

ORDINANCE NO. 1213

AN ORDINANCE REZONING A PART OF SECTION 16, TOWNSHIP 20, NORTH RANGE 26, WEST, IN THE CITY OF EUREKA SPRINGS, ARKANSAS, FROM A-AGRICULTURAL TO C-2, CONTEMPORARY COMMERCIAL

WHEREAS, a Petition was duly filed with the City Council of Eureka Springs, Arkansas, requesting a reclassification of zoning from A-Agricultural to C-2 Contemporary Commercial of the following described property located in Eureka Springs, Arkansas, to-wit:

A part of the S.W. 1/4 of the N. E. 1/4 Section 16, Township 20, North Range 26 West of the 5th P.M.

WHEREAS, a hearing was held before the Planning Commission of the City of Eureka Springs, Arkansas, on September 13, 1984, and said Planning Commission recommended approval of the rezoning of the above described lands.

WHEREAS, notice that a public hearing would be conducted by the Planning Commission 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, and it was ascertained that it would be in the best interests of the City of Eureka Springs for the aforesaid lands to be developed according to the use established in the C-2, Contemporary Commercial portion of the zoning code.

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

SECTION ONE:

The City of Eureka Springs, Arkansas, hereby amends the land use plan of its Zoning Ordinance by withdrawing the former classification of A-Agricultural and substituting therefore the land use classification of C-2 Contemporary Commercial for all of the heretofore described lands.

SECTION TWO:

A copy of this Ordinance, duly certified by the City Recorder, shall be recorded in the deed records of the Ex-Officio Recorder for the Western District, Carroll County, Arkansas.

FILED FOR RECORD

this 29th day of November 1984

at 1:15 o'clock P. M.

JACKIE BUNCH

CIRCUIT CLERK AND RECORDER

By: Kathryn Head D.C.

62 West

46-431

SECTION THREE:

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

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS ON THIS THE 20th DAY OF November, 1984

APPROVED:

Donald L. Thurman
DONALD L. THURMAN
Mayor

ATTEST:

Truie Walsh
TRUIE WALSH
City Clerk-Treasurer
(seal)

CITY OF EUREKA SPRINGS }
COUNTY OF CARROLL }

hereby certify that this instrument was filed for record in my office the 29th day of Nov 1984 at 1:15 o'clock P.M. and duly recorded in MTS Record Book 46 at page 430 + 431 Witness my hand and the Court Seal this 29th day of November, 1984
Garrie Bunch
Circuit Clerk and Recorder
Lattup Head Deputy Clerk

(seal)

Before the Planning Commission
Eureka Springs, Arkansas

Dr. Michael W. Biog and Belinda K. Biog
Husband and Wife - Petitioners

Petition for Rezoning

Come now the petitioners and for their petition state:

1. That petitioners own the following described real property within the city limits of Eureka Springs, Arkansas to wit:
A part of the S, W $\frac{1}{4}$ of the NE $\frac{1}{4}$,
Section 16, Township 20, North Range
26 West of the 5th P.M.
2. That the portion of said property within
250' of U.S. Highway 62 is zoned
C-1 Commercial.
3. That the portion of said property which
is beyond 250' of U.S. Highway 62
is zoned Agricultural.

4. That by reason of the fact that petitioners wish to utilize the entire portion of the property for a uniform commercial purpose, the portion presently zoned Agricultural should be changed to C-1 Commercial.

Wherefore, petitioners request that the City of Eureka Springs, Arkansas, hold a public hearing on this petition and thereafter adopt a recommendation to the City Council of Eureka Springs to amend the zoning of the above described property so that the entire property is uniformly classified as C-1 Commercial.

Respectfully submitted,

Michael W. Bragg, Jr.

Berinda K. Bragg 7/31/84