Ordinance No. 3791

(Amending or Repealing Ordinances)

CFN=121 – Rezones
Passed – 3/7/2006
Dickerson Rezone

Recorder’s # 20060417001125

The date ["Beginning July 1, 1998"] has led to confusion. This date will be deleted from cover sheets of ordinance/resolution revision pages. This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012
ORDINANCE NO. 3791

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately 1.94 acres of property located at 23507 98th Avenue South from SR-4.5 (Single-Family Residential, 4.5 units per acre) to SR-6 (Single-Family Residential, 6 units per acre). (Dickerson Rezone, #RZ-2005-10)

RECITALS

A. An application was filed on July 26, 2005, by David Malik to rezone approximately 1.94 acres of property located at 23507 98th Avenue South in Kent, Washington, from the current zoning of SR-4.5 (Single-Family Residential, 4.5 units per acre) to SR-6 (Single-Family Residential, 6 units per acre). (Dickerson Rezone, #RZ-2005-10).

B. The City's SEPA responsible official issued a Determination of Nonsignificance (DNS) (#ENV-2005-49) for the proposed rezone on December 9, 2005.

C. A public hearing on the rezone was held before the hearing examiner on February 1, 2006. On February 15, 2006, the hearing examiner issued findings and conclusions that the Dickerson Rezone is consistent with the city's Comprehensive Plan; that the proposed rezone and subsequent development activity would be compatible with the development in the vicinity; that the proposed rezone will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts that cannot be mitigated; that circumstances have changed since the
establishment of the current zoning district to warrant the proposed rezone; and that the proposed rezone will not adversely affect the health, safety, and general welfare of the citizens of the City of Kent.

D. Based on these findings and conclusions, the hearing examiner recommended approval of the Dickerson Rezone.

E. On March 7, 2006, the City Council determined that the hearing examiner’s findings and conclusions are consistent with sections 15.09.050(A)(3) and 15.09.050(C) of the Kent City Code, accepted the findings of the hearing examiner, and adopted the hearing examiner’s recommendation for approval of the Dickerson Rezone from SR-4.5 to SR-6.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. – Rezone. The property located at 23507 98th Avenue South, Kent, Washington consisting of approximately 1.94 acres depicted in Exhibit "A" (marked "Vicinity Map"), attached and incorporated by this reference, and legally described in Exhibit "B", attached and incorporated by this reference, is rezoned from SR-4.5 (Single-Family Residential, 4.5 units per acre) to SR-6 (Single-Family Residential, 6 units per acre). The City of Kent zoning map shall be amended to reflect the rezone granted above.

SECTION 2. – Severability. If any one or more sections, sub-sections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.
SECTION 3. Effective Date. This ordinance shall take effect and be in force five (5) days from and after its publication as provided by law.

ATTEST:

Brenda Jacober
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 7 day of March, 2006.
APPROVED: 7 day of March, 2006.
PUBLISHED: 11 day of March, 2006.

I hereby certify that this is a true copy of Ordinance No. 3791 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Brenda Jacober
BRENDA JACOBER, CITY CLERK

Dickerson Rezone
SP 200X-XX
KIVA #200XXXX

HAZEL AVE.

N.T.S.

94TH AVE. S.E.

SITE

98TH AVE. S.

100TH AVE. S.E.

S.E. 240TH ST. (JAMES ST.)

VICINITY MAP

EXHIBIT "A"
LEGAL DESCRIPTION:

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 22 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON; EXCEPT ROADS; AND EXCEPT THE WEST ONE FIFTH OF THE FOREGOING DESCRIBED PREMISES; AND EXCEPT THAT PORTION LYING SOUTH OF THE SOUTH LINE OF THE NORTH 165.00 FEET THEREOF.
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3791 authorizing the rezoning of approximately 1.94 acres of property located at 23507 98th Avenue South from Single Family Residential 4.5 units per acre to Single Family Residential 6 units per acre. (Dickerson Rezone, #RZ-2005-10).

Reference Number(s): N/A

Grantor(s): City of Kent, a Washington municipal corporation

Grantee(s): The Public

Abbreviated Legal Description: Ptn. of STR 18-22-05, City of Kent, W.M., King County

Additional legal description is on Exhibit “B” of document.

Assessor's Property Tax Parcel/Account Number(s): 182205-9113

Project Name: Dickerson Rezone

Said document(s) were filed for record by Pacific Northwest Title as accommodation only. It has not been examined as to proper execution or as to its affect upon title.