

ORDINANCE NO. 2025-11

**AN ORDINANCE AMENDING ORDINANCE NO. 296, AS AMENDED,
WITH REFERENCE TO ZONING WITHIN THE CITY LIMITS
OF THE CITY OF MOUNTAIN HOME, ARKANSAS, RELATIVE
TO CHANGING AREA ZONED AS RESIDENTIAL R-1 TO COMMERCIAL C-2**

WHEREAS, a proper petition was filed by property owners requesting a map change in zoning; said petition was submitted to the Planning Commission of the City of Mountain Home, Arkansas; notice of said petition and public hearing thereon was published in a newspaper having local circulation as required by Ordinance; a public hearing was held, and all remonstrances were heard, after which the Planning Commission recommended the property described herein be rezoned.

**THEREFORE, BE IT ORDAINED
BY THE CITY COUNCIL OF MOUNTAIN HOME, ARKANSAS:**

The following real estate in Baxter County, Arkansas be, and it hereby is changed in zoning from Residential R-1 to Commercial C-2:

A part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 19 North, Range 13 West, bounded and described as follows: Begin at the SE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18 and run N. 0 deg. 42' E. 453.12 feet to the NW R/W line of U.S. Highway No. 62 and to a Point of Beginning, From the Point of Beginning run N. 1 deg. 23' W, 788.04 feet, Thence N. 86 deg. 34' E, along the fence 412.75 feet, Thence S. 1 deg. 23' E along the fence, 539 feet to the NW R/W line of Highway No. 62, Thence Southwest along the R/W line 487.78 feet to the Point of Beginning, containing 6.33 acres.

Less and except: Part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 19 North, Range 13 West, Baxter County, Arkansas, described as follows: Beginning at the NW corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ and run thence South 88° 32' 35" East for a distance of 175.00 feet along a fence to a 3/8" rebar; Thence South 00° 08' 12" West for a distance of 660.06 feet to a 3/8" rebar on the North R/W line of U.S. Highway 62; Thence South 54°33'57" West for a distance of 211.64 feet along said North R/W line to a 3/8" rebar; Thence North 03° 24' 20" East for a distance 234.83 feet to a 3/8" rebar; Thence North

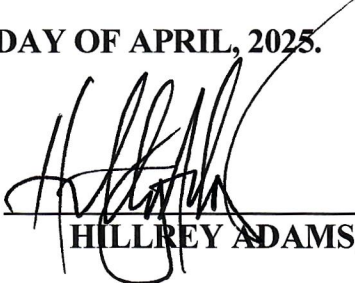
05°10' 52" West for a distance of 174.74 feet to a 3/8" rebar on the West line of said SE¼ SE¼; Thence North 00° 08' 12" East for a distance of 378.77 feet along said West line to the Point of Beginning, and

Less and except: Part of the SE¼ of the SE¼, Section 18, Township 19 North, Range 13 West. Baxter County, Arkansas, more specifically described as follows: From the Southwest corner of said SE¼ SE¼ go along the West line of the SE¼ SE¼ N 00° 08' 12" E. 501.11 feet to the centerline of US Highway 62, Point of Beginning of tract being described; Then continue along said West line N 00° 08' 12" E. 457.52 feet; Then leaving the West line of the SE¼ SE¼ go S. 05° 10' 52" E. 174.74 feet; Then go S 03° 24' 20" W 284.00 feet to the Point of Beginning, containing 0.09 acre and being subject to half of the Right of Way for U.S. Highway 62.

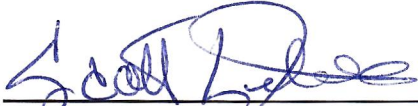
The above described property is located at 3000 block of Highway 62/412 West, Mountain Home, Arkansas.

WHEREAS, this Ordinance is necessary to permit the best use of the property and to permit the immediate commencement of construction on the property, an emergency is hereby declared to exist pertaining to the rezoning of the property, and this Ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED THIS 3RD DAY OF APRIL, 2025.


HILLREY ADAMS, MAYOR

ATTEST:


SCOTT LILES, CITY CLERK




DAWSON REPPOND, STUDENT GOVERNMENT CITY CLERK

PETITION

TO: PLANNING COMMISSION
CITY OF MOUNTAIN HOME
MOUNTAIN HOME, ARKANSAS

MAYOR AND CITY COUNCIL
CITY OF MOUNTAIN HOME
MOUNTAIN HOME, ARKANSAS

The petitioner, Charmaine E. Straub, Sarah Warzynski, Jonathan Warzynski, and Samuel Warzynski, by and through their counsel, Ted H. Sanders, hereby petitions you to rezone certain residential property described below. The petitioner requests that the property be rezoned from Residential R-1 to Commercial C-2. The property to be rezoned is described below, to-wit:

A part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 19 North, Range 13 West, bounded and described as follows: Begin at the SE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18 and run N. 0 deg. 42' E. 453.12 feet to the NW R/W line of U.S. Highway No. 62 and to a Point of Beginning, From the Point of Beginning run N. 1 deg. 23' W, 788.04 feet, Thence N. 86 deg. 34' E, along the fence 412.75 feet, Thence S. 1 deg. 23' E along the fence, 539 feet to the NW R/W line of Highway No. 62, Thence Southwest along the R/W line 487.78 feet to the Point of Beginning, containing 6.33 acres.

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Less and except: Part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 18, Township 19 North, Range 13 West, Baxter County, Arkansas, more specifically described as follows: From the Southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ go along the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ N 00° 08' 12" E. 501.11 feet to the centerline of US Highway 62, Point of Beginning of tract being described; Then continue along said West line N 00° 08' 12" E. 457.52 feet; Then leaving the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ go S. 05° 10' 52" E. 174.74 feet; Then go S 03° 24' 20" W 284.00 feet to the Point of

Beginning, containing 0.09 acre and being subject to half of the Right of Way for U.S. Highway 62.

The property is located at 3000 Block Highway 62/412 West, Mountain Home, Arkansas. The rezoning of this property will not conflict with the surrounding land uses because of multiple zoning classifications that exist in the vicinity. A diagram of the property and vicinity is attached hereto and marked Exhibit "A". It is the opinion of the petitioner that this property is no longer practical or desirable for Residential R-1 use.

The petitioners herein are Charmaine E. Straub, Sarah Warzynski, Jonathan Warzynski and Samuel Warzynski, and they has authorized Ted H. Sanders to act on their behalf in the prosecution of this petition.

CHARMAINE E. STRAUB, SARAH WARZYNSKI,
JONATHAN WARZYNSKI, and SAMUEL
WARZYNSKI, PETITIONERS

BY: _____

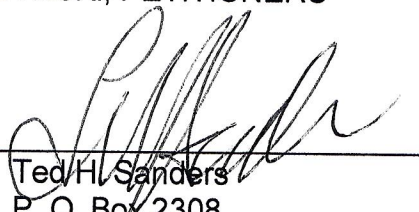

Ted H. Sanders
P. O. Box 2308
Mountain Home, AR 72654
Their Attorney

Exhibit "A"

Club Dr.

Hwy 62/412 West

C-2 Judicious
spirits

788.04

487.78

Rezone
R-1 to C-2

412.75'

539'

Lewis
Auto
C-2

Hwy 62/412 West

C-3

Kilgore
Vision
Center

Robert St

C-2

NOTICE

NOTICE is hereby given that a petition has been filed with the Planning Commission and City Council of Mountain Home, Arkansas, by the owners of the following described property situated in Baxter County, Arkansas, to-wit:

A part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 19 North, Range 13 West, bounded and described as follows: Begin at the SE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18 and run N. 0 deg. 42' E. 453.12 feet to the NW R/W line of U.S. Highway No. 62 and to a Point of Beginning, From the Point of Beginning run N. 1 deg. 23' W, 788.04 feet, Thence N. 86 deg. 34' E, along the fence 412.75 feet, Thence S. 1 deg. 23' E along the fence, 539 feet to the NW R/W line of Highway No. 62, Thence Southwest along the R/W line 487.78 feet to the Point of Beginning, containing 6.33 acres.

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Less and except: Part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 18, Township 19 North, Range 13 West. Baxter County, Arkansas, more specifically described as follows: From the Southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ go along the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ N 00° 08' 12" E. 501.11 feet to the centerline of US Highway 62, Point of Beginning of tract being described; Then continue along said West line N 00° 08' 12" E. 457.52 feet; Then leaving the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ go S. 05° 10' 52" E. 174.74 feet; Then go S 03° 24' 20" W 284.00 feet to the Point of Beginning, containing 0.09 acre and being subject to half of the Right of Way for U.S. Highway 62.

The above described property is located at 3000 Block Highway 62/412 West, Mountain Home, Arkansas.

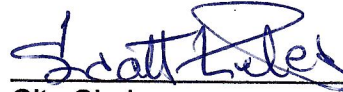
Said petition seeks the rezoning of the property from Residential R-1 to Commercial C-2.

The hearings related to said petition will be held as follows:

1. The Planning Commission will hear objections and make its determination on said petition at the City Hall on March 24, 2025, at 1:00 p.m.

2. The City Council will make its determination on said petition at the City Hall on April 3, 2025, at 5:00 p.m.

The petitioners are Charmaine E. Straub, Sarah Warzynski, Jonathan, Warzynski, and Samuel Warzynski, the record owners of the property, and they have named Ted H. Sanders to act for them in this proceeding.



City Clerk

ONE PUBLICATION:

March 8, 2025

