

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE renewing for a period of twenty-five years a conditional use permit to operate a 208-ft., above-ground commercial communication tower as to a certain tract.

ORDINANCE 5527, August 9, 2021

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit for a period of twenty-five years to operate a 208-ft., above-ground commercial communication tower, under the Unified Development Code, is hereby renewed as to a certain tract of land legally described as follows:

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 19, Township 48, Range 30, Jackson County, Missouri, described as follows: Commencing at the point of intersection of the West right-of-way line of Missouri Route No. 7 and the North right-of-way line of Cowherd Road (Both as now established), said point of commencement being 1331.58 feet East and 30 feet North of the Southwest corner of the Southwest Quarter of the Northwest Quarter of Section 19; thence North 01 degrees 45 minutes 15 seconds East, along the West right-of-way of Missouri Route No. 7, a distance of 73.91 feet; thence North 88 degrees 14 minutes 45 seconds West, a distance of 208.42 feet to the point of beginning; thence N 90 degrees 00 minutes 00 seconds West, a distance of 50 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 50 feet; thence South 90 degrees 00 minutes 00 seconds, a distance of 50 feet; thence S 00 degrees 00 minutes 00 seconds West, a distance of 50 feet to the point of beginning. Contains 2,500 square feet or 0.057 acres more or less.

Section 2. The conditional use permit renewed by this Ordinance is subject to the following conditions:

1. The commercial communication lattice tower shall not exceed a height of 208 feet as measured from ground level.
2. The lattice tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
3. The tower shall only be illuminated if required by the Federal Communication Commission and/or the Federal Aviation Agency.

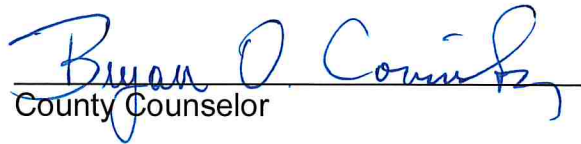
4. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of such antenna/tower or property owner shall remove the antenna or tower within 90 days.

Section 3. The Legislature, pursuant to the application of Crown Castle (CU-2021-235), requesting approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 5 to 0 to recommend APPROVAL of this application after a public hearing on July 15, 2021, does hereby adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance 5527 introduced on August 9, 2021, was duly passed on August 23, 2021 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9


Nays 0

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

8/23/2021
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance 5527.

8/23/2021
Date


Frank White, County Executive