

BILL NO. 19-004

ORDINANCE NO. 4796

FIRST READING March 5, 2019

SECOND READING March 19, 2019

AN ORDINANCE REZONING ALL OF LOT NUMBER TWO (2) AND THE SOUTH THREE (3) FEET OF LOT NUMBER THREE (3) IN BLOCK NUMBER TWENTY-SEVEN (27) IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI FROM THE E-COMMERCIAL TO A-ONE- & TWO-FAMILY ZONING DISTRICT AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY

WHEREAS, an application to rezone the property located at 213 South 5th Street or the property located in all of Lot 2 and the South 3 feet of Lot 3 in Block 27 of Hannibal, Missouri by Alex Jason Meininger, and

WHEREAS, the applicant requests a change in zoning of said property from E-Commercial Zoning to A-One- & Two-Family Zoning in the City of Hannibal, and

WHEREAS, the 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, 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 February 21, 2019 to consider the application for rezoning and favorably recommended approval, and

WHEREAS, the Hannibal City Council held its public hearing on March 5, 2019 to consider the application for rezoning.

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

SECTION ONE: All of Lot 2 and the South 3.0 feet of Lot 3 in Block 27 of the Original Town of Hannibal, Marion County, Missouri and said tract of land being more particularly described as follows:

Commencing at a found "X" in the sidewalk marking the Southeast corner of Lot 1 of Block 27 of the Original Town of Hannibal; thence along the Easterly line of Block 27, N28°09'00"W a distance of 65.46 feet to a cut "X" marking the Southeast corner of Lot 2 and the point of beginning; thence continuing along said Easterly line of Block 27, N28°09'00"W a distance of 68.46 feet to a cut "X" in the sidewalk; thence leaving the Easterly line of Block 27 and along the North line of the South 3.0 feet of Lot 3, S61°52'33"W a distance of 142.02 feet to a point on the Easterly line of a 16.00 foot wide alley from which a found iron pin bears N61°52'33"E a distance of 2.00 feet; thence along the Easterly line of said 16.00 foot wide alley S28°08'13"E a distance of 68.46 feet to a set iron pin marking the Southwest corner of Lot 2; thence leaving said alley and along the South line of Lot 2, N61°52'33"E a distance of 142.02 feet to the point of beginning, containing 0.22 acres and is subject to ant easements or restrictions of record or not of record, if any. Per Survey #19-2014 performed by Wasson Land Surveying, LLC during January of 2019.

SECTION TWO: Said properties shall enjoy all rights and privileges granted within the A-One & Two-Family Zoning District respectfully.

SECTION THREE: The department of public works is hereby directed to revise the City's zoning map accordingly.

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

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

Adopted this 19th day of March, 2019.

Approved this 19th day of March, 2019


James R. Hark, Mayor

ATTEST:


Angela N. Zerbonia, MRCC, CMO-City Clerk