

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-1 (NEIGHBORHOOD COMMERCIAL) TO DISTRICT R-12 (TWO-FAMILY RESIDENTIAL) FOR THE PROPERTY LOCATED AT 12816 E. 47TH STREET S., IN INDEPENDENCE, MISSOURI.

WHEREAS, the application submitted by Aaron Ford, requesting approval of a rezoning from District C-1 (Neighborhood Commercial) to District R-12 (Two-Family Residential) on the property located at 12816 E. 47th Street S. was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning by the city following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a virtual public hearing for the consideration of the request on March 9, 2021, and rendered a report to the City Council recommending the rezoning be approved by a vote of 7-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on April 19, 2021, and rendered a decision to approve the rezoning for the said properties; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the request is consistent with the review criteria in Section 14-710-02; and,

WHEREAS, no legal protests were 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 following legally described tracts of real estate are hereby rezoned from District C-1 (Neighborhood Commercial) to District R-12 (Two-Family Residential) and shall be subject to the regulations of said district:

All that part of Lot 2, TWIEHAUS ADDITION, a subdivision of land in Independence, Jackson County, Missouri, described as follows:

Commencing at the Northwest Corner of said Lot 2; thence South 0 degrees 0 minutes 0 seconds West along the West line of said Lot 2, 654.00 feet to the true point of beginning; thence continuing South 0 degrees 0 minutes 0 seconds West, 184.00 feet to a point which is 125.00 feet North of the Southwest corner of said Lot 2; thence South 89 degrees 25 minutes 30 seconds East, 130.00 feet; thence South 0 degrees 0 minutes 0 seconds West, 125.00 feet to the South line of said Lot 2; thence South 89 degrees 25 minutes 30 seconds East, 156.91 feet; thence North 0 degrees, 05 minutes, 35 seconds East, 311.88 feet (312.70 feet deeded); thence South 90 degrees, 00 minutes, 00 seconds West, 287.40 feet to the true point of beginning. CONTAINS 72,993 SQUARE FEET OR 1.676 ACRES MORE OR LESS.

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to

appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2021, 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:

Acting City Counselor

REVIEWED BY:

City Manager