

**ORDINANCE NO. 8370**

**AN ORDINANCE REZONING APPROXIMATELY 11,715 SQUARE FEET FROM RS5 (SINGLE-DWELLING RESIDENTIAL) DISTRICT TO RSO (SINGLE-DWELLING RESIDENTIAL OFFICE) DISTRICT; AMENDING THE "OFFICIAL ZONING DISTRICT MAP" INCORPORATED BY REFERENCE IN CHAPTER 20, ARTICLE 1, SECTION 20-108, OF THE "CODE OF THE CITY OF LAWRENCE, KANSAS, 2009 EDITION," AND AMENDMENTS THERETO AND REINCORPORATING THE "OFFICIAL ZONING DISTRICT MAP" IN CHAPTER 20, ARTICLE 1, SECTION 20-108 OF THE "CODE OF THE CITY OF LAWRENCE, KANSAS 2009 EDITION," AND AMENDMENTS THERETO**

**WHEREAS**, Rezoning Application Z-11-18-08 requesting rezoning from RS5 to RSO was filed with the City of Lawrence on November, 18, 2008; and

**WHEREAS**, after due and lawful notice was given pursuant to K.S.A. 12-757 and Section 20-1303 of the "Code of The City of Lawrence, Kansas, 2009 Edition" a public hearing was held by the Lawrence-Douglas County Metropolitan Planning Commission on January 26, 2009 to hear a request to rezone approximately 11,715 square feet as described in Section Two of this ordinance from RS5 (Single-Dwelling Residential) District to RSO (Single-Dwelling Residential Office) District; and

**WHEREAS**, on January 26, 2009 The Lawrence-Douglas County Metropolitan Planning Commission considered the report and recommendation of the City's professional staff, the evidence and testimony provided at the hearing and the review and decision making criteria of Section 20-1303 and voted 8-0-1 to recommend approval of the rezoning request; and

**WHEREAS**, the rezoning application and Lawrence-Douglas County Metropolitan Planning Commission recommendation were considered by the Governing Body at the February 18, 2009, meeting.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:**

**SECTION ONE:** The above stated recitals are by reference incorporated herein, and shall be as effective as if repeated verbatim. The Governing Body hereby adopts the findings of facts as set forth in the staff report as if fully set forth herein.

**SECTION TWO:** That the zoning district classification for the following legally described tract of land situated in the City of Lawrence, Douglas County, Kansas, to-wit:

Lots 161 and 163 on Connecticut Street in the Original Townsite of the City of Kansas, Douglas County Kansas.

is hereby changed from RS5 (single-dwelling residential) District to RSO (single-dwelling residential office) District as such district is defined and prescribed in Chapter 20 of the "Code of the City of Lawrence, Kansas, 2009 Edition," and amendments thereto.

**SECTION THREE:** The rezoning granted in Section Two of this ordinance is hereby made contingent upon the performance and observance of the following regulations, stipulations, conditions and restrictions:

1. Remove use category of Financial, Insurance & Real Estate
2. Remove use category of Homeless or Transient Shelter

**SECTION FOUR:** That the "Official Zoning District Map" incorporated by reference in and by Chapter 20, Article 1, Section 20-108 of the "Code of the City of Lawrence, Kansas, 2008 Edition" is hereby amended and reincorporated by reference by showing and reflecting thereon the new zoning district classification for the aforesaid tract, as set forth in Section Two of this ordinance.

**SECTION FIVE:** Severability. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

**SECTION SIX:** This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Governing Body of the City of Lawrence, Kansas, the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

APPROVED:

\_\_\_\_\_  
Michael Dever, Mayor

ATTEST:

\_\_\_\_\_  
Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Toni Ramirez Wheeler  
Director of Legal Services

Publish one time and return one Proof of Publication to the City Clerk and one to the Director of Legal Services.