

ORDINANCE NO. 1025

AN ORDINANCE AMENDING THE “OFFICIAL ZONING MAP” REFERRED TO AND MADE A PART OF THE ZONING REGULATIONS BY ORDINANCE NO. 963 INCORPORATED BY REFERENCE BY CHAPTER 14 OF THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS, BY PROVIDING FOR A CHANGE IN ZONING OF THE PROPERTY LOCATED AT 1396 SOUTH 104TH STREET WITHIN THE CITY, FROM “RD-NS” RESIDENTIAL DEVELOPED - NO SEWER DISTRICT TO “R-1” RURAL RESIDENTIAL DISTRICT.

BE IT ORDAINED by the Governing Body of the City of Edwardsville:

Section 1. Application has been made by the City of Edwardsville pursuant to the Zoning Regulations of the City of Edwardsville, Kansas, for a rezoning of 12.15 acres, more or less, located at 1396 South 104th Street in Edwardsville, such property currently zoned “RD-NS” Residential Developed – No Sewer District to “R-1” Rural Residential District.

Section 2. As required by law, notice of the public hearing before the Edwardsville Planning Commission on the application for rezoning was posted on the property, and property owners in the rezoning area and adjoining property owners were notified by mail. A legal publication was placed in the official City newspaper notifying the public of the public hearing held by the Edwardsville Planning Commission on October 16, 2019, on this application.

Section 3. The Edwardsville Planning Commission received the staff report prepared and presented by the City Planner, conducted a public hearing, and voted 5-0 on October 16, 2019 to recommend to the Governing Body approval of rezoning of the property at 1396 South 104th Street in Edwardsville.

Section 4. Findings. The Governing Body finds: (a) that this application for rezoning is properly before the Governing Body; (b) that notice was properly provided and the required public hearing held; (c) that action on the application was properly taken by the Planning Commission; (d) that a protest petition has not been filed regarding this application and that the time period provided by law has elapsed for the filing of a protest petition against the requested rezoning; (e) that the Planning Commission has recommended the approval of the rezoning; and (f) that the findings of fact as prepared by the City Planner, submitted to the Planning Commission in the staff report, and recommended for approval by the Planning Commission, shall be accepted and adopted as the findings of fact of the Governing Body, resulting in the approval of the rezoning of the property at 1396 South 104th Street in Edwardsville, such property currently zoned “RD-NS” Residential Developed – No Sewer District to “R-1” Rural Residential District.

Section 5. Map Amendment. That the “Official Zoning Map” referred to and made a part of the Zoning Regulations by Ordinance. No. 963, incorporated by reference by Chapter 14

of the Code of the City of Edwardsville (“Code”), is hereby amended to make the following change in zoning classification:

Zoning Change from “RD-NS” Residential Developed – No Sewer District to “R-1” Rural Residential District.

Parcel located in the City of Edwardsville, Wyandotte County, Kansas.

LOT 1 VALLEY OAKS ESTATE, A REPLAT OF LOT 3 AND PART OF LOT 1 DEMATO ACRES.

Section 6. The prospective use and development of real property located within the boundaries of the above-described district shall be governed by Chapter 14 of the Code, provided said real property was in conformity with zoning regulations in existence prior to the adoption of this Ordinance.

Section 7. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED AND APPROVED by the Governing Body of the City of Edwardsville, Kansas this 12th day of November, 2019.



John McTaggart
Mayor


ATTEST:



Zack Daniel
Assistant City Manager/City Clerk



APPROVED AS TO FORM:



Lisa Dehon
City Attorney