

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE renewing a conditional use permit (CUP) in District AG (Agricultural) for a period of fifteen years to operate a 126-foot monopole of wireless communications, subject to specified conditions, as to a 585 square foot tract.

ORDINANCE NO. 5843, April 15, 2024

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 fifteen years to operate a 126-foot monopole of wireless communications, as to a 585 square foot tract, commonly known as 11010 Milton Thompson Road, and legally described as follows:

Description: 13 foot by 45 foot Lease Area, situated in Lot 1A, Replat of Lot 1, Langsford Road, a subdivision in Jackson County, Missouri, described as follows:
Commencing at the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 1, Township 47, Range 31, Jackson County, Missouri; thence North 02 degrees 11 minutes 58 seconds East along the East line of said Southwest Quarter Northwest Quarter, a distance of 208.33 feet, to an existing 1/2 inch iron bar; thence North 78 degrees 51 minutes 20 seconds West, a distance of 127.67 feet to the Point of Beginning of said 13 foot by 45 foot Lease Area; thence North 87 degrees 41 minutes 23 seconds West, a distance of 45.00 feet; thence South 02 degrees 18 minutes 37 seconds west, a distance of 13.00 feet; thence South 87 degrees 41 minutes 23 seconds East, a distance of 45.00 feet; thence North 02 degrees 18 minutes 37 seconds East, a distance of 13.00 to the Point of Beginning.

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 126 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 SBA Monarch Tower 1, LLC, (CU-2024-249), 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 in a public hearing on March 21, 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 (Apr 10, 2024 11:02 CDT)
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5843 introduced on April 15, 2024, was duly passed on April 22, 2024 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.

4.22.2024
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5843.

4-25-2024
Date

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