

BILL NO. 2079

GENERAL ORDINANCE NO. _____

AN ORDINANCE REZONING A PARCEL OF LAND (LOT E OF CLARK’S ADDITION) WITHIN THE LIMITS OF THE CITY OF CUBA, MISSOURI, FROM R-1 (RESIDENTIAL SINGLE AND TWO FAMILY DISTRICT) TO R-2 (MULTIPLE FAMILY DISTRICT) (T&S Hutson Enterprises, LLC).

Recitals:

A. A petition requesting rezoning of the area of land described below (Property) was filed with the City Clerk of the City of Cuba, Missouri (City).

B. A public hearing was held before the City Planning and Zoning Commission (Commission) on November 7, 2022 concerning the rezoning request and the Commission recommended that the request be approved by the Board of Aldermen of the City (Board).

C. The Board scheduled a public hearing on the rezoning request for December 13, 2022, at the Cuba City Hall in Cuba, Missouri. Notice of the public hearing on the proposed rezoning was published according to law at least fifteen (15) days prior to the date and time of such hearing in the Cuba Free Press, a newspaper of general circulation in the City qualified to publish legal matters.

D. On December 13, 2022, a public hearing was had and evidence was presented to the Board regarding the proposed rezoning.

ACCORDINGLY, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI, AS FOLLOWS:

Section 1: Finding of Need for Change in Zoning. The Board, after considering the petition for the change of zoning, the recommendation of the Commission, and the comments made to the public hearing before the Board, finds that, the change of zoning is reasonable taking into consideration the character of the area of land for which the zoning change is sought, its peculiar suitability for particular purposes, and the encouragement of the most appropriate use of the land for which the change in zoning is sought.

Section 2: Change in Zoning. The zoning ordinance of the City shall be amended to change the zoning classification of the Property from R-1 (Residential Single and Two Family District) to R-2 (Multiple Family District). The legal description the Property is attached hereto as Exhibit "A".

Section 3: Effective Date. This ordinance shall be in full force and effect from and after passage.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI, THIS 3RD DAY OF JANUARY, 2023.

CODY LEATHERS, MAYOR

Attest:

LAINIE GARBO, CITY CLERK

(City Seal)

Approved this _____ day of _____, 2023.

CODY LEATHERS, MAYOR

Attest:

LAINIE GARBO, CITY CLERK

(City Seal)

Approved as to the form.

WILLIAMS, ROBINSON, RIGLER & BUSCHJOST, P.C.

By: _____

Lance Thurman, #51214
901 North Pine Street, Fourth Floor
Post Office Box 47
Rolla, Missouri 65402
(573) 341-2266

ATTORNEYS FOR THE CITY OF CUBA, MISSOURI

Alderman	Vote on First Reading On January____, 2023	Vote on Second Reading On January____, 2023
Kevin Copling		
Dave Honea		
Debbie Martin		
Warren Graddy		
Curtis Holt		
Jeff Bouse		

Exhibit "A"

Real estate in Crawford County, Missouri described as follows:

All that part of the West Half of Lot 16 in Forest Grove Addition to Clark's Addition to the City of Cuba, Missouri, more fully described as follows: Beginning at the Southwest corner of said Lot 16, thence proceed East along the South line of said Lot 16 a distance of 140 feet to a property corner for the point of beginning; thence from said point of beginning proceed East along the South line of said Lot 16 a distance of 80.75 feet to the corner of a tract previously conveyed to Andrew Sypniewski by deed recorded in Book 174 at Page 307 of the Deed Records of Crawford County; thence proceed North along the property line a distance of 140 feet; thence proceed West a distance of 80.75 feet to a property corner, thence proceed South along a property line a distance of 140 feet to the true point of beginning.