

BILL NO. 2023-30

ORDINANCE NO. 2023-1460

AN ORDINANCE APPROVING A CHANGE IN ZONING FROM INSTITUTIONAL DISTRICT (I-Z) TO MULTI-FAMILY DISTRICT (R-2) FOR A TRACT OF LAND LOCATED AT 306 NORTH JEFFERSON STREET

WHEREAS, Carroll County YMCA are the owners of certain land located at 306 North Jefferson Street and more particularly described as:

Commencing PART OF OUTLOT 33 AND OUTLOT 34 NW SW; BEGINNING AT NE CORNER OF EAST 3RD ST AND NORTH JEFFERSON ST THENCE EAST 370'; THENCE NORTH 221'; THENCE WEST 70'; THENCE NORTH 345'; THENCE WEST 280'; SOUTHERLY ALONG R/W 90' SOUTH ALONG R/W 485' TO POB; and

WHEREAS, the Owner has petitioned the Town for a change of zoning requesting the Property be rezoned from the current designation of Institutional District (I-Z) to Multi-Family District (R-2); and

WHEREAS, after due notice of a public hearing was given, the Planning and Zoning Commission held a public hearing on the petition on July 12, 2023, and the Planning and Zoning Commission recommended approval of the petition for the rezoning as requested; and

WHEREAS, the Town Council, after due notice, held a public hearing to consider the petition on September 5, 2023 at 6:00 p.m. at which interested persons were offered an opportunity to speak; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CARROLLTON as follows:

Section 1: That after proper notice in accordance with the ordinances of the Town and applicable laws of the State of Missouri, a public hearing was held with regard to the petition to rezone the Property, and approval is hereby granted to rezone the Property from Institutional District (I-Z) zone to Multi-Family District zone (R-2), pursuant to the Municipal Code of the Town of Carrollton, Missouri'

Section 2: The zoning authority and approval embodied in this ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Ordinance, and all other Town of Carrollton ordinances, rules, and regulations, as may be amended from time to time, and the conditions of this ordinance, except as may be modified herein.

Section 3: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid one, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4: Nothing contained herein shall in any manner be deemed or construed to

alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the Town or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

Section 5: This ordinance shall be in full force and effect from and after the date of its passage and approval.

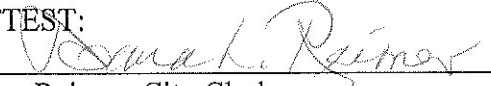
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Council and this bill was read by title in the open meeting two times prior to its final passage.

PASSED AND APPROVED THIS 5th DAY OF September, 2023.

TOWN OF CARROLLTON, MISSOURI



John Sweeney, Mayor

ATTEST:


Dana Reimer, City Clerk