

ORDINANCE NO. 1093

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE THE REZONING OF APPROXIMATELY 1.43 ACRES OF LAND [LOCATED AT 310 W. 8th STREET] IN EDGERTON, KANSAS FROM NO ZONING DESIGNATION TO CITY OF EDGERTON "R-1" SINGLE FAMILY RESIDENCE DISTRICT

WHEREAS, the Planning Commission of the City of Edgerton, Kansas received a request from the owner(s) of approximately 1.43 acres of land located at 310 W. 8th Street in Edgerton to rezone that property from a non-zoning designation to "R-1" Single Family Residential; and

WHEREAS, following a public hearing in front of the Planning Commission on October 9, 2018 the Planning Commission has recommended that the rezoning request for 310 W. 8th Street -- from no designated zoning to City of Edgerton "R-1" Single Family Residence District -- be approved; and

WHEREAS, all required newspaper and mailing notifications were performed.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

Section 1. That the following legally described property (located at 310 W. 8th Street) is hereby rezoned from no zoning designation to City of Edgerton "R-1" Single Family Residence District, and that City Staff is hereby directed to reflect said rezoning in the City's Official Zoning map and other City records:

A tract of land in the Northeast ¼ of the Northeast ¼, of Section 12, Township 15, Range 21, Johnson County, Kansas described as follows: Beginning at a point 863.86 feet South of the Northeast corner of the Northeast ¼ of Section 12, said point being on the East line of said Quarter Section; Thence North 88 degrees 33 minutes West, 323.22 feet; thence South 1 degree 27 minutes West, 94.23 feet; thence North 87 degrees 05 minutes West 98.49 feet; thence South 01 degrees 16 minutes East, 32.38 feet; thence South 69 degrees 03 minutes East 220.49 feet; thence South 88 degrees 38 minutes East, 211.53 feet to a point on the East line of said Quarter Section; thence North 200.50 feet and along the East line of said Quarter Section to the point of beginning, except that part in road.

Section 2. That the Governing Body, in making its decision on the request and recommendation for rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

- a) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- b) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- c) The extent to which the zoning amendment may detrimentally affect nearby

property has been addressed.

- d) The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial.
- e) Consistency with the Comprehensive Plan, Utilities and Facilities Plans, Capital Improvement Plan, Area Plans, ordinances, policies, and applicable City Code of the City of Edgerton.

Section 4. This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 25th DAY OF OCTOBER, 2018.

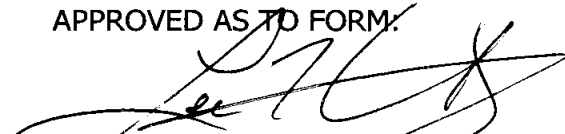
CITY OF EDGERTON, KANSAS

By: 
Donald Roberts, Mayor

ATTEST:


Rachel James, City Clerk

APPROVED AS TO FORM:


Lee Hendricks, City Attorney