

ORDINANCE #1635 (AMENDED)

AN ORDINANCE AMENDING THE EUREKA SPRINGS
ZONING ORDINANCE, TITLE 14, MUNICIPAL CODE
OF THE CITY OF EUREKA SPRINGS, AR, AND
CREATING SECTION 5-18²⁰ METAL BUILDINGS.

WHEREAS, the Planning Commission of the City of Eureka Springs, Arkansas, did on the 13th day of October, 1994, hold a public hearing pursuant to notice published in a newspaper of general circulation at least one time fifteen (15) days prior to the date of the hearing, and upon due consideration and deliberation, the Planning Commission has recommended to the City Council of the City of Eureka Springs the adoption of this ordinance:

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

Section 1: In Title 14, Zoning, a new section is created to wit:

Section 5-18²⁰ METAL BUILDINGS

5-18.1 DEFINITION--Any building whose exterior walls, as viewed from the outside, are constructed primarily of metal shall be deemed to be a Metal Building within the scope of this Section.

5-18.2 GENERAL PROHIBITION--Except as otherwise provided in this Section, the construction, erection or setting of any Metal Building is prohibited in any residential or commercial zone.

5-18.3 EXCEPTIONS--There shall be exempt from this Section:

(a) any metal building which (1) is located in a C-2, Contemporary Commercial, zone and (2) has exterior walls visible from a public street shall be covered with a facade that will disguise the metal structure underneath;

(b) Any prefabricated metal storage building with a floor area not exceeding 150 square feet which (1) is intended for the storage of the personal effects of the owner thereof, (2) is located in R-2, Contemporary Residential, zone and (3) otherwise complies with the provisions of Section 5-2 of this Title (Accessory Buildings); and;

(c) Any structure which is otherwise permitted under Title 11, Chapter 11.24, Mobile Homes.

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~~5-18.4~~ BUILDING PERMITS--An application for a building permit for a Metal Building shall be deemed incomplete unless it shall be accompanied by site plans, drawings and/or sketches such as will satisfy the Building Inspector that the intent of this Section is being fulfilled.

Section 2: Repeal. All other Ordinances and Resolutions and any part thereof which may be in conflict, in whole or in part, with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3: Severability. The provisions of this Ordinance are hereby declared to be severable. If any provision shall be held to be invalid or to be inapplicable to any person or circumstances, such invalidity or inapplicability shall not affect the remainder of the provision of this Ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL
OF THE CITY OF EUREKA SPRINGS, ARKANSAS,
THIS 16th DAY OF December, 1994.

APPROVED:

ATTEST:

Hermi Bess Jorman
Acting Mayor

Juanita Barner
Juanita Barner, City Clerk