

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 1322 E. US 24 HIGHWAY IN INDEPENDENCE, MISSOURI.

WHEREAS, an application submitted by Jeff Lovelace requesting approval of a rezoning from District C-2 (General Commercial) to District R-6 (Single-Family Residential) for the property at 1322 E. US 24 Highway 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 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 public hearing for the consideration of the request on September 13, 2022, and rendered a report to the City Council recommending that the rezoning be approved by a vote of 6-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on October 17, 2022, and rendered a decision to approve the rezoning of the said property; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; 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 property is hereby rezoned from District C-2 (General Commercial) to District R-6 (Single-Family Residential) and shall be subject to the regulations of said district:

All that part of the Southwest Quarter of Section 36, Township 50 North, Range 32 West of the Fifth Principal Meridian in the City of Independence, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Southwest corner of Lot 3, PETROVIC ADDITION, a subdivision of land in said City, County and State; thence South 04°23'34" East along the West line of said PETROVIC ADDITION a distance of 60.48 feet to the POINT OF BEGINNING; thence South 78°25'07" West a distance of 131.23 feet; thence South 00°12'44" East a distance of 207.64 feet to the Northerly right-of-way line of U.S. Highway Number 24 as now established; thence North 81°05'30" East along said right-of-way line, 50 feet Northerly of and parallel with the centerline of said Highway for a distance of 7.74 feet to a point of curvature; thence continuing along said right-of-way line along a curve to the left with a central angle of 10°25'00" a radius of 769.02 feet and an arc length of 139.81 feet to the Southwest corner of Lot 1 of said PETROVIC ADDITION; thence North 04°23'34" West along the West line of said PETROVIC ADDITION a distance of 199.32 feet to the POINT OF BEGINNING. Containing 28,185 square feet or 0.6470 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 _____, 2022, 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