

**ORDINANCE NO. 3331**

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR 624 E. 1<sup>ST</sup> STREET, AT THE REQUEST OF LINDA MASON AND JOE REYNOLDS, FOR THE OPERATION OF AN ALTERATIONS HOME OCCUPATION IN THE HEAVY DENSITY RESIDENTIAL (R-3) ZONING DISTRICT OF THE CITY OF ABILENE, KANSAS**

**WHEREAS**, the property owners of record have requested the City consider a Conditional Use Permit to allow for the operation of an alterations home occupation at property described as 624 E. 1<sup>ST</sup> Street in Abilene, Kansas;

**WHEREAS**, the Planning Commission conducted a public hearing on July 11, 2017 to receive comments from the public; and

**WHEREAS**, the Planning Commission recommended the Governing Body approve a Conditional Use Permit allowing the proposed alterations home occupation at the aforementioned address.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:**

**SECTION ONE. Findings of Fact.** The City Commission finds that:

1. The proposed home occupation will not negatively impact neighboring land uses, provided all conditions are met; and
2. The site has a full range of services in sufficient capacity to serve the home occupation without hampering the existing level of service in the neighborhood.

**SECTION TWO. Permit Conditions, Approval.** Per Section 26-110, the Planning Commission may impose, and City Commission may approve, reasonable conditions on approval of a Conditional Use Permit. The following conditions for this permit are approved:

1. Maintain two off-street parking spaces for customers;
2. Business sign must comply with the sign code requiring a maximum size of 4 sq. ft. per face; and
3. Comply will the general home occupation requirements in Section 20-1201; and
4. The permit shall expire when the alterations business ceases.

**SECTION FOUR. Implementation.** The Community Development Director, or designee, is hereby authorized to ensure all conditions have been reasonably met.

**SECTION FIVE.** Effective Date. This Ordinance shall become effective and in full force from and after its passage, adoption and publication in the official City newspaper.

**PASSED AND ADOPTED** by the Governing Body of the City of Abilene, Kansas this 14<sup>th</sup> day of August, 2017.



**CITY OF ABILENE, KANSAS**

By: *Dee Marshall*  
Dee Marshall, Mayor

ATTEST:

*Penny Soukup, CMC*  
Penny Soukup, CMC

APPROVED AS TO FORM:

*Mark A. Guilfoyle*  
Mark A. Guilfoyle, City Attorney