

**AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CLASSIFICATION OF APPROXIMATELY TEN POINT FOUR-FOUR (10.44) ACRES, LOCATED AT 688 SOUTH KANSAS AVENUE, FROM AGRICULTURAL (AG) AND MEDIUM DENSITY SINGLE-FAMILY (R1-M) TO MULTI-FAMILY RESIDENTIAL (R-3)**

**WHEREAS**, the City of Republic, Missouri, ("City" or "Republic") is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

**WHEREAS**, Built Wright Home LLC ("Applicant") submitted an application ("Application") to the City's BUILDS Department for an amendment to the Zoning Code and Official Zoning Map to rezone certain real property consisting of approximately 10.44 acres, located at 688 South Kansas Avenue ("the Property"), from Agricultural (AG) and Medium Density Single-Family (R1-M) to Multi-Family Residential (R-3); and

**WHEREAS**, the City submitted the Application to the Planning and Zoning Commission ("Commission") and set a public hearing before the Commission for October 3, 2022; and

**WHEREAS**, the City published notice of the time and date of the public hearing at least fifteen (15) days in advance, on September 14, 2022, in the *Greene County Commonwealth*, a newspaper of general circulation in the City; and

**WHEREAS**, the City gave notice of the Application and public hearing to the record owners of all real properties within 185 feet of the Property; and

**WHEREAS**, the Commission conducted the public hearing on October 3, 2022, at which all interested persons and entities were afforded the opportunity to present evidence or statement, and after which the Commission rendered written findings of fact and submitted those along with its recommendations to the Council; and

**WHEREAS**, the Commission, by a vote of 1 Aye to 4 Nays, recommended against the approval of the Application; and

**WHEREAS**, the Application was submitted to the Council for first read at its regular meeting on October 4, 2022, and submitted for second read at its regular meeting on October 18, 2022, after which the Council voted to approve the Application and amend the Zoning Code accordingly.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:**

**Section 1:** The Zoning Code and Official Zoning Map are hereby amended to reflect the rezoning of the real property consisting of approximately 10.44 acres, located at 688 South Kansas Avenue, more fully described in the legal description herein below, from Agricultural (AG) and Medium Density Single-Family (R1-M) to Multi-Family Residential (R-3):

A TRACT OF LAND LOCATED IN THE NORTH ONE-HALF (N1/2) OF GOVT. LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER (NW.FR. 1/4) OF SECTION 30, TOWNSHIP-28-NORTH (T-28-N), RANGE-23-WEST (R-

23-W) OF THE FIFTH PRINCIPAL MERIDIAN, COMPRISING OF ALL THE NORTH 5 ACRES OF THE SOUTH 12 ACRES OF THE WEST 25 ACRES OF SAID N1/2 - L2 - NW.FR.1/4 OF SECTION 30 AND ALL OF LOT 2 AND LOT 3 OF "830 WEST" (A SUBDIVISION FOUND IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN PLAT BOOK AAA, PAGE 665) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIN CAPPED "LS-2006" MARKING THE NORTHWEST CORNER OF SAID SECTION 30; THENCE S.02°02'10"W., ALONG THE WEST LINE OF THE NORTH ONE-HALF (N1/2) OF LOT 2, OF THE NORTHWEST FRACTIONAL QUARTER (NW FR1/4) OF SAID SECTION 30, A DISTANCE OF 714.69 FEET FOR THE POINT OF BEGINNING:

THENCE S.87°13'41"E., AND ALONG THE SOUTH LINE OF ANGELBROOK ESTATES (A SUBDIVISION FOUND IN GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN PLAT BOOK ZZ, AT PAGE 299), A DISTANCE OF 845.03 FEET TO AN EXISTING 1/2" IRON PIN SET BY LS-1872; THENCE N.02°03'17"E., ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 487.70 FEET TO AN EXISTING IRON PIN SET AND CAPPED "PLS-2260" AT THE NORTHWEST CORNER OF LOT 2 OF SAID 830 WEST S/D; THENCE S.87°40'40"E., ALONG NORTH LOT LINE, A DISTANCE OF 215.79 FEET TO AN EXISTING IRON PIN SET AND CAPPED "PLS-2260" AT THE NORTHEAST CORNER OF SAID LOT; THENCE S.02°01'58"W., ALONG THE EAST LINE OF SAID "830 WEST" S/D, A DISTANCE OF 1083.95 FEET TO AN EXISTING ALUM MONUMENT; THENCE S.49°16'56"W. ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE RAILROAD, A DISTANCE OF 27.50 FEET TO AN IRON PIN SET AND CAPPED "PLS-2260" BEING ON THE SOUTH LINE OF SAID N1/2-L2-NW.FR.1/4; THENCE N.87°39'48"W., A DISTANCE OF 196.31 FEET TO AN EXISTING 5/8" IRON PIN; THENCE N.02°07'46"E., A DISTANCE OF 358.67 FEET TO AN EXISTING 1/2" IRON PIN ALSO SET BY LS-1872; THENCE N.87°17'03"W., A DISTANCE OF 845.12 FEET TO A POINT ON THE SAID WEST LINE OF THE NW. FR1/ 4; THENCE N.02°02'10"E., ALONG SAID WEST LINE, A DISTANCE OF 257.13 FEET TO THE POINT OF BEGINNING.

ALL BEING IN GREENE COUNTY, MISSOURI AND CONTAINING 10.44 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD, IF ANY.

**Section 2:** In all other aspects other than those herein amended, modified, or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

**Section 3:** The WHEREAS clauses above are specifically incorporated herein by reference.

**Section 4:** This Ordinance shall take effect and be in force from and after its passage as provided by law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

A handwritten signature in blue ink, appearing to read 'Megan McCullough', is written over a horizontal line.

Megan McCullough, City Attorney

**Final Passage and Vote:**