ORDINANCE NO. 17761

AN ORDINANCE introduced by Mayor Harry Felker amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes on property generally located between SW Atwood and SW Cambridge Avenues on the north side of SW 37th Street in the City of Topeka, Kansas, from "M-2" Multiple Family Dwelling District ALL TO "PUD" Planned Unit Development District ("M-1a" usage). (Z01/22) (Council District No. 7)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, be, and the same is hereby amended, making the following changes in zoning classification:

A part of Block "C", Wesparke Subdivision, City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the Southwest corner of said Block "C"; thence North 89 degrees 50 minutes 08 seconds East, 109.94 feet along the South line of said Block "C" for the point of beginning; thence North 0 degrees 09 minutes 56 seconds West, 207.60 feet; thence North 0 degrees 33 minutes 41 seconds East, 74.76 feet; thence South 89 degrees 11 minutes 27 seconds East, 233.0 feet; thence North 0 degrees 48 minutes 33 seconds East, 110.0 feet; thence South 89 degrees 11 minutes 27 seconds East, 45.0 feet along the North line of said Block "C"; thence South 0 degrees 48 minutes 33 seconds West, 110.0 feet; thence South 89 degrees 11 minutes 27 seconds East, 217.92 feet; thence South 0 degrees 48 minutes 3 seconds West, 45.82 feet; thence South 0 degrees 10 minutes 15 seconds East, 228.12 feet to a point on the South line of Block "C"; thence South 89 degrees 50 minutes 08 seconds West, 496.04 feet to the Point of Beginning. Except and subject to easements, restrictions and reservations of record.

be, and the same is hereby rezoned from, from "M-2" Multiple Family Dwelling District ALL TO "PUD" Planned Unit Development District ("M-1a" usage), subject to:
1. Granting a variance to the provisions of Section 48-24.02(b)(2) to reduce the perimeter setback requirement from 30-feet to the dimensions reflected on the Wesparke Place Master PUD Plan.

2. Submission of a revised Master PUD Plan reflecting the installation of a wood privacy fence along SW 37th Street.

Section 2. That the "District Map" (Identification No. L-5) shall reflect the boundaries of this amendment as incorporated by this Ordinance. This Ordinance Number shall be fixed upon the "District Map".

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Council of the City of Topeka Nov. 13, 2001.

ATTEST:

Iris E. Walker, City Clerk

To be codified

Not to be codified X