

ORDINANCE NO. 19-07

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF OLATHE, KANSAS, AS ADOPTED BY REFERENCE IN SECTION 18.20.030 OF THE OLATHE UNIFIED DEVELOPMENT ORDINANCE; FURTHER AMENDING SAID SECTION 18.20.030 BY REINCORPORATING SUCH MAP AS AMENDED.

WHEREAS, Rezoning Application No. RZ18-0022 requesting rezoning from CTY RUR District to R-3 District was filed with the City of Olathe, Kansas, on the 7th day of December 2018; and

WHEREAS, proper notice of such rezoning application was given pursuant to K.S.A. 12-757 and Chapter 18.40 of the Olathe Unified Development Ordinance; and

WHEREAS, a public hearing on such application was held before the Planning Commission of the City of Olathe, Kansas, on the 11th day of February 2019; and

WHEREAS, said Planning Commission has recommended that such rezoning application be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: That the Zoning Map of the City of Olathe, Kansas, is hereby ordered to be amended insofar as the same relates to certain parcels of land legally described as:

Part of the North 10 acres of the Southwest one-quarter of Section 12, Township 14 South, Range 23 East more particularly described as:

Commencing at the Northwest corner of said Southeast one-quarter, thence East S 89°17'35" E along north line of said Southeast one-quarter a distance of 1682.59 feet to the point of beginning, the Northwest corner of the 10 acres of the said Southeast one-quarter; thence S 89°17'35" E along North line of said 10 acres a distance of 562.06 feet to a point; thence S 00°41'45" W a distance of 330.00 feet to a point on the South line of said 10 acres; then N 89°17'35" W along south line of said 10 acres a distance of 562.60 feet to the Southwest corner of said 10 acres; then N 00°41'45" E along West line of said 10 acres a distance of 329.41 feet to the point of beginning which is the Northwest corner of said 10 acres. Containing 4.23 acres more or less.

Said legally described property is hereby rezoned from CTY RUR District to R-3 District.

SECTION TWO: That this rezoning is approved subject to the following stipulations:

- (1) A final plat shall be approved and recorded, and all excise fees paid prior to issuance of a building permit.
- (2) A final site development plan shall be approved prior to submitting for building permit.

SECTION THREE: That Section 18.20.030 of the Unified Development Ordinance, which incorporates by reference the Olathe Zoning Map, is hereby amended by reincorporating by reference the said Zoning Map as it has been amended in Section One of the Ordinance.

SECTION FOUR: That this Ordinance shall take effect from and after its passage and publication as provided by law.

PASSED by the City Council this 5th day of March 2019.

SIGNED by the Mayor this 5th day of March 2019.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney