P & Z Case 022-16
Yvonne Vonderosa
(P & Z Recommended Tabling this Request)

RESOLUTION NO. 2016-016

A RESOLUTION granting a Special Use Permit (First Request) to Yvonne Vonderosa for the operation of a day care home located at 2306 Xenia Street, in the City of Joplin, Jasper County, Missouri.

WHEREAS, the Planning and Zoning Commission at a Public Hearing held on July 11, 2016, recommended that a Special Use Permit be granted for the operation of a day care home located at 2306 Xenia Street, in the City of Joplin, Jasper County, Missouri.

WHEREAS, a public hearing was held before the City Council on August 1, 2016, in compliance with said request;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Joplin, as follows:

That a Special Use Permit be granted to Yvonne Vonderosa for the operation of a day care home in the City of Joplin, Missouri, on the following described real estate, to-wit:

> ALL OF THE EAST 52.5 FEET OF LOTS NUMBERED SIX HUNDRED AND SEVENTY-ONE (671) AND SIX HUNDRED SEVENTY-TWO (672) AND THE WEST 15.5 FEET OF LOT NUMBERED SIX HUNDRED SEVETY-THREE (673) IN ROYAL HEIGHTS SUB-DIVISION OF PART OF THE NORTH HALF OF SECTION 36, TOWNSHIP 28, RANGE 33, NOW IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

and the said Special Use Permit is hereby issued with the following conditions and made a part thereof:

1. This Special Use Permit is issued to Yvonne Vonderosa for the operation of a Day Care Home at 2306 Xenia Street.

2. The permit shall be valid for two (2) years renewable in July 2018.

3. Care shall be given to no more than ten (10) children not related to the provider.

4. One (1) parking space for each employee shall be provided.

5. Compliance with all provisions of Code of State Regulations, Title 19 – Department of Health and Senior Services, Division 30 – Division of Health Standards and Licensure, Chapter 60 – License-Exempt Child Care Facilities, Chapter 61 – Licensing Rules for Family Day Care Homes RSMo, as amended is required.

6. The compliance with all provisions of the Fire/Safety codes as required by the State Fire Marshall is required.

7. The number of children allowed in the facility at any one time shall be limited to the amount determined by the Department of Health and Senior Services, Bureau of Child Care.

8. The operator of the facility located at 2306 Xenia Street shall provide information from a certified laboratory indicating that the corrected lead levels for lead in the soil does not exceed 400 ppm (parts per million) as required by the Missouri Department of Health letter to the City of Joplin dated August 30, 1995. This condition is placed on those areas for the permitted Child Care Facility used as playgrounds by the children under the Permittee's supervision.

9. All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.

10. Any other conditions set by the City Council of the City of Joplin.

The violation of any condition set forth in this Resolution shall be interpreted as a violation of Appendix 29-A (Zoning Code) of the Municipal Codes of the City of Joplin and shall be administered in accordance with the provisions of Section 34 (Violation and Penalty) of Appendix 29-A of that Code. Conviction in Municipal Court for violation of any condition as set forth in this Resolution shall cause the immediate termination of this Special Use Permit and require the applicant as named in Item No. 1 above to reapply for renewal.

The Municipal Planner is hereby authorized and directed to issue said permit to Yvonne Vonderosa in accordance with the plans and specifications on file in the Office of the Building Official.

The City Clerk is hereby ordered to file this Resolution with the Zoning District Map maintained in her office and to note the changes herein provided for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2016.

_____
Michael L. Seibert, Mayor

ATTEST: _____
Barbara L. Hogelin, City Clerk