ORDINANCE NO. 2002-09

AN ORDINANCE TO AMEND THE ZONING MAP OF ORDINANCE NO. 142, REZONING A TRACT OF LAND ON OLD GRAPHIC STREET AND FOR OTHER PURPOSES.

WHEREAS, Mr. Robby Bruce of B & B Specialties has petitioned to have a tract of land rezoned on Old Graphic Street from Residential-1 to Commercial-2; and

WHEREAS, a public hearing was held on July 15, 2002 before the City Planning Commission concerning this matter; and

WHEREAS, the City Planning Commission, by vote of 4 to 0, recommended approval of the request, with certain provisions attached to the rezoning;

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

SECTION 1. That the zoning map of Zoning Ordinance No. 142 be amended by rezoning the real property described below from Residential-1 to Commercial-2.

PROPERTY DESCRIPTION: *THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 10 NORTH, RANGE 29 WEST LESS AND EXCEPT THAT PART CONDEMNED BY THE ARKANSAS STATE HIGHWAY COMMISSION CONTAINING 1.03 ACRES AS DESCRIBED IN LAW RECORD BOOK P, PAGE 90.*
"ANY REFERENCE TO ACREAGE IS FOR IDENTIFICATION PURPOSES ONLY." ALSO, ALL THAT PART OF THE FOLLOWING DESCRIBED PROPERTY LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF INTERSTATE NO. 40; PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 10 NORTH, RANGE 29 WEST AND MORE PARTICULARLY DESCRIBED AS BEGINNING 20 RODS NORTH OF THE SOUTHWEST CORNER OF THE SAID SE/4 NE/4; THENCE EAST 40 RODS; THENCE NORTH 40 RODS; THENCE WEST 40 RODS; THENCE SOUTH 40 RODS TO THE POINT OF BEGINNING.

SECTION 2. That if the open storage of scrap metal or other materials becomes unsightly or creates offence to the bordering residential properties, then the matter shall be referred back to the City Planning Commission for consideration of provisions to require privacy fencing to be placed on or about the property

SECTION 3. If any provision of this ordinance is held invalid or unconstitutional it shall be deemed severable and separable and the remaining provisions shall remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 16TH DAY OF JULY, 2002.

APPROVED: _____
Jeff Marvin, Mayor

ATTTEST: _____
Jerry Dickerson, Recorder-Treasurer

CITY OF MULBERRY SEAL MULBERRY, ARK.