

**ORDINANCE NO. Z-4231**

**SPECIAL USE PERMIT NO. 2022-00010**

**AN ORDINANCE RELATING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:**

**Section 1. Special Use Permit Granted.** Pursuant to regulations set forth in the Overland Park Municipal Code, Section 18.370, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property, to-wit:

**Legal Description:**

A 14 foot by 24 foot Lease Area situated in Lot 1, BLUE VALLEY SOUTHWEST HIGH SCHOOL, part of the Northeast Quarter of Section 27, Township 14 South, Range 24 East, in Johnson County, Kansas, more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 27; thence along the North line of said Northeast Quarter, South 87°59'21" West, a distance of 982.46 feet; thence leaving said North line, South 00°00'00" East, a distance of 892.81 feet to the POINT OF BEGINNING; thence continuing South 00°00'00" East, a distance of 24.00 feet; thence North 90°00'00" West, a distance of 14.00 feet; thence North 00°00'00" East, a distance of 24.00 feet; thence North 90°00'00" East, a distance of 14.00 feet to the POINT OF BEGINNING. Containing 336 square feet.

**Section 2.** That the real property hereinabove described shall hereafter allow a communications tower for a 10-year period of time.

All Zoning Ordinances or Zoning Regulations of the City of Overland Park, Kansas, affecting the use of the real property hereinbefore described which are inconsistent with this ordinance are hereby made inapplicable to the said property for said period of time.

**Section 3. Conditions and Stipulations.** The special use permit granted in Sections 1 and 2 hereinabove in addition to full compliance with any general provisions contained in Chapter 18.370 of the Overland Park Municipal Code, Unified Development Ordinance, is hereby made contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions, and restrictions, of which the violation of any hereafter enumerated will be a supplementary basis for revocation in addition to those specified in Section 18.370.050, to-wit:

- a. The development shall be in accordance with Exhibit "A" (Site Plan), and Exhibit "B" (Building Elevations), which are filed in the office of the Planning Commission Secretary at City Hall and which are incorporated by reference as if set out in full herein. Provided,

## ORDINANCE NO. Z-4231

subsequent revisions may be made thereto in accordance with the application, notice, and other requirements of O.P.M.C. Title 18. In addition, the development shall follow and comply with all regulations and standards of the City of Overland Park unless specifically exempted by the Governing Body.

- b. Prior to the issuance of a certificate of occupancy, all rooftop, and ground-mounted mechanical equipment shall be screened from view with an architectural treatment that is compatible with the building architecture.
- c. The number, location, and geometrics of all access easements and parking areas are subject to review and approval by the Planning and Development Services Department.

**Section 4. Take Effect.** This ordinance shall take effect and be in force as of the date of its passage, approval and publication as provided by law.

*[Remainder of Page Intentionally Left Blank]*

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PASSED by the City Council this 1st day of August, 2022.

APPROVED by the Mayor this 1st day of August, 2022.

**CITY OF OVERLAND PARK, KANSAS**

By: (s) Curt Skoog  
Curt Skoog  
Mayor

(SEAL)

ATTEST:

APPROVED AS TO FORM:

By: (s) Elizabeth Kelley  
Elizabeth Kelley  
City Clerk

By: (s) Trevor L. Stiles  
Trevor L. Stiles  
Senior Assistant City Attorney