

RESOLUTION NO. 20-1052

A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR KEEPING CHICKENS ON A RESIDENTIAL LOT LESS THAN THREE (3) ACRES, SUBJECT, HOWEVER, TO THE STIPULATIONS HEREINAFTER MORE FULLY EXPRESSED.

WHEREAS, Application No. SU20-0004 was filed with the City of Olathe, Kansas, on the 15th day of May 2020; and

WHEREAS, said Application requested that the City Council of the City of Olathe, Kansas, issue a special use permit for keeping chickens on a residential lot less than three (3) acres on the following described property:

HAVENCROFT LOT 5 BLK 2 OLC

WHEREAS, such property is zoned R-1; and

WHEREAS, Chapter 18.20 and 18.40 of the Unified Development Ordinance authorizes the establishment of such a use in such zoned area upon the issuance of a special use permit; and

WHEREAS, the Planning Commission and the City Council of the City of Olathe, Kansas, having given the requisite notices by publication and otherwise, and after holding a public hearing on the 13th of July 2020, and affording a full and fair hearing to all the property owners, generally, and to other interested persons situated in the affected area or in the vicinity thereof; and

WHEREAS, the Planning Commission of the City of Olathe, Kansas, has recommended that the special use permit be granted; and

WHEREAS, the City Council is of the opinion that such special use permit should be granted subject to the conditions set out herein. The following conditions apply:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: That Application No. SU20-0004 requesting the issuance of a special use permit for keeping chickens on a residential lot less than three (3) acres on the previously described property, which is presently zoned as R-1 is hereby approved.

SECTION TWO: That this special use permit renewal is approved and granted upon the following stipulations and in conformance with Chapter 18.20 and 18.40 of the Unified Development Ordinance:

1. The special use permit is valid for a period of five (5) years following Governing Body approval, effective the date of adoption of the Resolution.
2. The property will be limited to a maximum of four (4) hens only at any one time.
3. Chickens may not be bred, boarded or sold for commercial purposes.

SECTION THREE: That this Resolution shall take effect immediately.

ADOPTED by the City Council this 4th day of August 2020.

SIGNED by the Mayor this 4th day of August 2020.

Michael Copeland

ATTEST:

Brenda A. Long

City Clerk

(Seal)



Mayor

APPROVED AS TO FORM:

[Signature]

City Attorney