

## ORDINANCE NO. 2011-13

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 10, 2011 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 Milford Trasclair.

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 being located at 1007 & 1009 College, & 106 N 11<sup>th</sup> Street Lot 18 of the Fleeman Addition to the City of Ozark, Arkansas, being more particularly described as follows:

Beginning at a set ½' rebar at the NW/corner of said block 18:

Thence: S 80 degrees 47' 33" E 245.18 Feet along the North line thereof to a set ½" rebar on the West line of a survey by Arkansas River Valley Surveying job no. 4034:

Thence: S 08 degrees 16' 04" W 83.09 feet to a found ½" rebar at the SW/corner of said survey and also being the Northwest corner of a survey by Anderson (ps 1272) for the Arkansas Baptist Foundation (job no. 96-2-11 dated March 3 1996): Thence: S 08 degrees 17' 39" W 91.93 Feet along the West line of said survey to a found axle:

Thence: N 80 degrees 31' 34" W 41.57 feet to a found ½" iron pipe:

Thence: S 03 degrees 18' 02" W 43.95 feet to a found ½" iron pipe at the SW/ corner of said survey being on the North right-of-way (r/w) of U.S. Highway 64:

Thence: N 80 degrees 47' 33" W 186.51 feet along said r/w to a set chiseled 'x' at the SW/corner of said block 18:

Thence: N 02 Degrees 49' 25" E 219.88 Feet to the point of beginning and containing 1.138 acres more or less and being subject to all easements of record and as shown on Arkansas River Valley surveying job no. 6800. The physical address being 1007 College, 1009 College & 106 N 11<sup>th</sup> Street Lot 18 Fleeman Addition..

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 14th day of November 2011.

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Carol Sneath, Mayor of Ozark

ATTEST:

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Sonya Eveld, City Clerk