



Legislation Text

File #: 3091, Version: 0

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE approving a conditional use permit to construct and operate an 88-ft. above-the-ground tower for the purpose of providing high-speed internet service as to a certain tract.

ORDINANCE 3091, November 6, 2000

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

Section 1. A conditional use permit for twenty years to construct and operate an 88-ft. above-the-ground tower for the purpose of providing high-speed internet service, under the Unified Development Code, is hereby approved as to a certain tract of land located at 3325 W. U.S. East Bound 40 Highway; and,

DESCRIPTION:

This parcel is legally described as Lot 36 in the Wood Chapel and 40 Subdivision lying in that part of the northwest quarter of the northeast quarter of Section 2, Township 48, Range 31 in Jackson County, Missouri aka 3325 W. US 40 East Bound Highway.

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

1. The tower shall not exceed a height of 88 feet.
2. The tower and appurtenances shall be installed according to manufacturers specifications using sound engineering and safety practices.
3. The building permit application shall include detailed structural plans for the tower which are signed and sealed by a Missouri Registered Engineer.
4. A notice of Proposed Construction or Alteration of objects that may effect the Navigable Airspace must be filed with the Federal Aviation Agency (FAA). Information regarding the disposition of the FAA Notice will be submitted subsequent to application for a building permit.
5. The tower shall be a galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
6. The tower shall only be illuminated as required by the Federal Communications Commission and/or the Federal Aviation Agency.

- 7. If the antenna or tower is not operated for a continuous period of twelve (12) months then it 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 Thomas Willoughby, (CU-00-051), requesting approval embodied in this ordinance and with notice that the Jackson County Planning Commission unanimously recommended approval of this application in a public hearing on October 19, 2000, 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:

_____ County Counselor

I hereby certify that the attached Ordinance, Ordinance #3091 introduced on November 6, 2000, was duly passed on _____December 19_____, 2000 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 her signature.

_____ Date

_____ Mary Jo Brogoto, Clerk of Legislature

I hereby approve the attached Ordinance #3091.

_____ Date

_____ Katheryn J. Shields, County Executive