

RESOLUTION NO. 19-1059

A RESOLUTION GRANTING 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. SU19-0003 was filed with the City of Olathe, Kansas, on the 3rd day of June 2019; and

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

HAVENCROFT LOT 12, BLOCK 35 OLC 636 1 1 35 12

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 12th day of August 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 renewal of the 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. SU19-0003 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 September 17, 2029.
- 2) The property shall be limited to a maximum of eight (8) chickens at any 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

SECTION THREE: That this Resolution shall take effect immediately.

ADOPTED by the City Council this 17th day of September 2019.

SIGNED by the Mayor this 17th day of September 2019.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney