

ORDINANCE NO. 21-3401

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR A DWELLING ON THE FIRST FLOOR OF THE PROPERTY DESCRIBED AS 203 N. CEDAR ST., ABILENE, KANSAS, IN THE C-4 CENTRAL BUSINESS DISTRICT.

WHEREAS, the property owner of record has requested the City consider a conditional use permit to allow a dwelling on the first floor at the property described as 203 N. Cedar St., Abilene, Kansas, in the C-4 Central Business District;

WHEREAS, the Planning Commission conducted a public hearing on August 3, 2021 to receive comments from the public, and;

WHEREAS, the Planning Commission recommended the Governing Body approve a conditional use permit allowing the first-floor dwelling 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 the proposed residential use will not present a nuisance on neighboring uses or structures, provided the conditions are met.

SECTION TWO. Conditional Use Permit. A conditional use permit is hereby granted to the property owner of record for approval to allow a dwelling on the first floor of the property commonly known as 203 N. Cedar St., in Abilene, Kansas and legally described as follows:

Lots 5 and 6, on North Second Street, in Bonebrake's Sub-Division of Lots 5 and 7 on North Second Street and Lots 28 and 30 on North Third Street, in Thompson and McCoy's Addition to the City of Abilene, Dickinson County, Kansas.

all as generally described in the conditional use permit application. Subject to compliance with the conditions set forth in Section 3 below, the conditional use permit shall be valid from the effective date of this Ordinance, until August 31, 2022, at which time the conditional use permit shall expire and be of no further force or effect.

SECTION THREE. Permit Conditions Approval. Pursuant to the Abilene Zoning Regulations, the Planning Commission may impose, and City Commission may approve, reasonable conditions on approval of a conditional use permit. The following conditions are approved:

1. The applicant shall comply with all applicable building codes.
2. There shall be no outside storage of residential items.
3. The exterior of the structure must maintain a commercial design.

SECTION FOUR. Implementation. The Planning and Zoning Administrator, or designee, is hereby authorized to ensure all conditions have been reasonably met.

SECTION FIVE. Certified Copy. A certified copy of this Ordinance signed by the City Clerk for the City of Abilene, Kansas, shall be recorded against the subject property legally described above, in the Office of the Register of Deeds, Dickinson County, Kansas.

SECTION SIX. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication once in the official newspaper by the following summary:

Ordinance No. 21-3401 Summary

On August 23, 2021, the City Commission passed Ordinance No. 21-3401. The Ordinance grants a conditional use permit to allow a dwelling on the first floor of the property described as 203 N. Cedar St., Abilene, Kansas, in the C-4 Central Business District. A complete copy of the ordinance is available online at www.abilenecityhall.com or in the office of the City Clerk, 419 N. Broadway St. in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel.

PASSED AND ADOPTED by the Governing Body of the City of Abilene, Kansas this 23rd day of August, 2021.

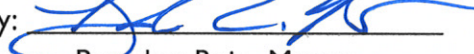


ATTEST:




Shayla Mohr, City Clerk

CITY OF ABILENE, KANSAS

By: 

Brandon Rein, Mayor

APPROVED AS TO FORM:



Aaron O. Martin, City Attorney