

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE renewing a conditional use permit (CUP) in District AG (Agricultural) for a period of forty years to operate and construct a communication tower and facility, subject to specified conditions as to a 3.83 ± acre tract.

ORDINANCE NO. 5056, November 28, 2017

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

Section 1. A conditional use permit is hereby renewed for a period of forty years to construct a communication tower and facility, as to an approximate 3.83 ± acre tract of land commonly known as 27900 SE AA Highway, Blue Springs, MO, and specifically described as follows:

Description:

A 36.50 foot by 58 foot Lease Area, situated in the Southwest Quarter of Section 32, Township 49, Range 30 West, in Jackson County, Missouri, more particularly described as follows:

Commencing at the Southwest Corner of Lot 79, Autumn Chase 7th Plat, said corner also being on the North right of way line of SE Steeple Lane; thence along said North right of way line, South 87 degrees, 30 minutes, 12 seconds East, a distance of 300.00 feet to the Southwest corner of Lot 76 of said Plat; thence continuing along said North right of way, South 87 degrees, 30 minutes, 12 seconds East, a distance of 45.40 feet; thence leaving said North right of way line, North 00 degrees, 00 minutes, 00 seconds East, a distance of 256.83 feet to the Point of Beginning, thence continuing North 00 degrees, 00 minutes, 00 seconds East, a distance of 58.00 feet; thence North 90 degrees, 00 minutes, 00 seconds East, a distance of 36.50 feet; thence South 00 degrees, 00 minutes, 00 seconds East, a distance of 58.00 feet; thence North 90 degrees, 00 minutes, 00 seconds West, a distance of 36.50 feet to the Point of Beginning. Containing 2,117 square feet.

Section 2. The conditional use permit for a period of forty years renewed by this Ordinance is subject to the following conditions:

1. The commercial communication tower shall not exceed a height of 110 feet as measured from ground level.
2. The tower and appurtenances shall be installed according to manufacturer's specifications using sound engineering and safety practices.
3. The tower shall be structurally designed so that at least three (3) other wireless co-locators would be allowed space on the tower.
4. The tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
5. The tower shall only be illuminated if required by the Federal Communication Commission and/or the Federal Aviation Agency.
6. 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 Pamcorp, LLC, d/b/a Eco-Site, LLC Lamb (CU-2017-225), 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 November 16, 2017, 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:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5056 introduced on November 28, 2017, was duly passed on December 11, 2017 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

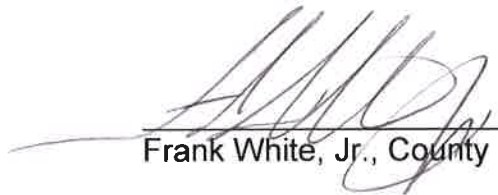
This Ordinance is hereby transmitted to the County Executive for his signature.

12.11.17
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5056.

12/12/17
Date


Frank White, Jr., County Executive