

(Summary Published in the Leavenworth Times on April 14, 2023)

ORDINANCE NO. 8211

AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 3523 10th AVENUE FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT (R-MF) TO MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R1-9).

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 6th day of March 2023 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 9th day of February 2023 and notice of the public hearing was mailed to all property owners as required by K.S.A. 12-757(b); 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 3523 10th Avenue, Leavenworth Kansas from Multiple Family Residential District (R-MF) to Medium Density Single Family Residential District (R1-9); 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 property, to-wit, is hereby rezoned from Multiple Family Residential District (R-MF) to Medium Density Single Family Residential District (R1-9).

A part of the Northeast 1/4 of Section 11, Township 9, Range 22 bounded as follows Beginning at the Southwest corner of said 1/4 Section, thence East on the 1/4 Section line 500 feet, thence North at right angles 261 36/100 feet; thence West parallel with the South line of said 1/4 Section 335 feet; thence South parallel with the West line of said 1/4 Section 132 feet; thence West parallel with the South line of said 1/4 Section 165 feet; thence South on the 1/4 Section line 129 36/100 feet to the place of beginning. Also beginning at a point on the West line of the Northeast 1/4 Section 11, Township 9, Range 22, 129 36/100 feet North of the Southwest corner of said Northeast 1/4; thence North on said 1/4 Section line 132 feet; thence East parallel with the South line of said 1/4 Section, 165 feet; thence South parallel with the West

line of said 1/4 Section, 132 feet; thence West 165 feet to the place of beginning, EXCEPTING a private road or right away along the North side of said 1/2 acre tract reserved in Deed dated December 7, 1892 from John Jones and wife to William Verner and recorded in Book 148, Page 214 of records in the office of the Register of Deeds, AND ALSO EXCEPT any part thereof taken or used for road purposes. And **more commonly referred to as 3523 10th Avenue**, 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 11th day of April 2023.

/s/ Jermaine Wilson_____
Jermaine Wilson, Mayor

{Seal}

ATTEST:

/s/ Sarah Bodensteiner_____
Sarah Bodensteiner, CMC, City Clerk