

(First Published in the Butler County Times-Gazette  
on the \_\_\_\_ day of \_\_\_\_\_, 2014.)

THE CITY OF AUGUSTA, KANSAS

ORDINANCE NO. 2067

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED WITHIN BUTLER COUNTY, KANSAS FROM THE PRESENT AGRICULTURAL DISTRICT "AG" DIVISION 2 TO THE RESIDENTIAL DISTRICT DIVISIONS 6C RURAL RESIDENTIAL 10 TO 19.99 ACRES AND 6D RURAL RESIDENTIAL 20 TO 39.99 ACRES AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AUGUSTA, KANSAS.

WHEREAS, notice of a August 11, 2014 Augusta Planning Commission public hearing on Zoning Case Number Z-2014-10 changing the zoning classifications of the herein described real property located within Butler County, Kansas from the present Agricultural District "AG" Division 2 to the Residential District Divisions 6C Rural Residential 10 to 19.99 Acres for Tract A described below and 6D Rural Residential 20 to 39.99 Acres for Tract B described below was published in the official city newspaper on July 14, 2014 and mailed on July 16, 2014 to all owners of record of lands, within the corporate limits of the City of Augusta, located within 200 feet of the proposed zoning changes and outside the corporate limits of the City of Augusta, located within 1,000 feet of the proposed zoning changes; and

WHEREAS, on August 5, 2014, the Butler County Board of County Commissioners voted unanimously to support the proposed zoning changes; and

WHEREAS, the Augusta Planning Commission conducted a public hearing on August 11, 2014 on changing the zoning classifications of the herein described real property located within Butler County, Kansas from the present Agricultural District "AG" Division 2 to the Residential District Divisions 6C Rural Residential 10 to 19.99 Acres for Tract A described below and 6D Rural Residential 20 to 39.99 Acres for Tract B described below, and thereafter, based upon the public hearing and a discussion of the factors to consider in re-zoning, voted to recommend approval of said zone changes by the governing body; and

WHEREAS, more than 14 days has elapsed since said public hearings and no protest petition has been filed with the City of Augusta City Clerk.

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

Section 1. Zone Change Tract A

The official zoning classification of the property herein described as Tract A is hereby changed from the present zoning classification of Agricultural District "AG" Division 2 to the Residential District Division 6C Rural Residential 10 to 19.99 Acres of land. Said Tract A is legally described as follows:

ALL that part lying East of Center of Elm Creek in the North-Half (N/2) of the Northeast Quarter (NE/4) of Section Ten (10), Township Twenty-seven (27) South, Range Four (4) East of the Sixth Principal Meridian, Butler County, Kansas; EXCEPT: Beginning at a point 112.0 feet North of the Southeast Corner (SEc) of said North-Half (N/2) of the Northeast Quarter (NE/4) of Section Ten (10), Township Twenty-seven (27) South, Range Four (4) East of the Sixth Principal Meridian; thence S89°23'04"W a distance of 164 feet, thence N00°50'44"W a distance of 122 feet; thence N89°23'04"E a distance of 164 feet; thence S00°50'44"E a distance of 122 feet to the Point of Beginning. Subject to Road Right of Way of Record. Contains 17.9± acres Right of Way included.

Section 2. Zone Change Tract B

The official zoning classification of the property herein described as Tract B is hereby changed from the present zoning classification of Agricultural District "AG" Division 2 to the Residential District Division 6D Rural Residential 20 to 39.99 Acres of land. Said Tract B is legally described as follows:

ALL that part lying West of Center of Elm Creek in the North-Half (N/2) of the Northeast Quarter (NE/4) of Section Ten (10), Township Twenty-seven (27) South, Range Four (4) East of the Sixth Principal Meridian, Butler County, Kansas; EXCEPT: Beginning at the Northwest Corner (NWc) of the Northeast Quarter (NE/4) of Section Ten (10), Township Twenty-seven (27) South, Range Four (4) East of the Sixth Principal Meridian; thence N89°23'24"E (Assumed Basis of Bearings), a distance of 1254.72 feet; thence S00°39'43"E, a distance of 1323.76 feet, to the South line of said North-Half (N/2) of the Northeast Quarter (NE/4); thence S89°23'28"W along South line a distance of 1254.72 feet, to the Southwest Corner (SW/c) of

said North-Half (N/2) of the Northeast Quarter (NE/4); thence N00°40'41"W a distance of 1323.73 feet to the Point of Beginning. Subject to Road Right of Way of Record. Contains 24.3± acres Right of Way included.

Section 3. Zoning Ordinance and Map Amendment

City of Augusta Ordinance Number 1788 and the official zoning map of the City of Augusta, Kansas are hereby amended in accordance with Sections 1 and 2 of this Ordinance.

Section 4. Effective Date

This Ordinance shall take effect and be in force thirty (30) days from and after its publication in the official city newspaper.

Adopted by the City Council this 22nd day of September, 2014.

Approved by the Mayor this 22nd day of September, 2014.

  
KRISTEY WILLIAMS, MAYOR

SEAL

ATTEST:

  
ERICA JONES, CITY CLERK

