

RESOLUTION NO. 19-1019

A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR MORE THAN FOUR (4) ANIMALS (DOGS) ON A RESIDENTIAL LOT LESS THAN THREE (3) ACRES SUBJECT, HOWEVER, TO THE STIPULATIONS HEREINAFTER MORE FULLY EXPRESSED.

WHEREAS, Application No. SU-18-0008 was filed with the City of Olathe, Kansas, on the 1st day of November, 2018; and

WHEREAS, said Application requested that the City Council of the City of Olathe, Kansas, issue a special use permit for more than four (4) animals (dogs) on the following described property:

LOT 20, COULTER'S ADDITION, A SUBDIVISION LOCATED IN
OLATHE, JOHNSON COUNTY, KANSAS

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 28th day of January 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 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.

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

SECTION ONE: That Application No. SU18-0008 requesting the issuance of a special use permit for more than four (4) animals (dogs) on the previously described property, which is presently zoned as R-1, is hereby approved.

SECTION TWO: That this special use permit 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 2 years following Governing Body approval, with an expiration date of February 19, 2021.
- (2) The property shall be subject to all requirements of *Title 8 (Animals)* of the *Olathe Municipal Code*.
- (3) A maximum of nine (9) dogs may be kept on the property at one time.

- (4) A 6-foot privacy fence shall be constructed around the backyard prior to April 1, 2019. Failure to do so may result in revocation of this SUP

SECTION THREE: That this Resolution shall take effect immediately.

ADOPTED by the Council this 19th day of February 2019.

SIGNED by the Mayor this 19th day of February 2019.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney