

**AN ORDINANCE AMENDING THE ZONING CODE AND OFFICIAL
MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY
5 ACRES OWNED BY HOME DYNAMICS LLC, LOCATED
AT 5153 WEST FARM ROAD 156 FROM AG TO C-2**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

WHEREAS, an application for amendment of the Zoning Code to rezone real estate located at 5153 West Farm Road 156 in the City of Republic, Missouri, by changing the zoning classification from AG to C-2 was submitted to the Planning and Development Staff by Home Dynamics LLC (hereinafter "Applicants"); and

WHEREAS, the Planning and Development Staff did, thereafter, submit said application to the Planning and Zoning Commission which did set the 17th day of April, 2006, as the date a Public Hearing would be held on such application and proposed amendment; and

WHEREAS, notice of the time and date of Public Hearing was given by publication on March 29th, 2006, in *The Republic Monitor*, a newspaper of general circulation in the City of Republic, such notice being at least 15 days before the date set for the Public Hearing; and

WHEREAS, a Public Hearing was conducted by the Planning and Zoning Commission on the 17th day of April, 2006, after which the Commission rendered written findings of fact on the proposed amendment and rezoning and, thereafter, submitted the same, together with its recommendations, to the Board of Aldermen; and

WHEREAS, the Planning and Zoning Commission, by a vote of 5 to 0, did recommend to approve such application for rezoning and to amend the Zoning Code; and

WHEREAS, notice of the time and date of the Public Hearing at which the application for rezoning and to amend the Zoning Code would be submitted to the Board of Aldermen was given by publication on March 29th, 2006, in *The Republic Monitor*, a newspaper of general circulation in the City of Republic; such notice being at least 15 days before the date set for Public Hearing; and

WHEREAS, a Public Hearing was conducted, and the application for rezoning and to amend the Zoning Code was submitted to the Board of Aldermen at its regular meeting held on the 24th day of April, 2006, after which the Board did proceed to vote to rezone such property and amend the zoning code accordingly; and

WHEREAS, the City gave notice of such Public Hearing to the record owners of all properties within the area proposed to be rezoned and within 185 feet of the property proposed to be rezoned by certified mailings

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF REPUBLIC AS DESCRIBED, AS FOLLOWS:

SECTION 1: That the Zoning Code and Official Zoning Map are hereby amended insofar as the same relate to a certain tract of realty located at 5153 West Farm Road 156

changing the zoning classification thereof from AG to C-2, such tract being more fully described as follows:

A tract of land located in the southeast quarter of the southeast quarter of Section 36, Township 29 North, Range 23 West being more particularly described as follows: Beginning at an existing iron pin at the southeast corner of the southeast quarter of section 36, Township 29 North, Range 23 west; Thence South 89 degrees 40 minutes 13 seconds West along the south line of said section 36 a distance of 669.63 feet to a point for corner; Thence North 00 degrees 13 minutes 32 seconds East a distance of 325.41 feet to a point for corner; Thence North 89 degrees 41 minutes 01 seconds East a distance of 669.38 feet to a point for corner; Thence South 00 degrees 10 minutes 45 seconds West a distance of 325.25 feet to the point of Beginning and containing 217,801 square feet or 5.00 acres of land more or less and excepting any part herein taken or deeded for road purposes and subject to any easements, restrictions, reservations and covenants of record, if any.

SECTION 2: In all other respects other than those herein amended, modified or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

SECTION 3: This ordinance shall be in full force and effect from and after its date of passage.

Passed and approved at a regular meeting of the Board of Aldermen of the City of Republic, Missouri, this _____ day of _____, 2006.

ATTEST:

Brenda Jackson, City Clerk

James H. Collins, Mayor

Approved for Board Action: _____, City Administrator

Approved as to Form: _____, City Attorney