

CITY OF HAMILTON, MISSOURI

BILL NO. 0105152

ORDINANCE NO. 1543

An Ordinance of the City of Hamilton, Missouri Approving a Conditional Use Permit to Allow for an Apartment at 300 E. Bird Street, Hamilton, Missouri

WHEREAS, on November 13, 2014, Dr. Robert Adams (the "Applicant") filed an application for a conditional use permit to remodel a property located at 300 E. Bird, Hamilton, Missouri, for use as a single residential rental unit;

WHEREAS, a public hearing was held on the application before the Planning and Zoning Commission on December 10, 2014 upon due notice.

WHEREAS, at the completion of the public hearing on the subject application before the Planning and Zoning Commission, said Commission recommended approval of said conditional use permit with the following restrictions in addition to all other applicable laws or ordinances, to wit:

1. The proposed improvements shall be completed within six months after the date of approval of the conditional use permit; otherwise this permit shall become null and void.
2. All construction shall be in accordance with City building codes.
3. This permit shall be for the benefit of the applicant in whose name the permit was issued, for the specific approved location. The permit shall not be transferrable to another person or entity or to another location.

WHEREAS, the recommendation of the Planning and Zoning Commission was transmitted to the Board;

WHEREAS, on January 5, 2015, at a regularly called meeting upon review of the recommendations of the Planning and Zoning Commission and public comments on the application of Dr. Robert Adams for a conditional use permit to the remodel of a property located at 300 E. Bird, Hamilton, Missouri, for use as a single residential rental unit, the Board of Aldermen determined:

1. There are special circumstances or unique conditions affecting the land, building or use referred to in the application;
2. The granting of the application is necessary for the preservation and enjoyment of substantial property rights;
3. The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property; and

Vote: Kavanaugh-aye, Sullivan-aye, Moss-aye, Trospen-aye

4. The granting of the application will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

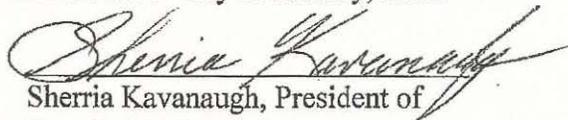
NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI, AS FOLLOWS:

- Section 1.** Dr. Robert Adams is hereby granted a conditional use permit at 300 E. Bird, Hamilton, Missouri, to use such location as a single residential rental unit, with the following restrictions in addition to all other applicable laws or ordinances, to wit:
- A. The plans shall be submitted to the City for approval prior to the commencement of construction.
 - B. That applicant must be in compliance with all of the above terms of the Planning and Zoning Commission restrictions.
- Section 2.** This conditional use permit does not run with the land nor inure to the benefit of any subsequent owner.
- Section 3.** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- Section 4.** This ordinance shall be in full force and effect from and after the date of its passage and approval.

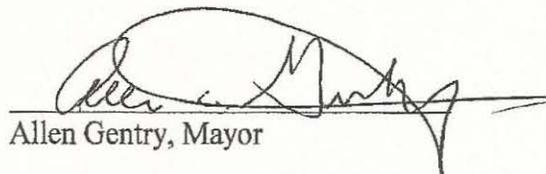
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

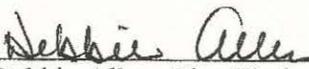
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Passed and approved by the Board of Aldermen on the 5th day of January, 2015.


Sherria Kavanaugh, President of
Board of Aldermen

Approved this the 5th day of January, 2015.


Allen Gentry, Mayor

Attest: 
Debbie Allen, City Clerk