

**ORDINANCE NO. 3396**

**AN ORDINANCE DENYING A PROPOSED SPECIAL USE FOR THE ESTABLISHMENT OF A TOBACCO AND VAPE SHOP ON PROPERTY ZONED AS THE B-3, CENTRAL BUSINESS ZONING DISTRICT ON CERTAIN LANDS LOCATED IN THE CITY OF MCPHERSON, KANSAS, UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY AS ORIGINALLY APPROVED BY ORDINANCE NO. 3016.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS.**

**SECTION 1.** Having received a recommendation from the City Planning Commission on Case No. SU-23-03, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of the Zoning Regulations of the City of McPherson as originally approved by Ordinance No. 3016, a Special Use is hereby denied for the establishment of a Tobacco and Vape Shop on property zoned as the B-3, Central Business District because by comparison, the relative gain to the public health, safety and general welfare outweighs the loss in value or the hardship imposed upon the applicant by not approving the request.

**LEGAL DESCRIPTION:** MCPHERSON O.T.S., S28, T19, R03, CA SE/C BLK 102 FOR POB TH N150', E142', S100', W42', W100' TO POB

**GENERAL LOCATION:** 321 South Main Street, McPherson, Kansas

**SECTION 2.** This Ordinance shall take effect and be in force from and after its passage by the governing body, signature by the Mayor and publication once in the official city website.

PASSED BY THE GOVERNING BODY and SIGNED BY THE MAYOR this 20th day of June, 2023.

ATTEST:



*Lisa Faust*

Lisa Faust, City Clerk

*Thomas A. Brown*

Thomas A. Brown, Mayor  
City of McPherson