

**ORDINANCE NO. 2961**  
**CONDITIONAL USE PERMIT 06-CUP-05**

**AN ORDINANCE RELATING TO ZONING: RENEWING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:**

Section 1.      **CONDITIONAL USE PERMIT GRANTED.** Pursuant to regulations set forth in the Paola Land Development Ordinance, Sections 21.220 and 21.222, permission is hereby granted to use Lot 6 and the West 8' of the South 63.75' of Lot 7 in Block 93, City of Paola, Miami County, KS, property commonly known as 103 N. Pearl Street, in the manner set forth in Section 2 hereof.

Section 2.      That the real property described above shall hereafter be deemed to allow Pet Grooming Services, as further provided in Section 3.

Section 3.      **CONDITIONS AND STIPULATIONS.** The conditional use permit granted in Sections 1 and 2 above, in addition to full compliance with any general provisions of the Paola Land Development Ordinance and the site plan, is hereby made contingent upon the performance and observation of the following conditions, of which the violation will be a basis for revocation in addition to those specified in Section 21.225:

- 1) Adequate ventilation shall be provided between adjoining structures.
- 2) All pet waste shall be disposed of in an approved manner.
- 3) Noise levels shall be limited so as not to disturb surrounding properties.
- 4) All chemicals used in the grooming process shall be non-destructive to the public sanitary sewer system.
- 5) No overnight boarding of pets is permitted.
- 6) Hours of operation be limited to 7am – 7pm Monday through Friday and 8am – 5pm on Saturday.
- 7) Grass over sidewalk be eliminated.
- 8) One street tree be installed along Piankishaw prior to the one year renewal.
- 9) Parking stalls be defined by adequate painting or marking tape.
- 10) After one year, the conditional use permit shall be reviewed by the Planning Commission to ensure compliance. The property owner shall be responsible for notifying adjoining property owners (as identified by the abstractor's search for the original CUP request) by regular mail two weeks in advance of the Planning Commission's review. If the owner will be requesting an amendment to the CUP, the notification shall follow the same procedures as the original CUP notification. Adjoining property owners will have an opportunity to comment on compliance to the conditions of the CUP. This would be November of 2008.
- 11) At any time, the City may institute revocation of the conditional use permit for violations of the conditions of approval, expiration, or the reasons specified in Section 21.225 of the Land Development Ordinance. The City shall provide notice to the landowner and public in the same manner as was provided for the establishment of the conditional use permit.

Section 4. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED BY** the Council this 27<sup>th</sup> day of November 2007.

**APPROVED BY** the Mayor this 27th day of November 2007.

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Artie Stuteville, Mayor

ATTEST: (SEAL)

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Daniel G. Droste, City Clerk