

AN ORDINANCE PROVIDING FOR A CONDITIONAL USE PERMIT UNDER THE PROVISIONS OF SECTION 43-47 OF THE ZONING CODE OF THE CITY OF BRENTWOOD FOR 1969, PERMITTING UNDER CERTAIN CONDITIONS THE USE OF CERTAIN DESCRIBED PROPERTY FOR THE OPERATION OF FOOD HANDLING FACILITIES WITHIN THE EXISTING BUILDING; PROVIDING THE CONDITIONS OF SUCH USAGE AND THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, France A. Langan, 8929 Bridgeport, Brentwood, Mo. 63144, has applied to the City of Brentwood for the issuance of a Conditional Use Permit to serve food and meals within the existing building on certain described property in the City of Brentwood; and

WHEREAS, in accordance with the applicable ordinances of the City of Brentwood such application was submitted to the Planning and Zoning Commission for its investigation and report, and further, that such Planning and Zoning Commission has returned its final report and has approved and recommended that a Conditional Use Permit be issued for the operation of the abovementioned business; and

WHEREAS, a notice was duly published on December 1, 2, 3, 1977 in the St. Louis Countian, a newspaper of general circulation, being the newspaper employed to do the printing and publication of these matters for the City of Brentwood, notifying the public of the holding of a public hearing on the 19th day of December, 1977 relative to said Conditional Use Permit; and

WHEREAS, such public hearing was duly held by the Board of Aldermen on the 19th day of December, 1977 in the City Hall of the City of Brentwood, Missouri, in conformity with said public notice, at which public hearing the parties in interest and all citizens and residents of Brentwood were given an opportunity to be heard; and

WHEREAS, the Board of Aldermen has found and determined that the Conditional Use Permit contemplated will not:

- a) Substantially increase traffic hazards or congestions.
- b) Substantially increase fire hazards.
- c) Adversely affect the character of the neighborhood.
- d) Adversely affect the general welfare of the community.
- e) Overtax the public utilities.

NOW, THEREFORE, BE IT ORDAINED By The Board of Aldermen of the City of Brentwood, Missouri, as follows:

SECTION 1. Subject to the conditions hereinafter set forth, a Conditional Use Permit to serve food and meals is hereby granted France A. Langan on the following property:

Commercial building and lot located at 8510 Manchester Road, Brentwood, Missouri.

SECTION 2. The use of the aforesaid building and lot for the aforesaid purpose is granted subject to the following conditions:

1. Plans for interior remodeling, additional parking areas, if necessary and artificial lighting must be approved by the Building Commissioner of the City of Brentwood and the Brentwood Fire Chief.
2. Plans for food handling, preparation and serving areas shall be approved by the St. Louis County Health Department.
3. The Board of Aldermen reserves the right to regulate the hours that the establishment may be open during the period from 1:00 A.M. to 6:00 A.M. daily.
4. The Conditional Use Permit allowed herein shall be subject to yearly review by the Planning and Zoning Commission and the Board of Aldermen of the City of Brentwood. It may be revoked by the Board of Aldermen in the event the abovementioned establishment shall fail to meet any of the conditions contained in this ordinance, or in any other ordinances of the City of Brentwood.
5. This Conditional Use Permit, when granted, shall become void if construction is not begun within 6 months after date of final action by the Board of Aldermen.

SECTION 3. The Building Commissioner shall be charged with the responsibility for the enforcement of this ordinance.


SECTION 4. This ordinance shall be in full force and effect from and after the date of its passage and approval according to law.

PASSED BY THE BOARD OF ALDERMEN THIS 16th DAY OF January, 1978.

APPROVED BY THE MAYOR THIS 16th DAY OF January, 1978.

ATTEST:


E. R. Michener
City Administrator


Arthur J. Oppenheim
Arthur J. Oppenheim, Mayor and
President of the Board of Aldermen