

ORDINANCE NO. 2022- 32

**AN ORDINANCE OF THE  
CITY OF FAIRFIELD BAY, ARKANSAS,  
TO RE-ZONE REAL PROPERTY  
LOCATED AT  
106 SHADOW RIDGE COURT  
FROM CP-2 TO RP-3  
TO RETAIN IT FOR  
RESIDENTIAL USE;  
DECLARING AN EMERGENCY;  
AND FOR OTHER PURPOSES**

WHEREAS, An applicant (Tammy Landry) has requested a rezoning of certain property at 106 Shadow Ridge Court from CP-2 (General Business District) to RP-3 (Cluster Home, Town Home, Garden Apartment District) for the purpose of returning the property to residential use; and

WHEREAS, the City of Fairfield Bay Planning and Zoning Commission, after appropriate public notice and public hearing in accordance with constitutional, statutory, and Municipal Code requirements, has approved the January 31, 2022, application, and recommended the City Council approve the application;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL FOR THE CITY OF FAIRFIELD BAY, ARKANSAS, that:

NOT TO BE CODIFIED: Section 1: The January 31, 2022, Application for Rezoning of the real property located at 106 Shadow Ridge Court, Fairfield Bay, Van Buren County, Arkansas, BE, AND IT IS HEREBY, APPROVED as set forth herein.

NOT TO BE CODIFIED: Section 2: That the survey description of the real property, is attached hereto, and shall be published in accordance with the provisions of the Municipal Code, as part of this Ordinance.

NOT TO BE CODIFIED: Section 3: IT IS FURTHER CONSIDERED AND ORDAINED that the real property located at 106 Shadow Ridge Court, Fairfield Bay, Van Buren County, Arkansas, BE, AND IT IS HEREBY, REZONED FROM CP-2 TO RP-3, accordingly.

NOT TO BE CODIFIED: Section 4: IT IS FURTHER CONSIDERED AND ORDAINED that this change be, and it is hereby, made to the official zoning map for the City of Fairfield Bay.

NOT TO BE CODIFIED: Section 5: Appropriate modifications to the Municipal Code, conforming to the Municipal Code style, shall be made by separate ordinance, at a future date.

NOT TO BE CODIFIED: **EMERGENCY CLAUSE:** It is hereby found and determined that an emergency exists, because of the immediate needs of the property owner to utilize the drive-thru window, and this Ordinance being necessary for the peace, health, safety, and welfare of the citizens of the City of Fairfield Bay, shall be in full force on the date of its passage, and from this date forward.

IT IS SO CONSIDERED AND ORDAINED by the City of Fairfield Bay, this 10<sup>TH</sup> Day of October, 2022.



Honorable Linda Duncan  
Mayor, City of Fairfield Bay, Arkansas

Attest:



Rose O. Owen, Recorder-Treasurer

Prepared by:  
Kelly Law Firm, PLC  
AJ Kelly  
Rev: 10/10/22