

(First Published in the Butler County Times-Gazette
on the 8th day of August, 2015.)

THE CITY OF AUGUSTA, KANSAS

ORDINANCE NO. 2085

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED WITHIN BUTLER COUNTY, KANSAS FROM THE PRESENT RESIDENTIAL DISTRICT "R" DIVISION 6B RURAL RESIDENTIAL 5 TO 9.99 ACRES OF LAND TO THE RESIDENTIAL DISTRICT "R" DIVISION 6A RURAL RESIDENTIAL 1 TO 4.99 ACRES OF LAND AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AUGUSTA, KANSAS.

WHEREAS, notice of a July 13, 2015 Augusta Planning Commission public hearing on Zoning Case Number Z2015-15 changing the zoning classification of the herein described real property located within Butler County, Kansas from the present Residential District "R" Division 6B Rural Residential 5 to 9.99 Acres of land to the Residential District "R" Division 6A Rural Residential 1 to 4.99 Acres of land was published in the official city newspaper on June 16, 2015 and mailed on June 15, 2015 to all owners of record of lands located outside the corporate limits of the City of Augusta, located within 1,000 feet of the proposed zoning change; and

WHEREAS, on June 30, 2015, the Butler County Board of County Commissioners voted 4-0 to support the proposed zoning change; and

WHEREAS, the Augusta Planning Commission conducted a public hearing on July 13, 2015 on changing the zoning classification of the herein described real property located within the Growth Area of the City of Augusta, Kansas from the present Residential District "R" Division 6B Rural Residential 5 to 9.99 Acres to the Residential District "R" Division 6A Rural Residential 1 to 4.99 Acres of land, 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 change 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

The official zoning classification of the property hereinafter described is hereby changed from the present zoning classifications of Residential District "R" Division 6B Rural Residential 5 to

9.99 Acres of land to the Residential District "R" Division 6A Rural Residential 1 to 4.99 Acres of land. Said property is legally described as follows:

Beginning at a point 1317.60 feet West of the Southeast Corner of the Southeast Quarter of Section 36, Township 26 South, Range 4 East of the 6th Principal Meridian, Butler County Kansas; thence continuing West along South line of said Southeast Quarter a distance of 213.00 feet; thence N00°40'20"W, 445.00 feet; thence S89°01'39"W, 315.00 feet; thence N00°40'20"W, 200.00 feet, thence N89°01'33"E, 528.00 feet; thence S00°40'18"E, 645.00 feet to the Point of Beginning. Contains 4.6 acres right of way included. Subject to road right of way of record.

Section 2. 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 Section 1 of this Ordinance.

Section 3. 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 3rd day of August, 2015.

Approved by the Mayor this 3rd day of August, 2015.

/s/ MATT C. CHILDERS, MAYOR

SEAL

ATTEST:

/s/ERICA JONES, CITY CLERK