

**ORDINANCE NO. 2915**  
**CONDITIONAL USE PERMIT 06-CUP-03**

**AN ORDINANCE RELATING TO ZONING: AUTHORIZING 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:

Commencing at a point 660 feet North of the Southeast corner of the Southwest ¼ of Section 22, Township 17 South, Range 23 East of the 6<sup>th</sup> P.M., Miami County, Kansas; thence North to the center of Wea Creek; thence Southerly along the center of Wea Creek to a point 660 feet North and 462 feet (Deed) 483.9 feet (Measured) West of the Southeast corner of said Southwest ¼ of Section 22; thence East 462 feet (Deed) 483.9 feet (Measured) to the Point of Beginning, Contains 14 Acres more-or-less, subject to any part thereof in roads, Less and except the following described tract: Beginning at a point on the East line of said Southwest ¼ being 802.00 feet North of the Southeast corner thereof; thence North 90°00'00" West, 302.13 feet; thence North 9°10'25" East, 254.88 feet; thence North 26°19'54" East, 371.81 feet; thence North 90°00'00" East, 96.58 feet to the East line of said Southwest ¼; thence along said line, South 0°00'00" East, 584.85 feet to the Point of Beginning. Contains 3.0 acres more-or-less.

property commonly known as 31790 Hedge Lane, in the manner set forth in Section 2 hereof.

Section 2.      That the real property described above shall hereafter be deemed to allow a Day Care Center, 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 for a 'Day Care Center', 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>      The Day Care may operate under the temporary permit until 7/25/06. A copy of the permanent/final 'license' to be provided to the Zoning Administrator prior to operations after 7/25/06.
- 2>      Maximum number of children limited to nine (9) at any one time.
- 3>      Hours of operation are 6am to 6pm.
- 4>      Applicant must seek renewal of the CUP after one year.

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 23<sup>rd</sup> day of May 2006.

**APPROVED BY** the Mayor this 23<sup>re</sup> day of May 2006.

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Artie Stuteville, Mayor

ATTEST: (SEAL)

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Daniel G. Droste, City Clerk