

RESOLUTION NO. 22-02A (Denial)

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MARION, KANSAS AUTHORIZING THE APPROVAL OF A
CONDITIONAL USE PERMIT FOR 318 EAST MAIN STREET, MARION, KANSAS**

RESOLVED, WHEREAS THE Governing Body of the City of Marion has determined that it is in the best interests of the City of Marion to approve the recommendations of the City of Marion Planning Commission made this 10th Day of January, 2022, and deny the conditional use permit for 318 East Main Street, Marion, Kansas.

WHEREAS, the Governing Body of the City of Marion has taken the necessary steps under applicable law to deny a transferable Conditional Use Permit for 318 East Main Street, Marion, Kansas.

Conditions are being set from General Commercial (GC) District and the Central Business Overlay District (CBD) regulations under the City of Marion Zoning Regulations, amended September 30, 2013.

WHEREAS, after a public hearing held by the City of Marion Planning Commission on the 28th day of December, 2021, the concerns of our citizens have been taken into consideration in the recommendation to the Governing Body. Upon a unanimous vote a recommendation to deny a transferable Conditional Use Permit for the property located at 318 East Main Street, Marion, Kansas to the Governing Body.


BE IT RESOLVED, by the Governing Body of the City of Marion hereby denies the Conditional Use Permit for the site located at 318 East Main Street, Marion, Kansas, for the use as a first-floor rear apartment without designation in the zoning district regulations of General Commercial Zoning Regulations of the City. This denial accepts the recommendations of the Planning & Zoning Commission:

- Does not meet Section 15, Central Business District Overlay, 15-2.01, #2.
- Does not meet Section 19, Conditional Uses list of factors to meet under 19-1.04 (A, C, I, K).
- Does not meet Comprehensive Plan, 1-5.10; 11-2.03.

Resolution adopted and approved by the governing body of the City of Marion, Kansas, this 10th Day of January, 2022.

ATTEST:

By: 
Tiffany Jeffrey, Clerk

By: 
David Mayfield, Mayor