ORDINANCE NO. 1375

SECTION XVI, ARTICLE 2. SECTION 16-201 ZONING AND SUBDIVISION REGULATIONS, INCORPORATED BY REFERENCE IS HEREBY AMENDED, BY AMENDING SECTION 22, "SPECIAL USES", BY GRANTING A SPECIAL USE TO CERTAIN PROPERTY IN THE CITY OF TONGANOXIE, KANSAS, FOR A CHILD DAY CARE FACILITY.

WHEREAS, under the ZONING ORDINANCE AND SUBDIVISION REGULATIONS OF THE CITY OF TONGANOXIE, KANSAS, 2003, the Governing Body of the City of Tonganoxie, Kansas, is given the power to amend, supplement or change existing zoning regulations or grant special use permits within the City; and

WHEREAS, the City Planning Commission, after fully complying with the requirements of the ordinances of the City of Tonganoxie, scheduled a public hearing which was held on the 5th day of June 2014, at 7:00 P.M., in the Tonganoxie City Council Chambers, the official date set out was published in the Tonganoxie Mirror newspaper, and

WHEREAS, upon a motion made and duly seconded and passed, the Planning Commission resolved to grant a renewal of a special use permit to Marlee DeGraff for an in-home child day care in the R-SF "Residential Single Family District" on the following described property, to wit:

> **Lot 2, Block C, Greenwood Valley Subdivision No. 3 to the City of Tonganoxie, Kansas according to the recorded plat thereof, in Leavenworth County, Kansas more commonly known as 1184 Raintree Park.**

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:

SECTION 1. The above described property being in an R-SF "Residential Single Family District", is hereby granted renewal of a special use permit for an in home child day care with the following conditions:

a) The special use permit shall be valid for a period not exceeding five (5) years after approval by the City Council and the publication of the Ordinance which grants the special use permit

b) The applicant shall notify the City of any changes to the license granted by KDHE for the child day care center on the subject property.

c) The applicant shall obtain a fire inspection on an annual basis concurrently with the annual renewal of a City Business License for the day care center.

d) The daycare shall be operated in conformance with the Kansas Department of Health and Environment as submitted with this application. The owner shall notify the city if any change is made to the State for any licensing other than for childcare.

e) Any building mounted or on-site signage associated with the business must be in accordance with Section 25-015 (Signs Permitted in Residential Districts) of the Zoning Ordinance. Any new signage shall require a sign permit prior to installation.

SECTION 2. That this order shall take effect and be enforced from and after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS, ON THIS 7th DAY OF JULY, 2014.

Jason K. Ward, Mayor

Attest:

Nathan D. McCommon, City Clerk

CITY OF TONGANOXIE
SEAL
LEAVENWORTH COUNTY, KANSAS