

**ORDINANCE NO. 1856**

**AN ORDINANCE REZONING CERTAIN LOTS FROM  
RESIDENTIAL R-2 USE TO COMMERCIAL C-2 USE IN  
THE CITY OF EUREKA SPRINGS, ARKANSAS**

**WHEREAS**, a Petition was duly filed with the Eureka Springs Planning Commission and Board of Zoning Adjustments seeking to have Lots 1-7, Tucker Addition, rezoned from residential use to commercial use in the City of Eureka Springs, Arkansas; and

**WHEREAS**, the Eureka Springs Board of Zoning Adjustments approved the rezoning request on the 28th day of September, 2000, rezoning said lots from residential R-2 use to commercial C-2 use, subject to restrictions specified by the Board of Zoning Adjustments; and

**WHEREAS**, the City Council of Eureka Springs, Arkansas, finds it is in the best interest of the City of Eureka Springs, Arkansas, to rezone said lots from residential use to commercial use in the City of Eureka Springs, Arkansas; NOW, THEREFORE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS,  
ARKANSAS:**

1. That Lots 1-7, Tucker Addition, located in the City of Eureka Springs, Carroll County, Arkansas, should be, and hereby are accepted by the City of Eureka Springs, Arkansas, as being rezoned from residential R-2 use to commercial C-2 use in the City of Eureka Springs, Arkansas.
2. That the said rezoned property shall be subject to the following restrictions as specified by the Board of Zoning Adjustments:
  - a. a green buffer area, also referred to as a setback, of twenty five feet shall remain along the property lines adjacent to East Mountain Street;
  - b. a green buffer area, also referred to as a setback, of fifteen feet shall remain along the property lines adjacent to Tucker Street;
  - c. any ingress/egress to said lots from East Mountain Street shall be subject to plans review by the Eureka Springs Planning Commission.
3. That all ordinances or resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
4. That each of the provisions of this ordinance are severable and the decision of any court

having jurisdiction as to the validity of any provision shall not effect the remaining provisions.

5. That this ordinance shall go into and be of full effect thirty (30) days after its passage.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 4th DAY OF JANUARY, 2001.**

**APPROVED:**

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**BEAU ZAR SATORI, Mayor**

**ATTEST:**

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**MARY ANN LEE, City Clerk**

CERTIFICATE

The undersigned, City Clerk of the City of Eureka Springs, Arkansas (the City), hereby certifies that the foregoing pages are a true and correct copy of Ordinance No. 1856, adopted at a regular session of the City Council of the City, held at the regular meeting place of the City Council at 7:00 p.m. on the 4th day of January 2001, and that said Ordinance is of record in Ordinance Record Book No. \_\_\_\_\_ of the City, now in my possession.

GIVEN under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
City Clerk

(SEAL)