



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

***PLANNING COMMISSION AGENDA***  
***February 24, 2020***

**A meeting of the Farmington Planning Commission will be held on  
Monday, February 24, 2020 at 6:00 p.m. at City Hall  
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes - January 27, 2020
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 HEARINGS**
  - A. **Variance** – variance of subdivision regulations to allow more than 3 splits in 10 yrs.  
**Property owned by:** Mark Silva  
**Property Location:** parcel# 001-12416-000 on Jack McClure Rd..  
**Presented by:** Mark Silva
  - B. **Lot split** – split 12 acres into two 6 acres tracts  
**Property owned by:** Mark Silva  
**Property Location:** parcel# 001-12416-000 on Jack McClure Rd..  
**Presented by:** Mark Silva
  - C. **Rezoning** – from R-1 to PUD  
**Property owned by:** Farmington Commercial, LLC  
**Property Location:** SW Grace Lane Phases 1 & 2 of The Grove at Engles Mill.  
**Presented by:** Bates and Associates, Inc.
  - D. **Preliminary Plat** – The Grove at Engles Mill Phase 1 & 2  
**Property owned by:** Farmington Commercial, LLC  
**Property Location:** SW Grace Lane Phases 1 & 2 of The Grove at Engles Mill  
**Presented by:** Bates and Associates, Inc.
5. Annual election of Officers.

## **Planning Commission Minutes January 27, 2020**

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

### **PRESENT**

Robert Mann, Chair  
Howard Carter  
Jay Moore  
Chad Ball  
Toni Lindsey  
Gerry Harris  
Judy Horne  
Bobby Wilson

### **ABSENT**

**City Employees Present:** Mayor Ernie Penn;  
Melissa McCarville, City Business Manager; Rick  
Bramall, City Building Inspector

2. **Approval of Minutes:** December 16, 2019 Minutes were approved as written.
3. **Comments from Citizens:** There were no comments from citizens.

Prior to the Land Use Plan discussion, Mayor Ernie Penn asked to speak to the Planning Commission. First, he thanked the commissioners for their commitment to the City and to the Planning Commission, noting the amount of time required. He said that people who come to the meetings feel rapport and feel they are listened to.

He noted that we are starting a new decade, a new era, with lots of development coming to our city. The developers have seen the opportunities for westward growth. With this rapid growth, one of the biggest challenges is residential development. However, he said we have good ordinances to ensure the growth is well done.

He mentioned that not everyone who wishes to live here can afford a home and escalating house prices are not helping them. Therefore, he felt that at some time we are going to need to talk about multi-family housing. There is a shortage throughout Northwest Arkansas. Here in Farmington there is available land near very nice subdivisions and he felt commissioners need to have an open mind regarding placement of multi-family housing near those subdivisions because property owners have rights, too. The City's right is to be sure what the developer presents adheres to the City's ordinances. This can be done when the developer presents a Preliminary Plat.

He urged commissioners to make a differentiation between our own personal wishes and what is best for the City and to listen to what the developers have to say before forming an opinion.

Mayor Penn also reminded commissioners that state law says the Commission can't dictate how structures will look. Those types of details are worked out in the Large Scale Development Plan where the City can dictate certain things.

Judy Horne said that she felt property owners adjacent to new developments have important rights, too and therefore, all new developments adjacent to existing properties must have good zone transition and blend in well and not lower their property values. Further, if we are going to have more multi-family housing we need to review the standards and regulations. She said that also, the City should look at requiring more green space in multi-family instead of the front view of multi-family being garage

doors, an entry door, and lots of concrete parking area. There is some older multi-family housing in our City that is very dismal looking and also, some landlords do not keep the buildings and the surrounding yards looking good. She said very good research studies are verifying that for improved feeling of well-being, people need to be able to see some green space.

She reminded that our City's logo says "Feels like home" and we need to ensure that we maintain that feeling within all areas of the city.

Robert Mann said that the older multi-family developments occurred many years ago before the City had better ordinances and regulations in place. That resulted in the type of development Judy was describing. He reminded that there is a need for multi-family housing and the Planning Commission must determine how it is going to be developed, doing what is best for the City.

He also agreed with Mayor Penn that the property owners do have rights, too.

Chad Ball said a diversity of housing types can be achieved. The City does not have to have only duplexes and "McMansions". One of his big concerns is regarding the strain all this new development is going to put on infrastructure. He asked what is the City's long-range plan for water and sewer? Are these new developments going to overload the current systems? Having these questions answered would be helpful to making better decisions.

It was determined that the City does not have specific plans for infrastructure. However, Rick Brammall does have a map provided by Western Water Authority and the City of Fayetteville. Also, the City currently has a contract to determine the impact of development in the south portion of the city.

Mayor Penn said once the Planning Commission approves a preliminary plat for a development, then it is carefully scrutinized by the City's Engineer, Chris Brackett. He determines all types of impacts the development will have.

Mayor Penn said that regarding the Riggins' development north of Clyde Carnes Road, they are going to build a sewer lift station. Also, the City is taking steps to see what water extensions will cost and if the City does expend dollars for this, how will it recoup the cost?

Bobby Wilson felt it was not the Planning Commission's call on the infrastructure, leaving it to the Engineer to make those determinations. It was noted that the City Engineer is very conservative and holds developers to a very high standard.

#### **4. Discussion of the Land Use Plan**

Melissa McCarville said the last time the Commission met, Sarah Ames talked to the group about how to move forward. She said many cities do a survey of citizens utilizing such things as Facebook and a city website. This helps find out what people who live here think our city should be.

In the discussion, Melissa McCarville was asked about land outside the actual city limits. She said the procedure is that if we turn down someone's development plan that is in the City's future growth plan, the matter is referred to the County for their decision. However, there has been some question whether the County has any authority at all since the land is in our planning area.

In discussion, it was noted that Farmington's population appears to be greatly increased and the sales tax continues to go up in a steady trend. Mayor Penn said that when he contacts businesses to come here they tell him there is not a high enough population; he reminds them that the vehicle count through Farmington is 27,000 cars per day. However, with the new census numbers, he thinks they will begin to be interested in Farmington.

Chad Ball wished to see the Flood Plain Map that is being updated, knowing drainage is a major issue in our city. He also inquired about Mr. Riggins' original plan to put a subdivision "pocket park" in lieu of paying a fee per residence built. The location was separated from the subdivision and next to the High School property. Steve Tennant's opinion, according to the Landscape Ordinance, is that park land must be an actual part of the development and the land in question is not. The City will be writing Mr. Riggins a letter explaining this to him.

It was decided that Sarah Ames will work on the questionnaire with input from Planning Commissioners and this will be reviewed at the next work session on February 17, 2020.

**5. Adjournment:** Having no further business the Planning Commission meeting was adjourned.

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Judy Horne - Secretary

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Robert Mann - Chair

# Agenda Item 4. A

# 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: mark Silva Day Phone: 479-236-6456  
Address: 12198 Little Elm Rd Fax: 479-267-3285  
Representative: \_\_\_\_\_ Day Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Property Owner: mark Silva Day Phone: \_\_\_\_\_  
Address: 12198 Little Elm Rd Fax: \_\_\_\_\_

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 - 12 AC WCR #625 Jack McClure Rd Farmington  
Current Zoning -- ABR1

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:

Split 12 AC into 2 6 AC Tracts as shown - variance of subdivision regulations allowing more than 3 splits in 10 years.

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 8 day of Jan, 2020.

**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 24 day of Feb, 2020, 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.*

*Mark S. Silva* Date 1-8-20

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.)*

*Mark S. Silva* Date 1-8-20

Owner/Agent Signature

Variance Mark Silva

City of Farmington, AR

01/09/2020 5:03AM 01  
000000#8087 CLERK01

Development Fees \$25.00

ITEMS 10  
CHECK \$25.00



01/24/20

Arkansas Democrat-Gazette

9:33 AM

Arkansas Democrat-Gazette

Account 3925005

Name MARK SILVA COMMERC Credit Card

Phone 479-267-3285 Type MasterCard

Address 12744 LITTLE ELM ST Num  
Auth 04967P

Expire: /

City FARMINGTON

State AR

Zip 72730

Country Code US

Start 01/27/20	Paytype	CC	Issues 1
Stop 01/27/20	Rate Code	NL4	Class 1230
Copy Public Hearing			

Amount 28.60

Rep 285

Tax 0.00

Ad # 75219871

Amount Paid 28.60

Paytype Credit Card

Payment Due 0.00

Balance 0

Receipt No C51482

Received by \_\_\_\_\_

NOTICE OF PUBLIC MEETING A petition for a variance at the property described below has been filed with the City of Farmington on the 8th day of Jan. 2020.

Split 12 acres into 2 -6 ac. tracts . 625 Jack McClure Rd. Farmington, AR.

A public meet to consider this request for variance at the above described property will be held on the 24th day of Feb. 2020, at 6:00 pm at Farmington City Hall, 354 West Main, Farmington AR. All interested parties are invited to attend. 75219871 Jan 27, 2020

Ad shown is not actual print size

91 Words

Ad Size 1 cols x 1.55 inches

Date \_\_\_\_\_

Customer Receipt

01/24/20

Arkansas Democrat-Gazette

9:33 AM

Arkansas Democrat-Gazette

Account 3925005

Name MARK SILVA COMMERC Credit Card

Phone 479-267-3285 Type MasterCard

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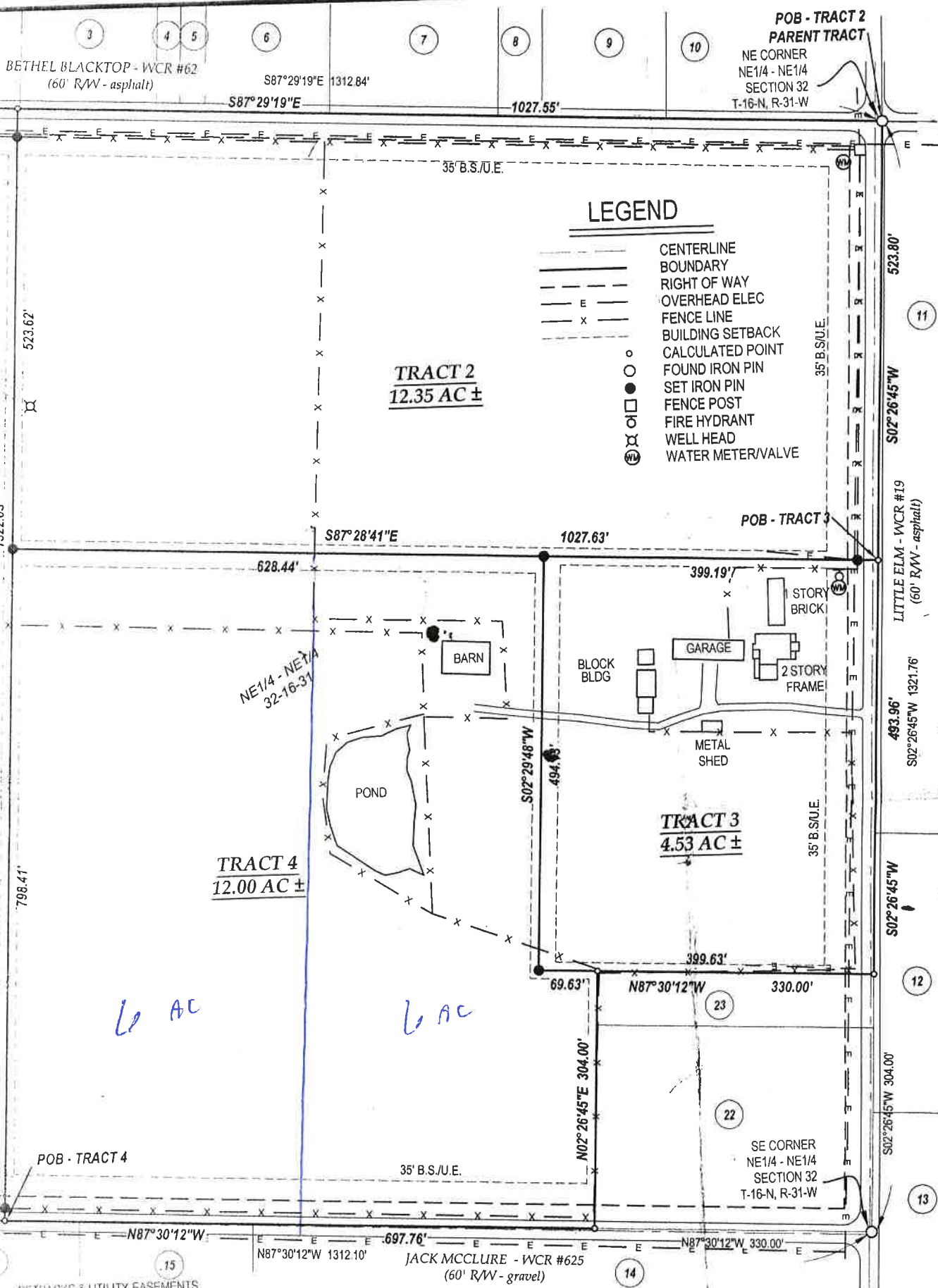
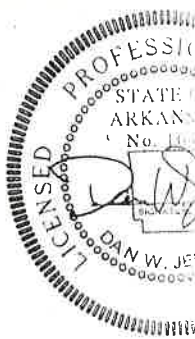
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Ad shown is not actual print size

91 Words

Ad Size 1 cols x 1.55 inches



**SURVEY DESCRIPTION**  
A PART OF THE NE1/4 OF T-16-N, R-31-W, S-31, BEING MORE OR LESS AS FOLLOWS: BEGINNING AT THE NORTH LINE OF SAID T-16-N, R-31-W, 1322.03 FEET ALONG THE SOUTH LINE OF SAID NW1/4 OF THE NE1/4, THEN THENCE S02°27'18"W 1322 FEET TO THE POINT OF BEGINNING.

**SURVEY DESCRIPTION**  
A PART OF THE NE1/4 OF T-16-N, R-31-W, S-31, BEING MORE OR LESS AS FOLLOWS: BEGINNING AT THE NORTH LINE OF SAID T-16-N, R-31-W, 1322.03 FEET ALONG THE SOUTH LINE OF SAID NW1/4 OF THE NE1/4, THEN THENCE S02°27'18"W 1322 FEET TO THE POINT OF BEGINNING.

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6

15

14

23

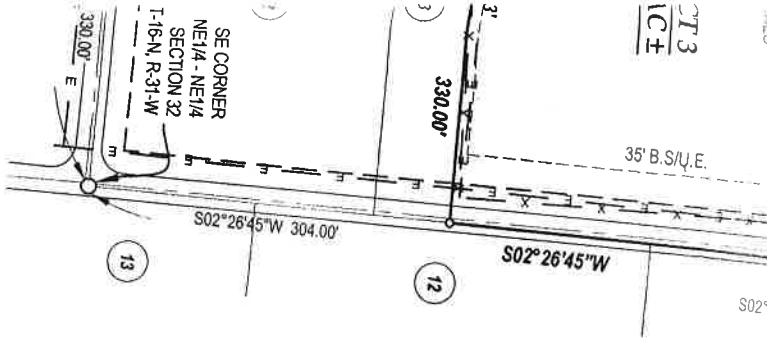
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CT3  
ICF



1/4 OF THE NE 1/4 OF SECTION 32,  
 CITY, ARKANSAS, BEING MORE  
 E NORTH-EAST CORNER OF SAID  
 NG THE EAST LINE OF SAID NE 1/4 OF  
 284.34 W 304.00 FEET TO THE SOUTH  
 29 FEET; THENCE N02°27'39\"/>

**SURVEY DESCRIPTION - TRACT 4 - 12.00 ACRES**  
 A PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 32, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON  
 COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN AT  
 THE SOUTHWEST CORNER OF SAID NE 1/4 OF THE NE 1/4; THENCE S87°30'12\"/>

Approved by City of Farmington

JAN 23 2019  
*Robert D. ...*  
 City Business Manager



Doc ID: 018404710001 Type: REL  
 Kind: SURVEY  
 Recorded: 01/24/2019 at 09:55:05 AM  
 Fee Amt: \$15.00 Page 1 of 1  
 Washington County, AR  
 Kyle Sylvester Circuit Clerk  
 File 2019-00002030

- 14) 001-12423-000 BROYLES, LARRY & TERRI TRUST
- 15) 001-12424-000 STARR, DALE SYLVESTER
- 16) 001-12421-003 EDWARDS, WARREN L.
- 17) 001-12421-002 WENDT, MICHAEL & JUDITH E.
- 18) 001-12421-005 NEWMAN, DENNIS
- 19) 001-12421-004 GARDENHIRE FAMILY REV TRUST
- 20) 454-00001-002 SIMS FAMILY TRUST
- 21) 454-00002-000 SCARROW, TRAVIS L & JULIE A.
- 22) 001-12417-000 LITTLE ELM BAPTIST CHURCH
- 23) 001-12416-001 LITTLE ELM MISSIONARY BAPTIST

<b>TRACT SPLIT</b>	
FOR <b>MARK SILVA</b>	
JENKINS SURVEYING 1552 CEDAR ST. FAYETTEVILLE, AR 72703 P/F 479-521-5231	1/10/19 DRAWN BY: DWJ SCALE: 1" = 160' JOB NO.: 19-001





Type: REAL ESTATE  
Kind: WARRANTY DEED  
Recorded: 1/23/2019 8:51:38 AM  
Fee Amt: \$30.00 Page 1 of 4  
Washington County, AR  
Kyle Sylvester Circuit Clerk

**File# 2019-00001892**

After recording please return to:  
Waco Title Company  
2592 S. 48th St.  
Springdale, AR 72762

**WARRANTY DEED  
(TRUSTEE)**

File #: 1900171-103

**KNOW ALL MEN BY THESE PRESENTS:**

That, Robert Anthony Cunningham and Charlotte Ann Cunningham Fisher, Trustees of The Joyce R. Cunningham Revocable Trust, date August 18, 2010, hereinafter called GRANTOR, for and in consideration of the sum of ---ONE AND 00/100--- DOLLARS---(\$1.00)---and other good and valuable consideration in hand paid by Silva Properties LLC, an Arkansas limited liability company, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Silva Properties LLC, an Arkansas limited liability company, hereinafter called GRANTEE(S), and unto its successors and assigns forever, the following lands lying in Washington County, Arkansas to-wit:

**SEE AS ATTACHED EXHIBIT "A"**

**TO HAVE AND TO HOLD** the same unto the said Grantee(s) and unto its successors and assigns forever, with all appurtenances thereunto belonging. And the Grantor hereby covenant with said Grantee(s) that the Grantor will forever warrant and defend the title to the said lands against all claims whatsoever.

Prepared under the supervision of  
Brian Blackman, Attorney  
2592 S. 48<sup>th</sup> St.  
Springdale, AR. 72762

1900171-103

12) 001-12506-003  
 BENISH, ROGER/ DEBBIE

13) 001-12506-001  
 SWAFFAR, DOUGLAS L & TAMMY

14) 001-12423-000  
 BROYLES, LARRY & TERRI TRUST

15) 001-12424-000  
 STARR, DALE SYLVESTER

16) 001-12421-003  
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 LITTLE ELM MISSIONARY BAPTIST

**SURVEY DESCRIPTION - TRACT 4 - 12.00 ACRES**

A PART OF THE NE1/4 OF THE NE1/4 OF SECTION 32, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN AT THE SOUTHWEST CORNER OF SAID NE1/4 OF THE NE1/4; THENCE S87°30'12"E 284.34 FEET ALONG THE SOUTH LINE OF SAID NE1/4 OF THE NE1/4 FOR THE POINT OF BEGINNING; THENCE N02°27'18"E 798.41 FEET TO A 1/2" REBAR; THENCE S87°28'41"E 628.44 FEET TO A 1/2" REBAR; THENCE S02°29'48"W 494.13 FEET TO A 1/2" REBAR; THENCE S87°30'12"E 69.63 FEET; THENCE S02°26'45"W 304.00 FEET TO THE SOUTH LINE OF SAID NE1/4 OF THE NE1/4; THENCE N87°30'12"W 697.76 FEET TO THE POINT OF BEGINNING. CONTAINING 12.00 ACRES, MORE OR LESS.

APPROVED BY CITY OF FARMINGTON

JAN 23 2019

*Melissa McCord*  
 City Business Manager

**TRACT SPLIT**  
 FOR  
**MARK SILVA**

JENKINS SURVEYING  
 1552 CEDAR ST.  
 FAYETTEVILLE, AR 72703  
 P/F 479-521-5231

1/10/19  
 DRAWN BY: DWJ  
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 Washington County, AR  
 Kyle Sylvester Circuit Clerk

File 2019-00002030

THE NW1/4 OF THE NE1/4 OF SECTION 32, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT ALONG THE EAST LINE OF SAID NE1/4 OF SECTION 32; THENCE S02°26'45"W 304.00 FEET TO THE SOUTH LINE OF SAID NE1/4 OF SECTION 32; THENCE N02°27'39"E 1147.29 FEET; THENCE S87°29'19"E 1476.94 FEET TO THE POINT OF BEGINNING. CONTAINING 12.00 ACRES, MORE OR LESS.



BENISH, ROGER/DEB  
SWAFFAR, DOUGLAS I

13) 001-12506-001  
SWAFFAR, DOUGLAS I

14) 001-12423-000  
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15) 001-12424-000  
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17) 001-12421-002  
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NEWMAN, DENNIS

19) 001-12421-004  
GARDENHIRE FAMILY F

20) 454-00001-002  
SIMS FAMILY TRUST

21) 454-00002-000  
SCARROW, TRAVIS L &

22) 001-12417-000  
LITTLE ELM BAPTIST CH

23) 001-12416-001  
LITTLE ELM MISSIONAR

THE NORTHWEST CORNER OF SAID NE 1/4 OF THE NE 1/4, THENCE S02°26'45"W 523.80 FEET ALONG THE EAST LINE OF SAID NE 1/4 OF THE NE 1/4 FOR THE POINT OF BEGINNING; THENCE S02°26'45"W 493.96 FEET ALONG SAID EAST LINE; THENCE N87°30'12"W 399.63 FEET TO A 1/2" REBAR; THENCE N02°29'48"E 494.13 FEET TO A 1/2" REBAR; THENCE S87°28'41"E 399.19 FEET TO THE POINT OF BEGINNING. CONTAINING 4.53 ACRES, MORE OR LESS.

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A PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 32, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN AT THE SOUTHWEST CORNER OF SAID NE 1/4 OF THE NE 1/4; THENCE S87°30'12"E 284.34 FEET ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE NE 1/4 FOR THE POINT OF BEGINNING; THENCE N02°27'18"E 798.41 FEET TO A 1/2" REBAR; THENCE S87°28'41"E 628.44 FEET TO A 1/2" REBAR; THENCE S02°29'48"W 494.13 FEET TO A 1/2" REBAR; THENCE S87°30'12"E 69.63 FEET; THENCE S02°26'45"W 304.00 FEET TO THE SOUTH LINE OF SAID NE 1/4 OF THE NE 1/4; THENCE N87°30'12"W 697.76 FEET TO THE POINT OF BEGINNING. CONTAINING 12.00 ACRES, MORE OR LESS.

Approved by City of Farmington

JAN 23 2019

*Melissa McCrell*  
City Business Manager



Doc ID: 018404710001 Type: REL  
Kind: SURVEY  
Recorded: 01/24/2019 at 09:55:05 AM  
Fee Amt: \$15.00 Page 1 of 1  
Washington County, AR

**TRACT SPLIT**  
FOR  
**MARK SILVA**

493.96  
S02°26'45"W 1321.76

S02°26'45"W

12

S02°26'45"W 304.00

13

E1/4 OF SECTION 32,  
AS, BEING MORE  
T CORNER OF SAID

Date Wed, Jan 08, 2020  
Time 14:22:49

Arkansas Democrat Gazette

Ad Name: 75205790A Col: 1 X Depth: 1.55 Ad Due in DB: 00/00/00  
Name: MARK SILVA COMMER Copyline: Public Hearing  
Address: 12744 LITTLE ELM ST City: FARMINGTON  
State: AR  
Zip: 72730 Colors:

Acct: 3925005 Phone: 479-267-3285 Caller: FAX  
Receipt: 75205790 Fax: E-Mail:

Category: - Reply Request: Split Billed: N  
Date Entered: January 8, 2020 Standby Type: Rate: NL4  
Class: 1230 Lines: 22 Paytype: CC  
Rep: Legal Desk Tear Sheets: Client:  
Start: January 10, 2020 Stop: January 10, 2020 Issues: 1

Editions: NDG/

DATE	DAY	EDITION	SECTION
01/10/20	FRI	NDG	1230

Price:	28.60
Other Charges:	0.00
Discounts:	0.00
<b>Total:</b>	<b>28.60</b>

Instructions:

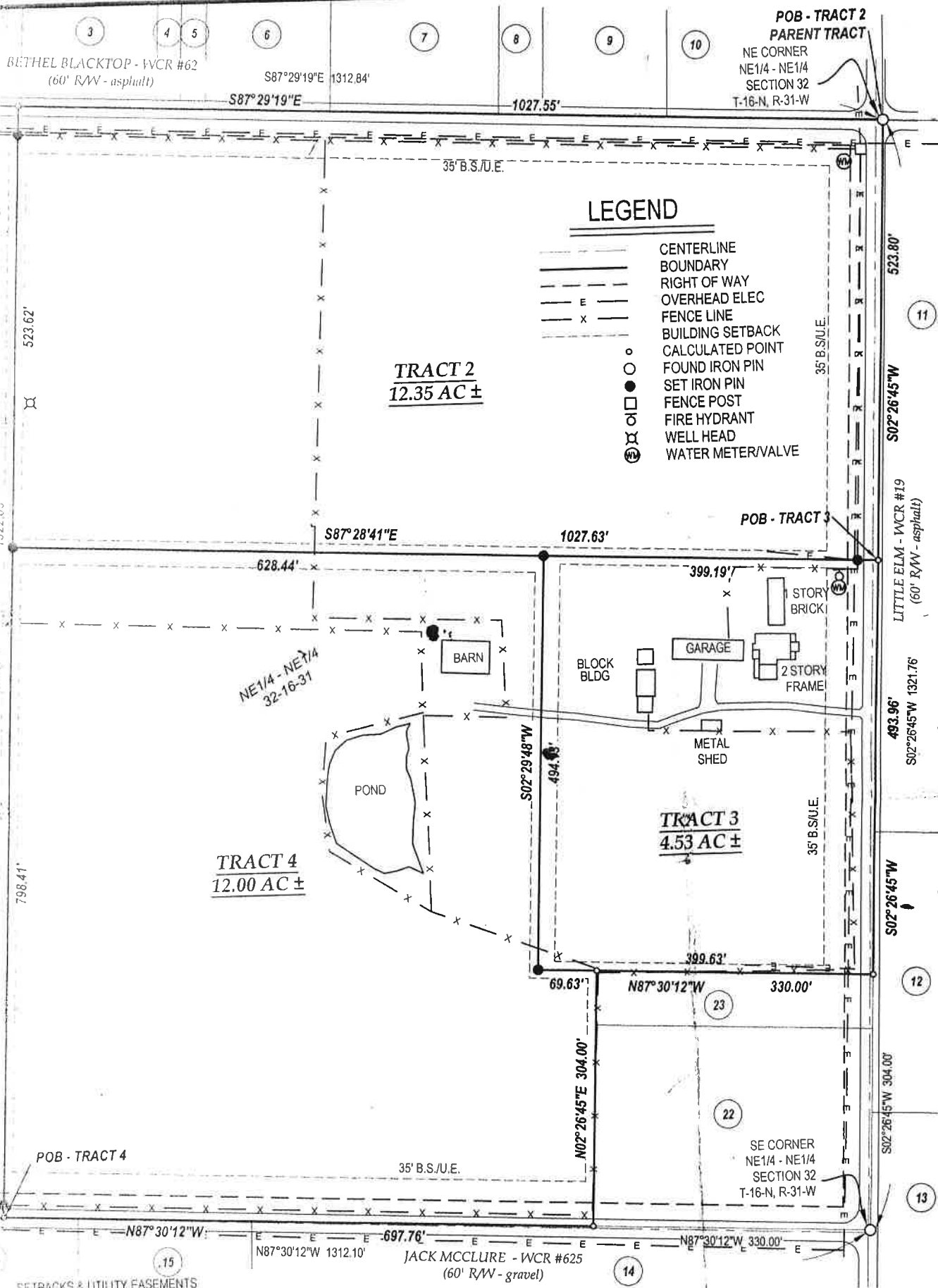
NOTICE OF PUBLIC MEETING A petition for a variance at the property described below has been filed with the City of Farmington on the 8th day of Jan. 2020.

Split 12 acres into 2 -6 ac. tracts . 625 Jack McClure Rd. Farmington, AR.

A public meet to consider this request for variance at the above described property will be held on the 23rd day of Jan. 2020, at 6:00 pm at Farmington City Hall, 354 West Main, Farmington AR. All interested parties are invited to attend. 75205790 Jan 10, 2020

Ad shown is not actual print size





**POB - TRACT 2  
PARENT TRACT**

NE CORNER  
NE 1/4 - NE 1/4  
SECTION 32  
T-16-N, R-31-W

**LEGEND**

- CENTERLINE
- BOUNDARY
- - - RIGHT OF WAY
- E - OVERHEAD ELEC
- x - FENCE LINE
- - - BUILDING SETBACK
- CALCULATED POINT
- FOUND IRON PIN
- SET IRON PIN
- FENCE POST
- ⊕ FIRE HYDRANT
- ⊕ WELL HEAD
- ⊕ WATER METER/VALVE



**SURVEY DESCRIPTION**

A PART OF THE NE 1/4 OF T... NORTH, RANGE 31 WEST, V... FOLLOWS: BEGINNING AT... FEET ALONG THE SOUTH U... LINE OF SAID NW 1/4 OF TH... NE 1/4 OF THE NE 1/4; THE... THENCE S02°27'18"W 1322... FEET TO THE POINT OF BE...

**SURVEY DESCRIPTION**

A PART OF THE NE 1/4 OF... COUNTY, ARKANSAS, BEI... NORTHEAST CORNER OF... SAID NE 1/4 OF THE NE 1/4... TO THE NORTH LINE OF S... BEGINNING. CONTAINING...

**SURVEY DESCRIPTION**

A PART OF THE NE 1/4 OF... COUNTY, ARKANSAS, BE... THE NORTHEAST CORNE... OF SAID NE 1/4 OF THE N... LINE; THENCE N87°30'12... THENCE S87°28'41"E 399...

**SURVEY DESCRIPTION**

A PART OF THE NE 1/4 OF... COUNTY, ARKANSAS, BE... THE SOUTHWEST CORN... LINE OF SAID NE 1/4 OF T... REBAR; THENCE S87°28... THENCE S87°30'12"E 69... NE 1/4; THENCE N87°30'... LESS.

**SETBACKS & UTILITY EASEMENTS**

FRONT - 25 B.S./U.E.  
SIDES - 10' B.S.  
BACK - 20' B.S.

**FLOOD CERTIFICATION**

THE HEREIN DESCRIBED TRACTS ARE NOT SITUATED WITHIN THE 100 YEAR FLOOD ZONE A OR AE PER F.I.R.M. COMMUNITY NO. 0514300195F, WASHINGTON COUNTY, ARKANSAS, EFFECTIVE DATE 5/16/2008.

**PARENT TRACT DESCRIPTION - 42.52 ACRES**

A PART OF THE NE 1/4 OF THE NE 1/4 AND A PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 32, T-16-N, R-31-W, WASHINGTON COUNTY, ARKANSAS, BEING MORE...

# Agenda Item 4. B

# City of Farmington, Arkansas

## Lot Split/Lot Combination/ Lot Line Adjustment



### Application:

Indicate one contact person for this request:  Applicant  Representative

*Applicant (person making request):*

*Representative (engineer, surveyor, realtor, etc):*

Name: Mack Silva

Name: Bill Jenkins

Address: 12198 Little Elm rd  
Farmington, AR 72730

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: 479 231-6456  
( ) \_\_\_\_\_

Phone: \_\_\_\_\_  
( ) \_\_\_\_\_

Fax: 479 267-3285

Fax: ( ) \_\_\_\_\_

Site Address/Location: 12 AC ~~on~~ on Jack McClure rd off # 1025  
Farmington AR

Current Zoning District: Agri

Assessor's Parcel Number(s) for subject property: 001-12416-000

Size of Parent Tract (in acres): 12 AC

Resulting tracts (in acres): 2 - 6 AC

Proof that the property has not been split in the past 10 years (dates and brief description): \_\_\_\_\_

NONE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proof that the property has not access to water and sewer: (In lieu of these signatures copies of approvals may be submitted).

Approved for water: WWA  
City of Fayetteville/Washington Water Authority

Approved for sewer: \_\_\_\_\_  
City of Fayetteville

Approved for septic: yes, Perk by Linda  
Washington County Health Department

**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 incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Mark Silva Date: 1-8-20

Signature: Mark Silva

**PROPERTY OWNER(S)/AUTHORIZED AGENT:** I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indication that the agent is authorized to act on his/her behalf.)

**Owners (attach additional info if necessary):**

Name (printed): Mark Silva

Address: 12198 Little Elm Rd  
Farmington Ar 72730

Signature: Mark Silva

Phone: (479) 236-6456

Date: 1-8-20

Name (printed): \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Phone: ( )

**Staff Use Only**  
*Administrative Approval:*

\_\_\_\_\_  
City Business Manager

\_\_\_\_\_  
Date

Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Agenda Item 4. C

# City of Farmington Application for Rezoning

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 until all information is furnished.

Applicant: Mark Marquess Day Phone: 479-435-2088

Address: 3420 N. Plainview Drive Fax: \_\_\_\_\_

Representative: Geoff Bates Day Phone: 479-442-8350

7230 S. Pleasant Ridge Drive  
Address: Fayetteville, AR 72704 Fax: \_\_\_\_\_

Ashley Patrick  
Property Owner: Farmington Commercial LLC Day Phone: \_\_\_\_\_

12771 Tyler Road  
Address: Farmington, AR Fax: \_\_\_\_\_

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 -- SW Grace Lane, Phases one and two  
Current Zoning -- R-1 Proposed Zoning -- PUD

Attach legal description and site plan (a scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)

Type of zoning requested and reason for request:

Reduce frontage minimum. Min. 75' to variable.

**Responsibilities of the Applicant:**

1. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit (see attached), that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the City of Farmington has accepted the application and the date of the public hearing has been confirmed. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy

of notice) shall be filed with the City of Farmington no later than seven (7) days prior to the meeting date. A sample notice is attached.

2. Pay a \$25.00 application fee
3. Provide a copy of the deed of the property.
4. Written authorization from the property owner if someone other than the owner will be representing the request.
5. Publish the following notice of public hearing in a newspaper serving the City (*Northwest Times, the Morning News, Arkansas Democrat-Gazette or The Farmington Post*). **THE NOTICE MUST APPEAR IN THE PAPER A MINIMUM OF 15 DAYS BEFORE THE PUBLIC HEARING DATE.**

### NOTICE OF PUBLIC HEARING

A petition to rezone the property as described below has been filed with the City of Farmington on the 27th day of November, 2019.

#### PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request to rezone the above described property from R-1 to PUD will be held on the 16th day of December, 2019, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

A copy of the proof of publication from the newspaper must be provided to the City 10 days before the meeting.

The City will post a sign on the property at a location visible to the public, notifying the public of the intent to rezone the property.

*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.*

  
Applicant Signature \_\_\_\_\_ Date 11-27-19

*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 that the agent is authorized to act on his behalf.)*

\_\_\_\_\_  
Owner/Agent Signature \_\_\_\_\_ Date \_\_\_\_\_

## AFFIDAVIT

I hereby certify that I Geoffrey Bates  
Print name

acting as agent/owner, have provided notice to affected parties in accordance with the requirements set forth in the instruction given with the application and that the notice information provided is to the best of my knowledge true and factual. I am hereby enclosing the following supporting documents: copy of the notice, mailing receipts, list of property owners of record, return cards, and any notices that were undeliverable.

Signature: 

Date: 11-27-19



Doc ID: 015920160006 Type: REL  
Kind: DEED  
Recorded: 10/01/2014 at 11:46:30 AM  
Fee Amt: \$40.00 Page 1 of 6  
Washington County, AR  
Kyle Sylvester Circuit Clerk  
File **2014-00025317**

**CORRECTION DEED**

**This Correction Deed is executed and recorded by the undersigned in order to correct a surveyor's error in the legal description in one Quitclaim Deed, filed of record at file number 2014-00021135 in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, which should be and hereby is corrected to read as follows:**

KNOW ALL MEN BY THESE PRESENTS: That **Oakland Farms, LLC**, an Arkansas limited liability company hereinafter referred to as "Grantor," an Arkansas limited liability company, in exchange for the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid by **Farmington Commercial LLC**, an Arkansas limited liability company hereinafter referred to as "Grantee," do hereby GRANT, SELL, CONVEY and QUITCLAIM unto said Grantee, and Grantee's successors and assigns, all of Grantor's right, title, interest, equity and estate in the following described real property situate in Washington County, Arkansas, to-wit:

THE LEGAL DESCRIPTION FOR THIS INSTRUMENT IS AS SET FORTH ON THE ATTACHED EXHIBIT "A" WHICH IS INCORPORATED HEREIN BY REFERENCE

*(This is not scrivener's description)*

To have and to hold the said land and appurtenances thereunto belonging unto the said Grantee and Grantee's successors and assigns, forever.

WITNESS our hands on this October 1, 2014.

This Instrument Prepared by:  
Lushbaugh Law Firm, Ltd.  
418 W. Meadow Street  
Post Office Box 1464  
Fayetteville, AR 72702-1464  
479-521-2323

**OAKLAND FARMS, LLC, GRANTOR**

By: Paul E. Phillips  
Paul E. Phillips, Co-Trustee  
Paul E. Phillips Revocable Trust Under  
Agreement Dated June 29, 2006, Member

By: Nova G. Phillips  
Nova G. Phillips, Co-Trustee  
Paul E. Phillips Revocable Trust Under  
Agreement Dated June 29, 2006, Member



ACKNOWLEDGMENT

State of Arkansas )  
 )ss.  
County of Washington )

Before me, a Notary Public in and for said State and County, on this date personally appeared **Carole J. Tyree** and **Roger E. Tyree**, who stated that they are the Co-Trustees of the **Carole J. Tyree Revocable Trust Under Agreement Dated June 29, 2006**, and are duly authorized in that capacity to so execute the foregoing instrument for and in the name and on behalf of said Trust for the consideration and purposes therein mentioned and set forth. In witness thereof, I have hereunto set my hand this **October 1, 2014**.

My Commission Expires:

DANA SAYLOR  
WASHINGTON COUNTY  
NOTARY PUBLIC - ARKANSAS  
My Commission Expires March 05, 2023  
Commission No. 12392946

*Dana Saylor*  
NOTARY PUBLIC

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

Grantee or Agent: *Paul E. Phillips*  
Mailing Address: *12771 Tyler, Farmington AR*  
*72730*

## EXHIBIT "A"

### LEGAL DESCRIPTION

#### Tract 1

Part of the SE/4 of Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows:

Beginning at the Northeast corner of the NE/4, SE/4; thence S02°16'51"W along the east line of said NE/4, SE/4, 1324.17' to the southeast corner of said NE/4, SE/4; thence S02°11'24"W along the east line of the SE/4, SE/4, 1324.17' to the southeast corner of said SE/4, SE/4; thence N87°51'27"W along the south line of the SE/4, SE/4, 1322.60' to the southwest corner of said SE/4, SE/4; thence N87°56'06"W along the south line of the SW/4, SE/4, 661.84'; thence N02°04'41"E 1807.25'; thence S87°44'20"E 715.54'; thence N02°15'40"E 824.12'; thence N87°49'41"W 48.08' to the west line of the NE/4, SE/4, Sec. 27; thence N87°50'14"W 670.07'; thence N02°04'41"E 20.00' to the north line of the NW/4, SE/4; thence S87°50'14"E along the north line of said NW/4, SE/4, 670.16' to the northeast corner of said NW/4, SE/4; thence S87°49'41"E along the north line of said NE/4, SE/4, 1321.56' to the Point of Beginning.

Less & except: Part of the NE/4, SE/4, Section 27, Township 16 North, Range 31 West, described as: Commencing at the northwest corner of said NE/4, SE/4; thence S02°19'27"W 349.06'; thence S87°40'33"E 48.47' to the Point of Beginning; thence S87°44'20"E 467.00'; thence S02°15'40"W 467.00'; thence N87°44'20"W 467.00'; thence N02°15'40"E 467.00' to the Point of Beginning, containing 5.00 acres more or less.

Containing a total of 102.32 acres more or less (excluding the 5.00 acre exception.)

#### Tract 2

Part of the NW/4, SE/4 and part of the NE/4, SW/4 of the Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows:

Beginning as the Southwest corner of said NE/4, SW/4; thence N02°14'54"E along the west line of said NE/4, SW/4, 301.32' to the southeasterly right-of-way line of Arkansas Highway 62; thence along said southeasterly right-of-way line the next (4) courses: N39°30'01"E 622.66'; N46°49'27"E 242.07'; N50°15'39"E 534.64'; N51°30'58"E 1.66' to the north line of the NE/4, SW/4; thence S87°42'08"E along said north line of the NE/4, SW/4, 375.96' to the northeast corner of said NE/4, SW/4; thence S87°50'14"E along the north line of the NW/4, SE/4, 657.24'; thence S02°04'41"W 20.00'; thence N87°50'14"W 75.33'; thence S02°15'40"W 822.76'; thence S87°44'20"E 77.96'; thence S02°04'41"W 484.62' to the south line of said NW/4, SE/4; thence N87°43'31"W along said south line of the NW/4, SE/4, 663.64' to the southwest corner of said NW/4, SE/4; thence N87°49'12"W along the south line of the NE/4, SW/4, 1318.96' to the Point of Beginning, containing 48.77 acres more or less.

### **Tract 3**

Part of the SE/4, NE/4, Section 28, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows:

Beginning at the northwest corner of said SE/4, NE/4; thence S 87°42'37"E along the north line of said SE/4, NE/4, 824.87'; thence S 02°22'48"W 1324.33' to the south line of said SE/4, NE/4; thence N 88°01'14"W along the south line of said SE/4, NE/4, 822.22' to the southwest corner of said SE/4, NE/4; thence N 02°15'54"E along the west line of said SE/4, NE/4, 1328.78' to the Point of Beginning, containing 25.08 acres more or less.

### **Tract 4**

Part of the SE/4, NE/4, Section 28, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows:

Beginning at the northeast corner of said SE/4, NE/4; thence S 02°22'48"W along the east line of said SE/4, NE/4, 696.67'; thence N 88°01'14"W 491.00'; thence N 02°22'48"E 699.33' to the north line of said SE/4, NE/4; thence S 87°42'37"E along said north line of the SE/4, NE/4, 491.00' to the Point of Beginning, containing 7.87 acres more or less.

### **Tract 5**

Part of the S/2, NW/4, Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows:

Beginning at the northwest corner of the SW/4, NW/4; thence S 87°42'07"E along the north line of the S/2, NW/4, 1648.74'; thence S 02°16'58"W 1321.66' to the south line of the SE/4, NW/4; thence N 87°42'08"W along said south line of the SE/4, NW/4, 329.58' to the southwest corner of said SE/4, NW/4; thence N 02°16'58"E along the west line of said SE/4, NW/4, 450.00'; thence N 87°42'08"W 418.00'; thence S 02°16'58"W 450.00' to the south line of said SW/4, NW/4; thence N 87°42'08"W along said south line of the SW/4, NW/4, 903.41' to the southwest corner of said SW/4, NW/4; thence N 02°22'48"E along the west line of said SW/4, NW/4, 1321.67' to the Point of Beginning, containing 45.74 acres more or less.

### **Tract 6**

Part of the SE/4, NW/4, Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows:

Commencing at the northeast corner of said SE/4, NW/4; thence N 87°42'07"W along the north line of said SE/4, NW/4, 409.58' to the Point of Beginning; thence S 02°16'58"W 587.00'; thence N 87°42'07"W 580.00'; thence N 02°16'58"E 587.00' to said north line of the SE/4, NW/4; thence S 87°42'07"E along said north line, 580.00' to the Point of Beginning, containing 7.21 acres more or less.

### **Tract 7**

Part of the SW/4, NE/4 of Section 27, Township 16 North, Range 31 West, Farmington, Washington County, Arkansas, more particularly described as follows:

Commencing at the Northwest corner of said SW/4, NW/4; thence S 02°11'07"W along the west line of said SW/4, NE/4, 207.72' to the Point of Beginning, said point being N 87°42'59"W 6.60' from the Southwest corner of Lot 42, Red Bird Estates; thence S 87°42'59"E along the south line of said Red Bird Estates, 156.60'; thence S 02°08'01"W 125.00'; thence S 87°42'59"E 110.0'; thence S 31°44'03"E 306.03' to the northwesterly right-of-way line of Arkansas State Highway 62; thence S 67°01'44"W along said right-of-way line, 188.61'; thence S 56°49'17"W along said right-of-way line, 327.12' to said west line of the SW/4, NE/4; thence N 02°11'07"E along said west line of the SW/4, NW/4, 648.91' to the Point of Beginning. Containing 3.73 acres more or less.

### **Tract 8**

Part of the NE/4, SW/4, Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows:

Beginning at the northwest corner of said NE/4, SW/4; thence S 87°42'08"E along the north line of said NE/4, SW/4, 594.89' to the northwesterly right-of-way line of Arkansas State Highway 62; thence along said right-of-way line of Arkansas State Highway 62 the next (7) courses: S 03°27'28"W 42.91'; S 58°27'12"W 103.04'; S 55°20'51"W 129.58'; S 41°31'02"W 104.75'; along a curve to the left having a central angle of 17°6'01" and a radius of 1180.91' to a point subtended by a chord bearing and distance of S 38°26'31"W 361.33'; S 29°38'31"W 91.33'; S 40°01'52"W 135.54' to the west line of said NE/4, SW/4; thence N 02°14'54"E along the west line of said NE/4, SW/4, 739.45' to the Point of Beginning, containing 4.59 acres more or less.

### **TRACT 9**

Lots 1 & 2 , Calvin Phillips Subdivision to the City of Farmington (filed 9/12/77).



**Bates &  
Associates, Inc.**  
Civil Engineering - Land Surveying - Landscape Architecture

7230 S. Pleasant Ridge Dr. Fayetteville, AR 72704

PH: 479-442-9350 \* FAX: 479-521-9350

[www.nwabatesinc.com](http://www.nwabatesinc.com)

**Phillips Farm Rezoning – Legal Description**

**PHASE I LEGAL DESCRIPTION:**

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING ALUMINUM MONUMENT MARKING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG THE NORTH LINE THEREOF N87°52'26"W 1321.56' TO THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT, THENCE ALONG THE WEST LINE THEREOF S02°10'48"W 20.00', THENCE LEAVING SAID WEST LINE S87°52'59"E 48.38', THENCE S02°14'37"W 328.69' TO AN EXISTING RAILROAD SPIKE, THENCE S87°44'29"E 467.12' TO AN EXISTING REBAR, THENCE S02°15'27"W 466.97' TO AN EXISTING REBAR, THENCE S87°44'41"E 675.98', THENCE N02°15'19"E 30.09', THENCE S87°44'41"E 130.00' TO THE EAST LINE OF SAID FORTY ACRE TRACT, THENCE ALONG THE EAST LINE THEREOF N02°15'19"E 788.46' TO THE POINT OF BEGINNING, CONTAINING 18.81 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

**PHASE II LEGAL DESCRIPTION:**

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING FROM AN EXISTING ALUMINUM MONUMENT MARKING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27 AND RUNNING THENCE ALONG THE EAST LINE THEREOF S02°15'19"W 1324.54' TO AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27, THENCE ALONG THE EAST LINE THEREOF S02°11'31"W 1324.09' TO AN EXISTING ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, THENCE ALONG THE SOUTH LINE THEREOF N87°54'22"W 1322.98' TO AN EXISTING ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27, THENCE ALONG THE SOUTH LINE THEREOF N87°51'22"W 661.39' TO AN EXISTING ALUMINUM MONUMENT, THENCE LEAVING SAID SOUTH LINE N02°04'37"E 1322.88' TO AN EXISTING REBAR ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27 MARKING THE

**TRUE POINT OF BEGINNING AND RUNNING THENCE ALONG THE SOUTH LINE THEREOF N87°44'46"W 663.70' TO AN EXISTING ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27, THENCE ALONG THE SOUTH LINE THEREOF N87°49'00"W 329.30', THENCE LEAVING SAID SOUTH LINE N01°54'23"E 631.19', THENCE S87°53'28"E 915.44', THENCE S02°16'42"W 147.36' TO AN EXISTING REBAR, THENCE S87°43'18"E 39.71', THENCE S54°54'06"E 193.93', THENCE S22°41'17"W 67.67', THENCE S57°43'18"E 65.08', THENCE S32°16'42"W 180.00', THENCE N70°03'18"W 27.44', THENCE S02°04'32"W 135.74', THENCE N87°55'28"W 40.00' TO THE POINT OF BEGINNING, CONTAINING 14.98 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.**





**Bates &  
Associates, Inc.**

**Civil Engineering & Surveying**

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704  
PH: 479-442-9350 \* FAX: 479-521-9350

September 26, 2019

City of Farmington  
354 W. Main St  
Farmington, AR 72730

RE: Phillips Farm Rezoning

Dear City Staff,

Please see the attached Parcel Map and list of Adjoining Property owners for the Phillips Farm Rezoning.

ADJACENT LAND OWNERS (PART OF PARCEL 760-01911-900)

- 1) WHITE, GUY & JENNIFER ATCHLEY  
295 W COUNTRYSIDE DR  
FARMINGTON, AR 72730  
PARCEL #760-02008-000  
ZONED: R-1
- 2) WULF, SHIRLEY LOUISE TRUST  
287 COUNTRYSIDE DR  
FARMINGTON, AR 72730-8801  
PARCEL: 760-01601-100  
ZONED: R-1.
- 3) SHARP, VERA C; SHARP, JOY M; SHARP, BETTY A  
279 COUNTRY SIDE DR  
FARMINGTON, AR 72730  
PARCEL: 760-02006-000  
ZONED: R-1.
- 4) NOE, GARY L & BETH A  
271 W COUNTRYSIDE DR  
FARMINGTON, AR 72730-8801  
PARCEL: 760-02005-000  
ZONED: R-1

- 5) FLOWERS, VICKI  
263 W COUNTRYSIDE DR  
FARMINGTON, AR 72730  
PARCEL: 760-02004-000  
ZONED: R-1
- 6) HUFF, MICHAEL D & TWILA J  
255 W COUNTRYSIDE DR  
FARMINGTON, AR 72730  
PARCEL: 760-02003-000  
ZONED: R-1
- 7) KIRKMAN, LOIS E  
247 COUNTRYSIDE DR  
FARMINGTON, AR 72730  
PARCEL: 760-02002-000  
ZONED: R-1
- 8) FARMINGTON UNITED METHODIST CHURCH INC  
PO BOX 42  
FARMINGTON, AR 72730  
PARCEL: 760-02001-000  
ZONED: R-1
- 9) RUE FAMILY TRUST KENNETH J RUE  
231 W COUNTRYSIDE DR  
FARMINGTON, AR 72730  
PARCEL 760-02000-000  
ZONED: R-1
- 10) YATES, HOWARD & BILLIE REVOCABLE LIVING TRUST ET AL  
223 W COUNTRYSIDE DR  
FARMINGTON, AR 72730-8801  
PARCEL: 760-01999-000  
ZONED: R-1
- 11) SAYLER, RONALD J  
217 W COUNTRYSIDE DR  
FARMINGTON, AR 72730  
PARCEL: 760-01998-000  
ZONED: R-1
- 12) LARKIN, CATHERINE M & RANDY P SR  
209 W COUNTRYSIDE DR  
FARMINGTON, AR 72730-8801  
PARCEL 760-01997-000  
ZONED: R-1

- 13) SHADOW PROPERTIES INC  
PO BOX 3483  
FAYETTEVILLE, AR 72702-3483  
PARCEL # 760-01996-000  
ZONED: R-1
- 14) HAWKINS, ROY G & PATRICIA ANN TRUST  
193 W COUNTRYSIDE DR  
FARMINGTON, AR 72730  
PARCEL: 760-01995-000  
ZONED: R-1
- 15) HARRELSON, BARBARA L  
190 APPLEWOOD AVE  
FARMINGTON, AR 72730-8639  
PARCEL: 760-02434-000  
ZONED: R-1
- 16) GARVIN, VICKY  
207 S BRIARHILL DR  
FARMINGTON, AR 72730  
PARCEL 760-02435-000  
ZONED: R-1
- 17) ROSE, JACK LEE & BETTY RUTH REVOCABLE TRUST  
55 W RAINSONG ST APT 14  
FARMINGTON, AR 72730  
PARCEL: 760-02436-000  
ZONED: R-1
- 18) VENNER, DEBRA S  
227 S BRIARHILL DR  
FARMINGTON, AR 72730-8641  
PARCEL: 760-02437-000  
ZONED: R-1
- 19) HELTON, DANNY J & TAMMY G  
233 S BRIARHILL DR  
FARMINGTON, AR 72730-8641  
PARCEL 760-02438-000  
ZONED: R-1
- 20) HENDRICKSON, KENNETH B & CAROL  
PO BOX 1725  
FAYETTEVILLE, AR 72702  
PARCEL # 760-02589-000  
ZONED: R-1

- 21) BROWN, TONY GENE & TONI ANNETTE  
243 S BRIARHILL DR  
FARMINGTON, AR 72730  
PARCEL: 760-02588-000  
ZONED: R-1
- 22) HODGES, STEVEN R & ANITA L  
249 S BRIARHILL DR  
FARMINGTON, AR 72730-3041  
PARCEL 760-02435-000  
ZONED: R-1
- 23) HARLOW, MARK & CARRIE  
255 S BRIARHILL DR  
FARMINGTON, AR 72730-8641  
PARCEL: 760-02586-000  
ZONED: R-1
- 24) DAVIS, PHILLIP R & LINDA L  
261 S BRIARHILL DR  
FARMINGTON, AR 72730-8641  
PARCEL: 760-02585-000  
ZONED: R-1
- 25) GLOVER, STARLET R  
267 S BRIARHILL DR  
FARMINGTON, AR 72730-8641  
PARCEL: 760-02584-000  
ZONED: R-1
- 26) MURPHREE, RICHARD S  
273 S BRIARHILL DR  
FARMINGTON, AR 72730  
PARCEL # 760-02583-000  
ZONED: R-1
- 27) WIEDNER, JEFFREY D & DEANNA L  
279 S BRIARHILL DR  
FARMINGTON, AR 72730-86410  
PARCEL # 760-02582-000  
ZONED: R-1
- 28) BRANTLEY, ELIZABETH A  
285 S BRIARHILL DR  
FARMINGTON, AR 72730-8641  
PARCEL # 760-02581-000  
ZONED: R-1

- 29) CANTRELL, CORNELIEUS AARON & SHANNON E  
291 S BRIARHILL DR  
FARMINGTON, AR 72730  
PARCEL # 760-02580-000  
ZONED: R-1
- 30) ALFORD, KELLY  
297 S BRIARHILL DR  
FARMINGTON, AR 72730  
PARCEL # 760-02579-000  
ZONED: R-1
- 31) VAN WYHE, KEVIN J & JANE A  
303 S BRIARHILL DR  
FARMINGTON, AR 72730-8646  
PARCEL # 760-02578-000  
ZONED: R-1
- 32) WALLIS, JASON E & CYNTHIA J  
309 S BRIARHILL DR  
FARMINGTON, AR 72730-8646  
PARCEL # 760-02577-000  
ZONED: R-1
- 33) CITY OF FARMINGTON  
PO BOX 150  
FARMINGTON, AR 72730  
PARCEL # 760-03008-000  
ZONED: PARK
- 34) FARMINGTON SCHOOL DISTRICT # 6  
42 S DOUBLE SPRINGS RD  
FARMINGTON, AR 72730-2506  
PARCEL #760-03199-000  
ZONED: SCHOOL
- 35) FARMINGTON SCHOOL DISTRICT # 6  
42 S DOUBLE SPRINGS RD  
FARMINGTON, AR 72730-2506  
PARCEL # 760-03106-001  
ZONED: R-1
- 36) HOG EYE INVESTMENTS LLC  
PO BOX 4628  
FAYETTEVILLE, AR 72702  
PARCEL # 760-03106-000  
ZONED: R-1

- 37) TOERING, NORMAN B & JILL ANN  
306 CLAYBROOK DR  
FARMINGTON, AR 7273  
PARCEL # 760-02836-000  
ZONED: RE-2
  
- 38) BEASLEY, MICHAEL S  
246 S ANGUS LN  
FARMINGTON, AR 72730  
PARCEL # 760-02403-900  
ZONED: R-1
  
- 39) FARMINGTON SCHOOL DISTRICT # 6  
42 S DOUBLE SPRINGS RD  
FARMINGTON, AR 72730-2506  
PARCEL # 760-01911-901  
ZONED: R-1
  
- 40) THOMAS, JERALD W & SANDRA V  
193 S ANGUS LN  
FARMINGTON, AR 72730  
PARCEL # 760-01198-000  
ZONED: R-1



**Bates &  
Associates, Inc.**  
Civil Engineering · Land Surveying · Landscape Architecture

7230 Pleasant Ridge Dr. / Fayetteville, AR 72704  
PH: 479-442-9350 \* FAX: 479-521-9350

January 23, 2020

**NOTICE OF PUBLIC HEARING BEFORE  
THE FARMINGTON PLANNING COMMISSION  
ON AN APPLICATION FOR A REZONING**

**To All Owners** of land lying adjacent to the property at:

12771 Tyler Road  
Location

Farmington Commercial, LLC  
Owned by

NOTICE IS HEREBY GIVEN THAT an application has been filed for REZONING of the above property from R-1 Single-Family Residential to PUD Single-Family Residential.

A public hearing on said application will be held by the Farmington Planning Commission at **Farmington City Hall, 354 W. Main St. on February 24<sup>th</sup>, 2020 at 6:00 p.m.**

All parties interested in this matter may appear and be heard at said time and place; or may notify the Planning Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the City Business Manager at City Hall, 354 W. Main, 479-267-3865.

Geoffrey Bates, P.E.  
President of Engineering  
**Bates & Associates, Inc.**

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$10.00		
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$10.00		

Postage \$0.55  
 BROWN, TONY GENE & TONI ANN  
 243 S BRIARHILL DR  
 FARMINGTON, AR 72730

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00		
<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$10.00		
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$10.00		

Postage \$0.55  
 HODGGS, STEVEN R & ANITA L  
 249 S BRIARHILL DR  
 FARMINGTON, AR 72730-3041

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$10.00		
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$10.00		

Postage \$0.55  
 HARBOWENMARK & CARRIE  
 255 S BRIARHILL DR  
 FARMINGTON, AR 72730-8641

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00		
<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$10.00		
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$10.00		

Postage \$0.55  
 DAVIS, PHILIP R & LINDA L  
 261 S BRIARHILL DR  
 FARMINGTON, AR 72730-8641

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  - Return Receipt (electronic) \$1.00
  - Certified Mail Restricted Delivery \$11.00
  - Adult Signature Required \$4.00
  - Adult Signature Restricted Delivery \$4.00



Postage \$0.55

**JOYER, STARLET R**  
 267 S BRIARHILL DR  
 FARMINGTON, AR 72730-8641

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- Return Receipt (hardcopy) \$1.00
  - Return Receipt (electronic) \$1.00
  - Certified Mail Restricted Delivery \$11.00
  - Adult Signature Required \$4.00
  - Adult Signature Restricted Delivery \$4.00



Postage \$0.55

**WEDNER, HENRY D & DEANNA L**  
 279 S BRIARHILL DR  
 FARMINGTON, AR 72730-86410

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  - Return Receipt (electronic) \$1.00
  - Certified Mail Restricted Delivery \$11.00
  - Adult Signature Required \$4.00
  - Adult Signature Restricted Delivery \$4.00



Postage \$0.55

**MURPHY, RICHARD S**  
 273 S BRIARHILL DR  
 FARMINGTON, AR 72730

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- Return Receipt (hardcopy) \$1.00
  - Return Receipt (electronic) \$1.00
  - Certified Mail Restricted Delivery \$11.00
  - Adult Signature Required \$4.00
  - Adult Signature Restricted Delivery \$4.00



Postage \$0.55

**BRANTLEY, ELIZABETH A**  
 285 S BRIARHILL DR  
 FARMINGTON, AR 72730-8641

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	Postmark Here	01/27/2020
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00		
<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00		
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00		

Postage \$0.55  
**YAN WYTHE, KEVIN J & JANE A**  
**303 S BRIARHILL DR**  
**FARMINGTON, AR 72730-8646**

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	Postmark Here	01/27/2020
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00		
<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00		
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00		

Postage \$0.55  
**CANIRELL CORNELIUS AARON & SHANNON E**  
**291 S BRIARHILL DR**  
**FARMINGTON, AR 72730**

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7019 1640 0000 1789 9266

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00		
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00		

Postage \$0.55  
**KELLY, ALBERT**  
**297 S BRIARHILL DR**  
**FARMINGTON, AR 72730**

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00		
<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00		
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00		

Postage \$0.55  
**WALLIS JASON E & CYNTHIA J**  
**309 S BRIARHILL DR**  
**FARMINGTON, AR 72730-8646**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 1789 9255

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FARMINGTON, AR 72730

Certified Mail Fee \$3.55

Extra Services & Fees (attach box and fee if applicable)

- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total \$4.10

PS Form 3800, April 2015 PSN 7530-02-000-9047

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TOERRINGBORMAN B & JILL ANN  
 306 CLAYBROOK DR  
 FARMINGTON, AR 72730



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FARMINGTON, AR 72730

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Extra Services & Fees (attach box and fee if applicable)

- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total \$4.10

PS Form 3800, April 2015 PSN 7530-02-000-9047

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CITY OF FARMINGTON  
 PO BOX 150  
 FARMINGTON, AR 72730



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FAYETTEVILLE, AR 72702

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Extra Services & Fees (attach box and fee if applicable)

- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total \$4.10

PS Form 3800, April 2015 PSN 7530-02-000-9047

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HOGBY INVESTMENTS LLC  
 PO BOX 4628  
 FAYETTEVILLE, AR 72702



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FARMINGTON, AR 72730

Certified Mail Fee \$3.55

Extra Services & Fees (attach box and fee if applicable)

- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total \$4.10

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FARMINGTON SCHOOL 01/27/2020  
 #6 DISTRICT # 6  
 42 S DOUBLE SPRINGS RD  
 FARMINGTON, AR 72730-2506



7019 1640 0000 1789 9211

7019 1640 0000 1789 9211

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- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00



For: LARKIN, CATHERINE M  
 209 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730-8801

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- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$0.00



For: YLBER, RONALD J  
 217 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730

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FARMINGTON, AR 72730

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- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$0.00



For: THOMAS, RANDAL W & SANDRA V  
 193 S ANGUS LN  
 FARMINGTON, AR 72730

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FARMINGTON, AR 72730

Certified Mail Fee \$3.55

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- Return Receipt (hardcopy) \$0.00
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$0.00



For: BRASLEY, MICHAEL S  
 246 S ANGUS LN  
 FARMINGTON, AR 72730

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FAYETTEVILLE, AR 72702

Certified Mail Fee \$3.55

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00



SHADOW PROPERTIES INC  
 PO BOX 3483  
 FAYETTEVILLE, AR 72702-3483

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 1789 9419

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FAYETTEVILLE, AR 72702

Certified Mail Fee \$3.55

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00



HAWKINS, ROY G &  
 PATRICIA ANN TRUST  
 193 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730

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BARVIN, WICKY  
 207 S BRIARHILL DR  
 FARMINGTON, AR 72730

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SHADOW PROPERTIES INC  
 PO BOX 3483  
 FAYETTEVILLE, AR 72702-3483

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ROSE, JACK LEE & BETTY RUTH  
 REVOCABLE TRUST  
 55 W RAINSONG ST APT 14  
 FARMINGTON, AR 72730

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VENNER, DEBRAS  
 297 S BRIARHILL DR  
 FARMINGTON, AR 72730-8641

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HENDRICKSON,  
 KENNETH B & CAROL  
 PO BOX 1725  
 FAYETTEVILLE, AR 72702

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- Adult Signature Required \$0.00
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HELTON, BANNY J & TAMMY  
 233 S BRIARHILL DR  
 FARMINGTON, AR 72730-8641

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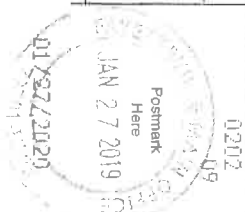
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FARMINGTON, AR 72730  
 WULF SHARLEY LOUISE

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 Return Receipt (hardcopy) \$1.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00  
 Postage \$0.55



WOLF, VICKI  
 263 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730

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 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00  
 Postage \$0.55



WHITE, GUY & JENNIFER ATCHLEY  
 295 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730

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 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00  
 Postage \$0.55



WULF SHARLEY LOUISE TRUST  
 287 COUNTRYSIDE DR  
 FARMINGTON, AR 72730-8801

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 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00  
 Postage \$0.55



SHARP, YERA C; SHARP, JOY M;  
 SHARP, BETTY A  
 279 COUNTRY SIDE DR  
 FARMINGTON, AR 72730

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 Return Receipt (electronic) \$1.00  
 Certified Mail Restricted Delivery \$10.00  
 Adult Signature Required \$10.00  
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\$10.55

NOE GARY L & BETH A  
 271 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730-8801

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 Adult Signature Restricted Delivery \$10.00

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FARMINGTON UNITED  
 METHODIST CHURCH INC  
 PO BOX 42  
 FARMINGTON, AR 72730

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 Return Receipt (electronic) \$1.00  
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 Adult Signature Required \$10.00

\$10.55

RUE FAMILY TRUST  
 KENNETH J RUE  
 231 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730

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 Adult Signature Required \$10.00  
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\$10.55

HUFF MICHAEL D & TWILA  
 255 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730

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 KENNETH J RUE  
 231 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730

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\$10.55

RUE FAMILY TRUST  
 KENNETH J RUE  
 231 W COUNTRYSIDE DR  
 FARMINGTON, AR 72730

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FARMINGTON, AR 72730

**OFFICIAL USE**

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0202

Extra Services & Fees (check box and fee)

69

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Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

**YATES, HOWARD & BILLIE REVOCABLE TRUST**

**LEANN TRUST ET AL**

**223 W COUNTRYSIDE DR**

**FARMINGTON, AR 72730-8801**

City, State, ZIP+4™

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# Agenda Item 4. D

City of Farmington  
Application and Checklist  
Preliminary Plat

Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Technical Plat Review or Planning Commission until all information is furnished.

Applicant: Same as rep Day Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Representative: Graff Bates Day Phone: 442-9350  
 Address: 72305 Pleasant Ridge Dr Fax: 521-9350  
Fayetteville, AR  
 Property Owner: Riverwood Homes Day Phone: 479-435-2088  
 Address: 3420 N PLAINVIEW Fax: \_\_\_\_\_  
FAYETTEVILLE, AR - 72703  
 Indicate where correspondence should be sent (circle one): Applicant Representative -- Owner

Fee: A non-refundable review fee of **\$2,000** is required at the time the application is accepted. *In the event engineering review fees and costs exceed \$2,000, the owners and/or developers shall reimburse the City of Farmington for all additional expenses incurred prior to review by the Farmington Planning Commission. In the event the Farmington Planning Commission requires modifications to the subdivision plat and additional engineering fees and costs are incurred, the owners and/or developers shall reimburse the City of Farmington before the plat is resubmitted to the Farmington Planning Commission.*

For office use only:

Fee paid \$ \_\_\_\_\_ Date \_\_\_\_\_ Receipt # \_\_\_\_\_

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

Property Description

Site Address -- End of Grace Ln

Current Zoning -- R-2

Attach legal description

*The Grove at  
Engles Mill*

Financial Interests

The following entities or people have a financial interest in this project:

\_\_\_\_\_

\_\_\_\_\_

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.*

*[Signature]* Date 11-19-19  
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 that the agent is authorized to act on his behalf.)*

\_\_\_\_\_  
Owner/Agent Signature Date \_\_\_\_\_

## LSD/Subdivision Application Checklist:

	Yes	No	N/A, why?
1. Completed application form which includes: name and address of person preparing application, name and address of property owner, including written, notarized documentation to verify that the applicant has permission to locate on property, zoning district, size of property, postal address and tax parcel number.	✓		
2. Payment of application fee.	✓		
3. A descriptive statement of the objective(s) for the new facility or material modification and the need for the type of facility and/or capacity requirements.	✓		
4. Fifteen (15) copies of the site plan <b>folded</b> to a size of no greater than 10" X 10 ½ ".	✓		
5. List of adjacent property owners and copy of notification letter sent. *			<i>submitted last time</i>
6. White receipts from post office and green cards from registered letters (at least 7 days prior to the meeting).			<i>will submit</i>
7. Proof of publication of public hearing notice, should be published a minimum of 10 days prior to planning commission meeting (proof must be provided at least 7 days prior to the meeting).			<i>will submit</i>
<b>The Following Shall Appear on the Site Plan:</b>			
1. Names, addresses and telephone numbers of the record owners, applicant, surveyor, architect, engineer and person preparing the plat.	✓		
2. Names, addresses and property lines and zoning of all property owners adjacent to the exterior boundaries of the project including across streets and rights of way shall be located at the general location of their property.*	✓		
3. North arrow, graphic scale, acreage, date of preparation, zoning classification and proposed use.	✓		
4. Complete and accurate legend.	✓		
5. Title block located in the lower right hand corner indicating the name and type of project, scale, firm or individual preparing drawings, date and revision.	✓		
6. Note regarding wetlands determination, if any. Note if Army Corps of Engineers determination is in progress.	✓		
7. Written legal description. (If the project is in more than one tract the legal for each individual tract must be provided.)	✓		
8. P.O.B. from a permanent well-defined reference point, P.O.B. must be clearly labeled.	✓		
9. Clear representation of the FEMA Designated 100-year Floodplain and or Floodway and base flood elevations. Reference the FIRM panel number and effective date and the Corps of Engineers Flood Hazard Study.		✓	<i>no Flood plain</i>
10. Status of regulatory permits:			
a. NPDES Storm water Permit		✓	<i>n/a</i>
b. 404 Permit		✓	<i>n/a</i>
c. Other			
11. Provide a benchmark, clearly defined with a precision of 1/100 <sup>th</sup> of a foot. This benchmark must be tied to NAVD 88 datum; Benchmarks include but are not limited to, the following: fire hydrant, manhole rim, drainage structure	✓		

abutment, etc.			
12. Spot elevations at grade breaks along the flow line of drainage swales.	✓		
13. A general vicinity map of the project at a scale of 1" = 2000'	✓		
14. The location of all existing structures. Dimensions of buildings and setbacks from the building to property lines.	✓		
15. Street right-of-way lines clearly labeled. The drawing shall depict any future ROW needs as determined by the AHTD and/or Master Street Plan. Future ROW as well as existing ROW and center lines should be shown and dimensioned.	✓		
16. Existing topographic information with source of the information noted. Show:	✓		
a. Two foot contour for ground slope between level and ten percent.	✓		
b. Four foot contour interval for ground slope exceeding 10%.	✓		
17. Preliminary grading plan.	✓		
<b>Existing Utilities and Drainage Improvements (Copy of the <u>Drainage Criteria Manual</u> can be obtained from the City of Farmington)</b>			
1. Show all known on site and off-site existing utilities, drainage improvements and easements (dimensioned) and provide the structures, locations, types and condition and note them as "existing" on the plat.	✓		
2. Existing easements shall show the name of the easement holder, purpose of the easement, and book and page number for the easement. If an easement is blanket or indeterminate in nature, a note to this effect should be placed on the plan.	✓		
<b>Proposed Utilities</b>			
1. Regarding all proposed storm sewer structures and drainage structures:	✓		
a. Provide structure location and types.	✓		
b. Provide pipe types and sizes.	✓		
2. Regarding all proposed sanitary sewer systems	✓		
a. Provide pipe locations, sizes and types.	✓		
b. Manhole locations.	✓		
3. Note the occurrence of any previous sanitary sewer overflow problems on-site or in the proximity of the site	✓		
4. If a septic system is to be utilized, note that on the plat. Show the location and test data for all percolation tests.	✓	✓	city sewer
5. Regarding all proposed water systems on or near the site:	✓		
a. Provide pipe locations, sizes and types.	✓		
b. Note the static pressure and flow of the nearest hydrant.		✓	unknown
c. Show the location of proposed fire hydrants, meters, valves, backflow preventers and related appurtenances.	✓		
6. All proposed underground or surface utility lines if determined: (this category includes but is not limited to telephone, electrical, natural gas and cable.)	✓		
a. Locations of all related structures.	✓		
b. Locations of all lines above and below ground.	✓		
c. A note shall be placed where streets will be placed under the existing overhead facilities and the	✓		



approximate change in the grade for the proposed street.			
7. The width, approximate locations and purposes of all proposed easements or rights-of-way for utilities, drainage, sewers, flood control, ingress/egress or other public purposes within and adjacent to the project.	✓		
<b>Proposed and Existing Streets, Rights-of-way and Easements</b>			
1. The location, widths and names (avoid using first names of people for new streets) of all existing and proposed streets, allies, paths and other rights-of-way, whether public or private within and adjacent to the project; private easements within and adjacent to the project; and the centerline curve data; and all curb return radii. Private streets shall be clearly identified and named.	✓		
2. A layout of adjoining property sufficient detail to show the affect of proposed and existing streets (including those on the master street plan), adjoining lots and off-site easements. This information can be obtained from the Master Street Plan.	✓		
3. The location of all existing and proposed street lights (at every intersection, cul-de-sac and every 300 feet, and associated easements to serve each light.)	✓		
<b>Site Specific Information</b>			
1. Provide a note describing any off site improvements.	✓		
2. The location of known existing or abandoned water wells, sumps, cesspools, springs, water impoundments and underground structures within the project.		✓	none
3. The location of known existing or proposed ground leases or access agreements, if known. (e.g. shared parking lots, drives, areas of land that will be leased.)		✓	none
4. The location of all known potentially dangerous areas, including areas subject to flooding, slope stability, settlement, excessive noise, previously filled areas and the means of mitigating the hazards (abatement wall, signage, etc.)		✓	none
5. The boundaries, acreage and use of existing and proposed public area in and adjacent to the project. If land is to be offered for dedication for park and recreation purposes it shall be designated.	✓		
6. For large scale residential development, indicate the use and list in a table the number of units and bedrooms.		✓	
7. For non-residential use, indicate the gross floor area and if for multiple uses, the floor area devoted to each type of use. (Large Scale Developments only.)		✓	
8. The location and size of existing and proposed signs, if any.	✓		
9. Location and width of curb cuts and driveways. Dimension all driveways and curb cuts from side property line and surrounding intersections.	✓		
10. Location, size, surfacing, landscaping and arrangement of parking and loading areas. Indicate pattern of traffic flow; include a table showing required, provided and handicapped accessible parking spaces. (Large Scale Developments only.)	✓		
11. Location of buffer strips, fences or screen walls, where required (check the zoning ordinance).	✓		
12. Location of existing and purposed sidewalks.	✓		
13. Finished floor elevation of existing and purposed structures.		✓	Provide at Final Plat
14. Indicate location and type of garbage service (Large Scale			n/a

Developments only.) Dimension turnaround area at dumpster location.	✓		
15. A description of commonly held areas, if applicable.	✓		
16. Draft of covenants, conditions and restrictions, if any.	✓		
17. Draft POA agreements, if any.		✓	at final plat
18. A written description of requested variances and waivers from any city requirements.	✓		
19. Show required building setbacks for large scale developments. Provide a note on the plat of the current setback requirements for the subdivision. A variance is necessary from the Board of Adjustment for proposed setbacks less than those set forth in the zoning district.	✓		
20. Preliminary drainage plan as required by the consulting engineer.	✓		

*\*All applicants submitting preliminary plats and Large Scale Developments before the Farmington Planning Commission shall provide written notice of the time and place of the regular or special meeting to the owners of all real property adjacent to the project. The notice shall include the name and address of the applicant, location of the project, and the time and place of the scheduled meeting. Notices shall be sent by certified mail, return receipt requested, to the last known address shown on the most recent tax records at the Washington County Tax Collector's Office. (A sample notification and affidavit is attached.) Applicants must submit a verified affidavit attesting to the delivery of the notice to all owners of real property adjacent to the project, a copy of the notice to each property owner, and copies of receipts evidencing pre-paid postage for each notice. The affidavit and supporting documents referred to above must be submitted seven (7) days prior to the regular or special meeting of the planning commission.*

City of Farmington, AR

10/22/2019 9:35AM 01  
000000#7649 CLERK01

Development Fees \$2000.00

ITEMS 10  
CHECK \$2000.00

*CB#*  
*CBI-00000000*

# RECEIPT

DATE 10-22-19 No. 217140

RECEIVED FROM ~~Patricia Riverwood Homes LLC~~ \$ 2000.00

Two thousand & no/100 DOLLARS

FOR RENT  
 FOR Preliminary Plat fee

ACCOUNT	
PAYMENT	<u>2000.00</u>
BAL. DUE	<u>0</u>

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM \_\_\_\_\_ TO \_\_\_\_\_

BY B. Coleman



## The Grove at Engles Mill

- 1 C. The property is located at the south stub of Grace Lane. The master plan has been developed from the success of The Villages of Sloanbrooke in Fayetteville. The first two phase are planned as follows:
  - Phase 1A accessing Grace Lane will have the following:
    - a. 17 Estate lots with homes starting at 2,300 sq ft. They will border the north and east side of Twin Falls and serve as a buffer to Twin Falls with homes of similar size and architecture.
    - b. 31 Manor lots with homes starting at 1,700 sq ft.
  - Phase 1B will access off Angus Rd with a new street running east to west and attaching to Grace Lane. It will have the following mix of homes:
    - a. 21 Manor lots starting at 1,700 sq. ft. bordering the north and east side of Southwinds Subdivision that will be similar in size and style to homes in Southwinds.
    - b. 44 Cottage lots starting at 1,350 sq. ft. These homes will be brick with some vinyl or hardiboard siding. They will have a minimum 2 car garage.
- 2 E. Development of street and water/sewer is anticipated to begin within 60 days of preliminary plan approval. We expect development to take 270 days with construction of homes to begin as soon as final plat is filed. Based off current market conditions we forecast these phases to be built out over a 2 to 3 year period.
- 3 F. The entire subdivision is to be built as single family homes with three communities. They are built to be primarily owner occupied. It has been our experience over the past 10 years that the smaller cottage homes might have some rental.

15. There will be common areas throughout the subdivision that will have water features with fountains, neighbor "pocket parks, as well as other green belt areas that will all be owned and maintained
16. A copy of restrictive covenants and POA are attached that were for Sloanbrooke Subdivision but will be similar for Engles Mill.

**DECLARATION OF RESTRICTIVE COVENANTS,  
RESTRICTIONS AND BILL OF ASSURANCES  
FOR "THE VILLAGES OF SLOANBROOKE"**

**A RESIDENTIAL SUBDIVISION  
IN THE  
CITY OF FAYETTEVILLE, ARKANSAS.**



Doc ID: 017223510015 Type: REL  
Kind: PROTECTIVE COVENANT  
Recorded: 12/29/2016 at 10:36:52 AM  
Fee Amt: \$85.00 Page 1 of 15  
Washington County, AR  
Kyle Sylvester Circuit Clerk

File 2016-00038596

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**KNOW ALL BY THESE PRESENTS:**

WHEREAS the undersigned, hereinafter referred to a "Declarant" is the owner, developer and sub-divider of all the Lots in THE VILLAGES OF SLOANBROOKE, a residential subdivision to the City of Fayetteville, Arkansas, hereinafter to as "SLOANBROOKE VILLAGES", by execution hereof, enters and declares the following assurances, covenants, and restrictions with respect to the Subdivision.

**1. OWNERSHIP:**

Declarant is the developer of the following described real property being developed as SLOANBROOKE VILLAGES, of the City of Fayetteville, County of Washington, State of Arkansas, to-wit:

A part of the SW1/4 of the NW1/4 a part of the NW1/4 of the NW1/4 a part of the NE1/4 of the NW1/4 and a part of the SE1/4 of the NW1/4 all in Section 13, T16N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said SW1/4, NW1/4, thence N02°36'53"E 868.16 feet, thence S87°01'01"E 46.04 feet to the POINT OF BEGINNING, thence N02°58'03"E 1,136.86 feet, thence S87°27'52"E 245.07 feet, thence S68°37'00"E 223.64 feet, thence S87°27'52"E 340.33 feet, thence S44°21'39"E 327.66 feet, thence S31°51'42"W 233.09 feet, thence along a non tangent curve to the right 6.84 feet, said curve having a radius of 525.00 feet and chord bearing and distance of S57°45'55"E 6.84 feet, thence S57°23'32"E 24.08 feet, thence S32°36'28"W 165.00 feet, thence S57°23'32"E 453.30 feet, thence S32°36'28"W 115.00 feet, thence S57°23'32"E 79.52 feet, thence along a curve to the right 140.14 feet, said curve having a radius of 525.00 feet and a chord bearing and distance of S49°44'42"E 139.73 feet, thence S40°07'25"W 174.63 feet, thence S33°48'34"E 81.81 feet, thence S56°04'57"W 184.76 feet, thence along a non tangent curve to the left 19.32 feet, said curve having a radius of 970.00 feet and chord bearing and distance of N34°29'18"W 19.32 feet, thence S54°56'28"W 110.00 feet, thence along

**a non tangent curve to the left 779.88 feet, said curve having a radius of 860.00 feet and chord bearing and distance of N61°02'17"W 753.43 feet, thence N87°01'01"W 408.64 feet to the POINT OF BEGINNING: Containing 29.30 acres more or less subject to easements and right of way of record.**

**2. SINGLE-FAMILY LAND USE:**

Lots within Sloanbrooke Villages are developed as a Neighborhood Conservation (NC) zone to promote and protect neighbor character, and, shall be in compliance with or exceed the regulations for zoning as defined and interpreted by the City of Fayetteville, Arkansas, and Courts of competent jurisdiction, and in compliance with the assurances, covenants, restrictions, and conditions set out and contained herein, on the date these covenants and restrictions were executed.

**3. BUILDING LIMITATIONS AND REQUIREMENTS:**

The subdivision and building codes of the City of Fayetteville, Arkansas, as such presently exist or are hereafter amended, shall be and are hereby made applicable to all Lots in Sloanbrooke Villages. All improvements, including dwellings constructed, erected, placed, altered, remodeled, maintained or permitted on any Lot shall comply with any and all applicable, federal, state, county and municipal zoning and building restrictions, including, but not limited to grading, clearing, construction of impervious surfaces, building and other construction rules and regulations. All dwellings, other structures and/or improvements shall comply with said laws, regulations, codes, and ordinances as such exist on the date of such construction. Any conflicts between such ordinances and the provisions of the conditions, covenants restrictions shall be resolved in favor of the more restrictive provisions. Building, architectural, and design specifications shall be in accordance with the codes and regulations of the City of Fayetteville, Arkansas, and specifically those pertaining to development of Land zoned NC Neighborhood Conservation.

**Individual Homes (NC Neighborhood Conservation):**

- a) All dwelling structures constructed upon the Lots of Sloanbrooke Villages shall contain the following prescribed minimum square feet of heated/cooling living space:
- (1) Estate Lots: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 97 and 98, minimum of Two Thousand Three-Hundred (2300) sq. ft.
  - (2) Enclave Lots: 11, 12, 13, 14, 15, 16, 17, 18, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, and 63, minimum of One Thousand Seven Hundred (1700) sq. ft.
  - (3) Cottage Lots: 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, and 95, minimum of One Thousand Three Hundred (1300) sq. ft.

- b) Each dwelling shall have a private garage for not less than two (2) vehicles. All garage interiors must be dry-walled and finished. All garage doors must be of section type, with automatic garage door openers with appropriate child safety features.
- c) Each dwelling is required to have a concrete driveway.
- d) All homes and/or other structures constructed within Sloanbrooke Villages must have an architectural asphalt, tile, or wood shingle roof.
- e) No roof pitch on any structure shall be less than a 8/12.
- f) All homes must have eighty percent (80%) brick, stone, or stucco on all exterior walls up to the top plate of the 1st floor. Total percentage of brick, stone, or stucco on all exterior walls of each house must equal seventy percent (70%) of the wall surface.
- g) Variance. Any Lot owner may petition the Architectural Committee ("AC") for a variance from the building limitation and requirements. Each application for a variance will be considered individually based on the overall design of the proposed house in relationship to its compatibility with the other homes in Sloanbrooke Villages Subdivision. Any application for a variance shall include all documentation that supports the quality of the proposed construction that will be equal to or greater than the requirements set forth in these building limitations and requirements.
- h) All setbacks required by the City of Fayetteville and identified on the final plat shall be adhered to.
- i) Approval of any Plans with regard to a Lot shall not be deemed a waiver of the Architectural Committee's right, in its discretion, to disapprove similar Plans and Specifications, or any features or elements included therein, for any other Lot. As a condition of approval, each Lot Owner, on behalf of such Lot Owner and such Owner's successor in interest, shall assume all responsibilities for maintenance, repair, replacement, and insurance to and on any charge, modification, addition, or alteration. In the discretion of the AC, the Owner made be made to verify such condition of approval by a recordable written instrument acknowledged by such Owner, on behalf of such Owner and such Owner's successors-in-interest. Any member of AC or its representative shall have the right, during reasonable hours and after reasonable notice, to enter upon any subdivision property to inspect for the purposes of ascertaining whether or not these restrictive covenants have been or are being complied with. Such Persons or Persons shall not be deemed guilty of trespass by reason of such entry. If the AC shall determine that such Plans have not be approved or that the Plans are not be followed or adhered to, the AC may, with prior consent of the Board of Directors of the Sloanbrooke Villages' Property Owners Association, in its discretion give the Owner of such Lot written notice of such violation. If such violation is not corrected, the Board of Directors shall have the right to enjoin further construction and/or require the removal or correction of any work in place that does not comply with approved plans or this Declaration, the Bylaws or under applicable law.

j) If construction has not commenced within one (1) year from the date the Plans are approved, then the approval given pursuant to this Declaration shall be deemed to be automatically revoked by the AC, unless the AC extends the time for commencing construction. In any event, all work covered by such approval shall be completed within nine (9) months of the commencement thereof unless the AC extends the time for completion or such period of time is rendered impossible or would result in great hardship due to strikes, fires, national emergencies, critical material shortages or other intervening forces of nature beyond the control of the Owner.

Compliance with the above referenced ordinances, conditions, and restrictions, and any future revisions and/or additions to said ordinances, conditions, and restrictions, shall be judged, determined by and require prior approval by the Architectural Committee. The Architectural Committee shall view and approve all exterior plans and specifications for all structures prior to construction and be given the power to amend and/or alter any design plans or specifications prior to construction and be given the power to amend and/or alter any design plans or specifications prior to construction and be given the power to amend and/or alter any design plans or specifications prior to approval for construction within Sloanbrooke Villages. Any alterations or recommendations made by the Architectural Committee must be revised on said plans and be resubmitted to the Architectural Committee for approval prior to construction. Revisions to prior approved architectural plans are discouraged; however, any revisions made to said exterior plans must be resubmitted again to the Architectural Committee for approval.

In order to be apprised of current requirements, all owners and builders should contact the Architectural Committee prior to commencement of construction. The specifications and requirements for NC zoning designation shall be deemed minimal requirements for the architectural and design specifications for Sloanbrooke Villages. The City of Fayetteville specifications may be supplemented from time to time where not inconsistent with the original plans and architectural intent of Sloanbrooke Villages.

PLANS AND SPECIFICATIONS ARE NOT APPROVED FOR ENGINEERING OR STRUCTURAL DESIGN OR QUALITY OF MATERIALS, AND BY APPROVING SUCH PLANS AND SPECIFICATIONS NEITHER THE AC, THE MEMBERS THEREOF, NOR THE SLOANBROOKE VILLAGES' PROPERTY OWNERS ASSOCIATION ASSUMES LIABILITY OR RESPONSIBILITY THEREFOR, NOR FOR ANY DEFECT IN ANY STRUCTURE CONSTRUCTED FROM SUCH PLANS AND SPECIFICATIONS. NEITHER DECLARANT, MEMBERS, EMPLOYEES, AND AGENTS OF ANY OF THEM SHALL BE LIABLE FOR DAMAGES TO ANYONE SUBMITTING PLANS AND SPECIFICATIONS TO ANY OF THEM FOR APPROVAL, OR TO ANY OWNER OF PROPERTY AFFECTED BY THESE RESTRICTIONS BY REASON OF MISTAKE IN JUDGMENT, NEGLIGENCE OR NONFEASANCE ARISING OUT OF OR IN CONNECTION WITH THE OF THEMENDORSEMENT OR DISAPPROVAL OR FAILURE TO APPROVE OR DISAPPROVE ANY SUCH PLANS OR SPECIFICATIONS. EVERY PERSON WHO SUBMITS PLANS OR

SPECIFICATIONS AND EVERY OWNER AGREES THAT SUCH PERSON OR OWNER WILL NOT BRING ANY ACTION OR SUIT AGAINST THE DECLARANT, THE ASSOCIATION, THE AC, OR THE OFFICERS, DIRECTORS, MEMBERS, EMPLOYEES, AND AGENTS OR ANY OF THEM TO RECOVER DAMAGES AND HEREBY RELEASES, QUIT CLAIMS, AND COVENANTS NOT TO SUE FOR ALL CLAIMS, DEMANDS, AND CAUSES OF ACTION ARISING OUT OF OR IN CONNECTION WITH ANY JUDGMENT, NEGLIGENCE, OR NONFEASANCE AND HEREBY WAIVES PROVISIONS OF ANY LAW WHICH PROVIDES THAT A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS, DEMANDS, AND CAUSES OF ACTION NOT KNOWN AT THE TIME THE RELEASE IS GIVEN.

#### **4. BUILDING LOCATION AND YARD RESTRICTIONS:**

District NC Zoning – The location of all buildings on a Lot shall be reviewed and approved by the Architectural Committee and conform to NC zoning district . If two adjacent Lots are purchased for purposes of constructing only one home, the interior side yard line limitations may be removed.

No Lots within the subdivision may be subdivided, except as follows: If owners on both sides of a vacant adjoining Lot elect to purchase said Lot, they may subdivide only one time. This Lot split of an adjoining Lot then increases the size of both adjacent Lots and for building purposes the interior side Lot line limitation would be associated with and measured from the new property line created by the division. If both portions of the split Lot were ever recombined for purposes of serving as a building Lot, then the original restriction as to set back would apply.

The front yard, the side yards and the backyard shall be fully grass sodded within sixty (60) days and ninety (90) days, respectfully, following the date on which the dwelling is eligible for the issuance by the City of Fayetteville of a temporary certificate of occupancy. Any variance must be submitted and approved by the Grounds Committee. All front yards shall be maintained and groomed as required to be consistent with the other homes within the subdivision and to comply with the overall architectural objectives of the Sloanbrooke Villages.

#### **5. BUILDERS AND CONTRACTORS:**

Prior to commencement of any site work or construction, a Lot owner shall submit the name, address, and telephone number of the Lot owner; the name, address, and telephone number of the building contractor; a complete set of construction plans including exterior colors and finishes; and a plat plan reflecting the location or all improvements, and set back lines, collectively referred to as "Building Packet" to the Architectural Committee for review and approval. Within thirty (30) days after receipt of the Building packet the Architectural Committee shall act upon the request and provide the Lot owner approval or disapproval in writing. A building contractor is defined as a general contractor, building contractor, construction contractor or

consultant, architect, design builder or the owner, if it/he/she acts as their own contractor.

If the Building Packet is complete and the Architectural Committee fails to respond to a Lot owner within the specified time-period, said member may approach the Board of Directors of Sloanbrooke Villages' Estates Property Owner's Association and request immediate action be taken to approve or disapprove the owner's submission. The Board of Directors shall have the authority to approve or disapprove the submission; however, must act within fifteen (15) working days of receipt of the owner's written request.

If both the Architectural Committee and the Board of Directors fail to act, if no suit to halt the proposed construction is commenced prior to the completion of said construction, and if said construction is in compliance with the ordinances of the City of Fayetteville, Arkansas, written approval from the Architectural Committee shall no longer be required and the completed construction shall be deemed in compliance with the Sloanbrooke Villages conditions, covenants, and restrictions.

No building materials shall be placed or stored on a Lot prior to approval of the Building Packet and the scheduled date on which construction is to commence. Construction sites shall be kept neat and orderly. Construction sites are to be cleaned daily of trash and scrap material. Trash shall be contained on the construction site and disposed of properly. One fifty (50) cubic feet trash container (minimum size) shall be located on the building site. If said requirements are not adhered to, Property Owner's Association may hire a cleanup crew to perform the task. Should Sloanbrooke Villages' Property Owner's Association incur expense associated with the cleanup of a construction site, said expense shall be deemed a lien upon the lot until paid. Portable toilets, one (1) for every three (3) residential Lots, must be maintained on all job sites during construction. Upon completion of the building project all remaining materials, trash, dumpsters, toilets, etc. shall be removed from the lot and subdivision within ten (10) days. No storage of trash, Brick, concrete, will be allowed on any Lot within the subdivision.

## **6. HOME OCCUPATION AND OCCUPANTS BOUND:**

Use of any home for any business or occupation, not permitted or defined by the Codes, Regulations and Ordinances of the City of Fayetteville, Arkansas, is strictly prohibited.

All provisions of the Declaration, Bylaws, and Rules and Regulations which govern the conduct of the Owners and which provide for sanctions against the Owners shall also apply to all occupants and guests even though occupants and guests are not specifically mentioned. An Owner is responsible for the conduct of his/her family members, guest, occupants and invitees and may risk fines for any of their family members', guest, tenants, occupants and invitees in violation of the Declaration, Bylaws or Rules and Regulations.



**7. FENCES:**

Fencing of the front yard is prohibited. Fencing of rear and side yards must be of brick, metal, or wood privacy construction. Except for fencing constructed for the purpose of screening by Declarant, no fencing may exceed six (6) feet in height. All fences shall be recessed at least ten (10) feet from the front of the dwelling. No wire or chain link fencing is allowed. Fencing shall not infringe on neighboring Lots or the Common Area grounds of Sloanbrooke Villages. All fencing plans and materials must be submitted to and approved by the Architectural Committee.

**8. SIDEWALKS, DRIVEWAYS AND STREETS:**

A Lot owner may not cut or cause to be cut a street within Sloanbrooke Villages for any reason. Concrete driveways and street access points are to be constructed and completed by the owner prior to or completion of the dwelling project. All driveways are to be of concrete base and may have a decorative type finish, example: brick lines, brick expansions, aggregate finish pattern concrete, etc. Concrete sidewalks shall be constructed at the expense of the Lot owner and shall be completed at the time the driveway is constructed. Sidewalks shall be Five (5) feet in width and constructed as designed and shown on the final plat.

Sidewalks shall be made of concrete with a light broom finish, expansion joints are to be cut on eight (8) foot centers. The length of sidewalks will vary with each Lot; the sidewalk shall be the full street side width of the Lot. All handicapped ramps are the responsibility of the Lot owner and must be constructed according to City of Fayetteville specifications. Yellow truncated domes must be installed by a Contractor approved by the Developer.

**9. UTILITIES:**

All utilities situated within Sloanbrooke Villages subdivision shall be underground and overhead service is not permitted. Easements for utilities are identified on the filed final plat.

**10. ANTENNAE SATELLITE DISHES:**

Satellite antenna dishes shall be twenty-four (24) inches or less in diameter and should not be visible from the street viewpoint, if possible. If utilized, locations in back yards or on the rear of the property are preferred. No radio antenna, television antenna, cellular or microwave antenna or tower shall be placed on the property.

**11. CABLE TELEVISION:**

Cable television access shall be supplied to each Lot within the development.

## **12. OUTBUILDINGS AND PORTABLE BUILDINGS:**

No portable structures are allowed. Outbuildings may be allowed and constructed for use as storage of outside, lawn and flower garden equipment and supplies provided the structure is similar in design to the home. All plans for such structures must be presented to and approved by the Architectural Committee prior to construction and must comply with the City of Fayetteville Codes.

## **13. EASEMENTS:**

Easements for installation and maintenance of utilities, drainage facilities and any other such easements are reserved as shown on the recorded plat. Lot owners are discouraged from constructing structures or improvements, or landscaping located within an easement since it is subject to being damaged, destroyed, or removed by the easement owner without compensation or replacement being provided to the Lot owner.

## **14. OIL AND MINING OPERATIONS:**

No operations associated with the testing for, location, or recovery of, and refining or processing of oil, gas or minerals found upon or underneath Sloanbrooke Villages shall be permitted or located within Sloanbrooke Villages.

## **15. LIVESTOCK, POULTRY AND DOMESTICATED PETS:**

No livestock, poultry, exotic, wild, semi-domesticated, undomesticated, captive-bred, tamable, or other such animals or pets (except as noted within) shall be kept, raised, sheltered, or maintained on any residential building Lot or Common Area within Sloanbrooke Villages. Domesticated dogs, cats and other household pets may be kept, provided they are not raised or bred for commercial purposes. The outside living area for approved pets must be maintained and kept clean at all times and screened from public view. All living areas for such pets must be in the rear or side yard. The walking of permitted animals and pets on a leash is allowed on sidewalks and common areas grounds, provided an owner/walker picks up any dropping from said animal or pet. No animals or pets shall be allowed to make an unreasonable amount of noise, or to become a nuisance. Continuously "barking dogs" are considered a nuisance and are a violation of City Ordinances and such ordinances will be enforced.

## **16. PARKING OF VEHICLES:**

All vehicles, except recreational vehicles, shall be parked in the garage or driveway of the owner's respective Lot. The Subdivision's streets shall not be used as a place to park or store vehicles. Licensed, non-licensed and expired licensed recreational

vehicles, of any type, shall not be parked on the streets of the subdivision or on any Lot within the subdivision.

The above restrictions apply to, but shall not be limited to recreational equipment, motor homes, boats, travel trailers, campers, transport trailers and the like. Any large trucks, tandem wheel tractors or large commercial vehicles are strictly prohibited within the subdivision except for moving, and delivery purposes and development of a Lot and new home construction.

**17. INOPERATIVE VEHICLES:**

No inoperative, non-licensed or expired licensed vehicle shall be left stored on any subdivision street.

**18. TEMPORARY STRUCTURES:**

No temporary structure shall be used for human or animal habitation. The builders and contractors are allowed such structures during the construction phase for storage and construction use only. All such structures must be removed prior to or at completion of the building project.

**19. SIGNS AND POSTERS:**

No signs or posters are allowed except as noted below:

- a. A professionally made sign noting the property is for sale.
- b. A professionally made construction sign noting the builder of the improvements, which sign shall be removed once the improvements are completed or occupied.
- c. Political, garage sale, and commercial signs or posters are permitted but only for the duration of their intended purpose.
- d. Any Lot owner may apply for a waiver of a sign or for permission to place a sign on a Lot by submission of a sign design, intended duration, and purpose to Sloanbrooke Villages Grounds Committee. Application for waiver shall be submitted prior to placement of a non-permitted sign.
- e. All signs are to be placed on owner's Lot only, and shall not be placed any entrance to Sloanbrooke Villages or on any sidewalk in Sloanbrooke Villages.

**20. SIGHT DISTANCE AT INTERSECTIONS:**

Walls, fencing, shrubs, hedges, trees or other improvements constructed or made near or at the intersections of streets within the Sloanbrooke Villages shall be located and constructed in compliance with the Codes, Regulations, and Ordinances of the City of Fayetteville.

**21. MAILBOXES AND HOUSE NUMBERS:**

Prior to occupancy of any dwelling structure owner shall install an approved mailbox, style, and **BLACK in color**. House numbers shall be placed on the residence and maintained as required by the City of Fayetteville.

**22. STREETLIGHTS:**

All streetlights shall be installed by the Sloanbrooke Villages developer and dedicated to the City of Fayetteville, Arkansas for public use and maintenance by the City and serving electric utility.

**23. CLOTHESLINES:**

Outdoor clotheslines or poles are prohibited.

**24. RECREATIONAL, EXERCISE AND/OR SPORTS FACILITIES OR EQUIPMENT:**

All outdoor recreational, exercise and/or sports facilities or equipment including but not limited to basketball nets/goals must be installed or located in the back or side yards. This includes swimming or wading pools, hot tubs, trampolines, basketball goals and any other type of recreational facilities or equipment.

**25. TREE REQUIREMENTS:**

Each Lot owner and shall be responsible for the health of all planted trees on the Lot and shall be bound for the maintenance, care and monitoring for each tree planted. Each Lot within Sloanbrooke Villages is required to plant and maintain two (2) to 2- inch or above diameter Native American trees in the front yard per City requirements before the structure is certified for occupancy. If at any time said tree is damaged significantly or dies, it must be replaced within a two-month period. A list of types of trees permitted will be provided by the Grounds Committee. Failure to replant or maintain the tree after notice by the Sloanbrooke Villages Property Owner's Association could result in an assessment and a lien upon the Lot for the cost of planting and maintaining the tree. The Lot owner agrees a lien which results from a failure to pay any assessment may be foreclosed in the same manner provided by Arkansas Law for the foreclosure of a real estate mortgage.

**26. NUISANCES:**

No noxious, destructive, or offensive activity as defined by City Ordinance and State or Federal laws or regulations shall be carried on or upon any Lot or street, nor shall anything be done thereupon which may be or may become an annoyance or nuisance to the Sloanbrooke Villages community and its homeowners.

**27. ENTRYWAY, DETENTION POND AND MEDIAN MAINTENANCE AND UPKEEP:**

Entryways, detention ponds and surrounding areas, public areas and parks, and common areas and improvements are an integral part of Sloanbrooke Villages and it is in the best interest of Sloanbrooke Villages that said such entryways, medians, retention ponds and surrounding areas, public areas and parks, and common areas and improvements be maintained at all times.

The cost of the routine upkeep, maintenance and repair and replacement of entryways, medians, detention ponds and surrounding and common areas and improvements shall be shared by each Lot owner through annual or special assessments. Any upkeep, maintenance and repair of public area and parks shall be at the discretion of the Board of Directors of Sloanbrooke Villages Property Owner's Association.

**28. SWIMMING POOLS:**

Swimming pools shall be placed in the back yard and properly fenced in accordance with all code requirements.

**29. STREETS:**

All streets within the Sloanbrooke Villages development shall be dedicated to the City of Fayetteville, Arkansas for public use and maintenance by the City.

**30. DETENTION/HOLDING POND/CONSERVATION AREA:**

The Sloanbrooke Villages' Property Owner's Association shall be responsible for the designated holding pond within the subdivision development.

**31. GOVERNING STRUCTURE:**

Declarant as the owner, developer and sub-divider of the Lots and common area of the subdivision, will be in control of the Sloanbrooke Villages Property Owners' Association (SBPOA) during each phase of construction. Declarant will release control of SBPOA to the Lot owners when Eighty Percent (80%) of the Lots have been sold.

By accepting the deed of ownership of property within Sloanbrooke Villages, each owner accepts membership within the Sloanbrooke Villages' Property Owner's Association, an Arkansas non-profit corporation formed to promote the collective and individual property and civic interests of all owners of Sloanbrooke Villages' property and to own, operate and maintain any area which is now or which in the future may be designated common property and at its discretion publicly owned property such as the park area so long as the development and maintenance of park and publicly owned areas are in compliance with City codes and regulations.

By accepting ownership of property within Sloanbrooke Villages, each owner acknowledges, said property is now or will be subject to periodic assessments to be established and used for the construction development, improvement, repair and replacement of the entryways, detention ponds and surrounding areas, and common areas and improvements by the Board of Directors of the Sloanbrooke Villages' Property Owner's Association and agrees if said assessments are not timely and fully paid said assessment and all costs, including legal fees, associated with the cost of collection of same shall be deemed a lien on the property so assessed.

The owner(s) of each Lot in Sloanbrooke Villages shall be entitled to one (1) vote on any proposition or action placed before the membership of the Sloanbrooke Villages' Property Owner's Association for a vote. If more than one person or entity owns a single Lot, the owners must collectively agree upon their single vote before casting same. If one or more entities own more than one Lot, the owner(s) are entitled to one (1) vote per Lot owned.

### **32. ARCHITECTURAL COMMITTEE:**

The Architectural Committee is established to insure, within its limited ability, that all dwellings and/or other exterior structures within Sloanbrooke Villages are compatible with the other dwelling and structures constructed or to be constructed within Sloanbrooke Villages.

The Architectural Committee shall consist of two (2) builders, appointed by the Sloanbrooke Villages Developer and owning Lots in Sloanbrooke Villages. At such time when each of the two builders has sold all owned Lots and homes in Sloanbrooke Villages those positions on the Architectural Committee will then be appointed by the Sloanbrooke Villages Property Owner's Association.

The Architectural Committee shall be appointed and shall serve at the discretion of the Board of Directors of the Sloanbrooke Villages Property Owners Association. The Architectural Committee shall have no less than one (1) member and shall have no more than three (3) members who shall either own or be designated representatives of the owners of Lots within Sloanbrooke Villages Subdivision.

### **33. GROUNDS COMMITTEE:**

The Grounds Committee is established to insure the streets, sidewalks, common areas and improvements located thereupon, unimproved Lots and the front and side yards of improved Lots, are maintained, groomed and kept in good order. The Grounds Committee shall note any problems with mailboxes, entryways, retention ponds and areas surrounding same, public areas and parks, common areas and improvements within the Sloanbrooke Villages Subdivision. Any problems or violations noted by the committee shall be written up and reported for repair or correction to the proper parties. If the needed repair or violation is directed to a lot/home owner, said owner has fifteen

(15) days in which to correct the problem. If the owner fails to take measures to correct the problem, the Grounds Committee may report the violation or problem to the Board of Directors of Sloanbrooke Villages Property Owner's Association for further action and follow-up.

The Grounds Committee shall be appointed and serve at the discretion of the Board of directors of the Sloanbrooke Villages' Property Owner's Association. The Grounds Committee shall consist of no less than one (1) member and shall have no more than three (3) members, who will be owners or representatives of owners of Lots within Sloanbrooke Villages.

#### **34. VIOLATIONS:**

Any and all violations against a Lot/homeowner(s) may result in a levy of a fine against the owner and the property by the Board of Directors of Sloanbrooke Villages' Property Owner's Association. All violations should be considered of the utmost importance and be addressed and responded to in a timely manner. Correction of the item in violation should begin, as soon as possible. If the property owner believes the violation is wrong or incorrect, the property owner should contact the issuing party of the violation as soon as possible.

#### **35. ASSESSMENTS:**

Lots owned by Riverwood Homes, LLC and/or its assigns, shall not be assessed an annual assessment fee as long as the Lot remains an undeveloped Lot. Once title of a Lot is transferred from Riverwood Homes, LLC and/or its assigns, there will be due an annual assessment of One Hundred dollars (\$100.00), which assessment shall be for a full calendar year. Initial assessments to parties other than as listed above shall be at closing of Lot purchase. Assessments will be due January 1st of each year. For any Lot purchased in mid-year, the Lot owner at closing shall be assessed and pay the annual assessment prorated for the remainder of that year. Assessments shall be collected by and paid to the Sloanbrooke Villages' Property Owner's Association. Assessments shall be used for the repair, maintenance, upkeep, and replacement of the entryways, detention ponds and surrounding areas, common areas and improvements, public areas and parks, golf course and to pay the costs associated with the operations of the Sloanbrooke Villages' Property Owner's Association, including costs and fees paid to lawyers and accountants. By a two-thirds (2/3) vote of the Board of Directors of Sloanbrooke Villages Property Owner's Association or a majority vote of the owners of Lots in Sloanbrooke Villages' Property Owner's Association the assessment may be periodically increased or decreased. By acceptance of ownership of a Lot within Sloanbrooke Villages, a Lot owner is agreeing to pay current and future assessments and is agreeing assessments shall be deemed a lien against the Lot. The lot owner agrees a lien which results from a failure to pay an assessment may be foreclosed in the same manner provided by Arkansas Law for the foreclosure of a real estate mortgage. Each Lot owner agrees to pay Sloanbrooke Villages Property Owner's Association costs and legal fees associated with the collection of delinquent assessments of foreclosure of liens.

**36. DURATION OF COVENANTS AND RESTRICTIONS:**

These restrictions and covenants are hereby declared to be covenants running with the Lots and shall be fully binding upon all persons acquiring property in said subdivision whether by decent, devise, purchase or otherwise, and any person by the acceptance of title to any Lot in this subdivision shall hereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

These covenants are to run with the land and shall be binding for a period of twenty-five (25) years from the date signed by the Declarant. Said covenants and restrictions may be extended for successive five (5) year terms if approved by a majority of the Lot owners before the expiration date..

**37. BINDING EFFECTS AND AMENDMENTS OF COVENANTS:**

All natural persons or other legal entities, who shall acquire any Lot within the Sloanbrooke Villages subdivision shall be deemed to agree, accept, conform to and observe the restrictions, covenants and stipulations contained herein, and the By-Laws of Sloanbrooke Villages' Property Owner's Association and accepts membership in the Sloanbrooke Villages' Property Owner's Association.

Any amendment of these covenants and restrictions requires an approval by a vote of seventy-five percent (75%) of the Lot/home owners of all phases within Sloanbrooke Villages' Property Owner's Association.

No changes in the covenants and restrictions shall be valid unless the amended covenants and restrictions are properly recorded in the recorder's office of Washington County, Arkansas. No amendment shall be allowed which would be in violation of NC zoning in affect at the time of the amendment.

**38. SEVERABILITY:**

Invalidation of any restriction or portion of a restriction set forth herein, or any part thereof, by an order, judgment, or decree of any court, or otherwise, shall not invalidate or affect any of the other restrictions, or any part thereof, as set forth herein, but they shall remain in full force and effect.

**39. SEXUAL OFFENDERS:**

No person(s) required to register as a sex offender pursuant to the Sex Offenders Registration Act of 1977, as codified at Arkansas Code Annotated § 12-12-901, et seq, as amended from time to time, or any other similar federal, state, county or local law, regulation, code or ordinance may rent, reside in/on, own or occupy any Lot or dwelling within Sloanbrooke Villages either permanent or temporary.





**THE GROVE**



Date: 12/02/2019

City: Farmington

Subdivision Name: The Grove at Engles Mill

General Comments:

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the subdivision will be at full cost to the developer.
  2. All lot corners must be marked with stakes clearly identifying the lot number and all utility easement widths and road crossing requirements will be defined on the plat before Ozarks will begin construction.
  3. All off site easements that are needed for Ozarks to extend electrical service to the subdivision property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
  4. All conduits placed for the road crossings will be installed by the developer and must be 4 inch schedule 40 conduits at 48 inch in depth at final grade and marked with a post to identify the end of conduits. Conduits must extend past the edge of any obstructions so that they are accessible during construction. The number of conduits at the crossing will be determined by each utility provider that will be using the conduits at the road crossing. (Bare minimum of 5 Pipes)
  5. Developer must provide Ozarks Electric with a Digital copy (AutoCAD) of the Final plat. All conduits for road crossings and specific widths of U.E., Lot size, St. Light location and address to Lots must be shown on final plat before Ozarks Electric will sign the final plat.
  6. Subdivisions will be built using Ozarks Electric Policy 45 (Developer is responsible for a percentage of the total cost of construction which is determined at the time the engineering design for electrical service) There will be extra charges to the Developer when extra time or materials are used for rock trenching, boring, select material bedding, shoring, dewatering, etc.
  9. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared developer may be subject to extra charges.
  10. Developer must notify Staking Tech. if they are interested in Ozarks Street Lights or if they will be installing their own. If interested in Ozarks Street Light a picture will be provided if asked. Will need St. Light location on final plat. If developer decide to go with their own contact Cooperative representative below.
  11. Please contact Ozarks Electric when construction begins on subdivision and again when construction is within three months of completion.
- Wes Mahaffey At (479)263-2167 or [wmahaffey@ozarksecc.com](mailto:wmahaffey@ozarksecc.com)

Additional Comments:

**CITY OF FARMINGTON  
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Mark Marquess, Riverwood Homes

Date: 11-5-19

Project Name: The Grove at Engles Mill

Engineer/Architect: Bates & Associates

---

Following are **recommendations** from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting**. The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

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Representing: City of Fayetteville Name: Melissa Boyd

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1. Provide an overall map of the development area clearly labeling the portions served by City of Fayetteville or Washington Water Authority for water. The City of Fayetteville will not review the design or inspect the installation of the water system for the portion served by Washington Water Authority.

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2. A grading permit must be submitted to the City of Fayetteville Engineering Division for comprehensive construction-level review of the sanitary sewer system for this development and the water system for the area of this development served by the City of Fayetteville.

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3. City of Fayetteville 2017 Water and Sewer Specifications will apply.

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4. Easements adjacent to the right-of-way and containing City of Fayetteville utilities shall have slopes not exceeding 15%.

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Received By: \_\_\_\_\_

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**CITY OF FARMINGTON  
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Mark Marquess, Riverwood Homes

Date: 12-3-19

Project Name: The Grove at Engles Mill

Engineer/Architect: Bates & Associates

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Representing: Fire Dept. Name: Mark Cunningham

① Fire hydrants need to be shown on plat less than 500 feet apart by street footage.

② street needs connect to twinfall subdivision for safety reasons.

Received By: \_\_\_\_\_

**CITY OF FARMINGTON  
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Mark Marquess, Riverwood Homes

Date: 12-3-2019,

Project Name: The Grove at Engles Mill

Engineer/Architect: Bates & Associates

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Representing: City of Farmington Name: Melissa McCarville

1. Engineering fees will accumulate as the development continues. We will bill the engineer or the developer monthly.
2. Adjacent property owners must be notified by certified mail; receipts should be submitted by one week prior to the Planning Commission meeting.
3. An advertisement regarding plan for development of the subdivision should be in the paper no later than 10 days prior to the planning commission meeting. Proof of publication must be provided when it is available.
4. The revised plan must be submitted by next Tuesday, December 10<sup>th</sup> by noon. The City requires 15 copies for planning commission. A revised copy and drainage plan should be delivered directly to Chris Brackett at his office. Because of the meeting date change; it would be our preference to get the revised information as soon as possible.
5. Ordinance requires a specific list of permitted uses.
6. A phasing plan for the entire property should be submitted.
7. Submittal for planning commission can be modified.

**CITY OF FARMINGTON  
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Mark Marquess, Riverwood Homes

Date: ~~11-5-19~~  
12-3-19

Project Name: The Grove at Engles Mill

Engineer/Architect: Bates & Associates

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Representing: PGTELCO Name: SHANE BELL

Please see attached plat with requested utility easements marked up. In general, I am requesting 20' UE's, but adjustments can be made if not feasible.

My contact # is 479-841-0980 and if possible, I would like to have a copy of a concept plan for the entire development. (sbell@pgtc.com)

Received By: \_\_\_\_\_

**CITY OF FARMINGTON  
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Mark Marquess, Riverwood Homes

Date: 12-3-19

Project Name: The Grove at Engles Mill

Engineer/Architect: Bates & Associates

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Following are **recommendations** from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting**. The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

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Representing: City of Farmington, AR

Judy Horne, Re: Landscape Ordinance  
479-267-1022    jhorne923@gmail.com

**1. (Note:** Subdivision Entryway Landscaping Requirements Apply *ONLY* when developer *chooses* to incorporate an entryway into the Residential Subdivision Plan.)

There is no indication of planned landscaping at The Grove at Engles Mill Subdivision entryways. If landscaped entries are planned, refer to XI. Landscaping of Residential Entryways, A. and B. Note that only very low vegetation that does not block driver/pedestrian view should be used.

**2.** Subdivisions are required to include a park within the subdivision OR pay a fee into the City's Park Fund in lieu of creating park space within the subdivision. (Article XII Sections A. through P of the Landscaping Ordinance.) See A. and B. below for the two options.

- A. Ratios for Dedication.** Developers of residential developments shall dedicate, in perpetuity, to the City of Farmington land area, exclusive of streets, for a park and/or trails within the development. Land shall be dedicated at a ratio of .02 acre (870 sq. ft.) of land for each single-family dwelling unit and .01 acre (435 sq. ft.) of land for each multi-family dwelling unit.
- B. Fee Payment In Lieu of Land Conveyance.** In lieu of land dedication, developer shall contribute to the Farmington City Parks and Trails Development Fund \$600.00 for each single-family unit and \$300.00 for each multi-family unit. The City shall review the designated fees every two (2) years and make adjustment suggestions to the City Council.

There are several large retention ponds in the development (Lots 14, 249, and 398) but they are not considered dedicated park land.

**3.** Provide detention/retention ponds landscaping plans as required by Landscape Ordinance. (See Article X. Auxiliary Landscaping/ Shielding/ Screening Requirements - A. Detention Pond and Water Quality Pond Landscaping ).

For the protection and safety of small children, choose dwarf landscaping plants, grasses, and shrubs, that allow maximum visibility of the pond.

Mulch is not required other than light mulching at initial planting.

Received By: \_\_\_\_\_

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**CITY OF FARMINGTON  
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Riverwood Homes, LLC

Date: December 3, 2019

Project Name: The Grove at Engles Mill Subdivision – PUD

Engineer/Architect: Bates & Associates, Inc.

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Following are **recommendations** from the Technical Plat Review Committee which **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting**. The information must be submitted to the Planning Office before **12:00 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A **narrative** addressing each comment must be submitted along with the revised plat.

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Representing: City of Farmington

Name: Christopher B. Brackett, P. E.

1. Note that the instructions above say that the technical plat comments must be addressed prior to re-submission, and that a narrative for each comment must also be submitted along with the revised plat.
2. The property owner must sign the application. The Applicant should be the property owner or the Developer and not the engineer.
3. The legal description for the entire property will need to be included. The property remaining will have to be shown as an out lot on the final plat. The legal description for Phase I does not match the boundary labels shown. There are no boundary labels shown for Phase II. The graphic scales on pages 2 & 3 appear to be incorrect.
4. Show and label the new right-of-way required from the School District for the access road to Phase I.
5. We need a determination from the Fire Chief if Phase I & II need two access points for the number of lots shown.
6. The configuration of the phase lines is not acceptable as shown. The current configuration for both phases will result in long cul-de-sac roads that are discouraged in the City Cul-de-sac Ordinance. A meeting with City Staff, Developer and Engineer will be required to come to an agreeable configuration.
7. Provide more detail on the existing cemetery. Indicate the setback from the new property lines to the existing graves.
8. The ponds shown are wet detention ponds, not retention ponds. Correct labels. The NW detention pond labels on the plans do not match drainage report, correct the plan and grading plans. Wet Detention Pond must be fenced per the Farmington DCM.
9. The first two phases do not meet the requirements for common areas in the PUD Ordinance.
10. Drainage Report:
  - a. The plans and drainage report state that there are no known area drainage problems. This is obviously not the case on this property. Describe the existing drainage issues and how they will be mediated. Provide a note describing the off-site drainage improvements.
  - b. The IDF curve is used in the calculations is not acceptable (We do not agree that this is the most current curve from NOAA). We will accept the IDF curve in the



Farmington Drainage Criteria Manual or the IDF curve from the Fayetteville Drainage Criteria Manual.

- c. The Tc calculations for the Post Development Areas are not correct. These calculations do not take into effect the future phases even though these future phases will drain into the detention ponds. The IDF curve information in these calculations will have to be updated.
- d. There are areas included in Post Development Area 4 that obviously do not drain into the detention pond. There are areas offsite included in the Post Development area that are not included in the Predevelopment area. The report is unclear and a meeting with the design engineer will be required to get this area corrected.

Received By: \_\_\_\_\_

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**CITY OF FARMINGTON  
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Riverwood Homes, LLC

Date: December 3, 2019

Project Name: The Grove at Engles Mill Subdivision – PUD

Engineer/Architect: Bates & Associates, Inc.

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Representing: City of Farmington

Name: Christopher B. Brackett, P. E.

1. Note that the instructions above say that the technical plat comments must be addressed prior to re-submission, and that a narrative for each comment must also be submitted along with the revised plat. *This is the comment response*
2. The property owner must sign the application. The Applicant should be the property owner or the Developer and not the engineer. *Ashley Phillips will/has signed the application*
3. *The legal description for the entire property will need to be included. The property remaining will have to be shown as an out lot on the final plat. The legal description for Phase I does not match the boundary labels shown. There are no boundary labels shown for Phase II. The graphic scales on pages 2 & 3 appear to be incorrect. corrected as requested*
4. Show and label the new right-of-way required from the School District for the access road to Phase I. *now labeled on several sheets*
5. We need a determination from the Fire Chief if Phase I & II need two access points for the number of lots shown. *chief is ok with the new class 7 base access shown*
6. The configuration of the phase lines is not acceptable as shown. The current configuration for both phases will result in long cul-de-sac roads that are discouraged in the City Cul-de-sac Ordinance. A meeting with City Staff, Developer and Engineer will be required to come to an agreeable configuration. *connected with base road and added new street per meeting*
7. Provide more detail on the existing cemetery. Indicate the setback from the new property lines to the existing graves. *existing fence shown and demonstrates graves out of setback*
8. The ponds shown are wet detention ponds, not retention ponds. Correct labels. The NW detention pond labels on the plans do not match drainage report, correct the plan and grading plans. Wet Detention Pond must be fenced per the Farmington DCM. *corrected*
9. The first two phases do not meet the requirements for common areas in the PUD Ordinance.
10. Drainage Report: *all comments address per our meeting*
  - a. The plans and drainage report state that there are no known area drainage problems. This is obviously not the case on this property. Describe the existing drainage issues and how they will be mediated. Provide a note describing the off-site drainage improvements.
  - b. The IDF curve is used in the calculations is not acceptable (We do not agree that this is the most current curve from NOAA). We will accept the IDF curve in the

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