

**ORDINANCE NO. 2025-02-\_\_\_\_\_**

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW A SHORT-TERM RENTAL IN AN R-2, MEDIUM DENSITY RESIDENTIAL DISTRICT, LOCATED AT 311 HIGHLAND DRIVE REQUESTED BY BUDIJA ENTERPRISES, LLC, IN THE CITY OF ARKANSAS CITY, KANSAS.**

**WHEREAS**, written findings have been made by the Planning Commission for the City of Arkansas City after providing notice and holding a hearing pursuant to K.S.A. § 12-756 and K.S.A. § 12-757 that the application from BUDIJA ENTERPRISES LLC dated December 2, 2024, for a conditional use permit is in compliance with the Arkansas City Zoning Regulations.

**WHEREAS**, the Governing Body of the City of Arkansas City, Kansas, after due investigation and consideration has determined that the nature and extent of the public use and interest to be subserved is such as to warrant the granting of a conditional use permit for the property.

**NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:**

**SECTION ONE:** A conditional use permit is hereby granted to allow a short-term rental in an R-2, Medium Density Residential District, at 311 Highland Drive, Arkansas City, Kansas with the following conditions: 1) Maximum of 5 guests per night; 2) No pets allowed; 3) All parking should be off-street when feasible; and 4) The facility must meet all appropriate ADA & fire safety standards as determined by the Building Official.

The property is legally described as follows:

Lot 10, Block 3, Hillside 1<sup>st</sup> Addition to Arkansas City, Kansas, more commonly known as 311 Highland Drive.

**SECTION TWO:** The conditional use permit runs with the land and the right to carry on the approved use is subject to the initial application and conditions of this permit. The conditional use permit shall expire on the date title to the property is transferred from Budija Enterprises, LLC (Steve S. Budija or Rojean Budija) to any third party. Any change in scale, extent or nature of the approved use will require notice and hearing before the Planning Commission with final approval by the City Commission.

**SECTION THREE:** This ordinance shall take effect and be in full force from and after its adoption by the governing body of the City of Arkansas City and either (a) publication once in the official newspaper of the City, or (b) publication of a summary of this Ordinance certified as legally accurate and sufficient by the City Attorney.

**SECTION FOUR:** A certified copy of this ordinance signed by the City Clerk for the City of Arkansas City, Kansas, shall be recorded in the Office of the Register of Deeds, Cowley County, Kansas.

**PASSED AND ORDAINED** by the Governing Body of the City of Arkansas City, Kansas, this 4th day of February 2025.

(Seal)

\_\_\_\_\_  
Chad D. Beeson, Mayor

ATTEST:

\_\_\_\_\_  
Tiffany Parsons, City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Larry Schwartz, City Attorney

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2025-02-\_\_\_\_\_ of the City of Arkansas City, Kansas adopted by the governing body on February 4, 2025 as the same appears of record in my office.

DATED: \_\_\_\_\_.

\_\_\_\_\_  
Tiffany Parsons, City Clerk