

BILL NO. 19-132

AN ORDINANCE APPROVING A REZONING FROM DISTRICT AG TO DISTRICT RLL LOCATED AT 5220 NE MAYBROOK RD., IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI

WHEREAS, Application #PL2019-097 submitted by Nathan Sanko, requesting approval of a rezoning from District AG (Agricultural district) to RLL (Residential Large Lot) on land located at 5220 NE Maybrook Road was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning by the City following public hearings by the Planning Commission and City Council, and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held public hearings for the consideration of the rezoning on May 9, 2019 and rendered a report to the City Council recommending that the rezoning be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on June 4, 2019, and rendered a decision to approve the rezoning 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 rezoning is hereby approved on the following described property:

A tract of land in the Southeast of the Northeast, Section 6-48-3, Lee's Summit, Jackson County, Missouri and being more particularly described as follows:
Commencing at the Northwest corner of the Southeast of the Northeast, Section 6-48-31; thence with the North line of said, section S87°31'27"E, 533.00'; thence leaving said North line S02°09'38"W, 61.90' to a point on the Southerly Right-of-Way of Maybrook Road; thence with said Southerly Right-of-Way S79°58'29"E, 54.33' to the Point of Beginning; thence leaving said Point of Beginning and continuing with the Right-of-Way line of Maybrook Road S78°58'29"E, 35.04' to the Point of Curvature of a Curve to the Right having a Radius of 50.00' and a Chord Bearing and Length of S56°38'34"E, 39.61'; thence with said curve to the Right 40.73' to the Point of Tangency; thence continuing with the now Westerly Right-of-Way line of Maybrook Road S33°18'18"E, 185.65'; thence leaving said Westerly Right-of-Way line S80°55'49"W, 178.74'; thence N02°09'38"E, 211.19' back to the Point of Beginning and containing 0.52 acres.

SECTION 2. Nonseverability. 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.

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SECTION 3. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

SECTION 4. 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 _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*