

ORDINANCE NO. 1277

AN ORDINANCE REZONING A PARCEL OF PROPERTY FROM AL (Agricultural) TO R-2 (MULTI-FAMILY RESIDENTIAL) AS PROVIDED FOR BY CHAPTER 24-1.01 OF THE ZONING REGULATIONS FOR THE CITY OF HILLSBORO, KANSAS.

WHEREAS under K.S.A. 12-741 et seq., a city is authorized to amend an adopted zoning ordinance; and

WHEREAS, the Governing Body of Hillsboro, Kansas established a community planning and development commission for Hillsboro; and

WHEREAS, the community planning and development commission adopted a zoning ordinance after notice by publication in the official city newspaper, at a public hearing on January 8, 1996; and

WHEREAS, the governing body revised, approved and adopted the Zoning Regulations on April 19, 2011 through the passage of Ordinance No. 1208; and

WHEREAS, the Community Planning and Development Commission, by a vote of all members present on March 30, 2017, recommended to the Governing Body that the below described parcel be rezoned from the AL (Agricultural)) to R-2 (Two Family Residential) zoning district as provided for by Article XIV of the Zoning Regulations; and

WHEREAS, the community planning and development commission has sent a certified copy of such amendment together with a written summary of the public hearing to the Governing Body; and

WHEREAS, the Governing Body of the City of Hillsboro, Kansas wishes to rezone the below described parcel as recommended by the community planning and development commission:

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HILLSBORO, KANSAS:

Section 1. The land legally described as follows shall be zoned as R-2 (Two Family Residential):

A tract located in the Northwest Quarter of Section 34, Township 19 South, Range 2 East, of the 6th P.M., Hillsboro, Marion County, Kansas, further described as follows: Assuming the east line of the North Half of the Northwest Quarter is South 00°03'04" East, 1320.47 feet to the East Sixteenth corner of said Northwest Quarter; Commencing at the North Quarter corner of said Section 34; thence South 00°03'04" East along the east line of said North Half of the Northwest Quarter, 957.58 feet to its intersection with the extended north line of a tract owned by Russell Groves and Jeanne Groves, the deed of which is filed for record in Book 466, Page 604 in the Marion County Register of Deeds office; thence South 89°48'27" West along said extended north line, 60.00 feet to the west line of Adams Street; thence South 00°03'04" East along the west line of Adams Street parallel with the east line of the North Half of the Northwest Quarter, 139.53 feet; thence continuing along the west line of Adams Street 171.39 feet along a 241.32 foot radius curve to the right whose chord bears South 20°17'43" West, 167.82 feet; thence continuing along the west line of Adams Street South 40°38'30" West, 98.76 feet to the northeast corner of GROVES' FIRST ADDITION and the Point of Beginning: Thence continuing along the west line of Adams Street South 40°38'30" West, 122.67 feet; thence continuing along the west line of Adams Street 248.48 feet along a 361.57 foot radius curve to the left whose chord bears South 20°57'15" West, 243.62 feet to the south line of said Groves tract and the north line of Third Street which are one in common; thence along said common line South 89°47'52" West, 1685.99 feet to the southwest corner of GROVES' FIRST ADDITION, at the southeast corner of Lot 2, Block 1 of the County Clerk's Fourth Hillsboro Plat; thence North 00°12'08" West along the east line of said Lot 2, Block 1, 170.00 feet to its intersection with the north line of GROVES' FIRST ADDITION; thence North 89°47'52" East along the north line of GROVES' FIRST ADDITION, 1462.27 feet to an angle point in the north line of GROVES' FIRST ADDITION; thence North 00°12'08" West along said north line of GROVES' FIRST ADDITION, 150.00 feet to an angle point in the north line of GROVES' FIRST ADDITION; thence North 89°47'52" East along the north line of GROVES' FIRST ADDITION, 391.87 feet to the northeast corner of said addition on the west line of Adams Street and the Point of Beginning. GROVES' FIRST ADDITION contains 7.77 acres, more or less.

Generally located at: North side of 3rd Street beginning ½ way between Main Street and Washington Street to Adams Street.

Section 2. The Official Zoning Map of the City of Hillsboro is hereby changed to reflect the rezoning of this property.

Section 3. Invalidity of a part. Any provisions of this Ordinance which shall be declared to be unconstitutional or otherwise invalid shall not affect the validity and authority of any other section of said Ordinance.

Section 4. Effective Date. This ordinance shall take effect from and after its passage, approval and publication once in the official city newspaper.

PASSED THIS 2nd DAY OF MAY 2, 2017



DELORES DALKE, MAYOR

ATTEST:



JANICE K. MEISINGER, CITY CLERK

On May 2, 21017, the City of Hillsboro, Kansas adopted Ordinance 1277 rezoning property north of Third Street from a point between Washington and Main Street to Adams Street from AL (Agricultural) to R-2 (Multi-family Residential).

A complete copy of this ordinance is available at www.cityofhillsboro.net or at City Hall, 118 E. Grand. This summary is certified by Josh Boehm, City Attorney.



Josh Boehm, Hillsboro City Attorney