

ORDINANCE 311

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CHAPTER 152:
ZONING, ELKINS CITY CODE – FIRST AMENDMENT**

WHEREAS, the Common Council of the City of Elkins has previously adopted Ordinance 301, Chapter 152: Zoning, Elkins City Code ; and

WHEREAS, as part of Ordinance 301, Chapter 152: Zoning Elkins City Code, an Official Zoning Map accompanied it showing all of the property and its designated zoning district within the City; and

WHEREAS Eileen J. Lammie, VMD, is the owner of certain property located at 801 North Randolph Avenue, identified as Map 2, Parcels 83, 84, and 85, Elkins Corp District where the All Creatures Great and Small Veterinary Practice is located; and

WHEREAS, Dr. Lammie has requested that said parcels described above be rezoned from Residential to Commercial; and

WHEREAS Judith L. Shelton is the owner of certain property located at 105 Spruce Avenue, identified as Map 13, Parcel 10, Elkins Corp. District; and

WHEREAS, Ms. Shelton has requested that said parcel described about be rezoned from Single Family Residential to Central Business District as an adjoining property has been designated ; and

WHEREAS, these two requests were directed to the Planning Commission which is authorized to consider such rezoning requests and make recommendations to Council ; and

WHEREAS, the Planning Commission met on January 18, 2023, heard these two requests and voted to recommend to Council that said parcels owned by Dr. Lammie and Ms. Shelton, as described above, be rezoned as requested;

NOW THEREFORE, BE IT ORDAINED and ENACTED by the Common Council of the City of Elkins that the Official Zoning Map be amended as follows:

1. The property owned by Eileen J. Lammie, VMD, identified as Map 2, Parcels 83, 84 and 85, Elkins Corp. District be rezoned as Commercial.
2. The property owned by Judith L. Shelton, identified as Map 13, Parcel 10, Elkins Corp. be rezoned as Central Business District.

The Official Zoning Map shall be changed to reflect these rezoned parcels.

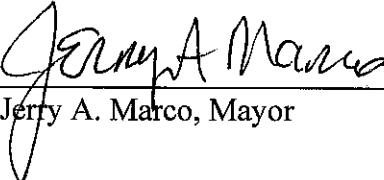
If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

This Ordinance shall become effective upon passage.

PASSED AND APPROVED ON THE FIRST READING: February 16, 2023.

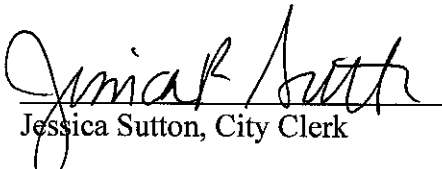
PASSED AND APPROVED ON THE SECOND AND FINAL READING: March 2, 2023.

CITY OF ELKINS, WEST VIRGINIA



Jerry A. Marco, Mayor

Attest:



Jessica Sutton, City Clerk