

*(Summary Published in the Leavenworth Times on May 12, 2023)*

**ORDINANCE NO. 8216**

**AN ORDINANCE ALLOWING A SPECIAL USE FOR A TWO-FAMILY DWELLING IN A HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT ZONING DISTRICT LOCATED AT 1906 5<sup>th</sup> AVENUE IN THE CITY OF LEAVENWORTH, KANSAS.**

**WHEREAS**, under the Appendix A of the City Code of Ordinances, Development Regulations, of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to locate special uses in each zoning district by ordinance within said City; and

**WHEREAS**, the City Planning Commission, after fully complying with the requirements of the Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 3rd day of April 2023 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 and mailed to all property owners within 200 feet of the said property on the 9<sup>th</sup> day of March 2023; and

**WHEREAS**, the City Planning Commission did hear on the 3rd day of April 2023 in the Commission Room, 1<sup>st</sup> Floor of City Hall, 100 N. 5<sup>th</sup> Street, Leavenworth, Kansas and upon a motion made, duly seconded, and passed, the City Planning Commission adopted findings of fact and recommended approval of the request for a two-family dwelling in a High Density Single Family Residential District zoning district located at 1906 5<sup>th</sup> Avenue, Leavenworth, Kansas; and

**WHEREAS**, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to allow special use for a two-family dwelling for the property described herein in Section 1.

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

**Section 1.** That a special use permit be issued for a two-family dwelling on the following described property:

The South 24 feet of Lot 2 and all of Lot 3, Block 20, REES, DONIPHAN & THORNTON ADDITION, City of Leavenworth, according to the recorded plat thereof, Leavenworth County, Kansas; and more **commonly referred to as 1906 5<sup>th</sup> Avenue**, Leavenworth, Kansas.

**Section 2:** That this Ordinance shall take effect and be in force from and after its passage by the Governing Body, and its publication once in the official City newspaper.

**PASSED AND APPROVED** by the Leavenworth City Commission of the City of Leavenworth, Kansas on this 9th day of May 2023.

/s/ Jermaine Wilson  
Jermaine Wilson, Mayor

{Seal}

ATTEST:

/s/ Sarah Bodensteiner  
Sarah Bodensteiner, CMC, City Clerk