P & Z Case 024-15
Laverne Miller Trust
(P & Z Recommended Approval for a five-year Special Use Permit)

RESOLUTION NO. 2015-017

A RESOLUTION granting a Special Use Permit (First Request) to the Laverne Miller Trust for the operation of an open air market located at 1209 South Main Street, in the City of Joplin, Jasper County, Missouri.

WHEREAS, the Planning and Zoning Commission at a Public Hearing held on August 10, 2015, recommended that a Special Use Permit be granted for the operation of an open air market located at 1209 South Main Street, in the City of Joplin, Jasper County, Missouri.

WHEREAS, a public hearing was held before the City Council on September 8, 2015, 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 the Laverne Miller Trust for the operation of an open air market in the City of Joplin, Missouri, on the following described real estate, to-wit:

THE SOUTH 214 FEET OF THE FOLLOWING: COX'S 7TH ADDITION LOTS 1-6 INCLUDING BLOCK 1 IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI.

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 the Laverne Miller Trust for the operation of an Open Air Market.
2. The permit shall be for five years, renewable in September 2020.
3. Any parking on the site shall be dust free.
4. Business hours should be restricted to 6 a.m. to 6 p.m., Monday through Friday.
5. All regulations as stated in the Joplin Food Code (sections 9-101.10 - 9-101.14) shall be followed at all times.
6. All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.
7. 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 the Laverne Miller Trust 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 _____, 2015.

_____
Michael L. Seibert, Mayor

ATTEST: _____
Barbara L. Hogelin, City Clerk