

(Summary Published in the Leavenworth Times on June 11, 2021)

ORDINANCE NO. 8163

AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 711 MARSHALL STREET FROM HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R1-6) TO GENERAL BUSINESS DISTRICT (GBD).

WHEREAS, under the Development Regulations, Appendix A of the Code of Ordinances of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to amend, supplement or change existing zoning regulations within said City; and

WHEREAS, the City Planning Commission, after fully complying with the requirements of the Code of Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 3rd day of May 2021 in the Commission Room, 1st Floor of City Hall, 100 N. 5th Street, Leavenworth, Kansas. The official date and time set as was published in the Leavenworth Times newspaper on the 10th day of April 2021 and notice of the public hearing was mailed to all property owners within 200 feet of the said property; and

WHEREAS, upon a motion made, duly seconded, and passed, the Planning Commission adopted findings of fact and recommended approval of the request Rezoning of 711 Marshall Street, Leavenworth Kansas from high density single family residential district (R1-6) General Business District (GBD); and

WHEREAS, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to rezone the property described herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1: That the following described properties, to-wit, is hereby rezoned from high density single family residential district (R1-6) General Business District (GBD).

TRACT 1: Lots 1, 2, 3, 4, 5 and 6, Block 9, James Davis Addition, a subdivision in the City of Leavenworth, Leavenworth County, Kansas. Also a strip of land 14 x 198 feet West of Lots 1, 2 and 3, Block 9 and East of Lots 4, 5 and 6 Block 9, James Davis Addition, a subdivision in the City of Leavenworth, Leavenworth County, Kansas. Said strip being a vacated alley in Block 9, James Davis Addition, a subdivision in the City of Leavenworth, Leavenworth County, Kansas. Also a part of Block Evergreen in James Davis Addition, a subdivision in the City of Leavenworth, Leavenworth County, Kansas, described as follows: Beginning at the Southwest corner of Lot 4, Block 9, James Davis Addition, a subdivision in the City of Leavenworth, Leavenworth County, Kansas; thence South on the West line of Block Evergreen, 66 feet; thence East and parallel with the

South line of Lot 4, 140 feet; thence North 66 feet to the Southeast corner of Lot 4; thence West along the South line of Lot, 140 feet to the place of beginning. Also the North 66 feet of Lot 10, Carroll's Subdivision, a subdivision in the City of Leavenworth, Leavenworth County, Kansas. Also Lots 1, 2, 3, 4, 5, 6 and 7, Block 12, Day's Subdivision City of Leavenworth, Leavenworth County, Kansas. Also a triangular tract of land in Lot 10, Carroll's Subdivision of the City of Leavenworth, described as follows: Beginning at a point 66 feet South of the Northeast corner of said Lot 10 and on the East line thereof; thence West parallel to North line of said Lot 10, 40 feet; thence in a Southeasterly direction 85.88 feet, more or less, to the Southeast corner of said Lot 10; thence North along the East line of Lot 10, 76 feet to the point of beginning. CAMA/PIN No. 077-35-0-40-14-001.00-0 TRACT 2: The west 78 feet of Lot 7, all of Lots 8 and 9, and the West 78 feet of the South 71 feet of Lot 10, Carroll's Subdivision, City of Leavenworth, Leavenworth County, Kansas. CAMA/PIN No. 077-35-0-40-14-002.00-0;

And **more commonly referred to as 711 Marshall Street**, Leavenworth, Kansas.

Section 2: That the "Zoning District Map" adopted under the Development Regulations, Appendix A of the Code of Ordinances of the City of Leavenworth, Kansas shall be and the same is hereby amended to conform to the rezoning as set forth in Section 1 above.

Section 3: That this Ordinance shall take effect and be in force from and after its passage, approval and summary publication in the official City newspaper of the City of Leavenworth, Kansas, as provided by law.

PASSED and APPROVED by the Governing Body on the 8th day of June 2021.

/s/ Nancy D. Bauder
Nancy D. Bauder, Mayor

{Seal}

ATTEST:

/s/ Carla K. Williamson
Carla K. Williamson, CMC, City Clerk