



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

PLANNING COMMISSION AGENDA
April 23, 2018

**A meeting of the Farmington Planning Commission will be held on
Monday, April 23, 2018 at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes - March 26, 2018
3. Comments from Citizens – the Planning Commission will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
4. **PUBLIC HEARING**
 - A. **Conditional Use for Sale of Fireworks:** Meramec Specialty Company
Property owned by: Farmington Commercial, LLC.
Property Location: 380 W. Main
Presented by: Kevin Bailey
 - B. **Conditional Use on Appeal:** Residential dwelling in C-2 zoning
Property owned by: Scott Busch
Property Location: 227 E. Main St.
Presented by: Joey Ingle – Sand Creek Engineering
 - C. **Variance Request:** Variance to front setback requirement
Property owned by: Scott Busch
Property Location: 277 E. Main St.
Presented by: Joey Ingle - Sand Creek Engineering
5. **NEW BUSINESS**
 - A. **Large Scale Development:** Holland House Holdings – the Vault Storage & 277 Farmington Commercial
Property owned by: Scott Busch
Property Location: .277 E. Main St.
Presented by: Joey Ingle – Sand Creek Engineering

Planning Commission Minutes March 26, 2018

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

PRESENT

Jay Moore
Gerry Harris
Bobby Wilson
Robert Mann, Chair
Judy Horne
Matt Hutcherson
Toni Bahn

ABSENT

Howard Carter

City Employees Present: Melissa McCarville, City Business Manager; Rick Bramall, City Inspector; Steve Tennant, City Attorney; Chris Brackett, City Engineer

2. **Approval of Minutes:** February 26, 2018 Minutes were approved as written.
3. **Comments from Citizens:** No comments from citizens.

PUBLIC HEARING

4A. Rezoning Request for 133 E. Neal St. from R-1 to MF- 1, presented by Jerry Coyle:

Jerry Coyle was present to discuss the request. It is proposed to place a duplex on the property.

Comments from the City:

Rick Bramall said that the property meets all requirements for building a duplex and being rezoned. Steve stated that after researching he was not able to find any restrictive covenants for the subdivision. Matt Hutcherson asked if they could build a duplex because of the lot size. Rick Bramall explained that it will indeed fit in the lot. He further explained that the setback requirements would be met. Judy Horne expressed her concerns for the space as well as the location of where the duplex would be built. She also asked if there would be a landscaping screen required because of how close the duplex would be to the surrounding houses. Melissa McCarville said that there would be no required landscape screen to be put into place.

Public Comment:

Janie Steele, 149 Neal St. – stated there was no covenant put into place when the subdivision was built. She would like to see the area stay as residential housing instead of multi- family.

Samantha Jerry, 132 Neal St. – she is concerned about the traffic flow into the area. The new light that was placed at the four way stop has caused people to try to cut through their neighborhood. This is a safety issue. There have been 2-5 vehicles added to every one vehicle that usually comes through. The duplexes have caused a delay in couples coming to buy the existing ranch style homes.

Steve Williams, 140 Neal St. – that neighborhood is all family homes. He was concerned that if they put one duplex in that area that it would not stop there. He doesn't want that view. He has lived there all his life and he just doesn't want to see the subdivision become part of a duplex area.

Jeff Thomas, 148 Neal St. – he is concerned about the property values decreasing and safety issues due to traffic influx due to population increase.

Comments from the City:

Steve Tennant provided clarification for what MF-1 zoning requires.

Robert Mann called the question to approve the rezone request for 133 E. Neal St. from R-1 to MF-1. Upon roll call, no's were, Jay Moore, Matt Hutcherson, Toni Bahn, Gerry Harris, Judy Horne and Bobby Wilson; absent, Howard Carter.

4B. Variance request for Lot 6 Holland Crossing Commercial subdivision- variance of the requirement to process a large scale development application, presented by Jesse Fulcher:

Jesse Fulcher from Rausch Coleman presented on the variance request for Lot 6 Holland Crossing. This lot is 10,000 sq. ft. lot. This has been mainly used as a storage unit for 10 years. The reason for the request stemmed from a recent tractor that was stolen out of the lot. They are requested this to get everything put up and out of sight so that doesn't happen again. This area is already developed, follows large scale development requirements and there will be little to no impact on traffic. It has appropriate landscaping. They would just need the site plan reviewed and approved.

Comments by the City:

Steve Tennant asked what the current building is. It is a storage yard that is already zoned commercial. Melissa McCarville brought it to everyone's attention about drainage. It was suggested that they waive the requirement for large scale but then require a drainage plan. Chris Brackett stated that after all the requirements they should just go through large scale development. Jay Moore agreed that they should go through large scale development process.

Public Comment: No public comment.

Jerry Coyle made the comment that he believes this should be determined as a case by case basis. There are two different opinions. If they have to do all these improvements that are required by the large scale the expense goes up which is not what he wants.

Robert Mann called the question to approve the variance request for Lot 6 Holland Crossing Commercial subdivision. Upon roll call, no's were, Jay Moore, Matt Hutcherson, Toni Bahn, Gerry Harris, Judy Horne and Bobby Wilson; absent, Howard Carter.

5. Set Public Hearing for cell tower ordinance:

Steve Tennant opened the discussion about the landscaping around the perimeter of the structure. He stated that he would like to see a landscape screen around the base of the structure rather than

landscape around the base. There were questions from the Planning Commission, the City staff as well as the public as to when it would be required to do the landscaping. Juliette Richie addressed the questions with the conditional use permit process. This would allow evaluating the compatibility for the landscaping requirements. The screening would become a recommendation for this structure.

More questions were asked about the paving which are addressed by the Conditional Use Permit requirements. This will be included in the site plan which is submitted with the application process. Jay Moore addressed a concern for a possible lawsuit against the City and the Planning Commission for not having it clearly stated to determine if this is required. Melissa McCarville addressed that the paving ordinance might come into effect because of parking within the site.

Tom Kicklak stated that the cell tower Conditional Use permit has to address all the issues. This would trigger building permits as well as any ordinances. He asked Rick if this would go through large scale. Rick replied R-2 would go through large scale but R-0 would not trigger large scale requirements.

Public comment:

Jill Toering, 306 Claybrook- Cell tower is in a visible area. This will cause limited area to grow and also will ruin the property values.

Jay Moore made a motion to accept the ordinance as amended by Steve Tennant and Juliette Richie. Gerry Harris seconded the motion.

Robert Mann called the question to approve the Cell Tower Ordinance. Upon roll call, ayes were, Jay Moore, Matt Hutcherson, Toni Bahn, Gerry Harris, and Bobby Wilson; the no's, Judy Horne; absent, Howard Carter.

Small wireless cell tower had no changes and was passed with a unanimous yes.

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

Judy Horne - Secretary

Robert Mann - Chair

CITY OF FARMINGTON

APPLICATION FOR CONDITIONAL USE
FOR SALE OF FIREWORKS

MERAMEC SPECIALTY COMPANY

Applicant's Name DIBA FIREWORKS CITY

Date 2.20.18

Address 380 W. MAIN ST. FARMINGTON, AR 72730

Phone # 901.409.1884

Zoning C-2

Description of proposed use: SEASONAL USE OF RETAIL FIREWORKS

The following information must be provided before you will be placed on the Farmington Planning Commission agenda.

- 1. Location approval by fire department. (form must be completed and signed by Farmington Fire Chief)
- 2. Payment of \$250.00 fee.
- 3. The applicant has provided proof that each adjacent property owner has been notified by return receipt mail or personal contact. If personal contact is used, a signed affidavit by the owner must be submitted. The affidavit must contain information notifying of the proposed intent and the date of the public hearing, at a minimum.
- 4. The applicant has provided a site plan showing adequate ingress, egress and parking. (No on street parking will be allowed.)
- 5. The applicant has provided proof that arrangements for waste collection services have been made.
- 6. The applicant has provided proof of premises liability insurance that covers the insured (Fireworks Manufacturer and/or Wholesaler), the Farmington property owner where the stand is located, the Fireworks Stand Owner and Operator; Sub-Operator, if applicable, and the City of Farmington, Arkansas for bodily injury and/or property damage arising out of the ownership, operation, use and maintenance of the insured retail premises, with a minimum coverage of \$1,000,000 for each occurrence and a minimum of \$3,000,000 in general aggregate coverage.
- 7. Must place signs in compliance with the City's sign ordinance.
- 8. If electricity is needed, an electrical permit must be obtained from City Building Inspector.
ELECTRIC IS KEPT ON YEAR ROUND
- 9. If site is not addressed contact Dainah at the City of Fayetteville 575-8380, she will assign an address to the site. 380 W. MAIN
- 10. Must have a representative present at the Planning Commission Meeting (Public Hearing).

After conditional use approval the following are required:

- ~~1~~ 1. Business license. (\$50.00 for new one and \$25.00 for a renewal)
2. Site inspection prior to opening must be completed by Fire Chief.

RECEIPT

DATE 3-20-8

No. 540336

RECEIVED FROM Meramec Specialty Co. \$ 250.00

Two hundred fifty and no/100 DOLLARS

FOR RENT
 FOR Conditioned Use - Fireworks

ACCOUNT	
PAYMENT	<u>250.00</u>
BAL. DUE	<u>0</u>

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____
BY B Coleman

ck # 18384

City of Farmington, AR

03/20/2018 10:53AM 01
000000#3637 CLERK01

Development Fees \$250.00

ITEMS 10
CHECK \$250.00

LOCATION APPROVAL OF FIREWORKS STAND

The Farmington Fire Department must approve the location of the fireworks stand in accordance with the following requirements:

1. The fireworks are not being stored or sold in a permanent structure in the city.
2. The fireworks stand is in compliance with Arkansas and federal law and the 2000 International Fire code, and approved by the Farmington Fire Department.
3. Fireworks stand is not located within 250 feet of a fuel dispensing facility and fireworks stand has a setback of a minimum of 50 feet from the nearest street or highway and 200 feet from school grounds.

Mark Cunningham
Farmington Fire Chief

2/18/18
Date

OUR PHYSICAL ADDRESS IS 380 W. MAIN ST.



To Our Valued Customer:

We would like to take the opportunity to thank you for your continued business with Republic Services and thank you for choosing us to be your trash provider.

In our continuing efforts to provide the best and most efficient service possible, we are sending this letter to ensure that we will be able to provide service for the Farmington, Ar. area for all Meramec Fireworks locations during the July 4th holiday season.

We sincerely appreciate the opportunity to continue serving your waste disposal needs. If you have any questions, please don't hesitate to contact us.

Sincerely,

Bob Wentworth

Division Sales Manager

36 Bella Vista Way

Bella Vista, Ar. 72714

e rwentworth@republicservices.com


o 620-808-3416

c 620-210-1106

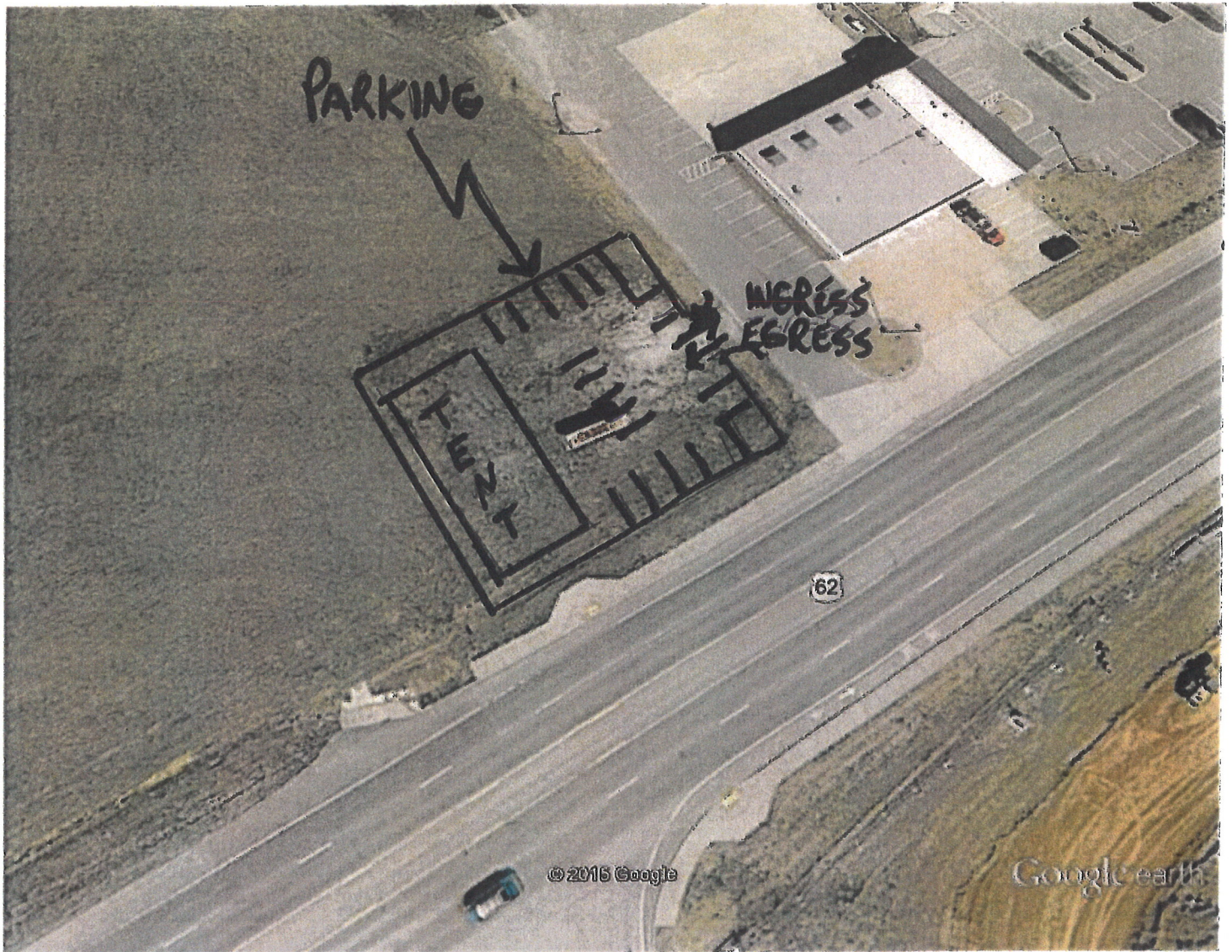
w RepublicServices.com



We'll handle it from here."



SITE PLAN



Google earth



380 W. MAIN ST.
FARMINGTON, AR

NOTICE OF A PUBLIC HEARING BEFORE THE FARMINGTON PLANNING COMMISSION ON AN APPLICATION FOR CONDITIONAL USE

To all Owners of land lying adjacent to the property at:

380 W. MAIN ST. FARMINGTON, AR 72730
Location

FARMINGTON COMMERCIAL, LLC
Owned by

NOTICE IS HEREBY GIVEN THAT an application has been filed for CONDITIONAL USE at the above property.

The purpose of this request is to use this property for:

SEASONAL SALE OF RETAIL FIREWORKS

A public hearing on said application will be held by the Farmington Planning commission in City Hall, 354 W. Main Street, on APRIL 23, 2018 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 in City Hall, 354 W. Main Street, 267-3865, and to review the application and discuss the same with the staff.

U.S. Postal Service
Certified Mail Receipt

ARTICLE NUMBER
9414 7118 9956 0534 5030 00

FEES	
Postage per piece	\$0.47
Certified Fee	3.45
Return Receipt Fee	2.75
Total Postage & Fees:	\$6.67

ARTICLE ADDRESS TO:
James Albert Darnell Jr.
700 W Main Street
Farmington AR 72730-2624



**THE FARMINGTON PLANNING
FOR CONDITIONAL USE**

580 W. MAIN ST. FARMINGTON, AR 72730
Location

FARMINGTON COMMERCIAL, LLC
Owned by

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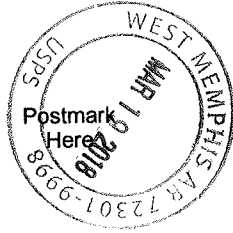
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U.S. Postal Service
Certified Mail Receipt

ARTICLE NUMBER
9414 7118 9956 0534 7263 24

FEES	
Postage per piece	\$0.47
Certified Fee	3.45
Return Receipt Fee	2.75
Total Postage & Fees:	\$6.67

ARTICLE ADDRESS TO:
Oakland Farms LLC
12771 Tyler Rd
Farmington AR 72730-9665



**THE FARMINGTON PLANNING
FOR CONDITIONAL USE**

Location

FARMINGTON COMMERCIAL, LLC

Owned by

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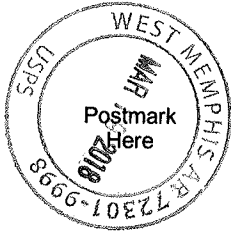
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ARTICLE NUMBER
9414 7118 9956 0534 7276 42

FEES
Postage per piece \$0.47
Certified Fee 3.45
Return Receipt Fee 2.75
Total Postage & Fees: \$6.67

ARTICLE ADDRESS TO:
James T. & Linda D. Rathell
16781 Harmon Rd
Fayetteville AR 72704-8640



**THE FARMINGTON PLANNING
COMMISSION
FOR CONDITIONAL USE**

AR 72730

Location

FARMINGTON COMMERCIAL, LLC

Owned by

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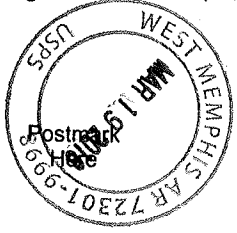
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U.S. Postal Service
Certified Mail Receipt

ARTICLE NUMBER
9414 7118 9956 0534 7289 60

FEES	
Postage per piece	\$0.47
Certified Fee	3.45
Return Receipt Fee	2.75
Total Postage & Fees:	\$6.67

ARTICLE ADDRESS TO:
Margaret L. Harrington
317 Kelli Ave.
Farmington AR 72730-2603



**THE FARMINGTON PLANNING
FOR CONDITIONAL USE**

AR 72730

Location

FARMINGTON COMMERCIAL, LLC

Owned by

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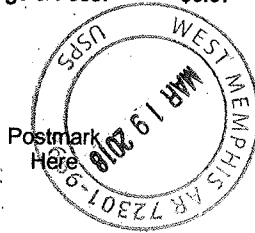
U.S. Postal Service
Certified Mail Receipt

ARTICLE NUMBER
9414 7118 9956 0534 7220 81

FEES
Postage per piece \$0.47
Certified Fee 3.45
Return Receipt Fee 2.75
Total Postage & Fees: \$6.67

ARTICLE ADDRESS TO:

Walmart Real Estate Business Trust
Property Tax Dept # 72
P.O. Box 8050
Bentonville AR 72712-8055



**THE FARMINGTON PLANNING
FOR CONDITIONAL USE**

300 W. MAIN ST. FARMINGTON, AR 72730
Location

FARMINGTON COMMERCIAL, LLC
Owned by

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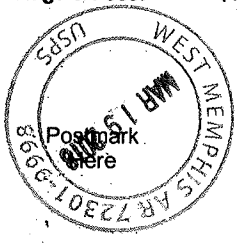
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U.S. Postal Service
Certified Mail Receipt

ARTICLE NUMBER
9414 7118 9956 0534 7962 66

FEES	
Postage per piece	\$0.47
Certified Fee	3.45
Return Receipt Fee	2.75
Total Postage & Fees:	\$6.67

ARTICLE ADDRESS TO:
City of Farmington
P.O. Box 150
Farmington AR 72730-0150



**THE FARMINGTON PLANNING
FOR CONDITIONAL USE**

Location 300 W. MAIN ST. FARMINGTON, AR 72730

Owned by FARMINGTON COMMERCIAL, LLC

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Certified Mail Receipt

ARTICLE NUMBER
9414 7118 9956 0534 7417 54

FEES
Postage per piece \$0.47
Certified Fee 3.45
Return Receipt Fee 2.75
Total Postage & Fees: \$6.67

ARTICLE ADDRESS TO:
LPP Mortgage LTD
425 Phillips Blvd.
Ewing NJ 08618-1430



**THE FARMINGTON PLANNING
FOR CONDITIONAL USE**

AR 72730

Location

FARMINGTON COMMERCIAL, LLC

Owned by

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DRAYTON INSURANCE BROKERS, INC.

2500 CENTER POINT ROAD, SUITE 301
BIRMINGHAM, ALABAMA 35215
PHONE: (205) 854-5806
FAX: (205) 854-5899

POST OFFICE BOX 94067
BIRMINGHAM, ALABAMA 35220
EMAIL: dib@draytonins.com

CERTIFICATE OF INSURANCE

NO. 830822

We certify that insurance is afforded as stated below. This Certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by the insurance policy and the insurance afforded is subject to all the terms, exclusions and conditions of the policy.

INSURER	Admiral Insurance Company	POLICY NO. CA000018967-05
NAMED INSURED	Atomic Fireworks Inc. of Arkansas Atomic Fireworks Inc. of Missouri Meramec Specialty Company P.O. Box 305 Arnold, Missouri 63010	T.E.A. Enterprises, Inc. Pacific Specialty Company West Alton Properties, Inc ATLG, LLC ATLH, LLC
POLICY TERM	March 1, 2018 to March 1, 2019; Both Days 12:01 A.M. Standard Time	
COVERAGE	Premises-Operations Liability:	<input checked="" type="checkbox"/> Occurrence Basis <input type="checkbox"/> Claims Made Basis
LIMIT OF LIABILITY	\$1,000,000 each occurrence, \$10,000,000 general aggregate The limit of liability shall not be increased by the inclusion of more than one insured or additional insured.	

INSURED OPERATIONS The sale of consumer fireworks (1.4G) and related products at the **Insured location**, during the **period of operation**.

It is certified that, for the period of operation stated below and when named below as such, this policy includes as **Additional Insureds** 1) the operator(s), sponsor(s), promoter(s), organizer(s), of the **Insured Premises** used principally for the retail sale of consumer fireworks supplied by the Named Insureds and/or 2) the owner(s), manager(s), tenant(s), mortgagee(s) (including other entities having similar interests), of the property on which the **Insured Premises** is located and/or 3) the licensing authority issuing a permit or license for the operation of the **Insured Premises** and/or 4) any entity for which the Named Insured is required, by written contract, to provide insurance such as is afforded by the terms of this policy.

**NAME(S) OF
ADDITIONAL INSURED(S)**

Farmington Commercial LLC-Property Owner
Meramec Specialty Company Stand Owner and Operator
Stand Manager and Sub-Operator
Licensing Authorities-State of Arkansas, City of Farmington

**ADDRESS OF
INSURED PREMISES** An area measuring approximately 150' x 150' fronting on the north side of Hwy 62 approximately 1000' west of Kelli Avenue/Hwy 62 Intersection in the Farmington, Arkansas #191.

PERIOD OF OPERATION 06/10/18 to 07/10/18

It is certified that this policy requires a 30 day mutual notice of cancellation between the Insurer and the Named Insured. In the event of such cancellation we will endeavor to mail 10 days written notice to the Additional Insured(s), whose name and address is shown hereon, but failure to mail such notice shall impose no obligation or liability of any kind upon the insurer and/or the undersigned.

DRAYTON INSURANCE BROKERS, INC.

March 1, 2018
DATE OF ISSUE


A.J. STRINGER, PRESIDENT

**PAUL PHILLIPS
FARMINGTON COMMERCIAL, LLC
12771 TYLER RD.
FARMINGTON, AR 72730**

August 31, 2017

City of Farmington Planning Department:

The purpose of this letter is to notify you that Meramec Specialty Company has permission to sell fireworks during the period of June 10, 2018 through July 10, 2018 on property owned by Farmington Commercial, LLC. in Farmington, Arkansas.

Sincerely,

FARMINGTON COMMERCIAL, LLC.



Paul Phillips

NOTICE OF A PUBLIC HEARING BEFORE THE FARMINGTON PLANNING COMMISSION ON AN APPLICATION FOR CONDITIONAL USE

To all Owners of land lying adjacent to the property at:

380 W. MAIN ST. FARMINGTON, AR 72730
Location

FARMINGTON COMMERCIAL, LLC
Owned by

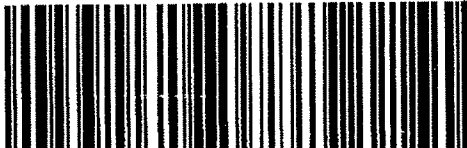

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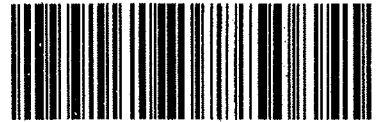
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Meramec Specialty Company PO Box 1150 West Memphis, AR 72303		CERTIFIED MAIL	
PS Form 3800 6/02			
COMPLETE THIS SECTION ON DELIVERY		9414 7118 9956 0534 5030 00	
A. Signature: (<input type="checkbox"/> Addressee or <input type="checkbox"/> Agent) <i>X Vickie Darnell</i>		RETURN RECEIPT REQUESTED	
B. Received By: (Please Print Clearly) <i>Vickie DARNELL</i>		Articles Addressed To:	
C. Date of Delivery <i>3-30-2018</i>			
D. Addressee's Address (If Different From Address Used by Sender) Secondary Address / Suite / Apt. / Floor (Please Print Clearly) Delivery Address		James Albert Darnell Jr. 700 W Main Street Farmington AR 72730-2624	
City	State	ZIP + 4 Code	

Meramec Specialty Company
PO Box 1150
West Memphis, AR 72303

PS Form 3800 6/02

CERTIFIED MAIL



9414 7118 9956 0534 7962 66

COMPLETE THIS SECTION ON DELIVERY

A. Signature: Addressee or Agent

Brenda Coleman

B. Received By: (Please Print Clearly)

Brenda Coleman

C. Date of Delivery

3/22/18

D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

RETURN RECEIPT REQUESTED

Article Addressed To:



City of Farmington
P.O. Box 150
Farmington AR 72730-0150

Meramec Specialty Company
PO Box 1150
West Memphis, AR 72303

PS Form 3800 6/02

CERTIFIED MAIL



9414 7118 9956 0534 7417 54

COMPLETE THIS SECTION ON DELIVERY

A. Signature: Addressee or Agent

[Signature]

B. Received By: (Please Print Clearly)

C. Date of Delivery

D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

RETURN RECEIPT REQUESTED

Article Addressed To:

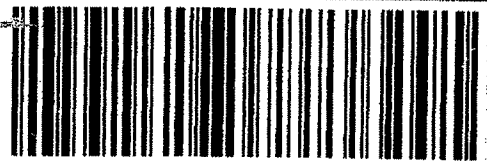


LPP Mortgage LTD
425 Phillips Blvd.
Ewing NJ 08618-4430

Meramec Specialty Company
PO Box 1150
West Memphis, AR 72303

PS Form 3800 6/02

CERTIFIED MAIL



9414 7118 9956 0534 7276 42

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (Addressee or Agent)

X *Johny Poche for James Rathell*

B. Received By: (Please Print Clearly)

Johny Poche

C. Date of Delivery

4-2-13

D. Addressee's Address (If Different From Address Used by Sender.)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

RETURN RECEIPT REQUESTED

Article Addressed To:

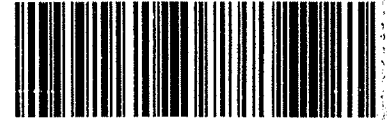


James T. & Linda D. Rathell
16781 Harmon Rd
Fayetteville AR 72704-8640

Meramec Specialty Company
PO Box 1150
West Memphis, AR 72303

PS Form 3800 6/02

CERTIFIED MAIL



9414 7118 9956 0534 7289 60

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (Addressee or Agent)

Margaret L. Harrington

B. Received By: (Please Print Clearly)

Margaret L. Harrington

C. Date of Delivery

3-23-18

D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

RETURN RECEIPT REQUESTED

Article Addressed To:



Margaret L. Harrington
317 Kelli Ave.
Farmington AR 72730-2603

Meramec Specialty Company
PO Box 1150
West Memphis, AR 72303

PS Form 3800 6/02

CERTIFIED MAIL



9414 7118 9956 0534 7263 24

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (Addressee or Agent)

Paul Phillips

B. Received By: (Please Print Clearly)

Paul Phillips

C. Date of Delivery

3-23-18

D. Addressee's Address (If Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

RETURN RECEIPT REQUESTED

Article Addressed To:



Oakland Farms LLC
12771 Tyler Rd
Farmington AR 72730-9665

Meramec Specialty Company
PO Box 1150
West Memphis, AR 72303

P5 Form 3800 6/02

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (Addressee or Agent)

Received By: (Please Print Clearly)

Brenda Coleman

C. Date of Delivery

3/22/18

D. Addressee's Address (if Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City _____ State _____ ZIP + 4 Code _____

Meramec Specialty Company
PO Box 1150
West Memphis, AR 72303

P5 Form 3800 6/02

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (Addressee or Agent)

Received By: (Please Print Clearly)

Brenda Coleman

C. Date of Delivery

MAR 22 2018

D. Addressee's Address (if Different From Address Used by Sender)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City _____ State _____ ZIP + 4 Code _____

CERTIFIED MAIL



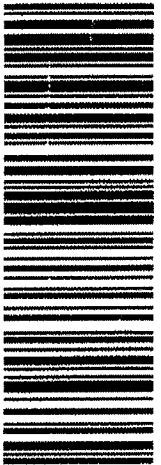
9414 7118 9956 0534 7962 66

RETURN RECEIPT REQUESTED

Article Addressed To:

City of Farmington
P.O. Box 150
Farmington AR 72730-0150

CERTIFIED MAIL



9414 7118 9956 0534 7220 81

RETURN RECEIPT REQUESTED

Article Addressed To:

Walmart Real Estate Business Trust
Property Tax Dept # 72
P.O. Box 8050
Bentonville AR 72712-8055



Conditional Use on Appeal
Initial Application

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: Scott Busch Day Phone: 479-595-1170

Address: 665 N. Samara Cir. Fax: _____
72701

Representative: Joey Ingle Day Phone: 479-531-6856

Address: 1610 N.W. 12th Street Fax: 479-464-9284
72712

Property Owner: Scott Busch Day Phone: 479-595-1170

Address: 665 N. Samara Cir Fax: _____
72701

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 -- 227 E. Main St.
Current Zoning -- C-2

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

Type of conditional use requested:

Residential dwelling in C-2 zoning

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 \$50.00 application fee
3. Provide a copy of the deed of the property.
4. Written authorization (by a signature below) from the property owner that the use presented is agreeable to them.
5. Complete the conditional use checklist.
6. 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 for a conditional use at the property as described below has been filed with the City of Farmington on the _____ day of _____, 201_____.

PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request for conditional use at the above described property from _____ to _____ will be held on the _____ day of _____, 201_____, 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 request a conditional use on 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
Representative

Date 4/3/18

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 4-3-2018

City of Farmington, AR

RECEIPT DATE 4-3-18 No. 540348

RECEIVED FROM Sand Creek Engo \$ 50.00
Fifty & no/100 DOLLARS

FOR RENT
 FOR Conditional Use on appeal - Residential

ACCOUNT CASH
PAYMENT 50.00 CHECK FROM _____ TO _____
BAL. DUE 0 MONEY ORDER BY B. Coleman
 CREDIT CARD

Chk 18070

4/03/2018 3:35PM 01
00000#3716 CLERK01

Development Fees \$50.00

TEMS HECK 10 \$50.00

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 11 SECURITY FEATURES

**SAND CREEK ENGINEERING
AND LANDSCAPE ARCHITECTURE, INC.**
1610 NW 12th STREET
BENTONVILLE, AR 72712
479-464-9282


GRAND SAVINGS BANK
98-8767/3031

18070

PAY **Fifty and no/100**

DATE 04/03/18 CHECK 18070 CHECK AMOUNT \$50.00

TO THE ORDER OF **CITY OF FARMINGTON**


AUTHORIZED SIGNATURE

⑈018070⑈ ⑆303187675⑆

14942701⑈



Conditional Use on Appeal Checklist

Initial Application

Renewal Application

CONDITIONAL USE ON APPEAL MUST BE RENEWED EACH YEAR.

Applicant's Name Scott Busch Date _____
Address 1665 N. Samara Cir. 72701 Zoning C-2
Phone # 479-595-1170 Email Scott.Busch@Att.net
Description of proposed use:
LSD

The following criteria must be answered with a "yes" finding before the Farmington Planning Commission will hold a public meeting on the Conditional Use on Appeal application. For #3 through #10, provide a brief explanation on the back of this form.

- Yes 1. A written application has been filed with the City and the \$50.00 permit application fee or renewal application fee has been paid.
- No
- Yes 2. Does applicant reside at the address that this conditional use was applied for?
- No
- Yes 3. The applicant has provided proof that each adjacent property owner has been notified by Return Receipt mail (initial applicants) or personal contact (for renewal only). If personal contact is used, a signed affidavit by the owner must be submitted. The affidavit must contain information notifying of the proposed intent and the date of the public hearing, at a minimum.
- No
- Yes 4. Are public services and utilities available and adequate?
- No
- Yes 5. Is fire protection adequate? Farmington Fire Chief must inspect and sign-off below.
- No
- _____ Farmington Fire Chief
- Yes 6. Is the proposed use compatible with the surrounding area and the planned use for the area?
- No
- Yes 7. Is screening and egress safe and convenient?
- No
- Yes 8. Are off-street parking and loading areas adequate?
- No
- Yes 9. Will refuse and service areas **not** cause adverse effects on adjacent property?
- No
- Yes 10. Will off street parking and loading areas **not** cause adverse effects on adjacent property?
- No
- Yes 11. Will signs be in compliance with the City's sign ordinance? (In some zoning classifications signs are not permitted.)
- No
- Yes 12. Do the subdivision covenants* allow this use (if applicable)?
- No

APPLICANT MUST BE PRESENT AT THE PLANNING COMMISSION MEETING FOR THIS CONDITIONAL USE PUBLIC HEARING.

**The City of Farmington does not enforce covenants however; property owners and renters need to be aware of the requirements of their subdivision.*

- #3. Waiting on application acceptance to send mailers.
- #4. Sewer & water are available and adequate for this development. We will be extending water line as part of this development.
- #5. New hydrants set on property for this development.
- #6. Proposed use does conform to existing surrounding uses. We are just asking for a residence on the second story of this building.
- #7. We are improving the existing drives so I believe that access will be improved.
- #8. Exact square footages for internal building configuration are still in the works. However, we are providing 23 parking stalls which should cover a wide range of uses.
- #9. Dumpster area is very internal to the site and will be screened. This should not cause any adverse impact to adjacent property owners.
- #10. All parking & loading areas are internal to this site. There should be no adverse impact.
- #11. Signage is not being permitted as part of this submittal / request.
- #12. N/A



NOTICE OF HEARING BEFORE THE FARMINGTON PLANNING COMMISSION ON AN APPLICATION FOR CONDITINAL USE

To all Owners of land laying adjacent to the property at:

277 E. Main Street

Location:

Holland House Holdings, LLC

Owned by:

NOTICE IS HEREBY GIVEN THAT an application has been filed for **CONDITIONAL USE** at the above property.

The purpose of this request is to use this property for:

Explanation: Requesting a single residence above the commercial development on E. Main St.

The residence would be occupied by the manager of the self storage development. This would allow a residential use in C-2 zoning.

A hearing on said application wiii be held by the Farmington Planning Commission at Farmington City Hall, 354 W. Main Street, on April 23, 2018 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 St., Farmington, AR 72730. Pih. #267-3865.

Adjacent Property owners

760-01751-000
ADAM TRAVIS & AMY GAIL SMITH
223 E. OLD FARMINGTON ROAD
FARMINGTON, AR 72730-4008

760-01423-006
GOLDSTEIN FARMINGTON LLC.
150 METRO PARK
ROCHESTER, NY 14600

760-01425-001
MARCUS J & CHRISTY D NALL
PO BOX 28
GOSHEN, AR 72735

760-01425-000 & 760-01430-000
HARRIS, BUDGIE LEE REVOCABLE TRUST
2169 N. ASPEN DRIVE
FAYETTEVILLE, AR 72703

760-01432-000
BROYLES, LARRY & TERRI TRUST
PO BOX 275
FARMINGTON, AR 72730

760-01168-000 & 760-01169-000
PASCHAL, DONALD R. & CAROLINE S.
REVOCABLE TRUST
39 N. HOLLAND DR
FARMINGTON, AR 72730

760-01170-000 & 760-01171-001
BOBBY D. PASCHAL
37 HOLLAND DR.
FARMINGTON, AR 72730

760-01172-000
NATHAN & DARIEN WELLS
PO BOX 3581
FAYETTEVILLE, AR 72702

760-01173-001
JIM & ELDORA MCCARTY
288 E. OLD FARMINGTON RD.
FARMINGTON, AR 72730

760-01422-000 & 760-01421-000
DENVER DEAN & TANYA JEAN LACY
PO BOX 198
FARMINGTON, AR 72730

File# 2017-00028885

After recording please return to:
Waco Title Company
6815 Isaac's Orchard Rd, Ste D
Springdale, AR 72762

**WARRANTY DEED
(TRUSTEE)**

File #: 1705761-103

KNOW ALL MEN BY THESE PRESENTS:

That, **Budgie Lee Harris, Trustee of the Budgie Lee Harris Revocable Trust dated November 9, 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 **Holland House Holdings, LLC, an Arkansas limited liability company**, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **Holland House Holdings, 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 ATTACHED EXHIBIT "A" & "B"

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
6815 Isaac's Orchard Road
Springdale, AR. 72762

Waco 1705761-103

WITNESS my hand and seal on this 15th day of September, 2017

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

The Budgie Lee Harris Revocable Trust dated November 9, 2010

GRANTEE OR AGENT: _____

GRANTEE'S ADDRESS: _____

Budgie Lee Harris
By: Budgie Lee Harris, Trustee

ACKNOWLEDGMENT

STATE OF Arkansas)
) SS.
COUNTY OF Washington)

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, and appeared in person the within named **Budgie Lee Harris, Trustee of the Budgie Lee Harris Revocable Trust dated November 9, 2010**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument, and who stated that he was duly authorized in such capacity to execute the foregoing Warranty Deed by Trustee for and in the name and behalf of said Trust, and further stated and acknowledged that he had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 15th day of September, 2017.

Patty Bowman

Notary Public

My commission expires: 6/17/26

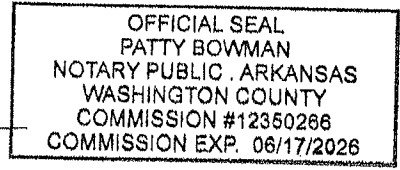


EXHIBIT "A"

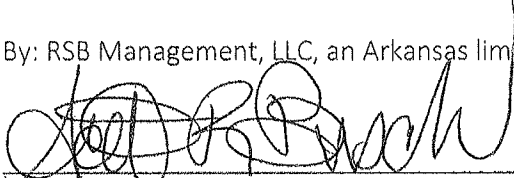
Part of the SW 1/4 of the SW 1/4 of Section 24, T-16-N, R-31-W in Washington County, Arkansas and being described as follows: commencing at the NE corner of said SW 1/4, SW 1/4 thence South $02^{\circ}27'18''$ West a distance of 187.36 feet, thence North $87^{\circ}32'42''$ West 502.11 feet to a set 5/8 " rebar w/cap (PLS 1337) being the Point of Beginning; thence South $02^{\circ}35'27''$ West a distance of 291.35 feet to a found 1/2" rebar; thence North $87^{\circ}32'42''$ West a distance of 126.78 feet to a set 5/8" rebar w/cap (PLS 1337); thence North $09^{\circ}39'53''$ West a distance of 86.53 feet to a set 5/8" rebar w/cap (PLS 1337); thence North $23^{\circ}14'10''$ West a distance of 108.40 feet to a set 5/8" rebar w/cap (PLS 1337) and along the Southerly R.O.W.; thence along said Southerly R.O.W., 49.06 feet along a tangent curve to the right, having a radius of 2824.79 feet, a central angle of $00^{\circ}59'42''$, and a chord bearing North $60^{\circ}51'29''$ East a distance of 49.06 feet to a found 5/8 rebar; thence 61.80 feet along a tangent curve to the right, having a radius of 2824.79 feet, a central angle of $01^{\circ}15'13''$, and a chord bearing North $61^{\circ}58'57''$ East a distance of 61.80 feet to a set 5/8" rebar w/cap (PLS 1337); thence North $80^{\circ}04'36''$ East a distance of 51.40 feet to a set 5/8" rebar w/cap (PLS 1337); thence North $47^{\circ}08'36''$ East a distance of 51.40 feet to a set 5/8" rebar w/cap (PLS 1337); thence 11.50 feet along a non-tangent curve to the right, having a radius of 2824.79 feet, a central angle of $00^{\circ}14'00''$, and a chord bearing North $70^{\circ}47'35''$ East a distance of 11.50 feet to the Point of Beginning; containing 38,185.85 square feet or .87 acres, more or less.

Exhibit B

Contrary to the Lot Line Adjustment preliminary survey performed by Sand Creek Engineering the Grantor reserves the right to keep all existing signage or billboard that is currently on grantor's property to remain on the property and to install and/or replace current billboard with an electronic billboard.

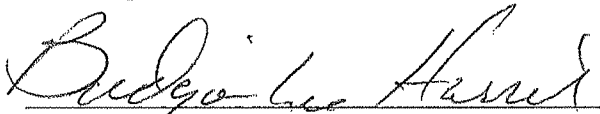
Holland House Holdings, LLC, an Arkansas limited liability company

By: RSB Management, LLC, an Arkansas limited liability company, Manager

A handwritten signature in black ink, appearing to read "Scott R. Busch", written over a horizontal line.

By: Scott R. Busch, Manager of RSB Management, LLC

The Budgie Lee Harris Revocable Trust dated November 9, 2010

A handwritten signature in black ink, appearing to read "Budgie Lee Harris", written over a horizontal line.

By: Budgie Lee Harris, Trustee



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

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 1705761-103

Grantee: HOLLAND HOUSE HOLDINGS, LLC
Mailing Address: PO BOX 845
FAYETTEVILLE AR 727010000

Grantor: BUDGIE LEE HARRIS
Mailing Address: 277 E MAIN ST
FARMINGTON AR 727300000

Property Purchase Price: \$325,000.00
Tax Amount: \$1,072.50
County: WASHINGTON
Date Issued: 09/19/2017
Stamp ID: 1428836352

Washington County, AR
I certify this instrument was filed on
9/20/2017 9:23:18 AM
and recorded in REAL ESTATE

File# 2017-00028885
Kyle Sylvester - Circuit Clerk

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

Grantee or Agent Name (printed): Holland House Holdings, LLC
Grantee or Agent Name (signature): By Waco Title As Agent Date: 9/19/17
Address: _____
City/State/Zip: _____



AFFIDAVIT

I hereby certify that I _____
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: copies of the notice, mailing receipts, return cards, and nay notices that were undeliverable.

Signature: _____ Date: _____