

ORDINANCE NO. 339

AN ORDINANCE AMENDING ORDINANCE NO. 169, REZONING FROM A, AGRICULTURAL TO B-2, GENERAL COMMERCIAL, 16.74 ACRES GENERALLY LOCATED AT 1752 WAGON WHEEL ROAD FOR THE CITY OF BETHEL HEIGHTS, ARKANSAS

WHEREAS, the approximate 16.74 acres within the City of Bethel Heights, Arkansas was and is currently zoned A, Agricultural; and

WHEREAS, the owner of the property has properly presented a rezoning request to the Planning Commission of the City of Bethel Heights, Arkansas; and

WHEREAS, after due notice as required by law, the Planning Commission has heard all affected persons desiring to be heard regarding the rezoning of the said property to B-2, General Commercial, and has deliberated and discussed the request and has recommended approval by the City Council of Bethel Heights, Arkansas.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BETHEL HEIGHTS, ARKANSAS:

That the 16.74 acre parcel generally located at 1752 Wagon Wheel Road in Benton County, Arkansas, the same being more particularly described in "Attachment A" appended to this Ordinance and incorporated herein by reference as if set out word for word herein, be and the same is hereby rezoned from A, Agricultural to B-2, General Commercial and Ordinance No. 169 is hereby amended to reflect said rezoning.

Passed and approved this 15 day of Sept., 2015.

APPROVED: Cynthia Beck
Mayor

ATTEST: Janet Neese
Recorder-Treasurer



RESOLUTION NO. 103-15

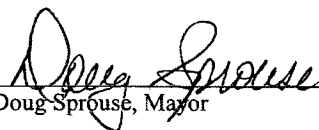
A RESOLUTION AGREEING TO A CHANGE IN THE ZONING OF PROPERTY IN THE CITY OF BETHEL HEIGHTS WHICH ADJOINS LAND WITHIN THE CITY OF SPRINGDALE IN COMPLIANCE WITH ARKANSAS CODE ANNOTATED §14-56-306.

WHEREAS, Billy G. And Kelly Sweetser, property owners in Bethel Heights, Arkansas, have petitioned the Planning Commission and City Council of the City of Bethel Heights and obtained approval to rezone an approximate 16.74 acre parcel of property in the City of Bethel Heights (see attached legal description), which adjoins land within the City of Springdale, from A, Agricultural to B-2, General Commercial.

WHEREAS, in accordance with Arkansas Code Annotated §14-56-306, land within the City of Bethel Heights that adjoins land within the City of Springdale shall remain zoned with a compatible land use until the governing body of each municipality adjacent and contiguous to the boundary area adopts a resolution agreeing to a change in the zoning of the lands that adjoin one another and stating that the rezoning to a land use which is not compatible will not adversely impact the adjoined land.

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the City Council of the City of Springdale has reviewed Ordinance No. 339 of the City of Bethel Heights rezoning the subject property and all other records and documents relating thereto, agrees to the change in the zoning of the land within the City of Bethel Heights from A, Agricultural to B-2, General Commercial, and further states that the rezoning to a B-2, General Commercial use which is not compatible with the adjoining zoning districts within the City of Springdale will not adversely impact the adjoining lands within the City of Springdale.

PASSED AND APPROVED this 13th day of October, 2015.



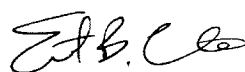
Doug Sprouse, Mayor

ATTEST:



Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:



Ernest Cate, City Attorney

LEGAL DESCRIPTION

Layman's description: 1752 Wagon Wheel Road

Legal Description: Part of the SE1/4 of the SW1/4 of Section 14, Township 18 North, Range 30 West in the City of Bethel Heights, Benton County, Arkansas, and being more particularly described as follows, to wit: Beginning at a point located North 89°50' 12" West 165.00 feet from the Southeast corner of the SE1/4 of the SW1/4 of said Section 14; Thence North 89°50' 12" West 269.99 feet along the center line of Wagon Wheel Road; Thence North 00°00' 42" West 361.02 feet; Thence North 89°50' 12" West 390.01 feet; Thence North 00°00' 42" West 958.74 feet; Thence South 89°33' 57" East 660.00 feet along a line within the right of way of Graham Road; Thence South 00°00' 45" East 1316.64 feet along a line within the right of way of Robins Road to the point of beginning, containing 16.74 acres, more or less, subject to the right of way of County roads along the North, East and South sides of the property, also subject to the right of way of overhead electric line across the property and any other utility line right of ways.