

AN ORDINANCE AMENDING THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 5.5 ACRES, OWNED BY JOHN RAINEY AND GAYLE COPELAND, LOCATED AT 307 STATE HIGHWAY 174 FROM R1-M TO C-1

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 307 State Highway 174 in the City of Republic, Missouri, by changing the zoning classification from R1-M to C-1 was submitted to the Planning and Development Staff by John Rainey and Gayle Copeland (hereinafter "Applicants"); and

**WHEREAS**, the Planning and Development Staff did, thereafter, submit said application to the Planning and Zoning Commission which did set the 19<sup>th</sup> day of March 2007, 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 February 28<sup>th</sup>, 2007, 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 19<sup>th</sup> of February 2007, 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 6 to 0, did recommend to approve 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 February 28<sup>th</sup>, 2007, 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 26<sup>th</sup> day of March 2007, 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 307 State Highway 174 from R1-M to C-1, such tract being more fully described as follows:

All of the North one-half (N1/2) of the Northwest Quarter (NW1.4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4), Section Nineteen (19), Township Twenty-Eight (28), Range Twenty-Three (23) except that portion in the Southeast (SE) corner heretofore conveyed to the State of Missouri for highway purposes. Also, beginning at the Southeast (SE) corner of the Northwest corner (NW1/4) of the Northeast quarter (NE1/4) , section Nineteen (19), Township Twenty-Eight (28), Range Twenty-Three (23), thence West Forty (40) rods to the West right-of-way line of Highway 174, thence northeasterly along said right-of-way Two Hundred and Twenty-Three point Eighty-Three (223.83) feet, thence West One Hundred and Twenty-Three (123) feet to the point of beginning, except any part used for street purposes, all in Greene County, Missouri.

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 \_\_\_\_\_, 2007.

ATTEST:

Brenda Jackson, City Clerk \_\_\_\_\_ James H. Collins, Mayor \_\_\_\_\_

Approved for Board Action: \_\_\_\_\_, City Administrator

Approved as to Form: \_\_\_\_\_, City Attorney