

**AN ORDINANCE AMENDING THE ZONING CODE AND OFFICIAL
MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY
8.0 ACRES, OWNED BY ROBERT MARK AND JULIE A. TROUT,
LOCATED AT 904 NORTH MAIN STREET FROM R1-M TO R1-Z.**

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 904 North Main Street in the City of Republic, Missouri, by changing the zoning classification from R1-M to R1-Z was submitted to the Planning and Development Staff by Robert Mark and Julie A. Trout (hereinafter "Applicants"); and

WHEREAS, the Planning and Development Staff did, thereafter, submit said application to the Planning and Zoning Commission which did set the 16th day of October, 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 Wednesday September 27th, 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 16th day of October, 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 2 to 4, recommended denial of such application for rezoning; 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 Wednesday September 27th, 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 23rd day of October, 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 904 North Main Street changing the zoning classification thereof from R1-M to R1-Z, such tract being more fully described as follows:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP-28-NORTH, RANGE-23-WEST; THENCE NORTH 89 DEGREES 39 MINUTES 51 SECONDS EAST, A DISTANCE OF 44.48 FEET FOR A POINT OF BEGINNING; THENCE NORTH 01 DEGREES 04 MINUTES 39 SECONDS EAST, A DISTANCE OF 187.07 FEET; THENCE NORTH 89 DEGREES 39 MINUTES 50 SECONDS EAST, A DISTANCE OF 554.09 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 27 SECONDS EAST, A DISTANCE OF 145.00 FEET; THENCE NORTH 89 DEGREES 39 MINUTES 50 SECONDS EAST, A DISTANCE OF 733.89 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 00 DEGREES 42 MINUTES 06 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 332.06 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 89 DEGREES 39 MINUTES 51 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1289.06 FEET TO THE POINT OF BEGINNING. CONTAINING 7.97 ACRES, MORE OR LESS ALL IN GREENE COUNTY, MISSOURI, EXCEPT THAT PORTION TAKEN, DEEDED, OR USED FOR ROAD, STREET AND HIGHWAY PURPOSES.

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