

RESOLUTION NO. 19-1062

A RESOLUTION GRANTING RENEWAL OF A SPECIAL USE PERMIT TO ALLOW CHICKENS TO BE KEPT ON A RESIDENTIAL LOT LESS THAN THREE ACRES SUBJECT, HOWEVER, TO THE STIPULATIONS HEREINAFTER MORE FULLY EXPRESSED.

WHEREAS, Application No. SU19-0004 was filed with the City of Olathe, Kansas, on the 20th day of August 2019; and

WHEREAS, said Application requested that the City Council of the City of Olathe, Kansas, issue a renewal of a special use permit to allow chickens to be kept on a residential lot less than three acres on the following described property:

EAGLE RIDGE LT 57 OLC 207 1 57

WHEREAS, such property is zoned R-1; and

WHEREAS, Chapter 18.40 and 18.20 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 14th day of October 2019, 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 renewal of the special use permit be granted; and

WHEREAS, the City Council is of the opinion that such renewal of the 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. SU19-0004 requesting the issuance of a renewal of a special use permit to allow chickens to be kept on a residential lot less than three 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 18.40 and Chapter 18.20 of the Unified Development Ordinance:

- (1) The Special Use Permit is valid for a period of ten (10) years following Governing Body approval, with an expiration date of November 5, 2029.
- (2) The property will be limited to a maximum of six (6) chickens at any one time.

- (3) The raising of the chickens shall be limited to personal (hobby) purposes only. Chickens may not be bred, boarded or sold for commercial purposes.
- (4) No roosters will be kept on the property at any time.

SECTION THREE: That this Resolution shall take effect immediately.

ADOPTED by the City Council this 5th day of November 2019.

SIGNED by the Mayor this 5th day of November 2019.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney