

**AN ORDINANCE AMENDING THE ZONING CODE  
AND OFFICIAL MAP BY CHANGING  
THE CLASSIFICATION OF APPROXIMATELY 21.8 ACRES,  
OWNED BY DON AND MARY MCELHANY,  
LOCATED AT 6868 WEST FARM ROAD 178 FROM AG TO R1-H**

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

**WHEREAS**, an application for amendment of the Zoning Code to rezone real estate located at 6868 West Farm Road 178 in the City of Republic, Missouri, by changing the zoning classification from AG to R1-H was submitted to the Planning and Development Staff by Don and Mary McElhany (hereinafter "Applicants"); and

**WHEREAS**, the Planning and Development Staff did, thereafter, submit said application to the Planning and Zoning Commission which did set the 16<sup>th</sup> day of April 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 March 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 16<sup>th</sup> of April, 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 City Council; and

**WHEREAS**, the Planning and Zoning Commission, by a vote of 5 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 City Council was given by publication on Wednesday March 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 City Council at its regular meeting held on the 23<sup>rd</sup> day of April 2007, after which the Council 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 CITY COUNCIL 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 6868 West Farm Road 178 from AG to R1-H, such tract being more fully described as follows:

A TRACT OF LAND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 28 NORTH, RANGE 23 WEST, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 22; THENCE N88°05'05"W, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 814.61 FEET FOR A POINT OF BEGINNING. THENCE S02°25'02"W, 912.71 FEET; THENCE S02°24'24"W, 906.97 FEET; THENCE N87°54'39"W, 524.57 FEET; THENCE N02°29'40"E, 1818.11 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE S88°05'05"E, ALONG SAID NORTH LINE, 521.97 FEET TO THE POINT OF BEGINNING. CONTAINING 21.847 ACRES. EXCEPT THAT PART TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

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 City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

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

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

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