

ORDINANCE NO. 2019-9

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 in March 6, 2019, 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 Susan Hopper.

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-2 to R-1 to-wit:

110 East Commercial Street

... is described as follows:

A certain tract of land located in Part of Lots 5, 6, 9 and 10 of Block 5 of the Quail's Addition to the City of Ozark in Franklin County, Arkansas being more particularly described as follows and as shown on Arkansas River Valley Surveying Plat #2203: commencing at a chiseled "X" at the NE Corner of Block 20 of the Original Town of Ozark; thence South 80 degrees 50 minutes 11 seconds East 621.46 feet along the South right of way (r/w) of College Street to a 1/2 inch rebar set in a fence line the point of beginning; thence South 80 degrees 50 minutes 11 seconds East 70.07 feet along said r/w to a 1/2 inch iron pipe; thence South 08 degrees 09 minutes 49 seconds West 220.00 feet along the West line of a Clovis Satterfield Survey for Rosalee Bond to a 1/2 inch rebar on the North r/w of Commercial Street thence North 80 degrees 50 minutes 11 seconds West 68.80 feet along said r/w to a 1/2 inch rebar at a rock retaining wall; thence North 07 degrees 50 minutes 02 seconds East 220.03 feet along said wall and fence to the point of beginning.

SUBJECT HOWEVER TO ALL PRIOR EASEMENTS, RESERVATIONS AND RIGHTS OF WAY OF RECORD.

SECTION 2: All Ordinances, parts of Ordinances or Regulations in conflict herewith are hereby repealed.

SECTION 3: That the lack of R-1 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 9th Day of April 2018

Tommy R. McNutt, Mayor of Ozark

ATTEST:

Sonya Eveld, City Clerk

City of Ozark

ISSUED BY:
Adams Abstract & Title Co., Inc.

ADDRESS 107 South 3rd Street, Ozark, AR 72949

COMMITMENT NUMBER: 1V-19

TEL. NO. (479) 667-2194
FAX NO. (479)667-2195
FILE NO. 1V-19

SCHEDULE A

1. Effective date: January 16, 2019 at 8:00AM

(Date of Record Examination)

2. Policy or Policies to be issued: Priority Bank and its successors and/or assigns as their interests may appear.
Christina M. Harris

Loan Policy: \$112,121.00

Owner's Policy: \$105,000.00

3. The estate or interest in the land described or referred to on this commitment is: Fee simple

4. Title to the Fee simple estate or interest in the land is at the Effective Date vested in: Jerry K. Stokes and Susan A. Stokes

NAME OF PURCHASER: Christina M. Harris

5. The land referred to in this Commitment is described as follows:

A certain tract of land located in Part of Lots 5, 6, 9 and 10 of Block 5 of the Quales Addition to the City of Ozark in Franklin County, Arkansas being more particularly described as follows and as shown on Arkansas River Valley Surveying Plat #2203: commencing at a chiseled "X" at the NE Corner of Block 20 of the Original Town of Ozark; thence South 80 degrees 50 minutes 11 seconds East 621.46 feet along the South right of way (r/w) of College Street to a 1/2 inch rebar set in a fence line the point of beginning, thence South 80 degrees 50 minutes 11 seconds East 70.07 feet along said r/w to a 1/2 inch iron pipe; thence South 08 degrees 09 minutes 49 seconds West 220.00 feet along the West line of a Clovis Satterfield Survey for Rosalee Bond to a 1/2 inch rebar on the North r/w of Commercial Street thence North 80 degrees 50 minutes 11 seconds West 68.80 feet along said r/w to a 1/2 inch rebar at a rock retaining wall; thence North 07 degrees 50 minutes 02 seconds East 220.03 feet along said wall and fence to the point of beginning.

CITY OF OZARK

REZONING COMMUNITY LIAISON FORM

The Petitioner, Hopper Farms Flower & Gift Shop Susan Hopper does hereby petition the Ozark Planning Commission to rezone the following described property from Commercial to residential. 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: 110 East Commercial Street

The proposed new use of the property shall be: family home

VARIANCE OR OTHER USE

If the applicant is applying for a variance or special use permit, the above information 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.

Susan Hopper
Petitioner

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

Sonya Euel
City Clerk

PUBLIC HEARING

The Ozark Planning Commission will hold a public hearing at 2910 W Commercial

3/6/19 6 p.m.

at _____

to consider a petition from

Maxine McIlroy

to rezone property at

110 E Commercial St

from

C2 to R1

Complete property description is available at Ozark City Hall.

The proposed new use of the property shall be

Family Home

City of Ozark

ORDINANCE NO 1997-19

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 November 4, 1997, 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 Susan Alice Stokes.

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-1 to C-2, to-wit:

A certain tract of land located in part of Lots 5, 6, 9 and 10 of Block 5 of the Quales Addition to the City of Ozark in Franklin County, Arkansas, being more particularly described as follows and as shown on Arkansas River Valley surveying plat #2203:

Commencing at a chiseled "X" at the Northeast corner of Block 20 of the original Town of Ozark; thence, South 80 degrees 50 minutes 11 seconds East 621.46 feet along the South R/W of College Street to a 1/2" rebar set in a fence line, the point of beginning; thence: South 80 degrees 50 minutes 11 seconds east 70.07 feet along said R/W to a 1/2" iron pipe; thence, South 08 degrees 09 minutes 49 seconds West 220.00 feet along the West line of a Clovis Satterfield survey for Rosalee Bond to a 1/2" rebar on the North R/W of Commercial Street; thence, North 80 degrees 50 minutes 11 seconds West 68.8 feet along said R/W to a 1/2" rebar at a rock retaining wall; thence, North 07 degrees 50 minutes 02 seconds East 220.3 feet along said wall and fence to the point of beginning. Physical address of 110 E. Commercial.

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

SECTION 3: 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 it's passage.

CITY OF OZARK

Founded 1835-The Original Ozark

607 West College Street-P.O. Box 253 Ozark, Arkansas 72949
(501)667-2238 (501)667-4515 Fax

MAYOR

Vernon McDaniel

CITY CLERK

Carol Sueath

CITY ATTORNEY

John Verbamp

JUDGE

Joe Ramos

CITY COUNCIL

Res Anderson

Tom Edgin

W.D. House

Susan Oliver

Loye Raulolph

Kenneth Warden III

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Ozark Planning Commission will hold a public hearing on the rezoning of certain properties in the City of Ozark from R-1 to C-2 as hereafter described:

A certain tract of land located in part of Lots 5, 6, 9 and 10 of Block 5 of the Quales Addition to the City of Ozark in Franklin County, Arkansas, being more particularly described as follows and as shown on Arkansas River Valley surveying plat #2203:

Commencing at a chiseled "X" at the Northeast corner of Block 20 of the original Town of Ozark; thence, South 80 degrees 50 minutes 11 seconds East 621.46 feet along the South R/W of College Street to a 1/2" rebar set in a fence line, the point of beginning; thence: South 80 degrees 50 minutes 11 seconds east 70.07 feet along said R/W to a 1/2" iron pipe; thence, South 08 degrees 09 minutes 49 seconds West 220.00 feet along the West line of a Clovis Satterfield survey for Rosalee Bond to a 1/2" rebar on the North R/W of Commercial Street; thence, North 80 degrees 50 minutes 11 seconds West 68.8 feet along said R/W to a 1/2" rebar at a rock retaining wall; thence, North 07 degrees 50 minutes 02 seconds East 220.3 feet along said wall and fence to the point of beginning. Physical address of 110 E. Commercial

Notice is hereby given that the public hearing will be held at 5:00 p.m. on Tuesday, the 4th day of November 1997, at the City Offices at City Hall in Ozark, Arkansas.

Susan Alice Stokes
Petitioner

Roz Fenn, Chairman
OZARK PLANNING COMMISSION



96-687

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT GWEN F. STEWART, a single person, GRANTOR for and in consideration of the sum of TEN AND 00/100 (\$10.00) DOLLARS, in hand paid by JERRY KENNETH STOKES and SUSAN ALICE STOKES, husband and wife, as tenants by the entirety with the right of survivorship, GRANTEES, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the said GRANTEES and unto their heirs and assigns forever, the following lands lying in the County of FRANKLIN and State of Arkansas, to wit:

A CERTAIN TRACT OF LAND LOCATED IN PART OF LOTS 5, 6, 9 AND 10 OF BLOCK 5 OF THE QUAILES ADDITION TO THE CITY OF OZARK IN FRANKLIN COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SHOWN ON ARKANSAS RIVER VALLEY SURVEYING PLAT #2203:

COMMENCING AT A CHISELED "X" AT THE NE CORNER OF BLOCK 20 OF THE ORIGINAL TOWN OF OZARK; THENCE: SOUTH 80 DEGREES 50 MINUTES 11 SECONDS EAST 621.46 FEET ALONG THE SOUTH RIGHT-OF-WAY (R/W) OF COLLEGE STREET TO A 1/2" REBAR SET IN A FENCE LINE, THE POINT OF BEGINNING; THENCE: SOUTH 80 DEGREES 50 MINUTES 11 SECONDS EAST 70.07 FEET ALONG SAID R/W TO A 1/2" IRON PIPE; THENCE: SOUTH 08 DEGREES 09 MINUTES 49 SECONDS WEST 220.00 FEET ALONG THE WEST LINE OF A CLOVIS SATTERFIELD SURVEY FOR ROSALEE BOND TO A 1/2" REBAR ON THE NORTH R/W OF COMMERCIAL STREET; THENCE: NORTH 80 DEGREES 50 MINUTES 11 SECONDS WEST 68.80 FEET ALONG SAID R/W TO A 1/2" REBAR AT A ROCK RETAINING WALL; THENCE: NORTH 07 DEGREES 50 MINUTES 02 SECONDS EAST 220.03 FEET ALONG SAID WALL AND FENCE TO THE POINT OF BEGINNING.

GRANTORS HEREIN RESERVE UNTO THEMSELVES, THEIR HEIRS AND ASSIGNS ALL THE COAL, OIL, GAS AND OTHER MINERALS IN AND ON THE ABOVE DESCRIBED LANDS; HOWEVER GRANTORS DO NOT RESERVE ANY RIGHT TO THE USE OF THE SURFACE BECAUSE OF SAID RESERVATION.

To have and to hold the same unto the said GRANTEES and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And I hereby covenant with said GRANTEES that I will forever warrant and defend the title to the said lands against all claims whatever.

WITNESS my hand and seal on this 8th day of November , 19 96 .



Gwen Stewart

[SEAL]

CITY OF OZARK

REZONING COMMUNITY LIAISON FORM

Petitioner, Susan Alice Stokes
petition the Ozark Planning Commission to rezone the following described property from
R-1 to C-2.

Attached

The Street Address of the property is 110 E. Commercial, Ozark, Arkansas

The proposed new use of the property is as follows:

Bed & Breakfast / Intimate Dining / Catering

Susan Alice Stokes
Petitioner

RECOMMENDING AUTHORITY APPROVED DISAPPROVED

Donna Anderson

Fire Chief Samuel Adams ✓

Postmaster Arne Ray

Water Super Craig B. H.

Street Super Walter Widomg.

Electric Utility Carol Hyde

Natural Gas Utility Art Zimmerman

Police Chief Bob Ben

ORDINANCE NO. 2019-9

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 in March 6, 2019, 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 Susan Hopper.

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-2 to R-1 to-wit:

110 East Commercial Street

... is described as follows:

A certain tract of land located in Part of Lots 5, 6, 9 and 10 of Block 5 of the Quailles Addition to the City of Ozark in Franklin County, Arkansas being more particularly described as follows and as shown on Arkansas River Valley Surveying Plat #2203: commencing at a chiseled "X" at the NE Corner of Block 20 of the Original Town of Ozark; thence South 80 degrees 50 minutes 11 seconds East 621.46 feet along the South right of way (r/w) of College Street to a 1/2 inch rebar set in a fence line the point of beginning, thence South 80 degrees 50 minutes 11 seconds East 70.07 feet along said r/w to a 1/2 inch iron pipe; thence South 08 degrees 09 minutes 49 seconds West 220.00 feet along the West line of a Clovis Satterfield Survey for Rosalee Bond to a 1/2 inch rebar on the North r/w of Commercial Street thence North 80 degrees 50 minutes 11 seconds West 68.80 feet along said r/w to a 1/2 inch rebar at a rock retaining wall; thence North 07 degrees 50 minutes 02 seconds East 220.03 feet along said wall and fence to the point of beginning.

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

SECTION 3: That the lack of R-1 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 9th Day of April 2018

Tommy R. McNutt, Mayor of Ozark

ATTEST:

Sonya Eveld, City Clerk

PUBLIC HEARING

The Ozark Planning Commission will hold a public hearing at 2910 W. Commercial

~~2/6/19~~ 6 p.m.

3/7/19 at _____

to consider a petition from

~~Maxine McHenry~~ Susan Hopper

to rezone property at

110 E Commercial St

from

C2 to R1

Complete property description is available at Ozark City Hall.

The proposed new use of the property shall be

Family Home

Approved 3-7-19
Ruth Hoffmann

3-7-19
P+Z

Don Robinson donaldwrobinson61@gmail.com

Teresa Day - daysbackhoe@centurytel.net

Joshua Freeman outlandergear3@yahoo.com

David Mahon onehogfan@gmail.com

PUBLIC HEARING

The Ozark Planning Commission will hold a public hearing at 2910 W Commercial

3/6/19 6 p.m.

at _____

to consider a petition from

Maxine McIlroy

to rezone property at

110 E Commercial St

from

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CITY OF OZARK

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If the applicant is applying for a variance or special use permit, the above information 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.

Susan Hopper
Petitioner

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

City Clerk

ISSUED BY:
Adams Abstract & Title Co., Inc.

ADDRESS 107 South 3rd Street, Ozark, AR 72949

COMMITMENT NUMBER: 1V-19

TEL. NO. (479) 667-2194
FAX NO. (479)667-2195
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SCHEDULE A

1. Effective date: January 16, 2019 at 8:00AM

(Date of Record Examination)

2. Policy or Policies to be issued: Priority Bank and its successors and/or assigns as their interests may appear.
Christina M. Harris

Loan Policy: \$112,121.00

Owner's Policy: \$105,000.00

3. The estate or interest in the land described or referred to on this commitment is: Fee simple

4. Title to the Fee simple estate or interest in the land is at the Effective Date vested in: Jerry K. Stokes and
Susan A. Stokes

NAME OF PURCHASER: Christina M. Harris

5. The land referred to is this Commitment is described as follows:

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ORDINANCE NO. 2019-9

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SUBJECT HOWEVER TO ALL PRIOR EASEMENTS, RESERVATIONS AND RIGHTS OF WAY OF RECORD.

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

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PASSED this 9th Day of April 2018

Tommy R. McNutt, Mayor of Ozark

ATTEST:

Sonya Eveld, City Clerk