

ORDINANCE NO. #1015

AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF ST. JOHN, KANSAS, AS ORIGINALLY ADOPTED BY ORDINANCE NO. 1007, AND INCORPORATING AS A PART THEREOF AN AMENDMENT TO SECTION 103C OF ARTICLE 3 PERTAINING TO A SETBACK IN EXISTING RESIDENTIAL DISTRICTS.

THAT WHEREAS on December 06, 2011, the City of St. John, Kansas enacted Ordinance No. 1007, which Ordinance was duly published and which provided for the adoption of and incorporation therein of certain Zoning Regulations for said City, official copies of same being on file with the City Clerk; and

WHEREAS, the Planning Commission of the City of St. John, Kansas has prior hereto and after giving due notice held a public hearing on October 10, 2012 and made certain recommendations for an amendment as contained herein; and

WHEREAS, the Governing Body of the City of St. John, Kansas desires to approve such an amendment to the Zoning Regulations in accordance therein;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ST. JOHN, KANSAS:

Section 1. That Section 103C of Article 3, pertaining to an Average Setback in Existing Residential Districts is hereby deleted and replaced with the following wording:

C. Setback in Existing Residential Districts.

On streets where a front yard less than that required by these regulations has been maintained for existing residential structures on lots having a frontage on the street right of way line between two intersecting streets, the front yard setback need not be greater than the setback of existing structure which is nearest to such street line: provided, (1) that these regulations shall not be interpreted to permit a driveway to a parking space to maintain a length of less than 20 feet; (2) that in determining such front yard setback the alignment shall not consider any obstructions permitted by Section 3-103F which are attached to the facade of the structure such as bay windows, chimneys, entrance hoods, eaves and gutters, etc.; and (3) that such front yard setback not be allowed to impede the visibility of the vision triangle as herein defined in Section 2-102.

Section 2. Any provisions of this Ordinance which shall be declared to be unconstitutional or otherwise invalid shall not affect the validity and authority of the other sections of this Ordinance.

Section 3. This Ordinance shall take effect from and after its publication once in the official city newspaper.