Ordinance No. 3820

(Amending or Repealing Ordinances)

CFN=121 – Rezones
Passed – 11/21/2006
Devlin Rezone

Recorder’s # 20061205062351

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. 3820

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately .46 acres of property located at 24123 94th Avenue South from SR-4.5 (Single-Family Residential, 4.5 units per acre) to SR-8 (Single-Family Residential, 8 units per acre). (Devlin Rezone, #RZ-2006-5).

RECITALS

A. An application was filed on March 30, 2006, to rezone approximately .46 acres of property located at 24123 94th Avenue South from SR-4.5 (Single-Family Residential, 4.5 units per acre) to SR-8 (Single-Family Residential, 8 units per acre). (Devlin Rezone, #RZ-2006-5).

B. The City's SEPA responsible official issued a Determination of Nonsignificance (DNS) (#ENV-2006-25) for the proposed rezone on June 16, 2006.

C. A public hearing on the rezone was held before the hearing examiner on October 18, 2006. On November 1, 2006, the hearing examiner issued findings and conclusions that the Devlin 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 Devlin Rezone.

E. On November 21, 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 Devlin Rezone from SR-4.5 to SR-8.

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

ORDINANCE

SECTION 1. - Rezone. The property located at 24123 94th Avenue South, in Kent, Washington consisting of approximately .46 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-8 (Single-Family Residential, 8 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.

SUSZITTE COOKE, MAYOR

Devlin Rezone
I hereby certify that this is a true copy of Ordinance No. 3820 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, CITY CLERK (SEAL)
LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 22 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE NORTH 88°10'00" EAST ALONG THE NORTH LINE THEREOF 331.00 FEET; THENCE SOUTH 00°28'00" WEST, 195.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 88°10'00" EAST, 309.41 FEET TO THE WEST LINE OF THE COUNTY ROAD; THENCE SOUTH 1°01'00" WEST ALONG SAID WEST LINE 65.32 FEET; THENCE SOUTH 88°10'00" WEST, 308.88 FEET, MORE OR LESS, TO A POINT FROM WHICH THE TRUE POINT OF BEGINNING BEARS NORTH 00°28'00" EAST; THENCE NORTH 00°28'00" EAST, 65.32 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT "B"
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3820 authorizing the rezoning of approximately .46 acres of property located at 24123 94th Avenue South from Single Family Residential 4.5 units per acre to Single Family Residential 8 units per acre. (Devlin Rezone, #RZ-2006-5).

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description: Ptn. of STR 19-22-05, City of Kent, W.M., King County

Additional legal description is on Exhibit "B" of document.

Assessor's Property Tax Parcel/Account Number(s): 192205-9192

Project Name: Devlin 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 to its affect upon title.