

**CITY OF LAKEVIEW  
BAXTER COUNTY ARKANSAS  
ORDINANCE 23-02**

**AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN LANDS WITHIN THE CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS.**

**WHEREAS**, the 5.2 acre parcel located in Block 3, Penrod Subdivision identified as 72 Hielke Place was split into two (2) parcels, Tract 1 of 3.2 acres and Tract 2 of 2.1 acres as evidenced by the survey map attached hereto; and

**WHEREAS**, Tract 2 was attached to Lots 22, 23, Pt. 24, Block 3 Penrod Subdivision identified as 56 North Drive; and

**WHEREAS**, a petition was presented to the City of Lakeview concerning said property at 56 North Drive, i.e. Lots 22, 23, Pt. 24 and Tract 2 Block 3, Penrod Subdivision to rezone that portion of said parcel currently zoned R-2 Residential to C-1 Commercial; and

**WHEREAS**, the Planning & Zoning Commission held a public hearing to receive public input as to the pros and cons of granting said request and after discussion voted to deny said request; and

**WHEREAS**, upon learning of such denial, petitioner opted to appeal said decision to the Lakeview City Council as provided for within the City's Zoning Regulations; and

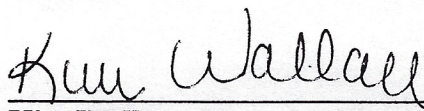
**WHEREAS**, the letter of appeal was read to the City Council and after discussion in an attempt to understand the zoning issue the City Council voted to grant the rezoning request as stated.

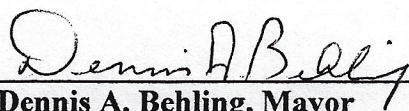
**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lakeview, Baxter County, Arkansas that the portion of the property at 56 North Drive, i.e. Lots 22, 23, Pt. 24 and Tract 2, Block 3, Penrod Subdivision not already zoned C-1 Commercial be rezoned from R-2 Residential to C-1 Commercial.

**SEVERABILITY** – The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but shall remain in full force and effect.

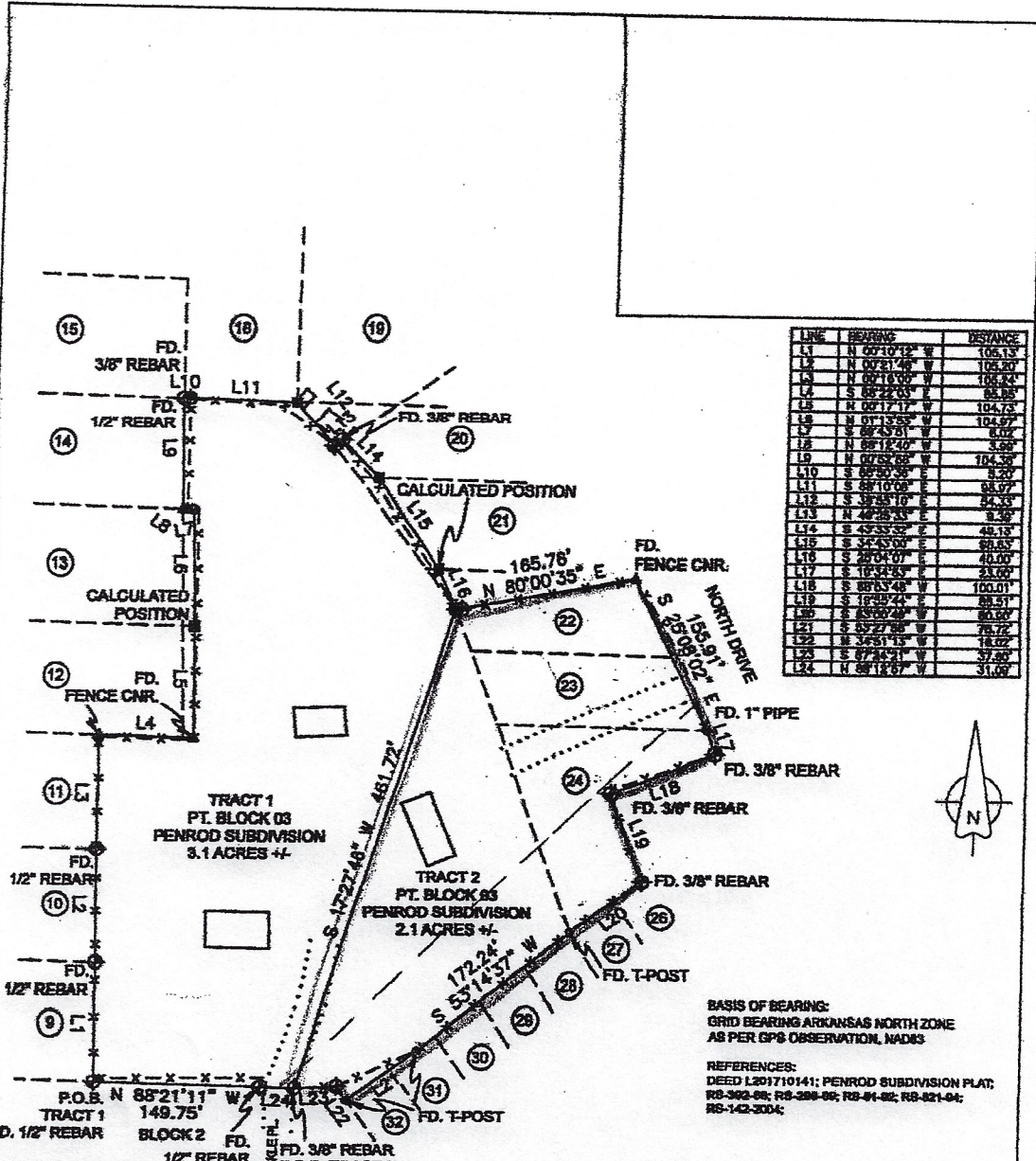
**PASSED, ADOPTED AND APPROVED** this 19<sup>th</sup> day of December, 2023 by the Lakeview City Council comprised of Ralph Edge, Lindley Reubin, Carl Hill, Janet Castillo, Bill Svehla and Brenda Newell on motion by Cncl. Svehla, 2<sup>nd</sup> by Cncl. Hill with a roll vote of 6 Yeas and 0 Nays.

**Attest:**

  
\_\_\_\_\_  
**Kim Wallace, Recorder/Treasurer**

  
\_\_\_\_\_  
**Dennis A. Behling, Mayor**





**SURVEY DESCRIPTIONS:**  
**TRACT 1:**  
 Part of the undivided part of Block 03 and part of Lots 20, 21, and 22, Block 03 of the Penrod Subdivision at Lakeview, located in Baxter County, Arkansas, described as:  
 Beginning at a 1/2" rebar located at the Southeast corner of Lot 08 of Block 03 of the Penrod Subdivision at Lakeview; thence N 00°10'12" W along the East line of Lot 09 a distance of 105.13' to a 1/2" rebar located at the Southeast corner of Lot 10; thence N 00°21'48" W along the East line of said Lot 10 a distance of 105.20' to a 1/2" rebar located at the Southeast corner of Lot 11; thence N 00°18'00" W along the East line of said Lot 11 a distance of 105.34' to a fence corner located at the Northeast corner of said Lot 11; thence S 88°22'33" E along the South line of Lot 12 a distance of 88.85' to a fence corner; thence N 01°13'55" W paralleling the East line of said Lot 12 a distance of 104.73'; thence N 01°13'55" W paralleling the East line of Lot 13 a distance of 104.73' to a fence corner; thence S 89°43'51" W along the North line of said Lot 13 a distance of 8.02' to a fence corner; thence N 88°12'40" W a distance of 3.98' to a fence corner located at the Southeast corner of Lot 14; thence N 00°52'58" W along the East line of said Lot 14 a distance of 104.38' to a 1/2" rebar located at the Southwest corner of Lot 15; thence S 88°30'35" E along the South line of said Lot 15 a distance of 8.20' to a 3/8" rebar; thence S 88°10'05" E continuing along said South line a distance of 88.07' to the Northwest corner of Lot 20; thence S 38°38'10" E a distance of 82.33' to a 1/2" rebar; thence N 48°28'43" E a distance of 8.38' to a 3/8" rebar; thence S 43°33'32" E a distance of 48.18' to a 1/2" rebar; thence S 34°43'00" E a distance of 61.55' to a 1/2" rebar; thence S 25°04'09" E a distance of 40.00' to a 1/2" rebar; thence S 17°27'48" W a distance of 23.00' to a 1/2" rebar; thence N 88°12'57" W a distance of 31.00' to a 1/2" rebar located at the Northeast corner of Block 02; thence N 88°21'11" W along the North line of said Block 02 a distance of 148.75' to a 1/2" rebar located at the Southeast corner of Lot 08 of Block 03 of the Penrod Subdivision at Lakeview; which is the P.O.B., having an area of 3.1 Acres, as surveyed.

**TRACT 2:**  
 Part of the undivided part of Block 03, all of Lot 23, part of Lots 22 and 24, Block 03 of the Penrod Subdivision at Lakeview, located in Baxter County, Arkansas, described as:  
 Commencing at a 1/2" rebar located at the Southwest corner of Block 02 of the Penrod Subdivision at Lakeview; thence S 88°00'49" W along the South line of Block 03 of said Penrod Subdivision to a 3/8" rebar; for a Point Of Beginning; thence N 17°27'48" E a distance of 481.72' to a 1.5" pipe located at the Northeast corner of Lot 24; thence S 19°58'43" E along the East line of Lot 22; thence S 25°04'02" E a distance of 188.81' along the East line of Lots 22 and 23 to a 1.5" pipe located at the Northeast corner of Lot 24; thence S 19°58'43" E along the East line of said Lot 24 a distance of 23.00' to a 3/8" rebar; thence S 63°00'49" W leaving said East line a distance of 100.01' to a 3/8" rebar; thence S 19°58'44" E a distance of 88.51' to a 3/8" rebar located at the South line of said Block 03; thence S 63°00'49" W along said South line a distance of 80.90' to a t-post; thence S 53°14'37" W a distance of 172.24' to a t-post; thence S 63°27'58" W a distance of 78.72' to a t-post; thence N 34°51'13" W leaving said South line a distance of 18.02' to a 1/2" rebar; thence S 87°24'21" W a distance of 37.80' to a 3/8" rebar; which is the P.O.B., having an area of 2.1 Acres, as surveyed.

**SURVEY FOR: ALLISON BACKUS WISEMAN**  
**PT. BLOCK 03 OF PENROD SUBDIVISION AT LAKEVIEW**  
 STATE SURVEYOR'S CODE: 500-20N-15W-0-36-000-03-1688  
 SURVEY IS SUBJECT TO ANY WRITTEN AND/OR UNWRITTEN EASEMENTS, RESTRICTIONS, AND/OR AGREEMENTS.  
 DISTANCES SHOWN HEREON ARE GROUND DISTANCES.

**THIS DRAWING IS A TRUE REPRESENTATION OF THE SURVEY PERFORMED BY ME OR UNDER DIRECT SUPERVISION. THE CORNERS FOUND/SET ARE AS SHOWN. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO, WITHIN SIX MONTHS FROM DATE HEREOF, AND AS TO THEM I CERTIFY THE ACCURACY OF SAID SURVEY AND MAP.**

0 125 250

**ADVANCED LAND SERVICES**

DRAWN	DATE	2005+ 180111WV 0
RB	03/27/2022	MOUNTAIN VIEW, AR 72680
APPROVED	DATE	870-288-7338
PS#1688	COA#1636	aismvar@gmail.com
SCALE	SHEET	PROJECT NO.
1" = 125'	1 OF 1	BAX PENROD LOTS 22 23
		24 BLK 03 AS 22