O-22- 25

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NO. 9004; REVOKING A SPECIAL USE FOR A MOBILE HOME IN AN R2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7001 FAULKNER LAKE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, on May 14, 2018, the City Council of the City of North Little Rock, Arkansas ("the City") adopted Ordinance No. 9004 (attached hereto as Exhibit A), granting a special use for a mobile home in an R2 zone for certain real property located at 7001 Faulkner Lake Road; and

WHEREAS, the amount of time allowed by the special use for the mobile home to remain on the property, three years, has passed and the mobile home has not been removed; and

WHEREAS, the City now wishes to revoke the special use and remove the mobile home from the property; and

WHEREAS, the North Little Rock Planning Commission recommended revocation of the special use (5 affirmative; 3 against) on March 8, 2022; and

WHEREAS, a legal advertisement of notice of a public hearing held March 28, 2022 at 6:00 p.m. was placed in the newspaper and proper notice has been given to property owners within 200 feet of the subject location; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Ordinance No. 9004, adopted May 14, 2018, granting a special use of land to allow a mobile home at certain real property located at 7001 Faulkner Lake Road is hereby repealed and the special use granted therein is hereby revoked.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that there is an immediate need to revoke the special use in order to comply with the North Little Rock Zoning Ordinance and to return the herein stated real property to its original status in order to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby

declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Terry C. Hartwick

SPONSORS:

Mayor Terry C. Hartwick
For Consideration Only

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:00 A.M. ~~P.M.~~
By A. Fields, City Atty
DATE 3.22.22

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY S. Usser

EXHIBIT
tabbies
A

O-18-34

ORDINANCE NO. 9004

AN ORDINANCE ALLOWING A SPECIAL USE FOR A MOBILE HOME IN AN R-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7001 FAULKNER LAKE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Delano Davis, P. O. Box 46374, Little Rock, Arkansas 72214, seeking a special use of said land, which application was duly considered and approved by a majority vote (8 affirmative, 1 absent) of the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on April 10, 2018.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1. That a special use is granted for a mobile home in an R-2 zone for the subject real property being more particularly described as:

PART OF THE SW QUARTER OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 11 WEST, PULASKI COUNTY, AR MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND 1/2' REBAR ACCEPTED AS THE SW CORNER OF SAID SECTION 34, AND RUN THENCE N02°06'45" E ALONG THE WEST LINE THEREOF 749.53' TO A 2" PIPE AND THE POINT OF BEGINNING; THENCE S54°59'15"W 622.98' TO THE NORTH RIGHT OF WAY OF FAULKNER LAKE ROAD; THENCE N74°18'37" W ALONG SAID RIGHT OF WAY 38.77'; THENCE LEAVING SAID RIGHT OF WAY N54°59'15" E 670.25' TO THE WEST LINE OF SAID SW 1/4; THENCE N02°06'45" E ALONG SAID WEST LINE 529.23' TO A REBAR AND CAP; THENCE S88°55'23" E 1117.29' TO A 3/4" ROD: THENCE S49°20'45" W 627.33' TO A 2" PIPE; THENCE S43°10'49"W 134.85' TO A 2 INCH PIPE; THENCE S55°12'44"W 154.58' TO A 1/2" REBAR AND CAP; THENCE N34°48'39"W 293.46' TO A 1/2" REBAR AND CAP; THENCE S55°13'13"W 335.17' TO THE POINT OF BEGINNING CONTAINING 10.06 ACRES MORE OR LESS. (See maps attached hereto collectively as Exhibit "A".)

SECTION 2. That this special use shall be subject to the following conditions:

(1) The mobile home unit will meet the required building setbacks of the zone.
(2) The mobile home unit will be skirted.
(3) The mobile home unit will be set up and anchored in accordance with the rules and regulations of the Arkansas Manufactured Housing Commission.

(4) The mobile home unit must have the HUD manufactured home certification label.
(5) The mobile home unit will have a dedicated driveway.
(6) The mobile home unit will meet the Arkansas Health Department requirements of a septic system (if applicable).
(7) If the mobile home unit is damaged or destroyed by at least 75%, it cannot be replaced, and the special use shall be removed.
(8) The mobile home is to be removed within three (3) years after the city council approval of special use.
(9) If outside city limits, the mobile home until must meet all Pulaski County requirements.
(10) Applicant understands that failure to comply with these conditions may result in loss of the Special Use and or removal of Electric Power Meter.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5. It is hereby found and determined that the special use of the above-described lands as provided for herein is immediately necessary in order to insure the proper and orderly growth of this land and the proper and orderly growth of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare, THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect on the date set forth below.

PASSED:

5/14/18

APPROVED:

_____
Mayor Joe A. Smith

SPONSOR
***FOR CONSIDERATION ONLY*:**

_____
Mayor Joe A. Smith

ATTEST:

_____
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

_____
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kh

FILED _____ A.M. _____ P.M.

By _____

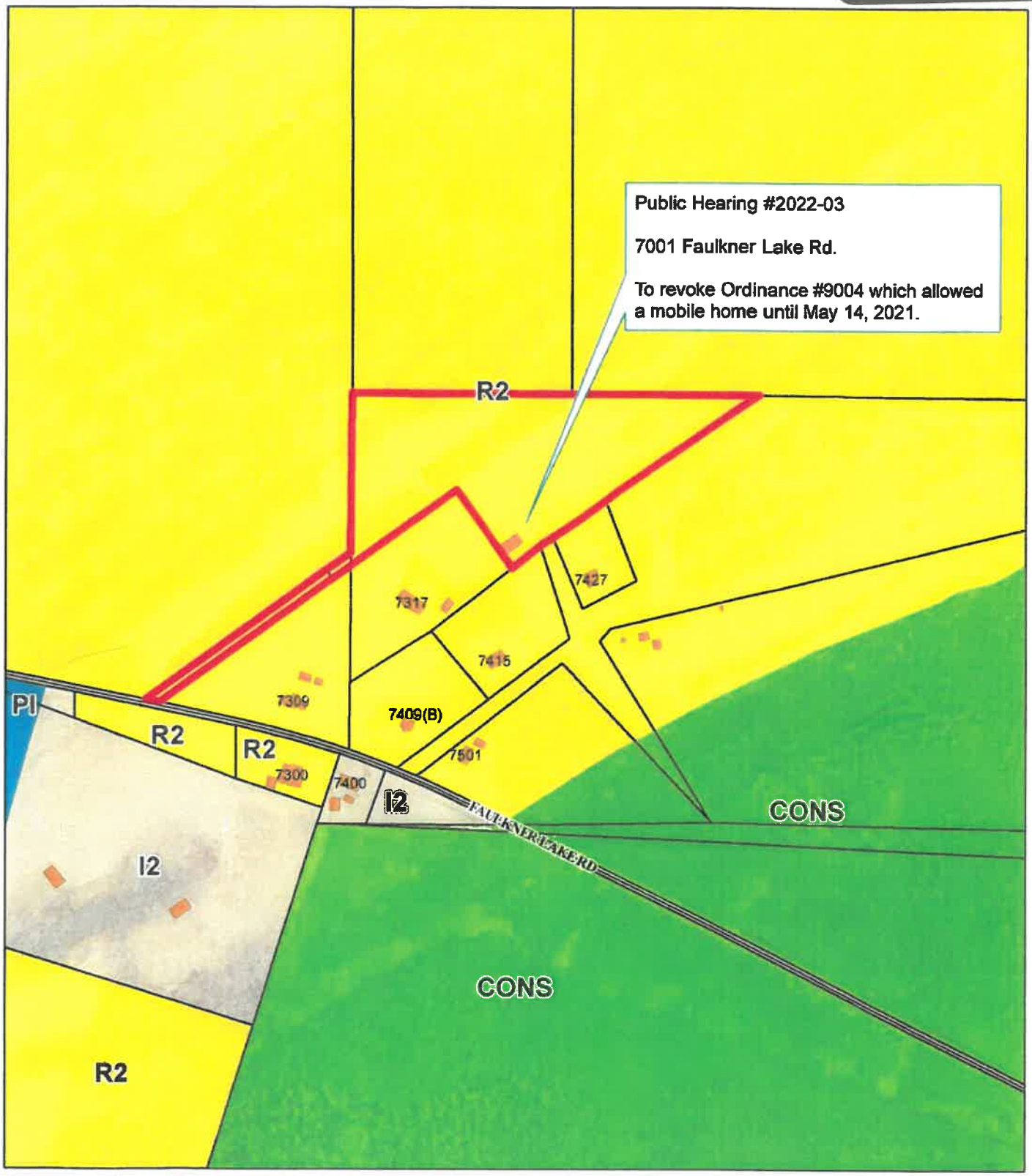
DATE _____

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY _____

EXHIBIT A

Public Hearing Case # 2022-03



Zoning Map

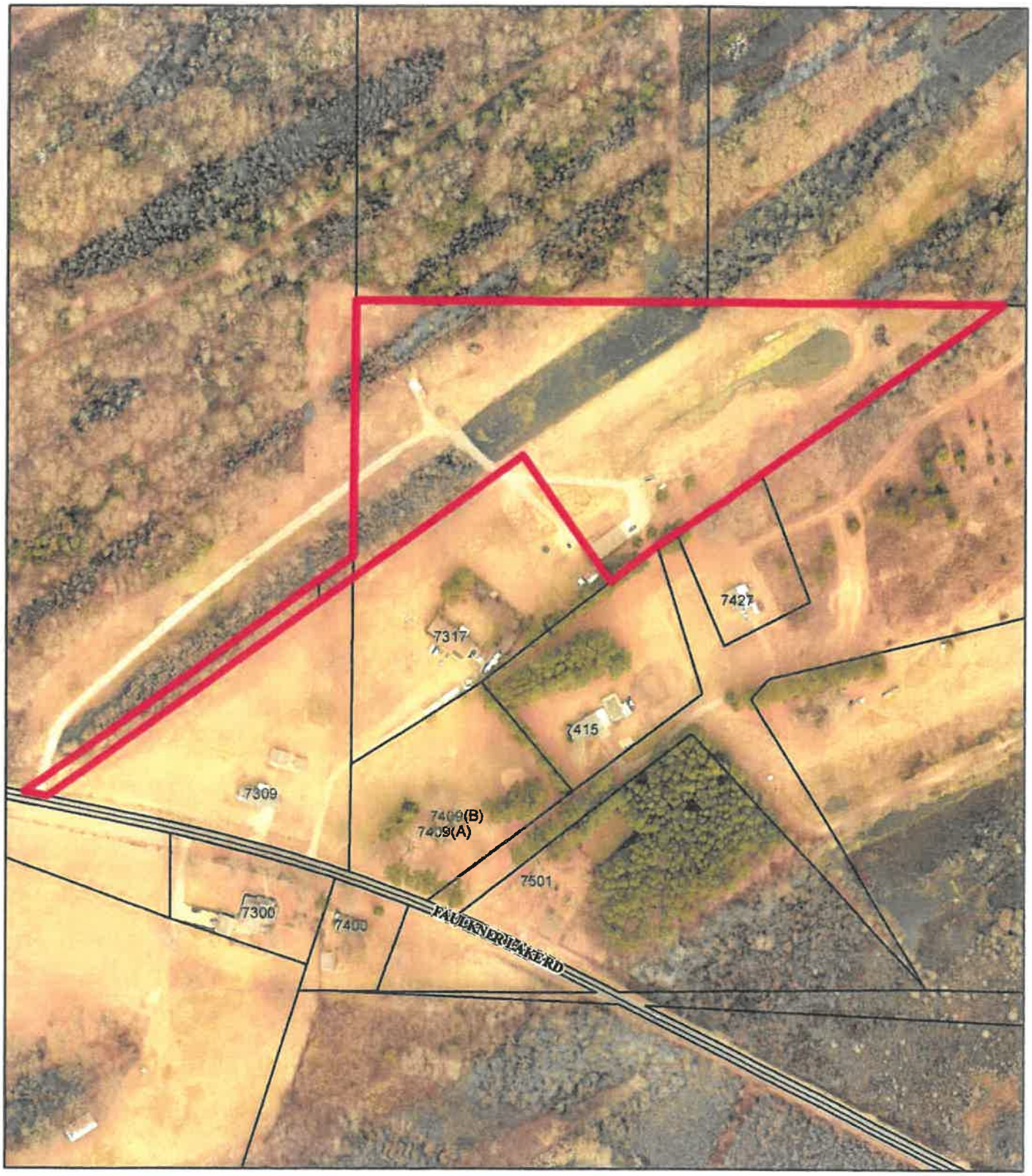
1 inch = 400 feet

0 200 400 800 1,200 Feet

N W E S

Date: 2/22/2022

Public Hearing Case # 2022-03



Ortho Map

1 inch = 250 feet

0 125 250 500 750 Feet

N W E S

Date: 2/22/2022