

City of Conway R-19407

8-0 passed

ORDINANCE NO. 0-01-88

AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE TO REQUIRE APPLICANTS FOR VARIANCES TO NOTIFY PROPERTY OWNERS WITHIN 200 FEET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS; citizens of Conway have expressed concern that they were not directly notified of proposed variances for properties in close proximity to their property, and;

WHEREAS; it is desirable for affected citizens to be aware of variance requests and have the opportunity to testify at public hearings;

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

Section 1: That SECTION 801.4 - PROCEDURE FOR APPEALS, B. Public Hearing and Notice of the CONWAY ZONING ORDINANCE as adopted by Ordinance No. 0-94-54 on September 27, 1994 is hereby amended to add a paragraph between the current second and third paragraphs of that section that shall read as follows:

"In addition, the petitioner shall be required to notify by certified letter with return receipt and/or petition, all property owners within two hundred (200) feet of his property of his intentions to seek a variance, not less than seven (7) days prior to the hearing. The petitioner shall state the date and time and location of the public hearing and describe the requested variance with the certified letter and/or petition. The postmarked certified receipts and/or return receipts and/or petition shall be submitted to the Planning Department staff not less than five (5) days prior to the meeting of the Board of Zoning Adjustment along with a map showing the location of the property in question, as well as the owners within 200 feet of the property and a letter from the petitioner certifying that the map shows a complete list of those property owners."

Section 2: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 3: That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 28th day of August, 2001.

APPROVED:

[Signature of Tab Townsell]

Mayor Tab Townsell

ATTEST:

[Signature of Michael O. Garrett]
City Clerk Michael O. Garrett

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SHARON RIMMER
FAULKNER COUNTY CIRCUIT CLERK
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