



City of Farmington
354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

PLANNING COMMISSION AGENDA
October 22, 2018

**A meeting of the Farmington Planning Commission will be held on
Monday, October 22, 2018 at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes - September 24, 2018
3. Comments from Citizens – the Planning Commission will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
4. **PUBLIC HEARING**
 - A. **Variance Request:** request variance of lot size from 2 acres to 1.46 acres
Property owned by: Eagle Holdings, LLC.
Property Location: 4.4 acres on corner of Clyde Carnes and Giles Road
Presented by: Keith Marrs

**Planning Commission Minutes
September 24, 2018**

1. **ROLL CALL** – Meeting was called to order by Chairman Robert Mann. A quorum was present.

PRESENT

Robert Mann, Chair
Judy Horne
Howard Carter
Matt Hutcherson
Bobby Wilson
Toni Lindsey
Jay Moore

ABSENT

Gerry Harris

City Employees Present: Ernie Penn, Mayor;
Melissa McCarville, City Business Manager; Steve
Tennant, City Attorney

2. **Approval of Minutes:** August 27, 2018 Minutes were approved as written.

3. **Comments from Citizens:**

Tony Montez- 6 Bellwood: Mr. Montez had concerns about the development behind his property. The retention pond is not retaining the water properly and it is becoming stagnant and smelly, causing mosquitoes to breed. He is concerned for his and the neighborhood kids getting bitten. These problems have been occurring over the past year. Also, he has had damages to his utility lines.

Jay Moore addressed the Commission that he too lives in that area and the neighbors' concerns are very real. Most of the neighbors have come to him or the City for help getting this issue resolved. Rick had seen a truck there to treat the water. Tony replied that there has been no improvement.

Jay addressed this with Rick's response of how to patch the sides of the pond to retain the water. The residents were instructed to contact Rick Bramall, the City Inspector for further information.

Public Hearing:

4A. Rezone request: 34.22 acres on Hwy 170 rezone from A-1 to R-1 presented by Dave Jorgensen for Richard Grubbs:

Dave Jorgensen explained the location on Highway 170. He also stated that there is an 8" water line that runs through the middle of the property that developer can tie into. This will be tied in with Washington Water and the sewer line connected to Prairie Grove. They have been in contact with ESI waste water to confirm that everything is in place to be connected. There will be approximately seventy- six to seventy-seven houses built on the acreage. Regarding concerns with traffic flow, Mr. Jorgensen said there will be two access points from Hwy 170 to this new development. Jay Moore asked what school district this subdivision will fall into and it was said it may be Farmington just as Valley View.

Public Comment:

Willie Newman of 246 Pine Meadow Dr. - brought up the question of why Planning Commission would allow this property to be rezoned without the permitting in place. City Attorney Steve Tennant explained

that the Commission can only consider rezoning regardless of utilities available. Dave Jorgensen addressed Mr. Newman's question saying the developer would have to go through the proper steps to get all required permits. The Health Department has to give approval as well as the utilities.

Comments from the City: Steve Tennant stated they can rezone at any time. Melissa McCarville stated that they can do this on speculation of later use. Jay asked if it was our issue past rezone until developer submits the Large Scale Development. It was said that is correct. Melissa again stated this is all done on speculation until the Preliminary Plat is submitted.

Robert Mann called the question to approve the rezone request from A-1 to R- 1. Upon roll call, the ayes were: Howard Carter, Jay Moore, Toni Lindsey, Bobby Wilson, Judy Horne and Matt Hutcherson; absent, Gerry Harris. Motion passed unanimously.

5. Adjournment: Having no further business, meeting was adjourned.

Judy Horne - Secretary

Robert Mann - Chair

City of Farmington, Arkansas Application for Variance/Waiver



Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission/Board of Adjustment until all information is furnished.

Applicant: EAGLE HOLDINGS LLC Day Phone: 479-841-3584
Address: PO Box 605 Farmington Fax: 479-267-5912
Representative: KEITH MILES Day Phone: SAME
Address: SAME Fax: SAME
Property Owner: EAGLE HOLDINGS LLC Day Phone: SAME
Address: SAME Fax: SAME

Indicate where correspondence should be sent (circle one): Applicant Representative Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property Description

Site Address - 4.40 Acres Clyde Crews RD + Giles Road
Current Zoning -- A-1

Attach legal description and site plan (a scaled drawing of the property showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.) Attach photos if they are helpful in describing your request.

Type of variance requested and reason for request:

Request From 2 Acre TRACT Requirement To 1.46 Acre TRACT Size
To Build Single Family Homes

Responsibilities of the Applicant:

1. Complete application and pay a \$25.00 application fee.
2. Provide a copy of the deed for the property. If the property is rented, provide written permission from the owner that the variance is allowable.
3. Written authorization from the property owner if someone other than the owners will be representing the request.
4. Publish the following notice in a newspaper of general circulation in the City no later than 7 days prior to the meeting, A copy of the proof of publication from the newspaper must be provided to the City 3 days before the meeting:

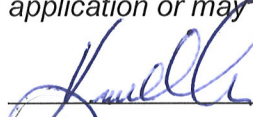
NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of Farmington on the 10th day of Sept, 2018.

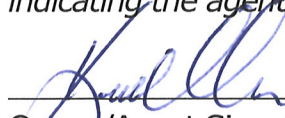
PLACE LEGAL DESCRIPTION HERE AND DESCRIPTION OF THE VARIANCE HERE

A public meeting to consider this request for variance at the above described property will be held on 22nd day of October, 2018, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

Applicant/Representative: *I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.*

 Date 9-10-18
Applicant Signature

Property Owner/Authorized Agent: *I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating the agent is authorized to act on their behalf.)*

 Date 9-10-18
Owner/Agent Signature

RECEIPT DATE 9-7-18 No. 625919

RECEIVED FROM Eagle Holdings LLC \$ 25.00

Twenty five & no/100 DOLLARS

FOR RENT
 FOR Variance Chedelains & Giles Rd

CASH
 CHECK
 MONEY ORDER
 CREDIT CARD

FROM _____ TO _____

BY D. Coleman

ACCOUNT	
PAYMENT	<u>25.00</u>
BAL. DUE	<u>0</u>

ck#
1642

City of Farmington, AR

09/07/2018 4:54PM 01
 000000#4741 CLERK01

Development Fees \$25.00

ITEMS 10
 CHECK \$25.00

File# 2018-00026249

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

Grantee
Address

Prepared By:
STEVEN D. TENNANT
Attorney At Law
P. O. Box 120 - 8 E. Main
Farmington, AR 72730
(479) 267-2060

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

That I, Ronald Morton Carnes, Successor Trustee of the Genevieve D. Carnes Trust u/d/t August 10, 2005, hereinafter called Grantor, acting pursuant to the power expressly conferred upon us as Successor Trustee of the Genevieve D. Carnes Trust, and in consideration of the sum of Ten Dollars (\$10) and other good and valuable consideration to me in hand paid by Eagle Holdings, LLC, an Arkansas Limited Liability Company, hereafter called the Grantee, do hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs and assigns, the following described land, situate in Washington County, State of Arkansas, to-wit:

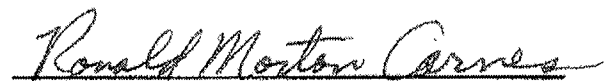
Part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section Thirty-three (33) and part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-four (34), all in Township Sixteen (16) North, Range Thirty-one (31) West, Washington County, Arkansas, more particularly described as follows, to-wit: Beginning at the Northeast corner of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE1/4) of Section Thirty-three (33), and running thence South 89 degrees 58 minutes West 320 feet, thence South 265.79 feet; thence North 89 degrees 58 minutes East 1046.0 feet to an existing roadway, thence North 265.79 feet, more or less, to the North line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-four (34), thence South 89 degrees 58 minutes West 726.00 feet, more or less, to the point of beginning, containing 6.4 acres, more or less.

LESS AND EXCEPT: All that part in the NE1/4 of the SE1/4 of Section 33, Township 16 North, Range 31 West, Washington County, Arkansas.

TO have and to hold unto the GRANTEE and unto its heirs and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And GRANTOR hereby covenants with the GRANTEE that Ronald Morton Carnes as Successor Trustee of the Genevieve D. Carnes Trust will forever warrant and defend the title to such lands against all lawful claims whatsoever.

WITNESS my hand and seal this 23 day of August, 2018.


Ronald Morton Carnes
Ronald Morton Carnes
Successor Trustee of the
Genevieve D. Carnes Trust
u/d/t 8/10/2005

Washington County

Assessor's Office

Russell Hill, Assessor



Date Created: 9/7/2018
Created By: actDataScout

1 inch = 154 feet

This map should be used for reference purposes only and should not be considered a legal document. While every effort has been made to ensure the accuracy of this product, the publisher accepts no responsibility for any errors or omissions nor for any loss or damage alleged to be suffered by anyone as a result of the publication of this map and the notations on it, or as a result of the use or misuse of the information provided herein.

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actDataScout

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via Data OnMap

Part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section Thirty-three (33) and part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-four (34), all in Township Sixteen (16) North, Range Thirty-one (31) West, Washington County, Arkansas, more particularly described as follows, to-wit: Beginning at the Northeast corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE1/4) of Section Thirty-three (33), and running thence South 89 degrees 58 minutes West 320 feet, thence South 265.79 feet; thence North 89 degrees 58 minutes East 1046.0 feet to an existing roadway, thence North 265.79 feet, more or less, to the North line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-four (34), thence South 89 degrees 58 minutes West 726.00 feet, more or less, to the point of beginning, containing 6.4 acres, more or less.

LESS AND EXCEPT: All that part in the NE1/4 of the SE1/4 of Section 33, Township 16 North, Range 31 West, Washington County, Arkansas.

*VARIANCE FROM 2 ACRES TO 1.46 ACRES PER
SINGLE FAMILY HOME*

ACKNOWLEDGMENT

STATE OF ARKANSAS)
)SS
COUNTY OF WASHINGTON)

On this 23rd day of August, 2018, before me, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named Ronald Morton Carnes, being the person authorized as the Successor Trustee by the Genevieve D. Carnes Trust u/t/d August 10, 2005, to execute such instrument, stating his capacity in that behalf), to me personally well known (or satisfactorily proven to be such person), who stated that he is the Successor Trustee of the Trust Agreement, and is duly authorized in his respective capacity to execute the foregoing instrument for and in the name and behalf of said Trust Agreement, and further stated and acknowledged that he had so signed, executed, and delivered said foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 23rd day of August, 2018.

Mona Gay Light Being

Notary Public

My Commission Expires



Send Tax Statements to:
Eagle Holdings, LLC
196 E. Main St.
Farmington, AR 72730



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp
Proof of Tax Paid



Grantee: EAGLE HOLDINGS, LLC
Mailing Address: 196 E. MAIN ST.
FARMINGTON AR 727300000

Grantor: GENEVIEVE D. CARNES TRUST, TRUSTEE OF THE GENEVIEVE D.
Mailing Address: CARNES TRUST, U/D/T 8/10/2005
613 W MAPLE ST
ROGERS AR 727560000

Property Purchase Price: \$100,000.00
Tax Amount: \$330.00
County: WASHINGTON
Date Issued: 08/24/2018
Stamp ID: 2095656960

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): SEVEN D. TENNANT, ATTORNEY
Grantee or Agent Name (signature): [Signature] Date: August 24, 2018
Address: P.O. Box 170
City/State/Zip: Farmington, AR 72930

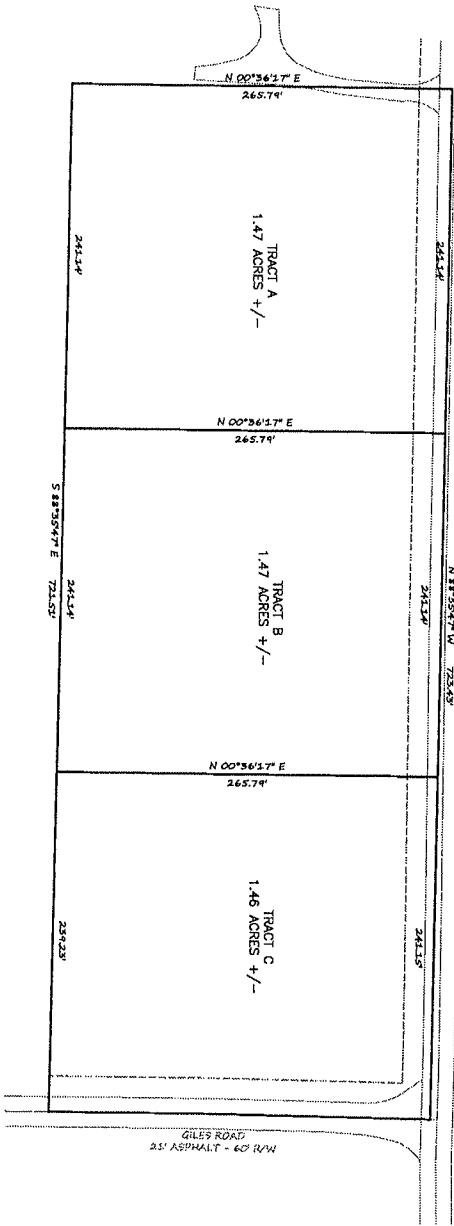
Washington County, AR
I certify this instrument was filed on
8/31/2018 12:32:44 PM
and recorded in REAL ESTATE

File# 2018-00026249
Kyle Sylvester - Circuit Clerk

[Signature]

TOTAL ACRES
 PARCEL #760-03145-000
 4.40 ACRES +/-

CLYDE GARBER ROAD
 20' W/2 SW/4 SW/4



SURVEY DESCRIPTION:

SURVEY

FOR USE OF:

X

LOCATION:

ADJACENT
 COUNTY: ARKANSAS

CREW CHIEF: X
 DATE: //
 PLAT NO. 38



ATLAS
 PROFESSIONAL LAND SURVEYING

P.O. BOX 606
 403 N. GARDNER AVENUE
 VISIT ROCK, AR. 72774
 TEL. 479-244-6777

FS #1796
 COL #2875

LEGEND



ALL PROFESSIONAL LAND SURVEYING IS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1967 AND THE SURVEYING ACT OF 1977. THE SURVEYING ACT OF 1967 PROVIDES THAT THE SURVEYOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF HIS SURVEY AND SHALL BE SUBJECT TO PENALTIES FOR NEGLIGENCE OR MISFEASANCE. THE SURVEYING ACT OF 1977 PROVIDES THAT THE SURVEYOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF HIS SURVEY AND SHALL BE SUBJECT TO PENALTIES FOR NEGLIGENCE OR MISFEASANCE. THE SURVEYOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF HIS SURVEY AND SHALL BE SUBJECT TO PENALTIES FOR NEGLIGENCE OR MISFEASANCE.

COUNTY RECORDING INFORMATION:

ARKANSAS STATE SURVEY PLAT CODING
 BOOK 211, PAGE 02-1147-15-198

