BILL 2017-39

****** Third Reading ******

Agenda Item

TO: Mayor and City Council

FROM: Timothy Wymes, Community Development Director

DATE: November 6, 2017

RE: Conditional Use Permit Request for 516 E. 4th Street

Issues

A request has been made by William F. Riley for a conditional use permit to allow a third dog under section, 5-130, of the City of Cameron Codes. No person shall keep, harbor, own or in any way possess more than two (2) dogs over the age of six (6) months without first obtaining a kennel license.

Mr. Riley is the owner of a Pomeranian male (16) years, a Mini Poodle male (13) years who is requesting a Conditional Use Permit for a Miniature Yorkie, female (10) years of age. The third dog belongs to Mr. Riley's daughter who travels and is unable to provide care for the dog full-time.

If Council approves the Conditional Use Permit it would allow Mr. Riley the opportunity to comply with city ordinances and be the full-time provider for all three dogs at 516 E 4th Street.

Recommendation

Staff has no opposition for the Conditional Use Permit request. The request was presented before the City Planning and Zoning Commission on October 9, 2017. A recommendation from the commission was approved to accept the Conditional Use Permit with detailed requirements.

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AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON, DeKALB AND CALDWELL COUNTIES, MISSOURI AUTHORIZING A CONDITIONAL USE PERMIT FOR WILLIAM F. RILEY ALLOWING A KENNEL TO RETAIN ONE ADDITIONAL DOG AT 516 EAST FOURTH STREET

WHEREAS, on August 25, 2017, William F. Riley submitted a petition for a Conditional Use Permit for a kennel to retain one additional miniature yorkie, Bernadette female, 10 years of age, spayed at 516 E. 4th Street; and

WHEREAS, public notice regarding the above petition was published in the *Cameron Citizen-Observer*, a newspaper of general circulation, on September 28, 2017. A Public Hearing concerning said matter was held before the Planning and Zoning Commission of Cameron at City Hall in Cameron Missouri at 6:00 p.m. on October 9, 2017; and

WHEREAS, the Planning and Zoning Commission has met, considered said request and finds that it complies with the Conditional Use provisions of the Cameron Zoning Ordinance, and recommends approval said Conditional Use Permit by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMERON, CLINTON, DEKALB, AND CALDWELL COUNTIES, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to Article 31, Conditional Uses, of the Cameron Zoning Ordinance, petitioner William F. Riley are hereby granted a Conditional Use Permit for a kennel with the specific purpose of retaining one miniature Yorkshire at 416 East Fourth Street. Only until such dogs expire bringing the property into compliance in accordance with the Petition and accompanying documents therefore: Said property is described as follows:

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Section 2. The Petitioner shall at all times observe the following conditions:

A. The Permit shall apply only to the three existing neutered and spayed dogs known as Lacey, a Pomeranian male (16) years; Tucker; a Mini Poodle male (13) years; and, Bernadette a Miniature Yorkshire female (10) years: No dogs shall be acquired or traded.
B. No kennels, dog houses enclosures or runs will be permitted outside.
C. All dogs will be quartered inside the main residence overnight.
D. No stakes, ties or lines will be permitted outside.
E. Upon the demise of any of the dogs identified above, no dog shall be replaced nor additional dogs be acquired until the number of remaining dogs residing on the premises reaches two (2), thereupon, the premises shall remain in compliance.

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F. The City Animal Control Officer shall be allowed reasonable access to inspect for compliance with the terms hereon.
G. No dogs will be bred nor will the petitioners engage in any commercial operation involving buying, selling, breeding or trading dogs on the premises.
H. The Petitioner shall license all dogs with the city and comply with the Article Four requirements.

Section 3. The Mayor is authorized to sign this ordinance approving it on behalf of the City.

Section 4. The City Clerk is directed to attest to the Mayor's signature.

Section 5. This Ordinance shall be in full force and effect from and its passage and approval.

Passed and approved on first reading this 6th day of November 2017.
Passed and approved on second reading this 20th day of November 2017.
Passed and approved on third reading this 4th day of December 2017.

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Mayor Darlene Breckenridge

ATTEST:

_____
City Clerk/Finance Clerk

Third Reading