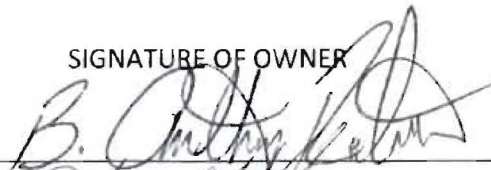
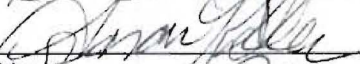


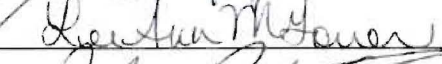
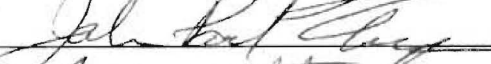
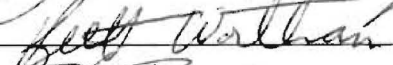





September 8, 2009

We, the undersigned owners of adjacent or nearby properties, withdraw or have no objection to the rezoning of the property located at 5416 Maple Valley Drive from R-1 Residential to C-4 Limited Use Overlay for a quiet light commercial assembly of small electrical components, of which I have been shown a sample.

SIGNATURE OF OWNER	OWNER'S NAME	PROPERTY ADDRESS
	Anthony Roberts	5308 Cordova Ln.
	Dora Keller	5412 Shad Dr.
✓ 	LARRY MOUSER	5411 Shad Dr.
✓ 	Jonathan Fyfe	2307 Jaybee Dr
	Lee Ann McGowan	2505 Brighton Dr.
✓ 	John Paul Thompson	5417 Clearview Dr.
	Brett Wartham	5304 Cordova
	Kethel Berry	2508 Brighton
	MIKE Phillips	5400 Cordova Lane
	BEACKEN B. BAKER	5312 CORDOVA LANE

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## REZONING PETITION

Date: October 20, 2008

Case Number: RZ -08-20

Address of Rezoning Request:  
5416 Maple Valley Drive, Jonesboro AR 72404

To: Jonesboro City Council  
City of Jonesboro, Arkansas

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### REASONS FOR OUR OPPOSITION

Most of us who are property owners in the affected area have lived in the area for over 10 years. We invested in our properties as loving homes where we can raise our kids just as anybody in Jonesboro Metropolitan area. To us, our properties are the most important assets and investments in our lives. We will therefore not stand idle for our dreams to be snatched away by rezoning. We are counting on the City Council to do the right thing by protecting us and our properties just as the Planning Commission have already done. Our major reason for opposing this requested rezoning is **SIMPLE - TO PROTECT THE VALUE OF OUR PROPERTIES AND MAINTAIN OUR NEIGHBORHOOD IN ITS CURRENT RESIDENTIAL FORM. WE STRONGLY BELIEVE THIS REQUESTED REZONING WILL FUNDAMENTALLY CHANGE OUR RESIDENTIAL NEIGHBORHOOD FOREVER.**

Before the city sold the property, appraiser of the property hired by the City of Jonesboro concluded:

“ Subject is presently zoned residential. A petition to re-zone will be necessary in order to sell as commercial property. This may be difficult since the subject site is part of a residential subdivision and bordered by residential property”.

Based on the appraiser's conclusions, the city auctioned the property as Residential and the applicant is aware of the appraiser's conclusions before he purchased the property.

We believe the applicant has the intent and motive to turn our neighborhood into a manufacturing zone. We also believe that the applicant did not intend to obey the laws of the city. The city advertised the property as a residential during the auctioned and made it clear to all potential bidders. This is a quote from the MAPC staff findings:

“During that time of the sale, staff consulted with all or most of the potential bidders and explained that the premise was previously a fire station and explained that the property would have to be rezoned to be used for any active commercial. It was also explained that the most probable use of the structure would be a home or residential storage, or some type of use that was parallel with the Fire Station. This would have to be validated by the Board of Zoning Appeals through the transfer of a non-conforming use process”.

Despite these, after winning the auction, the applicant immediately developed the residential lot into a commercial property without seeking rezoning permit from the city. This makes us believe that the applicant never intended to obey the laws of the city. Furthermore, the rezoning application information provided by the applicant is in most cases incomplete or unreliable. This makes it very difficult for Planning Commission or the City County to use that information to make a decision on the applicant's rezoning request (Refer to the Rezoning Information submitted by the applicant).

Our major reasons for opposing this rezoning are included in our previous petition to MAPC.

## REZONING PETITION

Date: Sept. 01, 2008

Case Number: RZ-08-20

Address of Rezoning Request:

5416 Maple Valley Drive, Jonesboro AR 72404

To: Metropolitan Area, Planning Commission  
City of Jonesboro, Arkansas

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We, the undersigned owners of properties affected by the requested rezoning change described in the referenced case, do hereby protest against any change of the Land Development Code which will rezone the property 5416 Maple Valley Drive to any classification other than RESIDENTIAL (R-1).

We, the undersigned, realize that this Petition is in opposition to the rezoning application and our signatures cannot be removed after filing unless certain lawful actions are taken to remove the Protest Petition.


### REASONS FOR OUR OPPOSITION

1. Suitability of the subject property for uses to which it has been restricted: We the undersigned property owners affected by the requested rezoning believe that "assembly of small electrical components" constitute a "manufacturing, general", "manufacturing, limited" or "basic industry" use for which the Planning Commission prohibits in a residential area under C-4 districts – refer to chapter 14 of Planning Commission's manual.
2. Comparability of the C-4 rezoning proposal with uses and character of the current residential area: The purpose of the C-4 zoning provided by the Planning Commission is to enable the district to provide limited retail trade and services to serve the adjacent residential neighborhood. The proposed use "assembly of small electrical components" is not a retail trade or a provision of a service that will serve or benefit the current residential area. Furthermore, the Planning Commission indicates that for a C-4 rezoning, the buildings must be of a residential character in appearance. We believe that the current building is not of a residential character or appearance.
3. Extent to which approval of proposed rezoning will detrimentally affect nearby property: Under item (9) of the application form, the applicant indicates that "THERE WILL BE NO CHANGE" in how the proposed rezoning would affect nearby property value, traffic, visual appearance, noise, light, vibration, hours of use, etc. We the undersigned property owners in the area strongly disagree. We believe any change in the use of a residential property to "assembly of small electrical component" no matter how the components are produced will fundamentally affect the value of our property, traffic to the property, create noise, affect hours of use of the property, light intensity in the area in future. Indeed, the installation of high intensity lights on the proposed rezoning property (5416) is currently affecting the residents of 5412 property. Furthermore, as an example, we the undersigned believe that the "commercial shops" approved for "5510 Highway 49" in the area have dramatically devalued the properties in the whole residential area as the

"shops" have been idle without any use. We do not want similar problems in our neighborhood.

4. How the neighbors feel about the proposed rezoning? Neighbors have had series of meetings with the applicant on the effective use of the property. In our discussions with the applicant, the neighbors have made it clear to the applicant not to rezone the property but to continue to use it as residential in the same manner as the city sold it. The neighbors also support the applicant to use the property in a manner that will not fundamentally change the character and appearance of the area as well as detrimentally affect the values of our properties.

We, the undersigned, are owners of real property located within the statutory area related to the property for which a rezoning is sought, whereby, our signatures shall hereafter be verified by one of the signers of the Petition as true and correct signatures in order for this Petition to be valid.

SIGNATURE OF OWNER (All owners of property must sign)	OWNER'S NAME	PROPERTY DESCRIPTION (Address and/or lot and block number)
	<u>Paul Armah</u>	<u>5412 Maple Valley Drive</u>
<u>Larry Mouser</u>	<u>LARRY MOUSER</u>	<u>5411 Shed Dr. Jonestown, D.C.</u>
<u>Paul R. Moore</u>	<u>Paul R. Moore</u>	<u>5408 Maple Valley Drive</u>
<u>Harold D. Seel</u>	<u>HAROLD D. SEEL</u>	<u>5513 SW Drive</u>
<u>Jonathan Frye</u>	<u>Jonathan Frye</u>	<u>2307 Jaybee Drive</u>
<u>Wiley H. Adams</u>	<u>WILEY H. ADAMS</u>	<u>2304 Jaybee Dr.</u>
<u>Ralston Chander</u>	<u>Ralston Chander</u>	<u>5414 Clearview Dr.</u>
<u>John Paul Thompson</u>	<u>John Paul Thompson</u>	<u>5417 Clearview Dr.</u>
_____	_____	_____

**ACKNOWLEDGEMENT AND VERIFICATION**  
(Please carefully read the verification statement before signing)

Metropolitan Area, Planning Commission  
City of Jonesboro, Arkansas

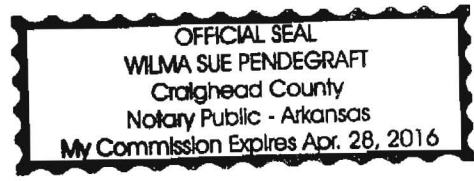
I, Paul Armah, of 5412 Maple Valley Drive, being first duly sworn, under oath, depose Planning Commission of Jonesboro that I have read and examined the foregoing Petition, and the signatures and addresses placed on the Petition, and further state that the signatures and legal description and/or addresses thereon are genuine, that I personally know all of the signers of this sheet of the Petition to be the persons whose names are signed to the Petition and that I personally witnessed their signature, that I am one of the signers of the Petition and own property within the statutory area of notification related to the area for which the C-4 rezoning is sought, and that to the best of my knowledge the signers of the Petition are owners of land located within the statutory area of notification for this C-4 rezoning application.

[Handwritten Signature]  
(signature)

Subscribed and sworn to me this 2 day of September, 2008, by  
Paul Armah who is personally known to me to be the same person whose name is subscribed to in the foregoing instrument.

Wilma Sue Pendegraft  
Notary Public

My Commission Expires: April 28, 2016



**REZONING INFORMATION:**

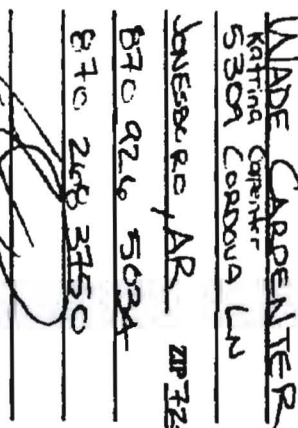
The applicant is responsible for explaining and justifying the proposed rezoning. Please prepare an attachment to this application answering each of the following questions in detail:

- (1) How was the property zoned when the current owner purchased it? R-1
- (2) What is the purpose of the proposed rezoning? Why is the rezoning necessary? To conform to ordinance based on use
- (3) If rezoned, how would the property be developed and used? No change
- (4) What would be the density or intensity of development (e.g. number of residential units, square footage of commercial, institutional, or industrial buildings)? No change
- (5) Is the proposed rezoning consistent with the Jonesboro Comprehensive Plan and the Future Land Use Plan? Yes
- (6) How would the proposed rezoning be the public interest and benefit the community? Creating no change in area
- (7) How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area? No change
- (8) Are there substantial reasons why the property cannot be used in accordance with existing zoning?
- (9) How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property. No change
- (10) How long has the property remained vacant? No vacant
- (11) What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services? No change
- (12) If the rezoning is approved, when would development or redevelopment begin? Immediately
- (13) How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.
- (14) If this application is for a Limited Use Overlay (LZO), the applicant must specify all uses desired to be permitted. Quiet light commercial assembly of small electrical components.

**OWNERSHIP INFORMATION:**  
All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

**Owner of Record:**  
I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

**Applicant:**  
If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Name:	<u>MADE CARPENTER</u>	Name:	_____
Address:	<u>KATRINA CORPENT</u> <u>5304 CORDOVA LN</u>	Address:	_____
City, State:	<u>JANESVILLE, AR</u>	City, State:	_____
Telephone:	<u>870 926 5034</u>	Telephone:	_____
Facsimile:	<u>870 268 3450</u>	Facsimile:	_____
Signature:		Signature:	_____

**Deed:** Please attach a copy of the deed for the subject property.

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submission of an application is the 1<sup>st</sup> of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.



