

**ORDINANCE NO. 1054**

**AN ORDINANCE AMENDING THE “OFFICIAL ZONING MAP” REFERRED TO AND MADE A PART OF THE ZONING REGULATIONS BY ORDINANCE NO. 963, AS MAY BE AOMENDED FROM TIME TO TIME, AND INCORPORATED BY REFERENCE IN CHAPTER 14 OF THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS, BY PROVIDING FOR A CHANGE IN ZONING OF THE PROPERTY LOCATED AT 502 HIGHLAND DRIVE WITHIN THE CITY, FROM “R-1” RURAL RESIDENTIAL TO “R-2” MEDIUM DENSITY RESIDENTIAL**

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

**Section 1.** Application has been made to the City of Edwardsville pursuant to the Zoning Regulations of the City of Edwardsville, Kansas, for rezoning of 11.16 acres, more or less, located at 502 Highland Drive in Edwardsville, such properties currently zoned “R-1” – Rural Residential to “R-2” Medium Density Residential.

**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 April 20, 2022, 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 April 20, 2022 to recommend to the Governing Body approval of rezoning of the properties at 502 Highland Drive 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 502 Highland Drive from “R-1” Rural Residential District to “R-2” Medium Density 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 Chapter14 of

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

Zoning Change from “R-1” Rural Residential District to “R-2” Medium Density Residential District.

A tract of land in the Southeast Quarter of Section 26, Township 11, Range 23, Wyandotte County, Kansas, being more particularly described as follows:

*Beginning at the Northeast corner of the Southeast Quarter of said Section 26; Thence South along the East line of said Section 26, 330.00 feet; Thence West 1515.92 feet, (by survey- 1515.81 feet by deed) along the North line of "EDWARDSVILLE HEIGHTS" a subdivision of land in Wyandotte County, Kansas; Thence North 330.00 feet; Thence East 1515.92 feet, (by survey- 1515.81 feet by deed) to the Point of Beginning.*

**Section 7.** 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 8.** 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 9<sup>th</sup> day of May, 2022.



A handwritten signature in blue ink, reading "Carolyn Caiharr".

Carolyn Caiharr  
Mayor

ATTEST:

A handwritten signature in blue ink, reading "Zack Daniel".  
\_\_\_\_\_  
Zack Daniel  
Assistant City Manager/City Clerk