

ORDINANCE NO. Z-4304

SPECIAL USE PERMIT NO. 2023-00014

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:

Beginning at the Northwest corner of Lot 1, Block 22, Cherokee Hills, a subdivision in the City of Overland Park, Johnson County, Kansas; thence East 246 feet; thence South 113.33 feet; thence West 96 feet; thence North 22 feet; thence West 150 feet; thence North 91.69 feet to beginning.

Section 2. That the real property hereinabove described shall hereafter allow a temporary car and truck storage for a two-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, 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. All outside storage shall be maintained in the eastern 95 feet as shown on the site plan and entirely screened with a six-foot wood fence. Gates shall be maintained on the west side

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of the screening fence to allow for access to the unused area. Gates shall also be maintained on the east end of the Penske truck parking area and storage yard area.

- c. The unused area shall be seeded and irrigated until the seed is established.
- d. All dead or removed landscaping shall be replaced per the plan.
- e. No additional fence shall be constructed along the west or south property lines.
- f. Vehicles and/or equipment are not allowed to be parked or stored on the sloped portion of the storage yard or to the north of the building at 8902-8904 West 95th Street.

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 6th day of November, 2023.

APPROVED by the Mayor this 6th day of November, 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