# BILL 2018-15

****** First Reading ******

**Agenda Item**

**TO:** Mayor and City Council

**FROM:** Timothy Wymes, Community Development Director

**DATE:** April 2, 2018

**RE:** Conditional Use Permit Request for 316 S. Harris Street

Issues

A request has been made by Amelia J. Machetta for a conditional use permit to allow additional dogs 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.

Amelia J. Machetta is the owner of two five year old female Papillon type dogs and she is requesting a Conditional Use Permit for 316 S. Harris Street. Daniel Machetta is the son of Amelia, has moved into the residence and owns two Papillon type dogs. Mr. Machetta has one male Papillon and one female Papillon both (10) years of age.

If Council approves the Conditional Use Permit it would allow Amelia and Daniel Machetta the opportunity to comply with city ordinances and be responsible for the two additional dogs listed under their care at 316 S. Harris Street.

Recommendation

Staff has no opposition for the Conditional Use Permit request. The request was presented before the City Planning and Zoning Commission on March 12, 2018. 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 AMELIA J. MACHETTA ALLOWING A KENNEL TO RETAIN TWO ADDITIONAL DOGS AT 316 S. HARRIS STREET

**WHEREAS,** on February 16, 2018, Amelia J. Machetta submitted a petition for a Conditional Use Permit for a kennel to retain additional dogs: Shooter, a ten year old neutered Papillon male; and Zoey, a ten year old spayed female that belong to her son Daniel Machetta who now resides with her at 316 S. Harris Street; and

**WHEREAS**, due public notice in the manner prescribed by law regarding the above petition was given by publication in the *Cameron Citizen-Observer* on February 22, 2018 of a public hearing concerning this matter before the Planning and Zoning Commission of Cameron (the "Commission") for March 12, 2018; and

**WHEREAS,** the Commission did hold a public hearing and received evidence regarding the matter on March 12, 2018; and

**WHEREAS**, the 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 Amelia J. Machetta is hereby granted a Conditional Use Permit for a kennel with the specific purpose of retaining two Papillons, Shooter and Zoey at 316 S. Harris 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:

*N1/2 LTS 94 & 95 SOUTH CAMERON ADDITION*

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

A. The Permit shall apply only to the four existing neutered and spayed dogs known as male Shooter and female Zoey, both 10 year old Papillons, five year old female Sara, and five year old female Molly, both Papillon mixes, both spayed: 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.

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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.
F. The City Animal Control Officer shall be allowed reasonable access to inspect for compliance with the terms heron.
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 on first reading this 2nd day of April 2018.
Passed on second reading this _____ day of April 2018.
Passed on third reading this _____ day of April 2018.

_____
Mayor Darlene Breckenridge

ATTEST:

_____
City Clerk

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