

**ORDINANCE NO. 8710**

**SPECIAL USE PERMIT NO. SUP-12-7-11**

**AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS,  
GRANTING A SPECIAL USE PERMIT FOR A TEMPORARY  
SHELTER ON CERTAIN REAL PROPERTY, COMMONLY  
KNOWN AS 214 WEST 10TH STREET, WITHIN THE CITY OF  
LAWRENCE, DOUGLAS COUNTY, KANSAS.**

**WHEREAS**, pursuant to City of Lawrence, Kan., Code § 20-402 (Jan. 1, 2011), as amended, a Temporary Shelter is, upon the grant of a Special Use Permit, a permitted use in districts zoned RSO (Single-Dwelling Residential-Office);

**WHEREAS**, the owner of record of the subject real property, commonly known as 214 West 10th Street, the legal description of which is set forth at Section 2, *infra*, proposes to use the subject real property, which is currently zoned RSO, for a Temporary Shelter;

**WHEREAS**, the owner of record of the subject real property has filed with the City of Lawrence, Kansas, proper application for a Special Use Permit, No. SUP-12-7-11, to use the subject real property for a Temporary Shelter;

**WHEREAS**, the Lawrence-Douglas County Metropolitan Planning Staff reviewed that application in light of all relevant factors and prepared a report recommending that the application for a Special Use Permit, No. SUP-12-7-11, be approved;

**WHEREAS**, at its February 27, 2012, public hearing, the Lawrence-Douglas County Metropolitan Planning Commission considered the report and recommendation of City staff, weighed the evidence adduced at the public hearing, and voted to recommend to the City Commission that it grant the application for a Special Use Permit, No. SUP-12-7-11, permitting the applicant to use the subject property for a Temporary Shelter; and

**WHEREAS**, at its \_\_\_\_\_, 2012, public meeting, the Governing Body addressed the application for a Special Use Permit, No. SUP-12-7-11, received comments from the public, and considered the recommendation of the Lawrence-Douglas County Metropolitan Planning Commission.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:**

**SECTION 1.** The above-stated recitals are incorporated herein by reference and shall be as effective as if repeated verbatim.

**SECTION 2.** In accordance with City of Lawrence, Kan., Code § 20-1306 (Jan. 1, 2011), as amended, the governing body of the City of Lawrence, Kansas, hereby grants to the applicant Special Use Permit, No. SUP 12-7-11, for the following legally described real property, situated in the City of Lawrence, Douglas County, Kansas, to-wit:

Lots 90 and 92 on Kentucky Street in the Original Townsite of the City of Lawrence, Douglas County, Kansas

permitting the subject real property to have that special permitted use set forth in Section 3, *infra*, subject to the conditions established in Section 4, *infra*.

**SECTION 3.** The City hereafter permits the subject real property, as granted in Section 2, *supra*, in accordance with Special Use Permit, No. SUP-12-7-11, to have the following special permitted use: Temporary Shelter.

**SECTION 4.** The Special Use Permit granted in Section 2, *supra*, and the permitted use set forth in Section 3, *supra*, in addition to being subject to the general conditions established in Chapter 20 of the Code of the City of Lawrence, Kansas, 2011 Edition, as amended, is also subject to the following special conditions:

- (a) The Special Use Permit shall expire on December 31, 2012.
- (b) Provision of a note, on the face of the site plan, that states that the car port shall be removed from the site no later than December 31, 2012.

**SECTION 5.** Failure of the applicant, owner, or any successor or assign to abide by the requirements of Chapter 20 of the Code of the City of Lawrence, Kansas, 2011 Edition, as amended, or one or more of the special conditions established in Section 4, *supra*, shall be cause for the City to revoke Special Use Permit, No. SUP-12-7-11, in accordance with City of Lawrence, Kan., Code § 20-1605 (Jan. 1, 2011), as amended.

**SECTION 6.** If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

**SECTION 7:** This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**ADOPTED** by the Governing Body of the City of Lawrence, Kansas, this \_\_\_\_ day of \_\_\_\_\_, 2012.

**APPROVED:**

\_\_\_\_\_  
Aron E. Cromwell  
Mayor

**ATTEST:**

\_\_\_\_\_  
Jonathan M. Douglass  
City Clerk

**APPROVED AS TO FORM AND LEGALITY:**

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Toni R. Wheeler  
City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.