

**AN ORDINANCE REVOKING A CONDITIONAL USE PERMIT GRANTED TO HEATHER FRABEL OF
106 LINCOLN LANE FOR THE KEEPING OF CHICKENS;
FIXING AN EFFECTIVE DATE**

WHEREAS, an application for a conditional use permit for the keeping of chickens at 106 Lincoln Lane was submitted by Ms. Heather Frabel to the Planning & Zoning Commission on September 13th, 2022; and

WHEREAS, a condition of the application required all adjacent land owners, within 185 feet of the property the application pertains to, be notified of the applicant's intent; and

WHEREAS, notice was given to the Planning and Zoning Commission that certain land owners who own property within 185 feet of the application property did not receive notice; and

WHEREAS, certain conditions set forth by the Planning and Zoning Commission, upon approval of the Conditional Use Application, included the number of hens allowed, placement of the chicken coop at the back of the property, the chickens must be confined to the applicant's property and any disposal of waste must not go to the landfill; and

WHEREAS, the Building Official has received complaints from adjacent land owners that the chickens have not been confined to Ms. Frabel's property; and

WHEREAS, due to certain adjacent land owners not being notified of Ms. Frabel's intent and the complaints received regarding the chickens not being confined, Ms. Frabel was sent notice to appear before the Planning and Zoning Commission in regards to her Conditional Use Permit; and

WHEREAS, after careful review of all the evidence brought before the Planning and Zoning Commission, the Commission approved to send a recommendation to City Council to revoke the Conditional Use Permit for Ms. Frabel; and

WHEREAS, the City Council hereby determines that it is the best interest of the City to follow the recommendation of the Planning and Zoning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAYNESVILLE, MISSOURI AS FOLLOWS:

SECTION 1. The Conditional Use Permit issued to Ms. Heather Frabel at 106 Lincoln Lane, on September 15th, 2022 for the Keeping of Chickens, is hereby revoked.

SECTION 2. A period of no more than thirty (30) days is granted to the permit holder to come into compliance with City code regarding the removal of the chickens.

SECTION 3. An application may be made in the future if the necessary requirements to petition the Planning & Zoning Commission for a new permit are met.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL ON THIS 15th, DAY OF JUNE, 2023.



Sean A. Wilson, Mayor

ATTEST:



Michele Brown, City Clerk

