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HAND DELIVERED

Ms. Donna Jackson, City Clerk
300 South Church St.
Jonesboro, AR 72401

Re: CKF, LLC/Chris Futrell; MAPC Denial Final
Subdivision Plat; Appeal to City Council

Dear Ms. Jackson:

Please let this serve as notice of appeal to the Jonesboro City Council from the MAPC's decision on July 10, 2018 on the Final Subdivision Plat for Twin Oaks Phase 2 [item number "PP-18-17" on the agenda of the meeting]. Pursuant to Jonesboro City Code 2-89, "appeals to the city council of decisions of commissions and boards shall be in writing signed by the party appealing, dated and filed with the clerk within 30 days following the decision of the board and/or commission." CKF, LLC/Chris Futrell ("CKF") hereby files this as CKF's timely filing of Notice of Appeal of the MAPC's decision.

CKF objects to the decision for a number of reasons. First, the minutes of the meeting (which are attached hereto as part of Exhibit A) are incorrect as it states that "THIS HAS BEEN WITHDRAWN". However, it was not withdrawn as evidenced by the video of the meeting and the continuation of the minutes. The matter before the MAPC was for the approval of a Final Subdivision Plat in which the roadway right of way through the Subdivision was changed from eighty feet (80') to sixty feet (60'). The eighty foot (80') right of way requirement was part of the City's Master Street Plan for a collector street in the area although the City does not have any plans in the near future for the construction of such a street in the area. Additionally, the minutes state that "A motion was made by Kevin Bailey, seconded by Jimmy Cooper, that this matter be Denied. The motion FAILED with the following vote [4 Nay, 3 Aye]." If the motion failed then the matter (the Final Subdivision Plat) was Approved or Accepted.

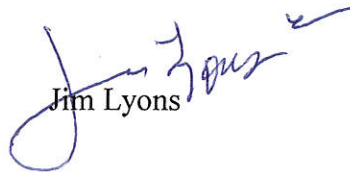
However, the video of the meeting shows that the motion as set forth in the minutes is wrong. Instead, the motion was a vote on the new plat with a sixty foot (60') right of way and moving the road [with an eighty foot (80') right of way] to commercial property to the South.

The MAPC denied the motion by a vote of four (4) against the motion and three (3) in favor of the motion.

Further, CKF objects to the denial of the motion because an eighty foot (80') right of way is for a commercial roadway and not the type of road which is proper in a residential subdivision where the residents would be backing out of their driveways onto the commercial roadway. The sixty foot (60') right of way will adequately serve the traffic flow in the area given the fact that CKF proposed that the eighty foot (80') roadway area be moved four hundred feet (400') to the South on commercial property which CKF was willing to grant the City of Jonesboro an easement for the roadway on the portion of that property owned by CKF. This would be beneficial to the City as it would still have the proposed collector street in the area and would not have to pay for the portion of the land which was owned by CKF for the collector street when and if it was constructed.

Attached please find a copy of the record (Exhibit A). As the correct amount for the fee for lodging this appeal has not been determined at this time, please contact my office when the amount of the fee to lodge the appeal has been determined and we will deliver a check. Please have this appeal added to the agenda and advise my office of the date. Please let us know if you have any questions, or if there is anything else we can provide to make the appeal complete. Thank you.

Sincerely,


Jim Lyons

JL/ab

Enclosures

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