



COMMUNITY DEVELOPMENT

January 3, 2019

Keith H/Judith L Eubank
2313 N Jefferson Way
Indianola IA 50125

Dear Mr. and Ms. Eubank:

This letter is a follow-up to our conversation yesterday regarding your proposed pet grooming/pet daycare business, which you have proposed for the property at 104 East 1st Avenue. During our discussion, I mentioned that this property is in the C-3, General Retail & Office Zoning District, and that the Code of Ordinances of Indianola, Iowa does not list your proposed use as a permitted use in the Zoning Regulations of Chapter 165. After further research, there are other like animal type uses that are listed, such as animal hospitals, kennels and veterinarian's clinics, however, those other like uses are not allowed in the C-3, General Retail & Office Zoning District.

As your proposed use is not an allowed permitted principal, you may request a text amendment to make this an allowable use. A request for a text amendment may be done in writing to the Planning and Zoning Commission for its consideration. If the Planning and Zoning Commission wishes, it can direct staff to draft a text amendment for its review and recommendation to the City Council. The City Council has the final authority to approve text amendments to the Code of Ordinances of Indianola, Iowa. This process takes a minimum of two to three months to complete.

Also, in response to Ms. Eubank's question regarding enforcement procedures if your proposed business is opened prior to the use being allowed in the C-3, General Retail & Office Zoning District, please note that if any of the provisions of the Zoning Regulations of Chapter 165 of the Code of Ordinances of Indianola, Iowa are being violated, notification is made in writing indicating the nature of the violation and ordering the action necessary to correct it. Any person who continues to violate or fails to comply with that notification may be guilty of a misdemeanor and, upon conviction, shall be subject to the standard penalty for violation of the Code of Ordinances and shall pay all costs and expenses involved in the prosecution of the violation. Each day such violation continues shall constitute a separate offense. If any building or land is used in violation, the City may, in addition to other remedies, institute injunction,



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mandamus, or other appropriate, lawful action necessary to prevent, correct, or abate such violation. Appeals from any decision on enforcement may be taken to the Board of Adjustment.

If you have any questions, please do not hesitate to contact me at (515) 962-5276 or at cdissell@indianolaiowa.gov.

Regards,

Charlie E. Dissell, AICP
Director of Community & Economic Development
City of Indianola

