

ORDINANCE NO. 2022-07-

AN ORDINANCE AUTHORIZING THE RE-ZONING OF 2305 N 8TH STREET, FROM “R-1” (LOW DENSITY RESIDENTIAL DISTRICT) TO “R-3” (HIGH DENSITY RESIDENTIAL DISTRICT).

WHEREAS, the City of Arkansas City Planning Commission, after providing notice and holding a hearing pursuant to K.S.A. § 12-756 and K.S.A. § 12-757, has considered the proposed request to re-zone property, and recommended the City refuse to grant the Petition to re-zone; and

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, after due investigation and consideration has determined that the nature and extent of the public use and interest to be subserved is such as to warrant the re-zoning of the property at issue and desires to overrule the Planning Commission recommendation with a three-fourths (3/4) majority vote.

NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The Governing Body, upon a three-fourths (3/4) majority vote, has determined that the Petition to Re-Zone should be granted based on new evidence submitted by the petitioner that the re-zoning will not adversely affect the surrounding neighborhood. Therefore, the Governing Body hereby formally grants the Petition to Re-Zone the property legally described as:

Part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 34 South, Range 3 East of the 6th Principal Meridian beginning at a point 1024.1 feet North of the Southeast Corner of said Quarter, thence West 516.7 feet, thence Northwest 297.32 feet , thence East 616.7 feet, thence South 280 feet to the Point of Beginning, less Right-of-Way. All within Arkansas City, Cowley County, Kansas.

More commonly known as 2305 N 8th Street, Arkansas City, Kansas.

IS HEREBY RE-ZONED from an R-1 (Low Density Residential District) to an R-3 (High Density Residential District).

SECTION TWO: This ordinance shall take effect and be in full force from and after its adoption by the governing body of the City of Arkansas City and either (a) publication once in the official newspaper of the City, or (b) publication of a summary of this Ordinance certified as legally accurate and sufficient by the City Attorney.

SECTION THREE: A certified copy of this ordinance signed by the City Clerk for the City of Arkansas City, Kansas, shall be recorded in the Office of the Register of Deeds, Cowley County, Kansas.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas this 19th day of July, 2022.

(Seal)

Kanyon Gingher, Mayor

ATTEST:

Lesley Shook, City Clerk

APPROVED AS TO FORM

Larry Schwartz, City Attorney

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of the Ordinance No. 2022-07-_____ of the City of Arkansas City, Kansas adopted by the governing body on July 19, 2022 as the same appears of record in my office.

DATED: _____.

Lesley Shook, City Clerk