

Bill No. 24-15

Ordinance No. 2649

AN ORDINANCE ALLOWING A CONDITIONAL USE PERMIT ON A CERTAIN LAND LOCATED IN THE CITY OF RICHMOND, MISSOURI, UNDER THE AUTHORITY GRANTED BY THE CODE OF ORDINANCES OF THE CITY OF RICHMOND, MISSOURI; SETTING AN EFFECTIVE DATE FOR THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND, MISSOURI, AS FOLLOWS:

SECTION I

The Planning and Zoning Commission recommends approval of this request with the following conditions. Proper notice has been given and hearing held as provided by law and under the authority of and subject to the provisions of the Zoning Ordinance of the City of Richmond, Missouri, the conditional use permit is hereby allowed as follows with the following conditions.

Conditional Use Permit to allow for an Animal Shelter for the Humane Society of Ray County for property legally described and generally located as follows:

104 McCart : See Attached Exhibit A

SECTION II

Upon the taking effect of the Ordinance, the above Conditional Use Permit shall be subject to the following conditions as follows:

1. The conditional use permit is hereby approved for a term of five (5) years.

2. The property is Recorded and remain in the name of the Humane Society of Ray County.
3. In accordance with Section 400.340.D. of the City Code, failure to comply with all applicable provisions of the City Code and the conditions or restrictions imposed by the issuance of this permit shall constitute grounds for revocation or suspension of the permit for such conditional use by the City Council. Prior to taking any such action, the City shall provide the permittee with notice of such failure to comply and an opportunity to be heard regarding the issue.

SECTION III

This Ordinance shall take effect upon its passage by the City Council of Richmond, Missouri and signing by the Mayor.

PASSED THIS 28 DAY OF May 2024.

[Signature]
Mike Wright, Mayor

ATTESTED: [Signature]
Tonya Willim, Acting City Clerk

STATE OF MISSOURI)
)SS.
COUNTY OF RAY)

On this 28th day of May, 2024 before me, appeared Mike Wright, to me personally known, who being by me duly sworn, did say that he is the Mayor of the City of Richmond, Missouri, and that the seal affixed to the foregoing instrument is the Seal for the City of Richmond, Missouri and that said instrument was signed and sealed in behalf of said City of Richmond, Missouri, and the said Mike Wright acknowledged said instrument to be the free act and deed of said City of Richmond, Missouri.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal at my Office in Richmond, Missouri, the day and year last above written.

[Signature]
Notary Public

TONYA A. WILLIM
Notary Public - Notary Seal
State of Missouri
Commissioned for Ray County
My Commission Expires: November 09, 2026
Commission Number: 14541815

EXHIBIT A

LEGAL DESCRIPTION:

ALL OF THAT PART OF THE FOLLOWING DESCRIBED PROPERTY LYING **EAST** OF THE CENTERLINE OF A CERTAIN RAVINE (GULLY), AS IT PRESENTLY EXIST:

All that part of the Southeast Quarter of Section 25, Township 52, Range 28, in Ray County, Missouri, described as follows: Beginning at a point 2,204 feet South of the One-Fourth section corner, center of Section 25, Township 52, Range 28; thence East 96 feet; thence North along a certain ravine 165 feet; thence East 200 feet; thence North 100 feet; thence West to the North and South One-Fourth section line through Section 25, Township 52, Range 28; thence South 265 feet to the point of beginning. Said lands being more accurately described as follows:

A part of the subdivision of the West One-Half of the Southeast Quarter of Section 25, Township 52, Range 28, in Ray County, Missouri, as the same appears on the plat of said subdivision filed on April 1, 1897, in the Recorder of Deeds Office in Richmond, Missouri, being a part of and situated within the City of Richmond, Ray County, Missouri; said part of said subdivision herein described is a part of Lot 2 on said plat and is more particularly described as follows: Commencing at the South Quarter corner of said Section 25; thence North 00 degrees 20 minutes 20 seconds East along the West line of the Southwest Quarter of the Southeast Quarter of said Section 25, a distance of 438.49 feet to a point on the North Right of Way line of Missouri State Highway No. 10, said point being the point of beginning of the herein described tract; thence North 00 degrees 20 minutes 20 seconds East along said West line of the Southwest Quarter of the Southeast Quarter of said Section 25, a distance of 259.67 feet (by survey) 265 feet (by deed); thence East 301.36 feet to the West Right of Way line of McCart Street; thence South along said West right of way line, a distance of 100.00 feet (by survey and deed); thence West, a distance of 196.00 feet (by survey) 200 feet (by deed); thence South 01 degree 25 minutes 29 seconds West, a distance of 160.59 feet (by survey) 165 (by deed) to a point on the North Right of Way line of Missouri State Highway No. 10; thence North 89 degrees 30 minutes 40 seconds West along said North right of way line, a distance of 102.91 feet (by survey) 96 feet (by deed) to the point of beginning, containing 1.08 acres more or less.

A part of the Subdivision of the West Half of the Southeast Quarter Section 25, Township 52, Range 28, a subdivision in Ray County, Missouri, as the same appears on the plat of said subdivision filed on April 1, 1897, in the Recorder's Office at the Ray County Courthouse in Richmond, Missouri, said part of said subdivision designated as Lot 3 on said plat, and is now more particularly described as follows; Beginning at the point of intersection of the West Right of Way line of McCart Street and the North Right of Way line of Missouri State Route Number 10, said point of beginning being 30 feet West of the City Limits of Richmond, Missouri; thence West along the North Right of Way line of said Route 10, a distance of 200.00 feet to the center of a certain gully; thence North 01 degree 25 minutes 29 seconds East along the now established center of said gully, a distance of 160.59 feet; thence East, a distance of 196.0 feet to a point on the West Right of Way of said McCart Street; thence South along the West Right of Way line of said McCart Street, a distance of 162.25 feet to the point of beginning, containing 0.53 acres more or less

- A. The Humane Society of Ray County (HSRC) is a non profit animal rescue and care shelter that provides services to Ray County in housing, fully vetting, and adopting homeless dogs and cats. HSRC also offers a low cost spay/neuter program as an incentive for Ray County residents to keep unwanted animal populations low. The square footage of the building is the ideal size for what HSRC is needing. The lot size and location of the property are also ideal for HSRC's operations.
- B.
HSRC's use of the property will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. HSRC takes pride in providing a clean, safe, and secure environment for all animals, volunteers, workers, and community members who come to the shelter.
- C. The proposed use of the property will comply with the regulations and conditions specified in the Zoning Ordinance for such use of the property.
- D. The granting of this conditional use will not adversely affect the Comprehensive Plan of the City of Richmond.

Richmond, MO



1 in. = 71 ft.

142.8 Feet



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

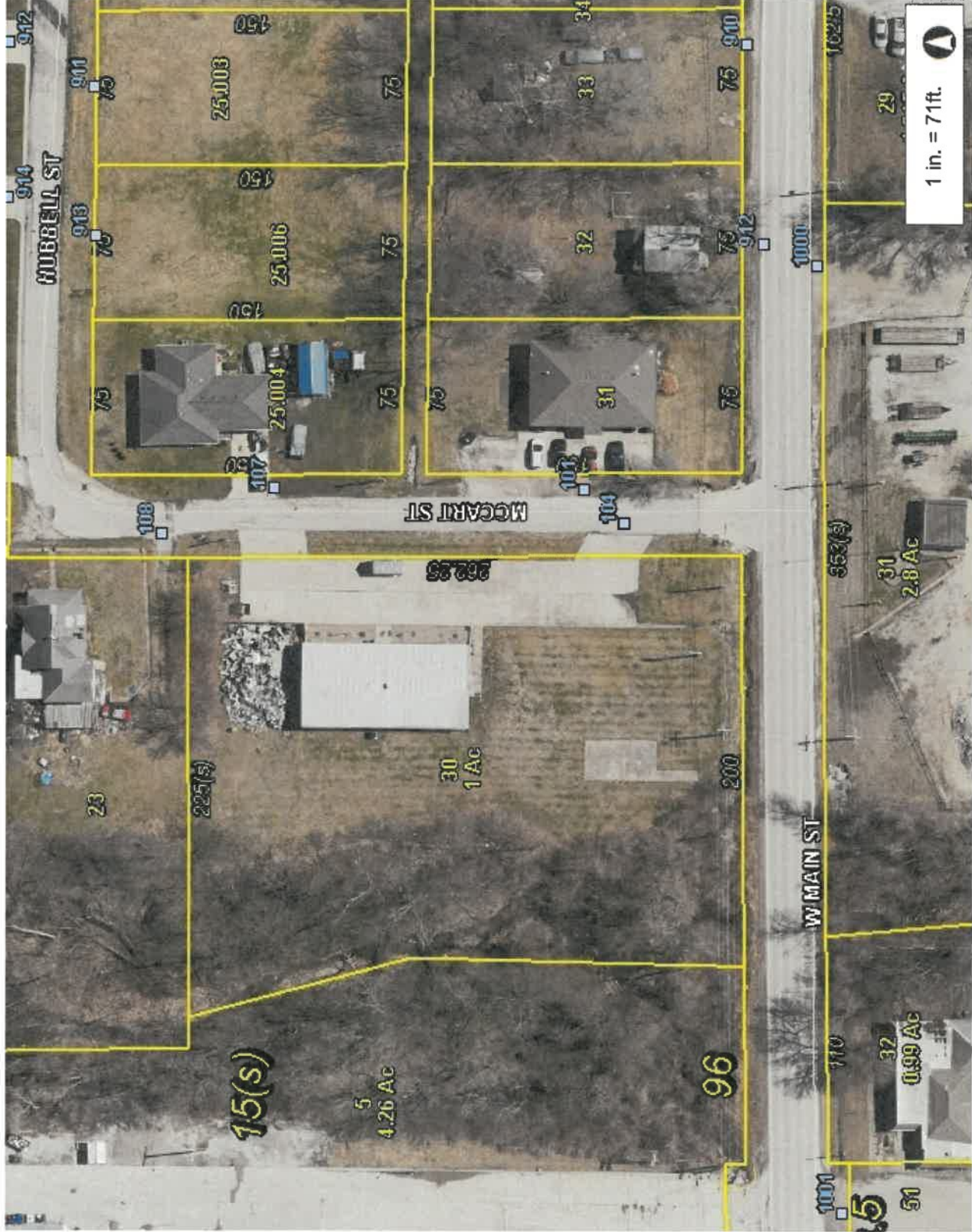


Legend

Plots	
[Orange]	<all other values>
[Light Blue]	Occupied
[Light Green]	Reserved/Sold
[Light Purple]	Vacant/Available
[Light Yellow]	Unusable
[Red]	Cemetery Sections
[Green]	Cemetery
[Blue]	Cemetery Lots
[Black]	Address Point
Zoning	
[White]	<all other values>
[Light Green]	R-A: Agricultural
[Light Purple]	R-1: Single Family Dwelling
[Light Blue]	R-2: Two-Family Dwelling
[Light Yellow]	R-3: Multi-Family Dwelling
[Light Orange]	B-1: Local Business
[Light Green]	B-2: General Business
[Light Blue]	B-3: Central Business
[Light Purple]	I-1: Light Industrial
[Light Yellow]	I-2: Heavy Industrial
[Light Orange]	SC: Public Service & Office
Zoning Label	
[Black]	Road
[Red]	Numbered State Highway
[Blue]	Lettered State Highway

Notes

Richmond, MO



Legend

Plots	
[Orange Box]	<all other values>
[Red Box]	Occupied
[Blue Box]	Reserved/Sold
[Green Box]	Vacant/Available
[Hatched Box]	Unusable
Cemetery Sections	
[Red Box]	Cemetery
[Green Box]	Cemetery Lots
[White Box]	Address Point
Road	
[Red Line]	Numbered State Highway
[Green Line]	Lettered State Highway
[Black Line]	Numbered County Road
[Grey Line]	Named County Road
[Yellow Line]	City Street
[Light Blue Line]	Private Drive
[Light Green Line]	Alley
[Light Purple Line]	Ramp
[Light Orange Line]	Unknown
Railroad	
[Black Line with Cross-ticks]	Railroad
[Grey Line with Cross-ticks]	Abandoned Railroad
[Yellow Box]	Parcel
[Green Box]	Parcel Number/Acres
[Red Box]	Corporate Limit Line

Notes

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1 in. = 71ft.

THE CITY OF RICHMOND PLANNING AND ZONING COMMISSION MINUTES
OF THE REGULAR MEETING HELD ON TUESDAY, MAY 21, 2024.

Commission Members Present: Mayor Mike Wright, Brad Hogan, Barb Hardwick, Everett Thompson, Brett Smoot and Derrick Dugan.

Public Present: Christi Cromer, Jessica Waters, Victor DeStato, Clare Flamank, Glenda Carter, Atalie Blackwell, Amy Pearson, Yvette Plymell, Chris Mattox, Heather Mattox.

City Staff Present: Community Development Director Lisa Hastings.

Brad Hogan, Chairman called the meeting to order at 5:30 P.M. Hogan stated he would like to welcome everyone to the meeting tonight. Hastings called role. Six (6) members present.

Hogan asked the commission if everyone read the Minutes from the April 16, 2024 meeting, Barb Hardwick made the motion to approve minutes as presented, second by Thompson. AYES: 5 NAYS: 0. Dugan Abstained.

Hogan introduced item A under New Business; Public Hearing: Conditional Use Permit to allow Animal Shelter at 104 McCart. Hastings advised this is a Conditional Use Permit to allow for an animal shelter and care facility within the B-2 General Business District. The current property owner wants to sell the property to the Humane Society of Ray County. This will be a condition on the sale of the property to them. The application and site plan are included in the packet. There is preexisting parking that conforms to the parking requirements. Everything on the lot does conform with the zoning requirements. This board can make conditions as they see fit and an expiration date on the permit. Notification was sent to everyone within 185 feet, posted on the property, city hall and in the paper. Hardwick questioned if we had heard any feedback from anyone. Hastings advised we have not. Hastings advised Atalie Blackwell is present to answer any questions.

Hogan questioned if there was any discussion or questions regarding this application. He stated we need to discuss the time limit for this application. He stated we are a recommending body and we make a recommendation to the city council. Everett Thompson stated he would feel five years at a minimum for a time limit. If they anticipate owner the property from here on after and would like to put some reasonable time on there for a review and then if all is well it could be for the rest of the time, they have it. Hardwick stated she does not disagree with that. Dugan stated that sounded reasonable. Thompson stated he did not see any other issues at all. Hardwick stated she thought it was a great location.

Atalie Blackwell stated they think it is the best location. Hastings advised the board to place conditions if they would like. We have not had an application

exactly the same as this. Wright stated we did have the dog day care. Thompson we had one where they had the external run and had to deal with the animal waste. Hogan stated it looks like they will have plenty of space at this location. Blackwell stated that what we desperately needed was space.

Thompson made the motion to approve the Conditional Use Permit to allow an Animal Shelter with a five (5) year expiration, second by Smoot. Hogan stated before we call roll was there any further discussion from the audience. Blackwell stated she wanted to say this is the perfect location for what they need. The Humane Society of Ray County purchased land off 210 and Leathers Road several years ago and came to the realization that it is not possible for us to build something that would be \$600,000 to do. This place is affordable and will have to make some alterations but truly is perfect. The land was six acres, and we were worried about how we were going to keep up and this is only an acre. The current building we are in is county owned and it continues to have issues with the roof, and it is only a matter of time when we will not be able to operate in there and worried something could possibly happen with roof or electrical. Hogan stated we know you have been working on this for some time. With no further discussion he asked Hastings to call roll. AYES: 6 NAYS: 0.

Hogan introduced item V Administrators Update: Hastings advised there is nothing to update at this time.

With no other business, Hardwick made the motion to adjourn, second by Smoot. Meeting adjourned at 5:50 P.M.

Chairman

Secretary