

TOWN OF CARROLLTON, MISSOURI

BILL NO. 2023-39

ORDINANCE NO. 2023-1469

**AN ORDINANCE APPROVING A CHANGE IN ZONING FROM R – 1 SINGLE-FAMILY DWELLING DISTRICT TO R – 2 MULTI-FAMILY RESIDENTIAL DISTRICT FOR A TRACT OF LAND OWNED BY FIELDING B. STANTON AND DARLA J. STATON, CO-TRUSTEES OF THE FIELDING B. STANTON AND DARLA J. STATON REVOCABLE TRUST AGREEMENT DATED SEPTEMBER 30, 1996**

WHEREAS, Fielding B. Staton and Darla J. Staton Trustees of the Fielding B. Staton and Darla J. Staton Revocable Trust Agreement Dated September 30, 1996 (the “Owner”) are the owners of certain land more particularly described as:

Block Thirty-four (34), except Twenty-six and one-half (26 1/2) feet off the North side of Block Thirty-four (34) in the Original Town of Carrollton, Carroll County, Missouri, and

Block Thirty-five (35) of the Original Town of Carrollton, Carroll County, Missouri.  
(the “Property”).

WHEREAS, the Owner has petitioned the Town for a change of zoning requesting the Property be rezoned from the current designation of R-1 Single Family Dwelling District to R – 2 Multi-Family Residential District; and

WHEREAS, after due notice the Planning and Zoning Commission held a hearing on the petition on \_\_\_\_\_, 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 November 6, 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 R-1 Single Family Dwelling District to R - 2 Multi-Family Residential District, 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 Zoning Regulations 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 6<sup>th</sup> DAY OF NOVEMBER 2023.

**TOWN OF CARROLLTON, MISSOURI**

  
\_\_\_\_\_  
John Sweeney, Mayor

ATTEST:   
\_\_\_\_\_  
Dana Reimer, City Clerk