

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE renewing a conditional use permit (CUP) in District HI (Heavy Industrial) for continuous operation of a 147-foot monopole of wireless communications, subject to specified conditions, as to a 2,500 square foot tract.

ORDINANCE NO. 5871, August 12, 2024

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

Section 1. A conditional use permit is hereby renewed for continuous operation of a 147-foot monopole of wireless communications, as to a 2,500 square foot tract, commonly known as 1320 Blue Ridge Boulevard, and legally described as follows:

Description: An easement area being a portion of that certain tract of land as described in Document Number 2011E0070865, as recorded in the office of the Recorder of Deeds for Jackson County, Missouri, lying in the Southeast Quarter of Section 6, Township 49 North, Range 32 West and being more particularly described as follows:

Commence at a T-post found marking the Northwest corner of said tract described in Document Number 2011E0070865, thence run South 01 degrees 50 minutes 51 Seconds West for a distance of 878.89 feet to a T-post found marking the Southwesterly most corner of said tract; thence run North 88 degrees 37 minutes 30 seconds East for a distance of 1113.10 feet to the Southwest corner of an existing 6-foot chain link fence with barbed wire and the Point of Beginning; thence run North 01 degrees 48 minutes 00 seconds East for a distance of 30.24 feet to a 5/8" rebar set; thence South 87 degrees 50 minutes 25 seconds East for a distance of 68.42 feet to a 5/8" rebar set; thence run South 01 degrees 34 minutes 11 seconds West for a distance of 29.17 feet to the Southeast corner of said fence; thence run North 88 degrees 43 minutes 51 seconds West along said fence for a distance of 68.54 feet to the Point of Beginning. The above-described easement contains 0.04 acres (2034.1 square feet), more or less.

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

1. The commercial communication lattice tower shall not exceed a height of 150 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 lattice 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 American Tower Asset Sub, LLC, (CU-2024-250), requesting approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 8 to 0 to recommend APPROVAL of this application in a public hearing on July 18, 2024, does 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:

Bryan Covinsky
Bryan Covinsky (Aug 8, 2024 11:31 CDT)

County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5871 introduced on August 12, 2024, was duly passed on August 19, 2024 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.

8.19.2024
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5871.

8.20.2024
Date

Frank White, Jr.
Frank White, Jr., County Executive