO THIS PROPERTY IS VESTED IN Will & Virginia Rook
ADDRESS 305 Ave 9 NW Atkins

4) IT IS DESIRED THAT THE ZONING DISTRICT BOUNDARIES SHOWN ON THE OFFICIAL ZONING DISTRICTS MAP BE AMENDED AND THAT THE AREA DESCRIBED ABOVE BE RECLASSIFIED FROM THE PRESENT R1 & I ZONE TO R 2 ZONE.

5) PRESENT USE OF PROPERTY: Living on it

6) DESIRED USE OF PROPERTY: Put Mobile Home on it

7) THERE ARE - THERE ARE NO DEED RESTRICTIONS PERTAINING TO THE USE OF THIS PROPERTY. ANY RESTRICTIONS ARE DESCRIBED: NONE

8) A STATEMENT AND DIAGRAM EXPLAINING WHY THE PROPOSED CHANGES WILL NOT CONFLICT WITH SURROUNDING LAND USES IS ENCLOSED AS PART OF THIS PETITION.

9) A MAP OF THE SUBJECT PROPERTY IS ATTACHED HEREWITH AND THE MAP SHOWS (1) THE APPROXIMATE DIMENSIONS OF EACH PROPERTY LINE AND ANY ADJOINING RIGHT-OF-WAY, (2) THE APPROXIMATE OUTLINE OF ANY BUILDINGS ON SUBJECT PROPERTY AND ADJACENT PROPERTIES, AND (3) LAND USES AND OWNER'S NAMES FOR ALL LANDS ADJACENT TO, OR LOCATED DIRECTLY ACROSS THE STREET FROM THE SUBJECT PROPERTY.

10) THE APPLICATION FILING FEE OF TWENTY-FIVE DOLLARS ($25.00) HAS BEEN PAID TO THE CITY CLERK.

11) IT IS UNDERSTOOD THAT NOTICE OF THE PUBLIC HEARING BEFORE THE PLANNING COMMISSION WILL BE PUBLISHED AT LEAST 15 DAYS PRIOR TO SAID HEARING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY, AND THAT NOTICE OF SAID HEARING MUST BE CIRCULATED BY THE APPLICANT TO ALL OTHER PARTIES IN INTEREST, INCLUDING ALL OWNERS OF LAND ADJACENT TO, OR LOCATED DIRECTLY ACROSS THE STREET FROM THE PROPERTY PROPOSED FOR REZONING.

12) POSTING OF SIGN. THE PROPONENT OF CHANGE SHALL POST A SIGN ON THE PROPERTY FIFTEEN (15) DAYS PRIOR TO THE DATE OF THE PUBLIC HEARING AND ON WHICH IS SET FORTH THE DATE AND PLACE OF THE HEARING AND THE EXISTING AND PROPOSED CHANGE IN ZONING CLASSIFICATION.

13) IF CHANGE IS DISAPPROVED, THE PETITIONER MAY APPEAL SUCH DISAPPROVAL, PROVIDED THAT HE STATES SPECIFICALLY IN WRITING TO THE CITY CLERK WHY HE CONSIDERS THE PLANNING COMMISSION'S FINDINGS TO BE IN ERROR. SUCH APPEAL SHALL BE FILED WITH THE CITY CLERK WITHIN FIFTEEN (15) DAYS OF RECEIPT OF NOTICE OF PLANNING COMMISSION'S ACTION.

14) UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS PETITION, INCLUDING ACCOMPANYING MATERIALS AND STATEMENTS, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS TRUE, CORRECT AND COMPLETE.

SIGNED BY PETITIONER(S) Will Root Jr.
Virginia Root

ADDRESS 305 Ave 9 NW, Athens

TELEPHONE: 641-2120

(NOTE: USE ADDITIONAL SHEETS IF SPACES ARE INADEQUATE.)

(DO NOT WRITE BELOW THIS LINE)

CITY CLERK

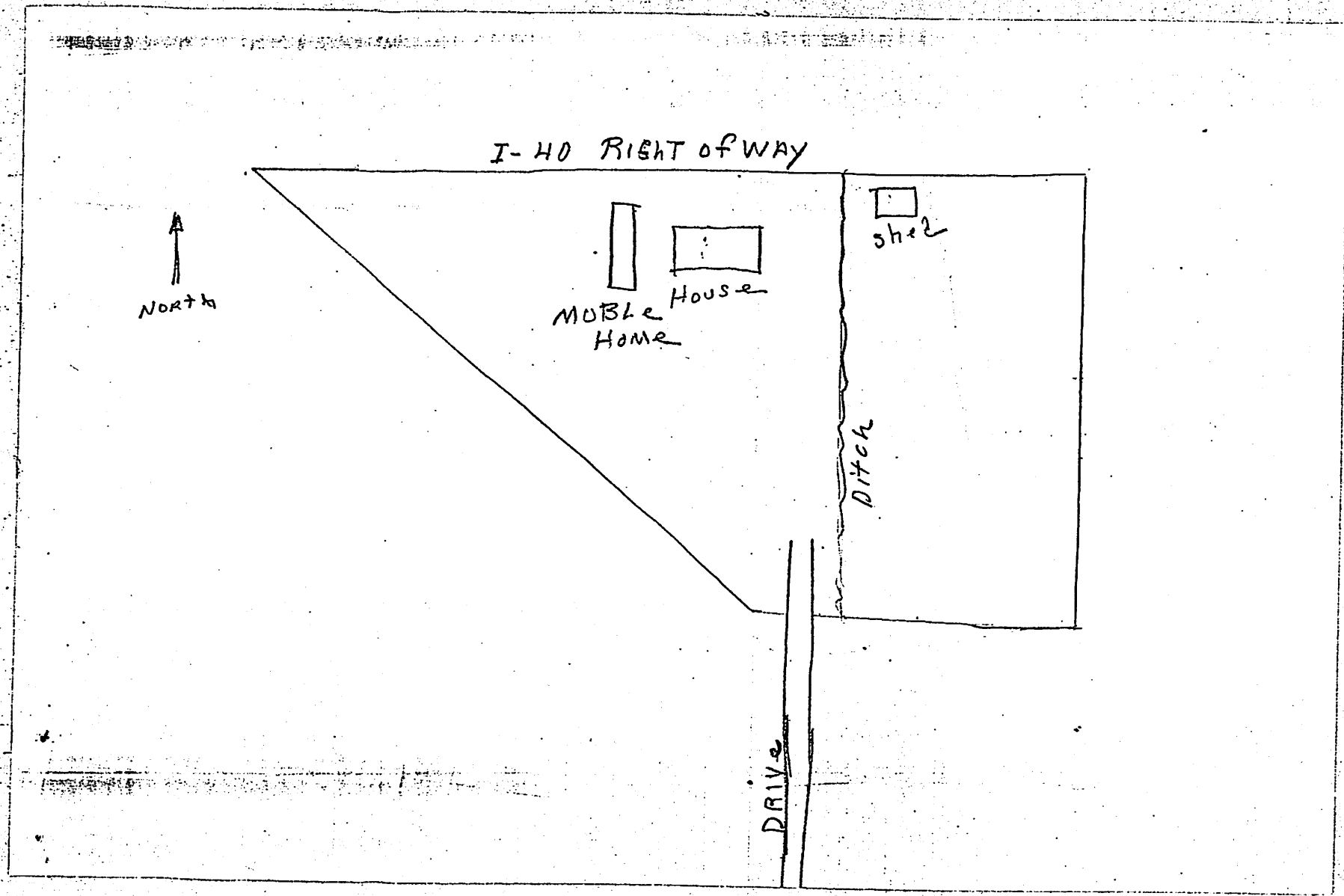
APPLICATION FEE PAID _____ (YES) _____ (NO) DATE: _____ FILING DATE: _____

ALL 14 POINTS OF APPLICATION IN ORDER? _____

IS THE PROPERTY PLATTED ON A PLAT OF RECORD WITH THE CIRCUIT CLERK? _____
BOOK NO. _____ PAGE NO. _____

DO THE EXISTING STREET RIGHT-OF-WAYS AT LEAST MEET THE MINIMUM REQUIREMENTS AS PRESENTED IN THE COMPREHENSIVE DEVELOPMENT PLAN? _____

EXPLAIN: _____


I-40 Right of Way
North
Mobile Home
House
shed
Ditch
Drive