

ORDINANCE NO. Z-4076

SPECIAL USE PERMIT NO. 2020-00007

AN ORDINANCE RELATING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to regulations set forth in the Overland Park Municipal Code, Section 18.370, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property, to-wit:

Legal Description:

The south 105 feet of Lot 6, Block 5, Congleton Industrial Park, a subdivision of land in the City of Overland Park, Johnson County, Kansas.

Section 2. That the real property hereinabove described shall hereafter allow a kennel, for a five-year period of time.

All Zoning Ordinances or Zoning Regulations of the City of Overland Park, Kansas, affecting the use of the real property hereinbefore described which are inconsistent with this ordinance are hereby made inapplicable to the said property for said period of time.

Section 3. Conditions and Stipulations. The special use permit granted in Sections 1 and 2 hereinabove in addition to full compliance with any general provisions contained in Chapter 18.370 of the Overland Park Municipal Code, Unified Development Ordinance, is hereby made contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions, and restrictions, of which the violation of any hereafter enumerated will be a supplementary basis for revocation in addition to those specified in Section 18.370.050, to-wit:

- a. The development shall be in accordance with Exhibit "A" (Site Plan), which is filed in the office of the Planning Commission Secretary at City Hall and which are incorporated by reference as if set out in full herein. Provided, subsequent revisions may be made thereto in accordance with the application, notice and other requirements of O.P.M.C. Title 18. In addition, the development shall follow and comply with all regulations and standards of the City of Overland Park, unless specifically exempted by the Governing Body.
- b. No outdoor dog area is allowed with this permit.

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- c. The kennel shall be continuously operated in compliance with all State of Kansas laws, regulations, and requirements for kennel operations, including licensure for the duration of the term of this permit.
- d. The kennel facilities shall be continuously maintained in a safe condition as required by the Kansas Pet Animal Act and the Kansas Animal Health Department.
- e. The kennel facilities shall be regularly cleaned, sanitized, and operated in a fashion that prevents the attraction of vermin, the growth of infectious bacteria, the communication of disease, or any other such related health problems.
- f. The kennel shall be operated in a manner that prevents noise, odors, vermin, infestations, or other objectionable conditions from becoming a nuisance to neighboring properties.

Section 4. Take Effect. This ordinance shall take effect and be in force as of the date of its passage, approval and publication as provided by law.

PASSED by the City Council this 1st day of June, 2020.

APPROVED by the Mayor this 1st day of June, 2020.

CITY OF OVERLAND PARK, KANSAS

By: (s) Carl Gerlach
Carl Gerlach
Mayor

(SEAL)

ATTEST:

APPROVED AS TO FORM:

By: (s) Elizabeth Kelley
Elizabeth Kelley
City Clerk

By: (s) Stephen B. Horner
Stephen B. Horner
Senior Assistant City Attorney