

ORDINANCE NO. 376

AN ORDINANCE AMENDING ORDINANCE NO. 169 (ZONING REGULATIONS) TO ADD SETBACK RESTRICTIONS TO THE AGRICULTURAL ZONING, TO CORRECT THE WORDING OF THE ACCESSORY BUILDING SETBACK, ADD TO SECTION 10 GENERAL STANDARDS TO ESTABLISH A FENCE PERMIT TO BE REQUIRED, AND UPDATE SECTION 12 FEES TO INCLUDE THE FENCE PERMIT WITHIN THE CITY OF BETHEL HEIGHTS, ARKANSAS

WHEREAS, The City of Bethel Heights, Arkansas has previously enacted Ordinance 169 setting standards, regulations, and requirements for the zoning and development for property with the City of Bethel Heights; and

WHEREAS, The City Council of the City of Bethel Heights, Arkansas has determined that setback restrictions to the agricultural zoning for accessory buildings should be included and to correct the wording of the existing accessory building setback, and to require a permit to be issued for any fence installation in all zonings.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BETHEL HEIGHTS, ARKANSAS.

1. Section 7. District Regulations. Subsection 1. A- Agricultural:
 - f. Accessory buildings shall be setback a minimum of ten feet (10') and shall be located only in the rear or in the side yard behind the building line.
2. Section 7. District Regulations, Subsection 2. R-1: Low Density Residential:
 - f. 2. Accessory buildings shall be setback a minimum of ten feet (10') and shall be located only in the rear or in the side yard behind the building line.
3. Section 7. District Regulations, Subsection 3. R-2: Medium Density Residential:
 - f. 2. Accessory buildings shall be setback a minimum of ten feet (10') and shall be located only in the rear or in the side yard behind the building line.
4. Section 7. District Regulations, Subsection 4. R-3: Multi Density Residential:
 - f. 2. Accessory buildings shall be setback a minimum of ten feet (10') and shall be located only in the rear or in the side yard behind the building line.
5. Section 7. District Regulations, Subsection 7. B-2: General Commercial:
 - e. 3. Accessory buildings shall be setback a minimum of ten feet (10') and shall be located only in the rear or in the side yard behind the building line.
6. Section 10. General Standards. Subsection g. Garden Wall, Fences, and Hedges is amended to include:
 5. Permit Application/Issuance.

- a. Application. Applications for fence permits shall be made upon forms provided by the Zoning Administrator or designee and shall contain or have attached thereto the following information:
- (1) Applicant Identification. Name, address and telephone number of the applicant.
 - (2) Location. Location to which or upon the fence is to be erected.
 - (3) Drawing. A drawing of the plans and specifications and method of construction and attachment to the building or in the ground.
 - (4) Consent of owner. Written consent of the owner of the building, structure, or land to which or on the structure is to be erected.
- b. Issuance of fence permit. It shall be the duty of the Zoning Administrator or designee, upon the filing of an application for a fence permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the fence and if it shall appear that the proposed fence is in full compliance with all the requirements of this Section and all other laws and ordinances of the city, he shall within five business days issue the fence permit.

7. Section 12. Fees:

- i. Fence Permit \$25.00

8. The remainder of ordinance No. 169 shall remain in full force and effect.

PASSED and APPROVED this 16 day of April, 2019.

APPROVED: Cynthia Black
Cynthia Black, Mayor

ATTEST: Janet Nelson
Janet Nelson, Recorder/Treasurer

