



# Jackson County Missouri

Jackson County Courthouse  
415 E. 12th Street, 2nd floor  
Kansas City, Missouri  
64106  
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## Legislation Text

File #: 3051, Version: 0

### IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE approving a conditional use permit for the construction of a 300-foot commercial communication tower.

**ORDINANCE 3051**, August 7, 2000

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

Section 1. A conditional use permit for 25 years for the construction of a 300-foot commercial communication tower, subject to the conditions specified below, under the Unified Development Code, is hereby approved as to a certain tract of land described as follows:

**Description:**

A 0.08 ± acre tract of land generally located ½ mile east of Milton Thompson Road on the north side of Lone Jack-Lee's Summit Road (generally north of U.S. Highway 50) and more specifically described as:

All that part of the Southeast Quarter of Section 12, Township 47, Range 31, in Jackson County, Missouri, described as follows:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of said Section 12; thence S87°19'29"E along the South line of the Northeast Quarter of the Southeast Quarter of said Section 12 a distance of 23.00 feet; thence N02°40'31"E a distance of 61.00 feet to the point of beginning; thence continuing N02°40'31"E a distance of 70.00 feet; thence S87°19'29"E and parallel to the South line of the Northeast Quarter of the Southeast Quarter of said Section 12, a distance of 50.00 feet; thence S02°40'31"W a distance of 70.00 feet; thence N87°19'29"W and parallel to the South line of the Northeast Quarter of the Southeast Quarter of said Section 12, a distance of 50.00 feet to the point of beginning. Containing 0.08 acres more or less.

**CONDITIONS:**

- 1) The commercial communication tower shall not exceed a height of 300 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 an engineering report specifying the following information:

- a. Detailed structural plans for the tower must be signed and sealed by a Missouri Registered Engineer; and
  - b. Engineer's certification that anticipated levels of electro magnetic radiation to be generated by facilities on the site, including the effective radiated power (ERP) on the antenna, shall be within the guidelines established by the Federal Communication Commission(FCC).
- 4) An evergreen pine with a minimum three inches caliber at three feet (3') above the grade shall be planted on 10 foot centers along the perimeter of the chain link fence for the tower compound area.
  - 5) 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.
  - 6) The tower shall be structurally designed so that at least three users would be allowed space on the tower. The applicant shall make a good faith effort to offer space to emergency services such as the Jackson County Sheriff's department. The County Legislature shall have the right to revoke the conditional use permit if such offering is not made.
  - 7) The tower shall be a galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
  - 8) The tower shall only be illuminated as required by the Federal Communications Commission and/or the Federal Aviation Agency.
  - 9) 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 2. The Legislature, pursuant to the application of Barber and Sons (CU-2000-046), 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 July 20, 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 #3051 introduced on August 7, 2000, was duly passed on \_\_\_\_\_ August 28 \_\_\_\_\_, 2000 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 her signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #3051.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Katheryn J. Shields, County Executive