

ORDINANCE NO. 8451

AN ORDINANCE REZONING APPROXIMATELY 15,625 SQ. FT. 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

WHEREAS, Rezoning Application Z-04-06-09 requesting rezoning from RS5 to RSO was filed with the City of Lawrence on April 20, 2009; 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 June 22, 2009 to hear a request to rezone approximately 15,625 SQ. FT. as described in Section Two of this ordinance from RS5 (Single-Dwelling Residential) District to RSO (Single-Dwelling Residential-Office) District; and

WHEREAS, on June 22, 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 July 14, 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.

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:

Breezedale Addition Lot 74 and the West 12.5' of Lot 75, All measuring 62.5' b 125' and Breezedale Addition East 37.5' Lot 75 and all of Lot 76, Measuring 62.5 x 125'

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 as reflected in the record of the July 14, 2009, Governing Body Meeting.

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. Uses in the RSO district shall be restricted to only:
 - a. Household Living Uses in Section 20-402 of the Land Development Code, except that duplex uses shall be prohibited, and
 - b. Social Service Agency use in the Community Facilities use group in Section 20-402 of the Land Development Code.

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, 2009 Edition" is hereby

amended 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 August, 2009.

APPROVED:

Robert Chestnut, Mayor

ATTEST:

Jonathan M. Douglass, 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.