CITY OF OZARK

REZONING COMMUNITY LIAISON FORM

The Petitioner, Louis	= LIMEELHANEY	
does hereby petition the	Ozark Planning Commission to rezone the following	
described property from	R-4 to $C-2$. If such rezone	
involves a plat or subdivi	sion, such rezone shall be accompanied by a plat of	
the property. Other case	s shall have a survey or map of the location, such as	
- -	5 Simil into a Salvey of halp of the recent of the	
a plat.		
THE AT PROPERTY AND	· •	
LEGAL DESCRIPTION	i:	
SEE ATTA	DEHED MARKED EXHIBIT "A"	
The street address of the	monateries 10 de 11 Commence of co ack	AR
	property is: 1205 W Commercial OLAAK.	, , , , .
The managed many year of	f the property shall be: A RESTAURANT	
The proposed new use of	The property shan be. A NUSTADBANG	
VARIANCE OR OTHE	RUSE	
	ng for a variance or special use permit, the above infor-	
mation must be accompa	anied by a description of such special use or the need	
for such variance.		
The petitioner also signs	to the fact that he/she has received a copy of the	
Zoning Ordinance.		
•		
	from ellan	
	Petitioner	
	AGENT FOR:	
Ammarad by	LOVIEL MEELHANRY	
Approved by:	LOUIZ TIME ELHANGE	
3.6	Was Mch assay	
Mayor	Visit of the state	
Building Inspector		
Water Manager	La (North	
Electric Utility		
Natural Gas Utility	Been Otrathung	
	e variable de la var	

The City Clark acknowledges the receipt of \$ 100.00 for the fee for rezone

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Ozark Planning Commission will hold a public hearing on a request from R-4 to C-2 zoning in the City of Ozark. Property hereafter described:

Part of Block 29 Fleeman's Addition to the Town of Ozark, Franklin County, Arkansas being more particularly described as follows:

Beginning at a set rebar w/cap marking the Northwest Corner of Block 29, Fleeman Addition to the Town of Ozark, said point being on the South right of way line of US Highway 64. Thence along the North line of said Block 29 and along said right of way line, South 84 degrees 16 minutes 00 seconds East, 274.96 feet to a set rebar w/cap marking the Northeast Corner of said Block 29, said point being on the West right of way line of 12th Street. Thence along the East line of said Block 29 and along said 12th Street right of way line, south 108.92 feet to an existing rebar. Thence leaving said East line of Block 29 and said right of way line, North 87 degrees 22 minutes 44 seconds West, 99.95 feet to an existing rebar. Thence South 00 degrees 19 minutes 35 seconds West, 104.40 feet to the South line of Block 29, Fleeman's Addition, said point of being on the North right of way line of Main Street. Thence along the south line of Block 29 and along said Main Street right of way line, North 84 degrees 14 minutes 59 seconds West, 99.20 feet to a set rebar w/cap. Thence leaving said South line and said right of way line, North 00 degrees 02 minutes 49 seconds East, 110.01 feet to a set rebar w/cap. Thence North 84 degrees 15 minutes 37 seconds West, 74.91 feet to a set rebar w/cap on the East line of block 29, Fleeman's Addition, said point of being on the East right of way line of 13th Street. Thence along said West line of Block 29 and along said right of way line, North 108.77 feet to the Point of Beginning, containing 0.94 of an acre and subject to Alley rights of way and any Easements of Record. Physical address 1205 W Commercial Street.

Notice is hereby given that the public hearing will be held at 7:00 p.m. on Thursday, the 5th of March 2009, at the City Offices at City Hall in Ozark Arkansas.

Louie L. McElhaney Petitioner

Virginia Brown P&Z Chairman

PROPERTY DESCRIPTION

Part of Block 29, Fleeman's Addition to the Town of Ozork, Franklin County, Arkansas being more particularly described as follows:

Beginning at a set rebor w/cop marking the Northwest Corner of Beginning at a set rebor w/cop marking the Northwest Corner of Black 29, fleeman's Addition to the Town of Ozork, said point being Black 29, fleeman's Addition to the Town of Ozork, said point being at the South right of way line of 15 Highway 64. Thence along the Northwest Corner of said Black 29, said opint being an the West right of way line, Sauth 108 92 feet to an existing veloc. There eleving way line, South 108 92 feet to an existing about 20, the East line of Black 29 and along soid 12th Street. Thence leaving said East line of Black 29 and said 19th 5 feet to an existing about line of Black 29 and said 19th 5 feet to an existing about being on the North 100 degrees 19 minutes 35 seconds West, 100 flow) the South line of Black 29 and damy said Main Street. Thence point being on the North 101 way line of Main Street. Thence point being on the North 101 degrees 19 minutes 39 seconds West, 195.0 feet to a set rebor w/cop. Thence leaving said Main Street right of damy line, North 00 degrees 02 minutes 49 seconds East 100 of way line, North 00 degrees 02 minutes 49 seconds East fine 13 seconds West, 29 feet to a set rebor w/cop on the West line 37 seconds West, 29 feet to a set rebor w/cop on the West line 37 seconds West, 29 feet to a set rebor w/cop on the East right of Way line of 13th Street. Thence along soid West line 18 Beginning, conlaining 0.94 of an acce and subject to Alley rights of Beginning, conlaining 0.94 of an acce and subject to Alley rights of way and any Easements of Record.

SURVETOR'S NOTE: This survey was done to mark the corners on the ground and to show observed structures. Utilities located if Requested occording to utility company records, and or above ground inspection. This survey was done from description furnished to us or instruction from the person(s) named on this part. Surveyor has made no investigation or independent search for easements plat. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts which an accurate and current title search my disclose.

SURPCOR'S NOTE: This survey was conducted under the supervision of Clowis W. Sotterfield, No. 0147, or Ricky Hill, No. 1443, Sotterfield Land Surveyors. P.A., Certificate of Authorization No. 718. Satterfield Land Surveyors. P.A., 1-(479)-632-3565 Hwy. 71 North, P.O. Box 640, Alma, AR 72921

Sallerfield Land Surveyors P.A., Copyrigh 2009 This plat is copyright material and is provided solety for the use of the arrenals) named on this old and may not be used or distributed to any

M. M. non

2007 **888** STREET 15. ekvemeni AA/YY ,09 W. Coo. .50.0011 2.0000000 26.801 W 5000 BY: 5.L.S.- JOBN 26209 DATED: APRIL 21, 2000 87°22'44" W 99.95 N 07" 1742" W 100.58" PREVIOUS SURVEY 60° 1974 10 GRAVE CAN'ERD L.P.O. (3000) 504°1600°E274.96" U.S. HIGHIWAY 64 3.5 0.94 ACRES 49.36, N 84°14'59" W 99.20 BLOCK 29 20 PLATIED ALLEY 200 PO 10:011 3.64.20.00 N 112° S.R.B. W.C.A. 648,537 W 74.91 ę5° BLOCK BLD. 2.5.R.B. W.C.W. META DED. 40 PAVEMENT 6'60 eo. Wax (nol oben) 133818 HI EL SW CORNER BLOCK 29 FLEDAWS ADDITION BEGINNING POINTO MV CORNER PLEGAMYS ADDITION

PAGE 03

CITY OF OZARK

REZONING COMMUNITY LIAISON FORM

The Petitioner, Andre	- MARELHANFY
does hereby petition the Ozar	k Planning Commission to rezone the following
described property from	2-4 to 2-2. If such rezone
	such rezone shall be accompanied by a plat of
	Il have a survey or map of the location, such as
a plat.	
TEGAL DECORMAN	
LEGAL DESCRIPTION:	
SEE ATTACH	ed IMARKED EXHIBIT "A"
	,
	· ·
The street address of the pro-	erty is: 1205 W Commercial CRAK. AR
The server as a server of the brak	CONTRACTOR DESIGNATION
The proposed new use of the	property shall be: A RESTAURANT
	· · · · · · · · · · · · · · · · · · ·
VARIANCE OR OTHER US	E
If the applicant is applying for	a variance or special use permit, the above infor-
mation must be accompanied	by a description of such special use or the need
for such variance.	•
	•
The petitioner also signs to th	e fact that he/she has received a copy of the
Zoning Ordinance.	
	$(\mathcal{I}_{-}, (\mathcal{I}_{-}), (\mathcal{I}_{-}))$
	van ellan
,	Petitioner
	AGENT FUR.
Approved by:	LOVIE & ME ELHANEY
	1 July 10
Mayor	Vinar M. Domes
Building Inspector	7.04
Water Manager	La Company of the Com
Electric Utility	7 E O BULLY
Natural Gas Utility	Bad Guardin
	1
The City Clark astronic lase	the manning of \$ 100 00 for the fire for manning
THE CRY CHIK SCKINOWINGS	the receipt of \$ 100,00 for the fee for rezone.
_	
	City Clerk
	CAY CRIK

Feb. 18 2009

Virginia Brown Ozarb Planing & Loning Com.

This will serve as notice to polition the Garb planing t joining Com, to change the ganing at 1205 West Commercial from

R-4 to 02 Thank you

Louis J. M. Elkaney executar of estate for chester to M. Elkaney

Louis S. M. Elhaness

Sanet Fredendall

ORDINANCE NO. 2009-06

AN ORDINANCE AMENDING THE ZONING REGULATIONS AND ZONING MAPS OF THE CITY OF OZARK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Ozark Planning Commission conducted a public hearing on March 5, 2009, at which the proposed Amendment was discussed with members of the public; and,

WHEREAS, the public hearing was advertised in a paper of general circulation in the City of Ozark at least fifteen (15) days prior to the meeting; and,

WHEREAS, the City Council has heard the report and recommendation of the Ozark Planning Commission as to the Amendment of the Ozark Zoning Regulations and maps; that said property is owned by Louie L McElhaney.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK, ARKANSAS:

SECTION 1: That the zoning regulations and map of the City of Ozark shall be amended to reflect that the zoning of the following described property located in the Ozark District of Franklin County, Arkansas is modified from R-4 to C-2 to-wit:

Part of Block 29 Fleeman's Addition to the Town of Ozark, Franklin County, Arkansas being more particularly described as follows:

Beginning at a set rebar w/cap marking the Northwest Corner of Block 29, Fleeman Addition to the Town of Ozark, said point being on the South right of way line of US Highway 64. Thence along the North line of said Block 29 and along said right of way line, South 84 degrees 16 minutes 00 seconds East, 274.96 feet to a set rebar w/cap marking the Northeast Corner of said Block 29, said point being on the West right of way line of 12th Street. Thence along the East line of said Block 29 and along said 12th Street right of way line, south 108.92 feet to an existing rebar. Thence leaving said East line of Block 29 and said right of way line, North 87 degrees 22 minutes 44 seconds West, 99.95 feet to an existing rebar. Thence South 00 degrees 19 minutes 35 seconds West, 104.40 feet to the South line of Block 29, Fleeman's Addition, said point of being on the North right of way line of Main Street. Thence along the south line of Block 29 and along said Main Street right of way line, North 84 degrees 14 minutes 59 seconds West, 99.20 feet to a set rebar w/cap. Thence leaving said South line and said right of way line, North 00 degrees 02 minutes 49 seconds East, 110.01 feet to a set rebar w/cap. Thence North 84 degrees 15 minutes 37 seconds West, 74.91 feet to a set rebar w/cap on the East line of block 29, Fleeman's Addition, said point of being on the East right of way line of 13th Street. Thence along said West line of Block 29 and along said right of way line, North 108.77 feet to the Point of Beginning, containing 0.94 of an acre and subject to Alley rights of way and any Easements of Record. Physical address 1205 W Commercial Street.

SECTION 2: All Ordinances, parts of Ordinances or Regulations in conflict herewith are hereby repealed.

SECTION 3: That the lack of C-2 zoning at the above-described location has resulted in conditions which are detrimental to the City of Ozark and its citizens. An emergency is therefore declared and this Ordinance being necessary for the preservation of public peace, health and safety shall be in full force and effect from and after its passage.

Vernon McDaniel, Mayor of Ozark

PASSED this 9th day of March 2009.

a=1/ 1

Carol Sneath, City Clerk

STATE OF ARKANSAS, COUNTY OF FRANKLIN OZARK DISTRICT FILED FOR RECO. D. THE 16 DAY OF 10 A DAY OF 20 09 AT 2:10 OCLOCK 10 M. AND RECORDED IN BOOK 103 PAGE 272
WILMA GRAGG - BRUSHWOOD CHRCUIT CLERK AND RECORDER BY 000 D.C.