

BILL NO. 22-032

ORDINANCE NO. 4917

FIRST READING 11.01.2022

SECOND READING 11.15.2022

AN ORDINANCE OF THE CITY OF HANNIBAL REZONING A TRACT OF LAND BEING PART OF LOT 5 IN THE HOUCK ADDICTION SECOND REVISION, LYING IN PART OF LOTS 1 THRU 10 IN HOUCK ADDITION LYING IN PART OF THE EAST HALF OF SECTION 24, TOWNSHIP 57 NORTH, RANGE 5 WEST OF THE FIFTH MERIDIAN, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI FROM B-MULTIPLE FAMILY TO E-COMMERCIAL ZONING DISTRICT AND AMENDING THE CITY'S ZONING MAP ACCORDING

WHEREAS, an application to rezone the property located at the Southwest corner of Stardust Drive and Munger Lane which is a tract being part of Lot 5 in Houck Addition Second Revision, lying in part of Lots 1 thru 10 in Houck Addition lying in part of the East half of Section 24, Township 57 North, Range 5 West of the Fifth Principal Meridian, City of Hannibal, Marion County, Missouri, has been filed by the owner of said property, Shelby Terrill, and

WHEREAS, the applicant requests a change in zoning of said property from B-Multiple Family to E-Commercial 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 October 20, 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 November 1, 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 E-Commercial Zoning:

Beginning at a found iron pin at the Southeast corner of said Lot 5; thence North 88 degrees 47 minutes 44 seconds West a distance of 108.91 feet to a found monument; thence North 11 degrees 13 minutes 50 seconds West a distance of 655.25 feet to a found monument; thence North 89 degrees 38 minutes 35 seconds West a distance of 250.70 feet to a #5 rebar set; thence North 00 degrees 21 minutes 25 seconds East a distance of 253.62 feet to a #5 rebar set on the South line of Stardust Drive; thence South 89 degrees 35 minutes 58 seconds East along said South line a distance of 209.98 feet to a found iron pin on the West line of Munger Lane; thence along said West line the following four courses, South 47 degrees 15 minutes 18 seconds East a distance of 25.86 feet to a found iron pin; thence along a curve to the left having an Arc Length of 289.86 feet, a Radius of 1235.00 feet, a Chord Bearing of South 13 degrees 44 minutes 39 seconds East, and a Chord Length of 289.19 feet to a found iron pin; thence South 20 degrees 33 minutes 05 seconds East a distance of 398.85 feet to a found iron pin; thence along a curve to the right having an Arc Length of 232.68 feet, a Radius of 765.00 feet, a Chord Bearing of South 11 degrees 55 minutes 55 seconds East, and a Chord Length of 231.78 feet to the Point of Beginning, containing 2.70 acres more or less.

All as per Survey #22-0129 as made in August 2022 by Norman D. Ellerbrock, Missouri Professional Land Surveyor #2001011921.

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 15th day of November 2022.

Approved this 15th day of November 2022.



James R. Hark, Mayor

ATTEST:



Angelica N. Zerbonia, MRCC, CMO-City Clerk