

Summary of Ordinance No. 3210

On November 13th, 2012, the City of Abilene, Kansas, adopted Ordinance No. 3210, An Ordinance adding New Section 21, subsection "G" relating to prohibited uses of the City of Abilene zoning regulations (Ordinance No. 2796). A complete copy of this ordinance is available online at www.abilenecityhall.com or during normal business hours at City Hall, located at 419 N. Broadway Street in Abilene, Kansas. The ordinance is not subject to a protest petition. Questions pertaining to this ordinance may be directed to City Attorney Mark Guilfoyle at (785) 263-3070 or City Manager David Dillner at (785) 263-2550. This summary has been reviewed and certified by Mark Guilfoyle, P.A., City Attorney.


Mark Guilfoyle, City Attorney

ORDINANCE NO. 3210

AN ORDINANCE ADDING NEW SECTION 21, SUBSECTION "G" RELATING TO PROHIBITED USES OF THE CITY OF ABILENE ZONING REGULATIONS (ORDINANCE NO. 2796)

Be it Ordained by the Governing Body of the City of Abilene, Kansas, that:

Section 1. New Section 21; G of the Zoning Regulations of the City of Abilene, Kansas, is hereby added to the city zoning code to state as follows:

G. Prohibited uses –

1. No temporary or outwardly incomplete structure or building, no open excavation for a basement or foundation and no building or structure so damaged as to become unfit for use or habitation shall be permitted, maintained, or remain in such condition for a period of more than six (6) months, except by conditional permission of the Governing Body upon recommendation by the Planning Commission. In addition:
 - a. No structure material, construction equipment, machinery or refuse shall be stored, maintained or kept in the open upon any lot, tract or parcel within a residential district, other than during actual construction operations upon said premises or related premises. Provided, the Board of Zoning Appeals may grant an exception to said requirement in unusual cases for a limited time.
 - b. Any materials used for structural support which are not approved by the Community Development Inspector.
2. The following items are not allowed to be exposed to elements, and must be stored in an approved accessory structure, solid waste container, or removed from the lot or parcel in a residential district:
 - a. Any vehicle which is disabled, or cannot be used in its current condition (functional farm vehicles not exceeding a total of 2 such vehicles may be allowed on a property provided they are concealed behind a privacy fence, or otherwise do not cause ingress/egress issues for emergency personnel or adjoining properties).
 - b. Scrap wood, scrap metal or glass exposed to the elements.
 - c. Piles of debris and scrap items which would cause ingress/egress issues for emergency vehicles or personnel. **A cord of wood or small piles of scrap wood and branches not exceeding a height of 3 feet may be allowed provided they are placed neatly against a structure or fence, and do not pose a fire hazard, or nuisance as determined by the Community Development Inspector .**
 - d. Items intended for indoor use, such as upholstered furniture and appliances.

Section 2. This ordinance shall be effective upon its publication in the official city newspaper.

Passed this 10th day of November, 2012.



Attest:

Penny L. Soukup
City Clerk, CMC

DENNIS P. WEISHAAR
Mayor