

**MEMORANDUM OF AGREEMENT**

TO: DENNIS ZOLPER/ST. MARK'S EPISCOPAL CHURCH-514 W. COLLEGE  
FROM: MICHAEL R. GOTT, OWNER OF 510 W. COLLEGE, JONESBORO, AR 2401

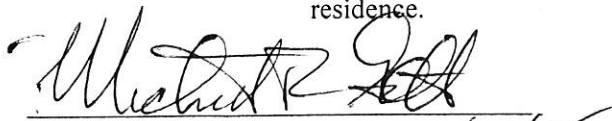
Dennis:



As I indicated to you, it is my desire that the property remain as residential. However, as we have discussed, the following is what I propose to resolve this matter, to-wit:

1. The wood privacy fence to run from three feet in front of my house along the property line to the back corner of the property line.

That the fence be a shadowbox fence from three feet in front of my house to run to the back corner of the house at 514 W. College. That the boards on the shadowbox fence to be no more than 3 1/2" apart. That the fence would be six feet tall. That the remainder of the fence from the corner of the house back to the back lot can be a solid fence with the smooth side facing my property. That the chain link fence and all other debris, including trees, etc., in the fence row to be removed prior to replacement of the new wood fence.

2. That the other operational restraints that were presented at the previous MAPC meeting be incorporated into the Motion or the Ordinance. They are as follows:
  - a. hours of operation shall be limited between the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, only.
  - b. Drop off arrangements must be staggered in a manner not to impede upon customary residential traffic flow.
  - c. Maximum number of children shall not exceed 12 infants.
  - d. Restrictions limited to infants between the ages of 1 mo. and 12 mo.
  - e. The daycare facility may only be operated as an accessory use to the church upon approval and in the future any modifications of this ownership arrangement shall be subject to MAPC approval (cannot be transferred or leased to other individuals or entities).
  - f. No yard signs allowed.
  - g. No outdoor play area shall be permitted
  - h. No modifications to the proposal site plan shall be allowed unless approved by MAPC
  - i. Daycare facility shall be subject to a two-year re-evaluation by the Planning Department verifying said operation and restraints are in compliance. Any reports shall be presented to MAPC of all findings and necessary corrective measures if necessary;
  - j. Should the church cease daycare operations, the structure be returned to a single-family residence.

  
MICHAEL R. GOTT  
12/14/15

  
DENNIS ZOLPER  
  
Jesse Perkins, Rector

