

ORDINANCE NO. 1058

AN ORDINANCE GRANTING A VARIANCE TO ORDINANCE NO. 915 TO ALLOW THE GRANTING OF A CONDITIONAL USE PERMIT FOR THE PURPOSE OF ALLOWING THE ESTABLISHMENT OF A SINGLE PHYSICIAN'S OFFICE ON LOT 42 AND THE SOUTH 30 FEET OF LOT 41, BLOCK 28, CLAYTON ADDITION TO THE CITY OF EUREKA SPRINGS, ARKANSAS

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

WHEREAS, a petition was duly filed with the City Council of Eureka Springs, Arkansas, requesting that a Conditional Use Permit be granted to authorize a physician's office for the practice of general medicine on the following described property, to-wit:

Lot 42 and the South thirty (30) feet of Lot 41, Block 28, Clayton Addition to the City of Eureka Springs, Arkansas.

AND WHEREAS, a hearing was held before the Planning Commission of the City of Eureka Springs, Arkansas on the 8th day of March, 1979; whereupon the Planning Commission recommended to the City Council that the petition for a conditional use permit be granted;

AND WHEREAS, notice that a public hearing would be conducted by the City Council of Eureka Springs, Arkansas, was duly published and at the time set forth therein all persons present were afforded an opportunity to be heard on the question;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF EUREKA SPRINGS, ARKANSAS, THAT:

Section 1: The City of Eureka Springs, Arkansas, hereby grants a variance from Ordinance No. 915 to specifically authorize the issuance of a Conditional Use Permit to Dr. Jess D. Green for the purpose of establishing a single physician's office for the practice of general medicine on the herein-

above described real property;

Section 2: This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND ORDAINED this 23<sup>rd</sup> day of March, 1979.

APPROVED:

Marcile Davis  
Marcile Davis  
Mayor

ATTEST:

Vesta C. Johnson  
Vesta C. Johnson  
City Clerk

EMERGENCY DECLARED

The City Council of Eureka Springs, Arkansas, has found it to be essential to the health, safety and welfare of the City that Ordinance No. 1058 take force and effect without delay.

Therefore, an emergency is declared to exist and Ordinance No. 1058 shall be in full force and effect upon its publication according to law.

PASSED AND DECLARED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, this 23 day of March, 1979.

APPROVED:

Marcile Davis  
Marcile Davis  
Mayor

APPROVED:

Vesta C. Johnson  
Vesta C. Johnson  
City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF  
EUREKA SPRINGS, ARKANSAS

DR. JESS D. GREEN and ELIZABETH  
GREEN, Husband and Wife

PETITIONERS

PETITION

Come now Dr. Jess D. Green and Elizabeth Green, and by their attorney,  
Alan D. Epley, and petition the City Council to grant a variance to Ordinance No.  
915 and grant a Conditional Use Permit to authorize a physician's office for  
the practice of general medicine on the following described property, to-wit:

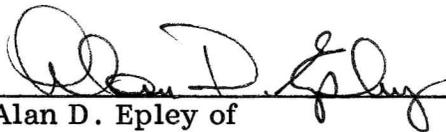
Lot 42 and the South 30 feet of Lot 41, Block 28, Clayton Addition  
to the City of Eureka Springs, Arkansas.

The petitioners, Jess D. Green and Elizabeth Green, specifically  
authorize Alan D. Epley of Epley, Epley & Castleberry, Ltd., to represent them  
before the City Council on this request. Favorable action on this Petition by  
the City Council is requested.

Respectfully submitted,

JESS D. GREEN and ELIZABETH GREEN,  
Petitioners

BY:



Alan D. Epley of  
EPLEY, EPLEY & CASTLEBERRY, LTD.  
P. O. Drawer 470 - 104 Spring Street  
Eureka Springs, AR 72632