



Jackson County Missouri

Jackson County Courthouse
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Legislation Details (With Text)

File #: 3490 **Version:** 0 **Name:** zoning - Grain Valley School District
Type: Ordinance **Status:** Passed
File created: 5/3/2004 **In control:** Land Use Committee
On agenda: 5/3/2004 **Final action:** 6/7/2004
Title: AN ORDINANCE granting a conditional use permit (CUP) in District LI (Light Industrial) for a period of twenty-five (25) years to construct a 190-ft. aerial tower as to a certain 20 ± acre tract.
Sponsors:
Indexes: ZONING
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
6/7/2004	0	County Legislature	Consent Agenda	
6/7/2004	0	County Legislature	perfect	Pass
6/7/2004	0	County Legislature	suspend the rules to consider final passage	Pass
6/7/2004	0	County Legislature	Consent Agenda	Pass
6/7/2004	0	County Legislature	adopt	Pass
5/27/2004	0	Land Use Committee		
5/25/2004	0	County Legislature	Go To 4th Perfection	Pass
5/24/2004	0	Land Use Committee		
5/18/2004	0	County Legislature	Go To 3rd Perfection	Pass
5/17/2004	0	Land Use Committee		
5/13/2004	0	County Legislature	Go To 2nd Perfection	Pass
5/10/2004	0	Land Use Committee		
5/4/2004	0	County Legislature	Go To 1st Perfection	Pass
5/3/2004	0	County Legislature	assign to committee	

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE granting a conditional use permit (CUP) in District LI (Light Industrial) for a period of twenty-five (25) years to construct a 190-ft. aerial tower as to a certain 20 ± acre tract.

ORDINANCE # 3490, May 3, 2004

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

Section 1. A conditional use permit is hereby granted for a period of twenty-five (25) years for the construction of a 190-ft. aerial tower as to a parcel of land approximately 1/4 mile east of Dillingham Road on the north side of Pink Hill Road described as follows:

Description: All of the West 850 feet of the South 1350 feet of the Southeast 1/4 of Section 15, Township 49, Range 30 in Jackson County, Missouri being herein described as: Beginning at the Southwest corner of said SE 1/4; thence N 0 degrees 12 minutes 49 seconds W along the West line of said 1/4 1350 feet (deed) 1349.95 measured feet; thence N 89 degrees 59 minutes 56 seconds E for 850.00; thence South 0 degrees 12 minutes 09 seconds E 899.92 feet to the North line of "Stone Meadows", a subdivision of record at Jackson County Recorder's Office; thence S 89 degrees 59 minutes 49 seconds W for 499.39 feet to the NW corner of said "Stone Meadows"; thence S 9 degrees 09 minutes 29 seconds E along the West line of said "Stone Meadows" for 459 feet to the South line of said SE 1/4; thence S 89 degrees 59 minutes 49 seconds W for 350.00 feet to the point of beginning. Excepting that part of road, aka 31606 Pink Hill Road.

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

1. The aerial tower shall not exceed a height of 190 feet as measured from ground level.
2. The tower and electrical equipment shall be installed according to manufacturer's specifications using sound engineering and safety practices.
3. The building permit application shall include an engineering report specifying the following information:
 - a. Detailed structural plans for the aerial tower signed and sealed by a Missouri Registered Engineer; and
 - b. An engineer's certification that anticipated levels of electric magnetic radiation to be generated by facilities on the site, including the effective radiated power (ERP) of the tower/antenna, shall be within the guidelines established by the Federal Communication Commission.
4. The aerial tower shall be a galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
5. The aerial tower shall only be illuminated as required by the Federal Communications Commission and/or the Federal Aviation Agency.

6. If the aerial tower is not being used for a continuous period of twelve (12) months, the tower shall be considered abandoned and the property owner shall remove the tower within 90 days.

Section 3. The Legislature, pursuant to the application of the Grain Valley R-5 School District (CU-2004-179), requesting approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 5-2 to recommend approval of this application in a public hearing on April 15, 2004, 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:

Acting County Counselor

I hereby certify that the attached Ordinance, Ordinance # 3490 introduced on May 3, 2004 was duly passed on _____ June 7 _____, 2004 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 7 _____

Nays _____ 0 _____

Abstaining _____ 0 _____

Absent _____ 2 _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance # 3490.

Date

Katheryn J. Shields, County Executive