

*(Summary Published in the Leavenworth Times on June 4, 2021)*

**ORDINANCE NO. 8162**

**AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 5136 LAKEVIEW DRIVE FROM MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R1-9) TO GENERAL BUSINESS DISTRICT (GBD).**

**WHEREAS**, under the Development Regulations, Appendix A of the Code of Ordinances of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to amend, supplement or change existing zoning regulations within said City; and

**WHEREAS**, the City Planning Commission, after fully complying with the requirements of the Code of Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 3<sup>rd</sup> day of May 2021 in the Commission Room, 1<sup>st</sup> Floor of City Hall, 100 N. 5<sup>th</sup> Street, Leavenworth, Kansas. The official date and time set as was published in the Leavenworth Times newspaper on the 8<sup>th</sup> day of April 2021 and notice of the public hearing was mailed to all property owners as required by K.S.A. 12-757(b); and

**WHEREAS**, upon a motion made, duly seconded, and passed, the Planning Commission adopted findings of fact and recommended approval of the request Rezoning of 5136 Lakeview Drive, Leavenworth Kansas from medium density single family residential district (R1-9) General Business District (GBD); and

**WHEREAS**, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to rezone the property described herein.

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

**Section 1:** That the following described properties, to-wit, is hereby rezoned medium density single family residential district (R1-9) General Business District (GBD).

Commencing at a point 330 feet North of the SE corner of the West 1/2 of the NW 1/4 of Section 13, Township 9, Range 22; thence West 580 feet on a line parallel to the South line of said Section; thence North 300 feet on a line parallel to the West line of said Section; thence East 580 feet on a line parallel to the North line of said Section; thence South 300 feet to the place of beginning; (all being in the West half of the NW 1/4 of Section 13, Township 9, Range 22) Leavenworth County, Kansas. The South 1/2 of the South 1/2 of the SW Quarter of the NW 1/4 of Section 13, Township 9, Range 22; Leavenworth County, Kansas. A tract of land in the Southwest Quarter of the Northwest Quarter of Section 13, Township 9 South, Range 22 East. Beginning at a point 330.00 feet North from the Southwest corner of said

Northwest 1/4; thence North 300.00 feet along the West line of said Northwest 1/4; thence East 744.90 feet parallel to the South line of said Northwest 1/4; thence South 300.00 feet parallel to the East line of the Southwest 1/4 of said Northwest 1/4; thence West 745.00 feet to the point of beginning. Except that part deeded for street right-of-way. All in Leavenworth County. Less the following-described tract: A tract of land in the Southwest Quarter of the Northwest Quarter of Section 13, Township 9, Range 22 East of the Sixth P.M., City of Leavenworth, Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest corner of said Northwest Quarter; thence North 00 degrees 06'50" West for a distance of 161.00 feet; thence North 89 degrees 53'10" East for a distance of 33.0 feet to the true point of beginning; thence North 00 degrees 06'56" West for a distance of 469.89 feet along the East right-of-way line of Shrine Park Road; thence North 88 degrees 19'57" East for a distance of 360.00 feet; thence South 00 degrees 06'50" East for a distance of 570.88 feet to the North right-of-way of Eisenhower Road; thence South 88 degrees 53'35" West for a distance of 193.68 feet along said North line; thence North 60 degrees 28'13" West for a distance of 191.23 feet to the point of beginning, less any part thereof taken or used for road purposes.

And **more commonly referred to as 5136 Lakeview Drive**, Leavenworth, Kansas

**Section 2:** That the "Zoning District Map" adopted under the Development Regulations, Appendix A of the Code of Ordinances of the City of Leavenworth, Kansas shall be and the same is hereby amended to conform to the rezoning as set forth in Section 1 above.

**Section 3:** That this Ordinance shall take effect and be in force from and after its passage, approval and summary publication in the official City newspaper of the City of Leavenworth, Kansas, as provided by law.

**PASSED and APPROVED** by the Governing Body on the 1<sup>st</sup> day of June 2021.

/s/ Nancy D. Bauder  
Nancy D. Bauder, Mayor

{Seal}

ATTEST:

/s/ Carla K. Williamson  
Carla K. Williamson, CMC, City Clerk