

**ORDINANCE NO. 2021-03  
CITY OF KUNA, IDAHO**

**DENNIS & HELENE WOLFGRAM & LETE FAMILY REVOCABLE TRUST  
MUNICIPAL REZONE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:**

- **MAKING CERTAIN FINDINGS; AND**
- **REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. R8555340190 OWNED BY DENNIS AND HELENE WOLFGRAM AND PARCEL NO. R8555340180 OWNED BY LETE FAMILY REVOCABLE TRUST, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND**
- **AMENDING THE ZONING MAP; AND**
- **DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED** by the Mayor and City Council of the City of Kuna, Ada County, Idaho:

**Section 1: The City Council findings:** The City Council makes the following findings of its authority, purpose and the history of its enactment of this ordinance:

- 1.1 WHEREAS**, City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized under the provisions of 67-6511, Idaho Code, to establish within its jurisdiction one or more zones or zoning districts where appropriate which zoning districts are established in Kuna City Code § 5-2-2; and
- 1.2 WHEREAS**, Dennis and Helene Wolfgram (the “Owners”) is the owner of the certain real property which has been designated by the Ada County Assessor’s office as Parcel No. **R8555340190** and which is more particularly described in “Exhibit A-1” – Legal Description and “Exhibit B” – Location Map, attached to this Ordinance and incorporated herein by reference (the “Subject Real Property”) and has requested that the Subject Real Property be rezoned from the City’s **Agriculture (A) zoning district classification to C-3 – service commercial zoning district classification (the “Rezone”)**; and
- 1.3 WHEREAS**, Lete Family Revocable Trust (the “Owners”) is the owner of the certain real property which has been designated by the Ada County Assessor’s office as Parcel No. **R8555340180** and which is more particularly described in “Exhibit A-2” – Legal Description and “Exhibit B” – Location Map, attached to this Ordinance and incorporated herein by reference (the “Subject Real Property”) and has requested that the Subject Real

Property be rezoned from the City's **Agriculture (A) zoning district classification to C-3 – service commercial zoning district classification (the “Rezone”)**; and

- 1.4 **WHEREAS**, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on June 23, 2020 as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on July 14, 2020) where it was recommended to the Mayor and Council that the rezoning for the lands described in Exhibit A from Agriculture (A) to Service Commercial (C-3) be approved; and
- 1.5 **WHEREAS**, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on December 15, 2020 on the Rezone, as required by Section 67-6525, Idaho Code, and in accordance with the provisions of Kuna City Code Section 5-1A-7 made findings (January 5, 2020) and determined that the requested rezone should be granted with a zoning classification of C-3 (Service Commercial); and
- 1.6 **WHEREAS**, it is necessary that the City Council adopt this Ordinance, as required by Section 67-6511 (2) Idaho Code and Kuna City Code § 5-1A-7 G, to complete the process of implementing the decision of the Kuna City Council to Rezone the Subject Real Property.

**Section 2: Action:**

- 2.1 The Subject Real Properties are rezoned from **A – Agriculture TO C-3 – Service Commercial (the “Rezone”)**;
- 2.2 The Zoning Map of the City of Kuna is hereby amended to comply with this Rezone.

**Section 3: Directing the City Engineer and City Clerk:**

- 3.1 The City Engineer is directed to change the zoning district depictions of the Subject Real Properties on the Zoning Map of the City in accordance with this Rezone ordinance; and
- 3.2 The City Clerk is directed to file, this Ordinance in the official records of the City and to provide a confirmed copy to the City Engineer, Planning and Zoning Director and Owner.

**Section 4: Effective Date**

- 4.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 5<sup>th</sup> day of January, 2021.

CITY OF KUNA



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Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



## EXHIBIT A-1

### DENNIS & HELENE WOLFGRAM MUNICIPAL REZONE TO C-3

#### LEGAL DESCRIPTION

A parcel of land being a portion of Lot 1 Block 1 of Tukila Meadow Subdivision in Book 62 at Pages 6188 & 6189 on file in the Ada County Recorder's Office laying in the NE1/4 NE1/4 of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northeast corner of the NE1/4 NE1/4;

Thence N 89° 27' 03" W a distance of 1317.18 feet along the north boundary of the NE1/4 NE1/4 to the northwest corner of the NE1/4 NE1/4;

Thence S 00° 06' 07" W a distance of 30.00 feet along the west boundary of the NE1/4 NE1/4 to the northwest corner of Lot 1 and the **POINT OF BEGINNING**;

Thence S 89° 27' 03" E a distance of 327.45 feet along the north boundary of Lot 1;

Thence S 00° 06' 07" W a distance of 214.90 feet parallel with the west boundary of Lot 1;

Thence N 89° 27' 03" W a distance of 327.45 feet parallel with the north boundary of Lot 1 to a point on the west boundary of Lot 1;

Thence N 00° 06' 07" E a distance of 214.90 feet along the west boundary of Lot 1 to the **POINT OF BEGINNING**.

This parcel contains 1.615 acres more or less.

This parcel is subject to all easements and rights-of-way of record or implied.

**EXHIBIT A-2**

**LETE FAMILY REVOCABLE TRUST  
MUNICIPAL REZONE TO C-3**

**LEGAL DESCRIPTION**

A parcel of land being a portion of Lot 1 Block 1 of Tukila Meadow Subdivision in Book 62 at Pages 6188 & 6189 on file in the Ada County Recorder's Office laying in the NE1/4 NE1/4 of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northeast corner of the NE1/4 NE1/4;

Thence N 89° 27' 03" W a distance of 1317.18 feet along the north boundary of the NE1/4 NE1/4 to the northwest corner of the NE1/4 NE1/4;

Thence S 00° 06' 07" W a distance of 244.90 feet along the west boundary of the NE1/4 NE1/4 to the **POINT OF BEGINNING**;

Thence S 89° 27' 03" E a distance of 327.45 feet parallel with the north boundary of Lot 1;

Thence N 00° 06' 07" E a distance of 214.90 feet parallel with the west boundary of Lot 1 to a point on the north boundary of Lot 1;

Thence S 89° 27' 03" E a distance of 944.76 feet along the north boundary of Lot 1;

Thence S 44° 41' 46" E a distance of 21.30 feet along the easterly boundary of Lot 1;

Thence S 00° 03' 31" W a distance of 570.48 feet along the east boundary of Lot 1 to the southeast corner of Lot 1;

Thence N 89° 33' 26" W a distance of 1287.63 feet along the south boundary of Lot 1 to the southwest corner of Lot 1;

Thence N 00° 06' 07" E a distance of 372.98 feet along the west boundary of Lot 1 to the **POINT OF BEGINNING**.

This parcel contains 15.721 acres more or less.

This parcel is subject to all easements and rights-of-way of record or implied.

# EXHIBIT B LOCATION MAP

