****** Second Reading******

Memo

To: Mayor and City Council

Fr: Shellby Hendee, CEcD, Development Director

Dt: December 9, 2010

Re: Ordinance, Zoning Change, Ross Worth

ISSUE

Ross Worth, who operates Flightline Graphics, submitted a Request for Zoning Map Amendment to change the zoning classification of a tract at 718 E. Grand from "R-4" Mobile Home Residential District to "C-2" General Commercial District. Although a residential zone, the property has been occupied by a 4,000 sq. ft. commercial building for decades, most recently used by F&S Roofing. The property is owned by ERS Enterprises, Dr. Schmitt's estate, and Mr. Worth is a contract purchaser. The property is a non-conforming use in R-4 and the building was constructed within some two feet of the rear property line. The Planning and Zoning Commission conducted a public hearing on the request with no opposition, and considered conformance to the City Comprehensive Plan, however, the result would create non-compliance in C-2 as well. Thus, Mr. Worth sought and received a setback variance and a parking variance from the Board of Adjustment which requires a minimum of ten parking spaces. The BOA noted that the setback issue was not of the making of the applicant and that limited parking had been used for decades at this location.

Since the first reading, the City has received a signed application for rezoning from the current owner, ERS Enterprises.

ACTION

The Planning and Zoning Commission recommends that the City Council approve the attached ordinance changing the zoning classification of property at 718 E. Grand from R-4 to C-2.

Bill 2010-73

AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AUTHORIZING A CHANGE IN ZONING CLASSIFICATION FROM "R-4" MOBILE HOME RESIDENTIAL DISTRICT TO "C-2" GENERAL COMMERCIAL DISTRICT AS REQUESTED BY ROSS WORTH FOR 718 EAST GRAND AVENUE

WHEREAS, on October 7, 2010, a Request for Zoning Map Amendment was filed with the City of Cameron, Missouri, by applicant Ross Worth and signed by Claire C. Krebs, P.R. Trustee for owner ERS Enterprises; and

WHEREAS, a public hearing concerning said matter was held before the Planning and Zoning Commission at City Hall in Cameron, Missouri, at 6:00 p.m. on November 8, 2010; and

WHEREAS, notice of said hearing was published in the *Cameron Citizen-Observer*, a newspaper of general circulation, on October 14, 2010 and neighboring property owners were notified thereof by U.S. Mail in letters Dated October 14, 2010; and

WHEREAS, the Planning and Zoning Commission, having met and reviewed said request, and considered the City Comprehensive Plan, recommends that the City Council approve said rezoning for the tract of land described hereon; and

WHEREAS, the Board of Adjustment, after proper public notice, conducted a public hearing on a rear-yard setback and parking variance application for the same property on December 8, 2010 at City Hall in Cameron, Missouri, granting said setback variance for the existing building and requiring a minimum of ten (10) parking spaces thereon.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DEKALB COUNTIES, MISSOURI, AS FOLLOWS:

Section 1. Article Six, Zoning District Map, of Chapter 13, Zoning, of the City of Cameron Code, is hereby amended by changing the zoning classification of a tract of land, which is now zoned "R-4" Mobile Home Residential District, to "C-2" General Commercial District; said tract being described as follows:

OUTLOTS 235730, PT NENE BEG @ INTERSECT S ROW US HWY 36 & W LINE NENE, S 165' (S), E 168.5' NW TO POB

Section 2. The Mayor is authorized to sign this ordinance approving it on behalf of the City.

Section 3. The City Clerk is directed to attest to the Mayor's signature.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved on first reading this 20th day of December 2010.
Passed and approved on second reading this 3rd day of January 2011.
Passed and approved on third and final reading this _____ day of _____ 2011.

_____
Mayor Dennis M. Clark

ATTEST:

_____
City Clerk