

**AN ORDINANCE OF THE CITY COUNCIL APPROVING A SPECIAL USE PERMIT FOR  
MELANIE FERGASON TO OPERATE REPUBLIC ANIMAL HOSPITAL ON REAL PROPERTY LOCATED AT 542,  
546, 550, AND 554 EAST HARRISON STREET**

**WHEREAS**, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

**WHEREAS**, Melanie Fergason (“Applicant”) submitted an application for a Special Use Permit (“Application”) that would allow Applicant to operate a veterinary facility on real property located at 542, 546, 550, and 554 East Harrison Street in Republic, Missouri (collectively, “the Property”); and

**WHEREAS**, under Republic Code Section 405.670, the City Council may authorize certain land uses on real property that are otherwise prohibited under Republic Code, subject to conditions and/or safeguards designed to protect the public welfare and to conserve and protect the condition and value of property in the surrounding area, as deemed necessary and/or appropriate by the Council; and

**WHEREAS**, under Section 405.670, a special use permit is required for any individual or entity to operate a veterinary facility in the City of Republic; and

**WHEREAS**, the City submitted the Application to the Planning and Zoning Commission (“Commission”) and set a public hearing before the Commission for September 11, 2023; and

**WHEREAS**, notice of the time and date of the public hearing before the Commission was published at least fifteen (15) days in advance thereof, on August 23, 2023, in the *Greene County Commonwealth*, a newspaper of general circulation in the City, and such notice was sent via mail to all property owners within 185 feet of the Property; and

**WHEREAS**, the Commission presided over the public hearing on the Application on September 11, 2023, as scheduled, at which all interested persons and entities were afforded the opportunity to present evidence or statement, and after which the Commission rendered written findings of fact and submitted those along with its recommendations to the Council; and

**WHEREAS**, the Commission, by a vote of 5 Ayes to 0 Nays, recommended approval of the Application; and

**WHEREAS**, the Application was submitted to the Council for first read at its regular meeting on September 19, 2023, and submitted for second read at its regular meeting on October 3, 2023; and

**WHEREAS**, pursuant to Republic Code Section 405.670, the Council finds the proposed special use will not endanger the public’s health or safety, is in conformity with the City’s Comprehensive Plan and other adopted plans currently in place and will generally be in harmony with the surrounding uses, and therefore approves the Special Use Permit for Applicant.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:**

**Section 1:** A Special Use Permit is hereby approved for issuance to Melanie Ferguson for the purpose of operating a veterinary facility on real property located at 542, 546, 550, and 554 East Harrison Street in Republic, Missouri, more specifically described as follows:

TRACT II:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION TWENTY (20), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23); THENCE SOUTH 01°33'07" WEST, A DISTANCE OF 25.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF HARRISON STREET TO AN IRON PIN SET AND THE POINT OF BEGINNING; THENCE NORTH 89°16'14" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 168.10 FEET TO AN IRON PIN SET; THENCE SOUTH 01°30'12" WEST AND LEAVING SAID RIGHT-OF-WAY, A DISTANCE OF 139.92 FEET TO AN IRON PIN SET; THENCE SOUTH 89°13'43" EAST, A DISTANCE OF 167.98 FEET TO AN IRON PIN SET; THENCE SOUTH 01°33'07" WEST, A DISTANCE OF 104.52 FEET TO AN IRON PIN SET; THENCE SOUTH 89°21'24" EAST, A DISTANCE OF 215.64 FEET; THENCE NORTH 00°41'39" EAST, A DISTANCE OF 244.34 FEET TO AN IRON PIN SET ON THE AFORESAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 89°18'15" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 211.98 FEET TO THE POINT OF BEGINNING, ALL BEING IN THE CITY OF REPUBLIC, GREENE COUNTY, MISSOURI.

**Section 2:** The following conditions and safeguards are hereby expressly incorporated into the Special Use Permit issued under this Ordinance:

- A. The Application.
- B. Municipal Water and Sewer Service:
  - a. The Property currently has access to City water and sanitary sewer services.
  - b. Placement of additional water and sewer infrastructure shall be considered and determined upon review of the Applicant's New Commercial Building Permit application. Applicant shall comply with the determinations made by the City in this regard.
- C. Duration:
  - a. The Special Use Permit shall remain valid until a change in use or in the configuration of the use occurs, which will void and invalidate the Special Use Permit.
- D. Transportation:
  - a. The property will be accessed from East Harrison Street.
- E. Other Requirements:
  - a. Applicant must submit an application for a New Commercial Building Permit demonstrating conformance with all applicable City code and regulations, including, but not limited to, the City's Zoning Regulations, Building Codes and Regulations and Fire Code, and comply with all procedural requirements for obtaining the

appropriate building and other permits required for development of the storage facility.

**Section 3:** The WHEREAS clauses above are specifically incorporated herein by reference.

**Section 4:** The provisions of this Ordinance are severable, and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

**Section 5:** This Ordinance shall take effect and be in force from and after its passage as provided by law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Russell, Mayor

**Attest:**

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**