

(First published in The Andover Journal, Andover, Kansas, ^{Oct.} Sept. 11, 1973.)

ORDINANCE NO. 203

AN ORDINANCE CONFIRMING SUB-SECTION E OF SECTION 1 OF ORDINANCE NO. 196 AND THE REPEALING OF THE TRACT "D" PORTION OF ORDINANCE NO. 198 OF THE CITY OF ANDOVER, KANSAS; AND PASSED FOR THE PURPOSE OF CORRECTING ERRORS AND CONFLICTS EXISTING BETWEEN THE SAID SUB-SECTION OF THE SAID ORDINANCE NO. 196 AND THE SUB-SECTION OF SAID ORDINANCE NO. 198; AND FOR THE FURTHER PURPOSE OF PROVIDING FOR RECLASSIFICATION AND THE CHANGING OF CLASSIFICATION OF CERTAIN LANDS AND PIECES OF GROUND LOCATED IN THE SAID CITY OF ANDOVER, KANSAS; AND AMENDING THE OFFICIAL ZONING MAP OF SAID CITY PURSUANT TO THE REPORTS AND RECOMMENDATIONS OF THE PLANNING COMMISSION OF ANDOVER, KANSAS.

WHEREAS, Prior hereto the Governing Body of the City of Andover, Kansas has received reports and recommendations from the Planning Commission of Andover, Kansas relating to the changing of classifications and re-zoning of all the land lying in Hodges Tracts and Hodges Second Addition to the City of Andover, Kansas, and

WHEREAS, By reason of said reports and recommendations the Governing Body of said City did, pursuant to Ordinance No. 196, passed and adopted on the 12th day of May, 1973 and more particularly Sub-Section E of Section 1 thereof, changed the zoning classification for certain tracts in Hodges Tracts and Hodges ~~Second Subdivision~~ to the City of Andover, Kansas from R-2 Residential use or classification to B-2 Neighborhood use or classification, which zoning change was in accordance with reports and recommendations of the Planning Commission and also expressed the intention of the Governing Body to confirm the same, and

WHEREAS, Thereafter and on the ~~14~~th day of July, 1973 the Governing Body of Andover, Kansas passed and adopted Ordinance No. 198 and that by reason of Sub-Section Tract "D" of Section 1 of said Ordinance No. 198 reading as follows, to-wit: "All of the land in Hodges Tracts and Hodges Second ~~A Subdivision to the City of~~ Andover, Kansas is hereby changed from R-1 to R-2 use classification," which sub-section of Section 1 of Ordinance No. 198 did not properly make exception for those tracts previously granted a B-2 Neighborhood Business use classification pursuant to Ordinance No. 196, and

WHEREAS, By reason of the conflict above recited, the Governing Body, by this Ordinance, desires to dissolve such conflicts and express the intention of the Planning Commission and Governing Body of said City

NOW THEREFORE,

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS:

Section 1. That Sub-Section E of Section 1 of Ordinance No. 196 as passed and adopted by the Governing Body of Andover, Kansas on the 12th day of May, 1973

and reading as follows, to-wit:

"E. The following tracts are hereby changed from a R-2 Residential use to a B-2 Neighborhood Business use:

(a) A tract beginning 430 feet South of the Northeast Corner of Northeast Quarter of Sec. 18, Twn. 27, Range 3, South 90 feet, West 215 feet, North 90 feet, East 215 feet to p.o.b.

(b) A tract in Hodges Tracts in the East Half of Northeast Quarter of Sec. 18, Twn. 27, Range 3 described as follows: Beg. 170 feet South of the Northeast Corner of the East Half of the Northeast Quarter of said section, South 100 feet, West 145 feet, North 100 feet, East 145 feet to p.o.b.

(c) A tract in Hodges Tracts in the East Half of the Northeast Quarter of Sec. 18, Twn. 27, Range 3 described as follows: Beg. 150 feet South and 145 feet West of the Northeast Corner of the East Half of the Northeast Quarter of said Section, South 120 feet, West 170 feet, North 120 feet, East 170 feet to p.o.b. except West 115 feet thereof.

(d) A tract in Hodges Tracts in the East Half of the Northeast Quarter of Sec. 18, Twn. 27, Range 3 described as follows: Beg. 1150 feet North of the Southeast Corner of the Northeast Quarter of the Northeast Quarter of said section, North 170 feet, West 145 feet, South 170 feet, East 145 feet to p.o.b.

(e) Lot 1 and the North 15 feet of Lot 2, Block 4, Andover, Original Town, Now City.

(f) All those lots lying between the railroad right-of-way and Block 1 of Original Andover City excepting the West 75 feet thereof, Section 7, Twn. 27, Range 3 East."

is hereby confirmed.

Section 2. That Sub-Section "D" as above recited of Section 1 of Ordinance No. 198 as passed and adopted by the Governing Body of Andover, Kansas on the 14th day of July, 1973 is hereby repealed.

Section 3. That pursuant to the reports and recommendations of the Planning Commission of the City of Andover, Kansas, the zoning map of said City is hereby amended and the following described real property is hereby assigned a R-2 Zoning Use Classification, to-wit:

All that portion of the lands lying in Hodges Tracts and Hodges Second Addition to the City of Andover, Kansas, EXCEPTING those portions previously zoned as having B-2 Neighborhood Business use classification as set out in Section 1 of this Ordinance.

Section 4. That the City Clerk of said City is hereby directed and empowered to change and amend the official zoning map of said City to conform with the provisions of this Ordinance.

The above Ordinance duly passed and adopted by the Governing Body of
the City of Andover, Kansas this 25th day of September, 1973.

(SEAL)

Eugene Miller
Mayor

Attest:

Patricia M. Stuenke
City Clerk