

STATE OF ARKANSAS, COUNTY OF FRANKLIN  
OZARK DISTRICT  
FILED FOR RECORD THE 16<sup>th</sup> DAY OF April  
2009 AT 2:00 O'CLOCK P. M. AND RECORDED  
IN BOOK 103 PAGE 269  
WILMA GRAGG - BRUSHWOOD  
CIRCUIT CLERK AND RECORDER  
BY Sharon Madison D.C.

**ORDINANCE NO. 2009-09**

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 April 9, 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 Randy Thompson.

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 C-3 to C-2 to-wit:

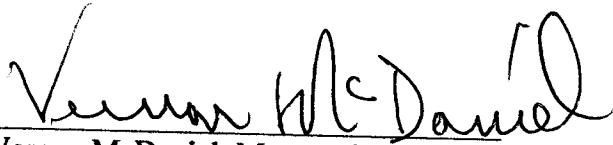
Part of the Southwest quarter of the southwest Quarter of Section 25, Township 10 North, Range 27 West, Franklin County, Arkansas being more particularly described as follows:

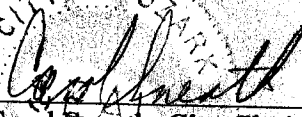
Commencing at a set rebar marking the Northeast Corner of said Southwest Quarter, Southwest Quarter. Thence along the East line of said Southwest Quarter, South 00 degrees 38 minutes 57 seconds West, 148.5 feet to the Point of Beginning. Thence continue along said East line, South 00 degrees 35 minutes 57 seconds West, 90.00 feet. Thence leaving said East line, South 88 degrees 57 minutes 22 seconds West, 132.36 feet to an existing fence post. Thence North 04 degrees 47 minutes 31 seconds East along an existing fence line, 109.06 feet to an existing fence post. Thence South 82 degrees 32 minutes 03 seconds East, 125.23 feet to the Point of Beginning, containing 0.29 of an acre and subject to Highway Rights of Way and any Easements of record. Physical address 1113 N. 3<sup>rd</sup> 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.

PASSED this 13<sup>th</sup> day of April 2009.

  
Vernon McDaniel, Mayor of Ozark

ATTEST:  
  
Carol Sneath, City Clerk



CITY OF OZARK

REZONING COMMUNITY LIAISON FORM

The Petitioner, Randy Thompson  
does hereby petition the Ozark Planning Commission to rezone the following  
described property from C3 to C2. If such rezone  
involves a plat or subdivision, such rezone shall be accompanied by a plat of  
the property. Other cases shall have a survey or map of the location, such as  
a plat.

LEGAL DESCRIPTION:

The street address of the property is: 1113 N 3rd St.

The proposed new use of the property shall be: Chiropractic office

VARIANCE OR OTHER USE

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 the fact that he/she has received a copy of the  
Zoning Ordinance.

**APPROVED**  
PLANNING & ZONING  
Chairman Virginia Brown  
Approved April 9, 2009  
Approved by \_\_\_\_\_

[Signature]  
Petitioner

*Remove* }

Mayor \_\_\_\_\_  
Building Inspector \_\_\_\_\_  
Water Manager \_\_\_\_\_  
Electric Utility \_\_\_\_\_  
Natural Gas Utility \_\_\_\_\_

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

[Signature]  
City Clerk

## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Ozark Planning Commission will hold a public hearing on a request from C-2 to C-3 zoning in the City of Ozark. Property hereafter described:

Part of the Southwest quarter of the southwest Quarter of Section 25, Township 10 North, Range 27 West, Franklin County, Arkansas being more particularly described as follows:

Commencing at a set rebar marking the Northeast Corner of said Southwest Quarter, Southwest Quarter. Thence along the East line of said Southwest Quarter, Southwest Quarter, South 00 degrees 38 minutes 57 seconds West, 148.5 feet to the Point of Beginning. Thence continue along said East line, South 00 degrees 35 minutes 57 seconds West, 90.00 feet. Thence leaving said East line, South 88 degrees 57 minutes 22 seconds West, 132.36 feet to an existing fence post. Thence North 04 degrees 47 minutes 31 seconds East along an existing fence line, 109.06 feet to an existing fence post. Thence South 82 degrees 32 minutes 03 seconds East, 125.23 feet to the Point of Beginning, containing 0.29 of an acre and subject to Highway Rights of Way and any Easements of record. Physical address 1113 N. 3<sup>rd</sup> Street.

Notice is hereby given that the public hearing will be held at 7:00 p.m. on Thursday, the 9th of April 2009, at the City Offices at City Hall in Ozark Arkansas.

Randy Thompson  
Petitioner

Virginia Brown  
P&Z Chairman