

AGENDA ITEM
January 14, 2020

Subject: Special Use Permit – 511 S. Clay, Home Occupations –
Photography Business

Department: Planning/Zoning

Shane Hirschman, is requesting a special use permit at 511 S. Clay. Mr. Hirschman is wanting to open a small home-based photography business.

Sec. 37-4. - Special uses.

Any of the following uses may be located in any district by special use permit of the city council, after public hearing, and after recommendation of the planning commission, under such conditions as to operation, site development, parking signs and time limit as may be deemed necessary in order that such use will not seriously injure the appropriate use of neighboring property, and will conform to the general intent and purpose of this chapter. Such uses shall comply with the height and area regulations of the district in which they may be located; except that radio, television and microwave towers, and drive-in theater screens may exceed the height regulations. In case of a protest against the issuance of a special use permit, with such protest signed by the owners of ten percent or more of the dwellings or unimproved parcels of land located entirely within 185 feet of the lot on which the special use is requested, such special use shall not become effective except by a favorable vote of three-fourths of all members of the city council.

(12)Home occupations, subject to the following conditions:

(a)A home occupation shall be located in the dwelling or in the structure attached to the dwelling used by a person as his private residence or a detached structure located upon the same lot as his private residence.

(b)No assistant, other than a member of the family household, shall be employed and signs shall be limited to one nonilluminated window sign not more than one square foot in area.

(c)Only electrical power shall be used in any machines used in such home occupation and such power shall not exceed one horsepower per machine or a total of two horsepower excluding customary heating or cooling devices.

(d)Any permit issued pursuant to this subsection shall be nontransferable and shall be subject to review, upon complaint, by the planning commission, and subject to revocation by the council if revocation is recommended by the planning commission.

BILL NO. 2020-

ORDINANCE NO.

A SPECIAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, AWARDING A SPECIAL USE PERMIT FOR A HOME OCCUPATION PHOTOGRAPHY BUSINESS TO SHANE HIRSCHMAN FOR THE PROPERTY LOCATED AT 511 S. CLAY, NEVADA, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

Section 1. Awarding a Special Use Permit for a Home Occupation to Shane Hirschman for the property at 511 S. Clay, in the City of Nevada, Missouri to allow for operation of photography business that will not injure the appropriate use of neighboring property and will conform to the general intent and purpose of Chapter 37 of the Code of the City of Nevada, Missouri.

Section 2. The Council finds that the Planning Commission held a public hearing for which notice was duly published, all in accordance with Section 37-11 of the Municipal Code of the City of Nevada, Missouri and the change comes with a _____ recommendation by that body.

Section 3. The Council also finds that before acting upon the application for a home occupation special use permit as provided in Section 1 of this ordinance, the Council held a public hearing after publication of this notice, all in accordance with Section 37-11 of the Municipal Code of the City of Nevada, Missouri.

This ordinance shall be in full force and effect after its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Nevada, Missouri, this ____ day of _____ 2020.

George Know, Mayor

(seal)
ATTEST

Johnna Williams, Deputy City Clerk