

BILL NO. 22-261

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 601 SE DOUGLAS STREET IN DISTRICT R-1, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 33, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2022-349 submitted by Adam & Tina Garrett, requesting approval of a preliminary development plan in District R-1 (Single-Family Residential District) on land located at 601 SE Douglas St. was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the preliminary development plan on November 10, 2022, and rendered a report to the City Council recommending that the preliminary development plan be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on December 6, 2022, and rendered a decision to approve the preliminary development plan for said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That a preliminary development plan is hereby approved in District R-1 on the following described property:

ALL OF LOT 9, AND THE NORTH 20 FEET OF LOT 10, W.B. HOWARD'S 3RD ADDITION, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the required minimum front yard principal building setback of 30', to allow for a minimum front yard principal building setback of 10.1'.
2. A modification shall be granted to the maximum allowable size of a detached garage, to allow for a 785 sq. ft. detached garage on the proposed Lot 2.
3. Development shall be in accordance with the preliminary development plan dated September 7, 2022.

SECTION 3. Development shall be in accordance with the preliminary development plan dated September 13, 2022. And elevations received October 3 & October 19, 2022, as conditioned above and appended hereto as Attachment A and Attachment B respectively.

SECTION 4. Nonseverability. That all provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

BILL NO. 22-261

SECTION 5. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 7. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2022.

ATTEST:

Mayor William A. Baird

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

ATTEST:

Mayor William A. Baird

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*