

ORDINANCE NO. 2563**AN ORDINANCE REZONING REAL PROPERTY LOCATED WITHIN THE CITY OF DERBY, KANSAS, FROM R-1 "Single-Family Residential District" to R-3 "Multiple-family RESIDENTIAL DISTRICT" AND AMENDING THE OFFICIAL ZONING MAP OR MAPS OF THE CITY TO REFLECT SUCH AMENDMENT, ALL PURSUANT TO THE ZONING REGULATIONS OF THE CITY.**

BE IT ORDAINED by the Governing Body of the City of Derby, Kansas:

SECTION 1. Having received the recommendation of the City Planning Commission following notice and hearing thereon as provided by law and pursuant to Zoning Regulations of the City of Derby, Kansas, the zoning of the following described real property is hereby amended from R-1 "Single-Family Residential District" to R-3 "Multiple-Family Residential District":

That part of Spring Ridge Addition, City of Derby, Sedwick County, Kansas, as prepared by Baughman Company, P.A., CLS 58, surveyors in aforementioned county and state on April 16, 2024, more particularly described as follows: Beginning at the northwest corner of said Spring Ridge Addition, said corner also being the northeast corner of Hamilton Estates, City of Derby, Sedgwick County, Kansas; THENCE N88°35'06"E, coincident with the north boundary line of said Spring Ridge, said north line also being the south Right-of-Way boundary line of Meadowlark, a distance of 260.01 feet; THENCE S00°56'12"E, a distance of 638.57 feet, to a curve to the left; THENCE along said curve to the left, having a radius of 110.00 feet, a delta of 26°18'58", an arc length of 50.52 feet, a chord bearing of S14°05'41"E, and a chord length of 50.08 feet, to a point of non-tangency; THENCE S46°55'14"W, a distance of 135.27 feet to a point of curvature to the left; THENCE along said curve to the left, having a radius of 110.00 feet, a delta of 46°30'10", an arc length of 89.28 feet, a chord bearing of S22°08'50"W, and a chord length of 86.85 feet, to a point of tangency; THENCE S01°06'14"E, a distance of 448.21 feet to the north Right-of-Way boundary line of Glen Hills Drive; THENCE S88°46'53"W, coincident with said north Right-of-Way line, a distance of 138.39 feet, to the west boundary line of said Spring Ridge and the southeast corner of Lot 3, Block B, of

said Hamilton Estates; THENCE N00°56'12"W, coincident with said west boundary line of said Spring Ridge, also being the east boundary line of said Hamilton Estates, a distance of 1,304.74 feet, to the point of beginning.

SECTION 2. The Zoning Regulations of the City of Derby, Kansas, first adopted by City of Derby Ordinance Number 940 and subsequently amended, and the official zoning map of the City of Derby, Kansas are hereby amended in accordance with Section 1 of this Ordinance.

SECTION 3. Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provisions herein.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and publication once in the City's official newspaper as provided by State law. Publication of the ordinance shall be withheld until the replat of the subject property is recorded, which shall occur no later than one year from the passage of the ordinance.

PASSED by the City Council this 23rd day of July, 2024, and **SIGNED** by the Mayor.

/s/Mark A. Staats
Mayor

ATTEST:

/s/Lynn Ciarleglio
City Clerk

Approved as to form:

/s/Jacqueline Kelly
City Attorney