

## ORDINANCE NO. 3350

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW A TRASH HAULING SERVICE IN AN "I-2, HEAVY INDUSTRIAL DISTRICT" LOCATED AT 2091 NW 14<sup>th</sup> STREET REQUESTED BY BRIAN KRIZAN, d/b/a SUPERIOR SANITATION, IN THE CITY OF ABILENE, KANSAS**

**WHEREAS**, the Planning Commission reviewed a request by Brian Krizan d/b/a Superior Sanitation to operate a trash hauling service at 2091 NW 14<sup>th</sup> Street, Abilene, Kansas; and

**WHEREAS**, the Planning Commission conducted a Public Hearing per Section 24-4 of the Zoning and Subdivision Ordinance of the City on February 20, 2018, and after no public comments were received by the Planning Commission at the public hearing after proper notice was given of the hearing date and time, the Planning Commission recommended approval of the Conditional Use Permit.

**NOW THEREFORE, BE IT ORDAINED**, by the City Commission of the City of Abilene, as follows:

**Section 1. Conditional Use Permit.** That a Conditional Use Permit is hereby granted to Brian Krizan d/b/a Superior Sanitation for the purposes of operating a Trash Hauling Service in an I-2, Heavy Industrial District, specifically located at 2091 NW 14<sup>th</sup> St., Abilene, Kansas.

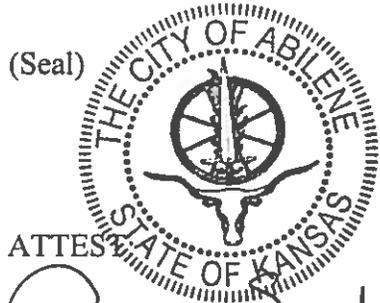
**Section 2. Permit Conditions: Approval.** Per Section 20-103 of the Zoning and Subdivision Ordinance, the Planning Commission may impose, and the City Commission may approve, reasonable conditions on the approval of a Conditional Use Permit. The following conditions as imposed by the Planning Commission are approved by the City Commission:

1. A site plan must be submitted to define the area of operation, green space, berming, fencing, building footprints, graveled drives, drainage retention, and other site improvements;
2. Provide for a 25' green space buffer along the east property line, which will not be farmed, to create a natural vegetative barrier;
3. Provide a storm-water drainage study, designed drainage retention/detention area, and build the Public Works approved design;
4. Provide screening from public view for the outside refuse cart storage area;
5. Complete connections to the public water and sewer system;
6. Submit copies of all permit approvals from Kansas and Dickinson County authorities;
7. Subdivision of the property will require the filing of a preliminary and final plat in accordance with the Subdivision Regulations of the City of Abilene;
8. The permit will be reviewed for condition modification after 5 years from the issuance of a Certificate of Occupancy.

**Section 3. Certified Copy.** A certified copy of this Ordinance signed by the City Clerk for the City of Abilene, Kansas, shall be recorded in the Office of the Register of Deeds, Dickinson County, Kansas.

**Section 4. Effective Date.** That the effects of this Ordinance shall be in full force after its approval by the City Commission and publication in the official newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Abilene, Kansas this 9th day of April, 2018.



ATTES  
*Penny Soukup, CMC*  
PENNY SOUKUP, CMC  
CITY CLERK

CITY OF ABILENE, KANSAS  
BY: *Timothy Shafer*  
TIMOTHY SHAFER, MAYOR