

BILL NO. 2021-45

ORDINANCE NO. _____

INTRODUCED BY _____

AN ORDINANCE AUTHORIZING RECLASSIFICATION OF LOTS 35, 36 AND 37 ON EAST FIRST STREET FROM “A-1” AGRICULTURAL TO “C-1” GENERAL COMMERCIAL AND LOTS 69, 71 AND 73 ON EAST SECOND STREET FROM “A-1” AGRICULTURAL TO “R-1” SINGLE FAMILY RESIDENTIAL.

WHEREAS, Christine L. Fullgraf (“Applicant”) submitted an application to change the zoning classification of Lots 35, 36 and 37 on East First Street (“First Street Property”) from “A-1” Agricultural to “C-1” General Commercial and to change the zoning classification of Lots 69, 71 and 73 on East Second Street (“Second Street Property”) from “A-1” Agricultural to “R-1” Single Family Residential. The First Street Property and Second Street Property are commonly known as 106 Gellert Street; and

WHEREAS, the City of Hermann’s Planning and Zoning Commission (“Commission”) held a public hearing to consider the proposed reclassifications of the First Street Property and the Second Street Property. The members of the Commission unanimously agreed to recommend that the Board of Aldermen approve the proposed reclassifications; and

WHEREAS, the Board of Aldermen held a public hearing on September 13, 2021 which was not attended by the Applicant due to circumstances beyond her control. The Board of Aldermen denied the Applicant’s request; and

WHEREAS, the Applicant requested that the Board of Aldermen reopen the evidence so that she would have an opportunity to attend and present her testimony and evidence; and

WHEREAS, the Board of Aldermen voted to reopen the evidence and continue the public hearing on October 25, 2021; and

WHEREAS, on October 25, 2021, the Board of Aldermen approved the application; and

WHEREAS, all persons present at the Commission hearing and both Board of Aldermen hearings were given the opportunity to speak either in favor or against the application. Many of the Applicant’s neighbors offered testimony objecting to the potential increase in commercial activities on the First Street Property and the allegedly imminent traffic burdens imposed on area streets; and

WHEREAS, the members of the Board of Aldermen thoroughly and carefully considered the evidence of the Applicant and all comments made at the public hearings; and

WHEREAS, the Board of Aldermen has determined that reclassification of the First Street Property and the Second Street Property would serve a legitimate public purpose and is in the best interests of the citizens of the City of Hermann, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HERMANN, MISSOURI, AS FOLLOWS:

SECTION ONE: The First Street Property is hereby reclassified from its prior zoning classification of “A-1” Agricultural to “C-1” General Commercial.

SECTION TWO: The Second Street Property is hereby reclassified from its prior zoning classification of “A-1” Agricultural to “R-1” Single Family Residential.

SECTION THREE: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage and adoption.

First Reading: November 8, 2021

Second Reading: _____

VOTE:

Name	First Reading			Second Reading		
	Aye	Nay	Abs	Aye	Nay	Abs
Alderman David Faerber						
Alderman Derek LeRoy						
Alderman Jim Schirmer						
Alderman Susan Lenger						

Passed and approved this ___ day of _____, 2021.

BRUCE COX, Mayor

PATRICIA HEANEY, City Clerk

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