

ORDINANCE NO. Z-4301

SPECIAL USE PERMIT NO. 2023-00016

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:

All that part of the Northwest One-Quarter of the Northeast One-Quarter of Section 17, Township 14 South, Range 25 East, Johnson County, Kansas, being more particularly described as follows: beginning at the Northwest corner of the Northeast Quarter of said Section 17, said point being the true point of beginning; Thence South 0 degrees 09 minutes 30 seconds West along the West line of the Northeast Quarter of said Section 17, a distance of 881.36 feet; thence South 87 degrees 33 minutes 41 seconds, East, a distance of 839.44 feet; thence South 0 degrees 01 minutes 30 seconds West, a distance of 458.64 feet; thence South 89 degrees 57 minutes 02 seconds East, a distance of 52.17 feet; thence North 0 degrees 01 minutes 30 seconds East, a distance of 665.28 feet; thence South 89 degrees 58 minutes 08 seconds East, a distance of 433.66 feet; thence North 0 degrees 08 minutes 25 seconds East along the East line of the Northwest Quarter of the Northeast Quarter of said Section 17, a distance of 660.00 feet; thence North 89 degrees 58 minutes 08 seconds West along the North line of said Section 17, a distance of 1323.92 feet to the true point of beginning, except any part used or dedicated for streets, roads or highways.

Section 2. That the real property hereinabove described shall hereafter allow a renewal of 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

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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, 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.

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.

PASSED by the City Council this 11th day of September, 2023.

APPROVED by the Mayor this 11th day of September, 2023.

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 Stiles
Trevor L. Stiles
Senior Assistant City Attorney