

ALL PERSONS TAKE NOTICE:

A PUBLIC HEARING WILL BE HELD BEFORE THE DYER PLANNING COMMISSION AND CITY COUNCIL AT THE DYER CITY HALL (305 N. WASHINGTON STREET, DYER, ARKANSAS) AT 6:30 P.M. ON JUNE 22, 2021 TO CONSIDER THE FOLLOWING AMENDMENT TO THE ZONING ORDINANCE AND VARIANCE THEREFROM:

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2021-05-25-1

A RESOLUTION RECOMMENDING A VARIANCE FOR APPROVAL BY THE DYER PLANNING COMMISSION AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Dyer was involved in litigation with Mike Morrell and Brenda Morrell;

WHEREAS, after lengthy litigation and subsequent settlement negotiations the parties entered into a settlement agreement which was duly adopted by the Dyer City Council by Resolution No. 2021-4-20-1;

WHEREAS, a term of that settlement required a variance for real property owned by Mike Morrell and Brenda Morrell and/or Fountain Gate Development LLC d/b/a Riverchase Development removing extra-territorial subdivision regulations;

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: The Dyer Planning Commission shall hold a public hearing on June 22, 2021 at 6:30 p.m. for consideration of a variance and/or ordinance to effectuate the terms of the settlement agreement.

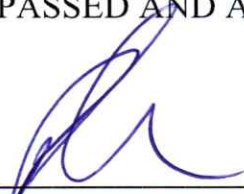
SECTION 2: The Dyer Planning Commission and City Council shall subsequently consider the variance and/or ordinance at the regular city council meeting to be held on June 22, 2021 at 6:30 p.m.

SECTION 3: A request for variance consistent with the settlement agreement approved by resolution and consistent with attached Exhibit A is hereby referred

for approval at the public hearing and subsequent meeting identified above. If necessary an ordinance to effectuate the settlement agreement variance shall also be considered for approval at such time.

SECTION 4: The Mayor or his designated representative shall ensure that the proper notice with requisite sized sign be posted on the property and the appropriate notices published in newspapers as required by Dyer city ordinance.

PASSED AND APPROVED THIS 25th DAY OF MAY 2021.



MAYOR



RECORDER/TREASURER

EXHIBIT A

The City of Dyer, Arkansas (Grantor) hereby grants a variance to the following: Mike Morrell, Brenda Morrell, Fountain Gate Development LLC d/b/a Riverchase Development (Grantees) effective as of the date subscribed below:

As a material term of a lawsuit settlement and after approval by the Dyer Planning Commission and City Council, the real property lying in Crawford County identified by the Crawford County Assessor Parcel Numbers attached hereto as of the date subscribed below shall be exempt from the extra-territorial subdivision regulations and other zoning, city plans, and policies of the City of Dyer provided they are sold in tracts of three (3) acres or larger. Specifically, the parcels may be sold as three (3) acre lots or larger without street improvement requirements including but not limited to pavement, sewer, sidewalks, curbs, gutters, water with fire-flow, except as required by Dyer Ordinance 2-18-03-01. As a condition of this variance the Grantees shall install at their expense a fire hydrant for River Chase Development.

This variance was passed and approved by the Dyer Planning Commission and Dyer City Council after duly following all requirements of posting, publishing, and conducting public hearings and meetings as of this 22nd day of June 2021.

Approved:



MAYOR

Attested:



RECORDER/TREASURER

Crawford County Parcel Numbers

Partials Boards		
730-00379-058		
730-00347-007		
730-00347-008		
730-00347-009		
730-00347-010		
730-00347-011		
730-00347-012		
730-00347-013		
001-08460-000C		
001-08460-001		
001-08460-002		
001-08461-000C		
001-08506-000C		
001-08458-000C		
001-08462-000C		
001-08454-000C		
001-08459-000		
001-08458-001		
001-08508-000		
001-08510-000		
001-08509-000		
001-08521-003		
001-08463-000		
001-08463-001		
001-08470-000		
730-00083-049		
730-00083-016		
001-08505-001		
001-08521-002		
001-08521-004		
001-08464-000		

Ex. B.