

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT I-1 (INDUSTRIAL) TO DISTRICT R-12 (TWO FAMILY RESIDENTIAL) FOR THE PROPERTY AT 1201 S. OSAGE, IN INDEPENDENCE, MISSOURI.

WHEREAS, the hereinafter described property has been classified by the City Council in the Code of the City of Independence, Missouri, as lying and being within I-1 (Industrial) and being subject to the regulations of District I-1 (Industrial) as specified in Section 14-302 of the Code of the City of Independence, Missouri; and an application was filed on October 6, 2020 by Steve Ipock requesting that the district boundaries of the Zoning District Map be amended so that the said property will lie and be in District R-12 (Two Family Residential) and be subject to the regulations of said district as specified in Section 14-300 of the Code of the City of Independence, Missouri; and,

WHEREAS, the Independence Planning Commission did cause to be published on October 31, 2020, a notice of the time and place of such hearing notifying all interested parties that a hearing on such proposed rezoning would be held virtually by the Planning Commission on November 17, 2020 and by the City Council on December 21, 2020 at 6:00 p.m., which said notice proposed that the property described hereinafter be so rezoned from District I-1 (Industrial) as specified in Section 14-302 of the Code of the City of Independence, Missouri, to District R-12 (Two Family Residential) as specified in Section 14-300 thereof; and,

WHEREAS, at the Independence Planning Commission virtual public hearing, all parties in interest were given an opportunity to be heard; and,

WHEREAS, at the Independence City Council public hearing, all parties in interest and citizens with new information were given an opportunity to be heard and the matter has been duly submitted and considered by the City Council, and no legal protest was signed, acknowledged, and presented for the application;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council hereby makes the following findings:

1. That, the rezoning is consistent with the review criteria listed in Section 14-701-02 of the City Code.
2. That, a public hearing was held virtually pursuant to a notice duly published according to law, at which time all interested parties were given the full opportunity to be heard.
3. That, at the Planning Commission hearing, no one spoke in favor of, or opposed to, the proposed rezoning.
4. That, the current I-1 (Industrial) zoning allows the following uses: warehousing, freight depots, manufacturing, construction services, vehicle repair and office uses.
5. That, the proposed R-12 (Two Family Residential) allows the following uses: single family dwellings, duplexes, cropland, churches, schools and government facilities.
6. The property had been in commercial use in the past but has been vacant for two years due to its poor commercial location and limited access.
7. That, no protest petition was submitted in opposition to the application.

8. That, at its November 17, 2020 Planning Commission meeting, the Commission voted 5-0 to recommend approval of this rezoning application.

SECTION 2. That the Boundaries of the Zoning District Map as incorporated in the Code of the City of Independence, Missouri, relating to the zoning of properties within the corporate limits, are hereby amended as to property legally described as follows:

Part of Lots 22, 23 and 24 Block 3, Hawthorne Place, a subdivision in Independence, Jackson County, Missouri described as follows: Beginning at the Northwest corner of Lot 24, thence East 100 feet; thence South 10 feet; thence Northeast 50 feet; thence South 100 feet more or less; thence West 50 feet; thence North 55 feet; thence West 100 feet; thence North to the point of beginning.

causing the same to be zoned District R-12 (Two Family Residential) and be subject to the regulations of said district as specified in Section 14-300 the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2020, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager