

**AN ORDINANCE AMENDING THE ZONING CODE AND OFFICIAL
MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY
2.3 ACRES OWNED BY JAMES WYNN, LOCATED AT 2802 NORTH
YORK AVENUE FROM R1-M TO C-2**

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 2802 North York Avenue in the City of Republic, Missouri, by changing the zoning classification from R1-M to C-2 was submitted to the Planning and Development Staff by James Wynn, (hereinafter "Applicants"); and

WHEREAS, the Planning and Development Staff did, thereafter, submit said application to the Planning and Zoning Commission which did set the 24th day of September 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 August 29th, 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 17th of September, 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 August 29th, 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 24th day of September 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 2802 North York Avenue from R1-M to C-2, such tract being more fully described as follows:

ALL OF LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11), TWELVE (12), THIRTEEN (13), AND FOURTEEN (14), IN BLOCK ELEVEN (11), IN THE TOWN OF BROOKLINE, IN GREENE COUNTY, MISSOURI.

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT FOURTEEN (14), BLOCK ELEVEN (11), IN THE TOWN OF BROOKLINE, GREENE COUNTY, MISSOURI, THENCE SOUTHEASTERLY PERPENDICULAR TO THE EXISTING FENCE LINE A DISTANCE OF 51 FEET, MORE OR LESS, TO SAID EXISTING FENCE LINE, THENCE SOUTHWESTERLY ALONG SAID EXISTING FENCE LINE AND EXISTING FENCE LINE EXTORTED A DISTANCE OF 420 FEET, THENCE NORTHWESTERLY A DISTANCE OF 50 FEET, MORE OR LESS, TO THE SOUTHEASTERLY CORNER OF LOT ONE (1), BLOCK ELEVEN (11), TOWN OF BROOKLINE, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK ELEVEN (11), 420 FEET MORE OR LESS TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT THE NORTHWESTERLY CORNER OF LOTS FOURTEEN (14), BLOCK ELEVEN (11), TOWN OF BROOKLINE, GREENE COUNTY, MISSOURI, THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF BLOCK ELEVEN (11) IN THE TOWN OF BROOKLINE A DISTANCE OF 420 FEET, THENCE NORTHWESTERLY ON A LINE PERPENDICULAR TO THE NORTHWESTERLY LINE OF SAID BLOCK ELEVEN (11) A DISTANCE OF 7.5 FEET, THENCE NORTHEASTERLY PARALLEL TO THE NORTHWESTERLY LINE OF BLOCK ELEVEN (11) AND ALONG THE EXISTING FENCE LINE A DISTANCE OF 420 FEET, THENCE SOUTHEASTERLY 7 FEET TO THE PONT OF BEGINNING.

ALSO: BEGINNING AT THE NORTHEASTERLY CORNER OF LOT FOURTEEN (14), BLOCK ELEVEN (11), IN THE TOWN OF BROOKLINE, GREENE COUNTY, MISSOURI, THENCE SOUTHEASTERLY ON A LINE PERPENDICULAR TO THE EXISTING FENCE LINE A DISTANCE OF 51 FEET MORE OR LESS TO SAID EXISTING FENCE LINE, THENCE NORTHEASTERLY ALONG THE EXISTING FENCE LINE TO AN EXISTING CROSS FENCE FUNNING EAST AND WEST, SAID EXISTING CROSS FENCE BEING ADJACENT TO THE SOUTH LINE OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWO (2), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), THENCE WEST ALONG THE EXISTING CROSS FENCE TO ITS INTERSECTION WITH AN EXISTING FENCE RUNNING IN A SOUTHWESTERLY DIRECTION, SAID FENCE BEING 4.5 FEET WEST OF WEST LINE EXTENDED OF BLOCK ELEVEN (11) IN THE TOWN OF BROOKLINE, THENCE SOUTHWESTERLY ALONG THE EXISTING FENCE LINE A DISTANCE OF 336.8 FEET, THENCE SOUTHEASTERLY A DISTANCE OF 107 FEET TO THE PLACE OF BEGINNING, 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 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