

(Ordinance Summary published in The Butler County Times-Gazette on _____ and the full text of the Ordinance made available at www.andoverks.com for a minimum of one (1) week from the date of publication.)

ORDINANCE NO. 1591

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE ANDOVER CITY PLANNING COMMISSION TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF CERTAIN LANDS LOCATED IN THE CITY OF ANDOVER, KANSAS AND CREATING A PROTECTIVE OVERLAY DISTRICT THEREON, UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS.

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

SECTION 1. Having received a recommendation from the Andover City Planning Commission (the "Planning Commission") on Case No. Z-2015-01 and proper notice having been given, and a public hearing held by, the Planning Commission on April 21, 2015 as provided by law and under authority and subject to the provisions of the Zoning Regulations of the City, as originally approved by Ordinance No. 1187, the recommendation of the Planning Commission is hereby approved and the zoning district classification of the lands legally described below are changed as follows:

Legal description: Lot 1, Block 1 Wendt 1st Addition Andover, Butler County, Kansas

General location: 742 N. Andover Rd.

Change of zoning district classification from the B-2 Neighborhood Business District to the B-3 Central Shopping District.

Notwithstanding the foregoing change, the Property shall be additionally encumbered and comprise a separate Protective Overlay District, upon which Property the following restrictions and limitations shall be applied:

1. The following uses shall be prohibited;
 - a. Carwashes.
 - b. Hotels and motels.
 - c. Automobile sales, repair shops, and body repair shops.
 - d. Night clubs and taverns.
 - e. No drive thru restaurants within 200 feet of residential property.
2. All lighting shall be downshaded and no wall pack lighting shall be allowed on the rear yard wall of the building.
3. The maximum structure height within 200 feet of residential property shall be limited to 35 feet, except for a clocktower.

SECTION 2. Upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map(s) is hereby reincorporated as a part of the Zoning Regulations as amended.

SECTION 3. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City, approval by the Mayor and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

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PASSED AND APPROVED by the Governing Body of the City of Andover, Kansas this
12th day of May, 2015.

CITY OF ANDOVER, KANSAS

[seal]

Ben Lawrence, Mayor

ATTEST:

Susan C. Renner, City Clerk

Ordinance Summary published in The Butler County Times-Gazette on May 16, 2015 and the full text of the Ordinance made available at www.andoverks.com for a minimum of one (1) week from the date of publication.

Ordinance No. 1591 Summary

On May 12, 2015, the City of Andover, Kansas adopted Ordinance No. 1591 approving the recommendation of the Andover City Planning Commission to change the zoning district classification of certain lands commonly known as 742 N. Andover Road, Andover, Kansas, from B-2 Neighborhood Business District to B-3 Central Shopping District, subject to a Protective Overlay District which places certain use limitations on the property. A complete copy of this ordinance (including the legal description of the subject property) may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 1609 E. Central or at www.andoverks.com. This summary is certified legally accurate and sufficient by the Andover City Attorney pursuant to K.S.A. 12-3001, *et seq.*

SUMMARY CERTIFIED:

City Attorney