

BILL NO. 22-024

ORDINANCE NO. 4909

FIRST READING 08.16.2022

SECOND READING 09.06.2022

AN ORDINANCE OF THE CITY OF HANNIBAL REZONING A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 57 NORTH, RANGE 5 WEST OF THE FIFTH MERIDIAN, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI FROM THE B-MULTIPLE FAMILY TO PDR – PLANNED DENSITY RESIDENTIAL ZONING DISTRICT AND AMENDING THE CITY’S ZONING MAP ACCORDING

WHEREAS, an application to rezone the property located at 100 Lone Cedar Drive which is a tract of land being part of the Southeast quarter of Section 13, Township 57 North, Range 5 West of the Fifth Meridian, in the City of Hannibal, Marion County, Missouri has been filed by the owner of said property, Terrill Construction, and

WHEREAS, the applicant requests a change in zoning of said property from B-Multiple Family to PDR – Planned Density Residential Zoning in the City of Hannibal, and

WHEREAS, pursuant to Chapter 13.07 of the City Charter, notices were sent to all owners of property adjacent to or lying within 185 feet of the subject tract, and

WHEREAS, pursuant to Chapter 13.09 of the City Charter, notices were published in a newspaper fifteen (15) days in advance of the public hearing, and

WHEREAS, the Planning and Zoning Commission held its public hearing on July 21, 2022 to consider the application for rezoning and gave a positive recommendation vote to Council, and

WHEREAS, the Hannibal City Council held its public hearing on August 16, 2022 to consider the application for rezoning, and

WHEREAS, after review and due consideration, the Hannibal City Council has determined that rezoning of said property will not cause undue burden to the congested of streets, safety and security from fire, negatively impact healthy and general welfare, impede adequate lighting and air, contribute to the overcrowding of land, unduly concentrate population, impact features of historical significance, hinder adequate provision of transportation, water, sewerage, schools, parks or other public requirements.

NOW THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF HANNIBAL, MISSOURI TO-WIT:

SECTION ONE: That the following tract of ground shall be rezoned from B-Multiple Family to PDR – Planned Density Residential Zoning:

Commencing at the Southwest corner of said Southeast Quarter; thence North 01 degrees 22 minutes 15 seconds East a distance of 23.11 feet to a point on the Northerly right-of-way of Missouri State Route W; thence North 89 degrees 54 minutes 07 seconds East along said Northerly right-of-way a distance of 452.55 feet to a found iron pin and the True Point of Beginning; thence leaving said Northerly right-of-way North 01 degrees 15 minutes 40 seconds East a distance of 400.00 feet to a found iron pin; thence North 89 degrees 51 minutes 37 seconds East a distance of 199.70 feet to a found iron pin; thence South 01 degrees 12 minutes 56 seconds West a distance of 400.14 feet to a found iron pin on the Northerly right-of-way of Missouri State Route W; thence South 89 degrees 54 minutes 07 seconds West along said Northerly right-of-way a distance of 200.02 feet to the True Point of Beginning, containing 1.84 acres more or less.

SECTION TWO: City Staff is hereby directed to revise the City's zoning map accordingly.


SECTION THREE: It hereby is declared to be the intention of the City Council that each and every part, portion and sub-portion of this Ordinance shall be separate and severable from each and every other part, portion or sub-portion hereof and that the City Council intends to adopt each said part, portion or sub-portion separately and independently of any other part, portion or sub-portion. If any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, portions and sub-portions shall be and remain in full force and effect.

SECTION FOUR: All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

SECTION FIVE: That is Ordinance shall be in full force and effect from and after its adoption and approval.

Adopted this 6th day of September 2022.

Approved this 6th day of September 2022.


James R. Hark, Mayor
Michael J. Dobson, Mayor ProTEM

ATTEST:


Angelica N. Zerbonia, MRCC, CMO-City Clerk

MEMORANDUM

To: Mayor and City Council

From: Candy Golian-DPW Management Assistant

Re: Property Rezoning – 100 Lone Cedar Drive

Date: August 8, 2022

An application was received from Shad Terrill, Terrill Construction, to rezone the property located at 100 Lone Cedar Drive. The property is currently zoned as **B-Multiple Family** and they are requesting to change it to **PDR-Planned Density Residential**.

This request was sent to the City's consulting Engineer Mark Bross and per his report, he is in favor of and feels this is a good buffer between residential and commercial property. In September 2021, this property was zoned E-Commercial and the owners requested to rezone the property as B-Multiple Family, allowing for tri-plex and 4-plex homes, leaving the front as E-Commercial which would allow for a small office building. However, upon rezoning, the whole property was rezoned B-Multiple, which doesn't allow for a small office building. They are now requesting the whole property to be PDR.



Terrill Construction submitted all the necessary paperwork in a timely manner. All public hearings were advertised in the newspaper in adequate time, Planning and Zoning held their public hearing on July 18th and Council on August 16th. All neighbors, within 185 feet of this property, were also notified by letter. The Planning & Zoning Commission approved the rezoning request at their meeting on July 18th, also recommended sending the request to City Council for final approval and a 1st reading of the Ordinance tonight.