

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE BEL AIRE PLANNING COMMISSION CHANGING THE ZONING DISTRICT CLASSIFICATION OF CERTAIN LANDS LOCATED IN THE CITY OF BEL AIRE, KANSAS UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY.

WHEREAS, the Governing Body of the City of Bel Aire, Kansas (the "City") has received a recommendation from the Bel Aire Planning Commission on Case No. ZON-23-02; and

WHEREAS, the Governing Body finds proper notice was given and a public hearing was held on Case No. ZON-23-02 on August 24, 2023, all as provided by law and under authority and subject to the provisions of the Zoning Regulations of the City.

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

SECTION 1. The Governing Body supports the recommendation of the Bel Aire Planning Commission and approves the rezoning of the tract of land from SINGLE-FAMILY DISTRICT (R-4) to a MULTI-FAMILY (R-5) ZONING USES.

Legal Description

That part of the Northeast Quarter of Section 24, Township 26 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas described as follows: Beginning at the northeast corner of said Northeast Quarter; FIRST COURSE, thence S00°09'40"E, (basis of bearings, east line of said Northeast Quarter as platted in Chapel Landing, Bel Aire, Sedgwick County, Kansas), coincident with the east line of said Northeast Quarter, a distance of 95.19 feet to the intersection with the southeast line of an Enbridge Pipeline (KPC) Amendment of Right of Way Contract described and recorded in the Office of the Sedgwick County Register of Deeds in DOC.# /FLM-PG: 28860053 and the southeast line of a ConocoPhillips Amendment of Right-of-Way Agreement described and recorded in the Office of the Sedgwick County Register of Deeds in DOC.#/FLM-PG: 28883860, (hereinafter referred to as Pipeline Rights-of- Way); SECOND COURSE, thence S64°17'22"W coincident with the southeast line of said Pipeline Rights-of-Way, a distance of 998.47 feet to the most northerly northeast corner of Reserve "X" as platted in Chapel Landing, Bel Aire, Sedgwick County, Kansas; THIRD COURSE, thence continuing S64°17'22"W coincident with the southeast line of said Pipeline Rights-of-Way and coincident with the northwest line of said Reserve "X", a distance of 528.94 feet to the southeast corner of Reserve "II" as platted in said Chapel Landing; FOURTH COURSE, thence N19°42'50"W coincident with the east line of said Reserve "II", a distance of 89.40 feet to the northeast corner of said Reserve "II", said northeast corner also being the southeast corner of Reserve "A", Bristol Hollows, City of Bel Aire, Sedgwick County, Kansas; FIFTH COURSE, thence continuing N19°42'50"W coincident with the east line of said Reserve "A", a distance of 664.28 feet to the northeast corner of said Reserve "A"; SIXTH COURSE, thence N00°17'10"E, a

distance of 60.00 feet to the intersection with the north line of said Northeast Quarter; SEVENTH COURSE, thence S89°42'50"E coincident with the north line of said Northeast Quarter, a distance of 1628.16 feet to the point of beginning, subject to a 30.00 foot road right-of-way lying south of and abutting the north line of said Northeast Quarter and a 50.00 foot road right-of-way lying west of and abutting the east line of said Northeast Quarter.

Section 2. Upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map is hereby reincorporated as a part of the Zoning Regulations as amended.

Section 3. This Ordinance shall take effect and be in full force from and after its adoption by the Governing Body of the City, approval by the Mayor and publication once in the official newspaper of the City.

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PASSED AND APPROVED by the Governing Body of the City of Bel Aire, Kansas
this 3rd day of October, 2023.

CITY OF BEL AIRE, KANSAS

[seal]

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, City Clerk