

AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR TELECOMMUNICATIONS TOWER IN DISTRICT PI-1 ON LAND LOCATED AT 1850 SE HAMBLÉN ROAD FOR A PERIOD OF TEN (10) YEARS FROM THE PREVIOUS EXPIRATION DATE, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, on August 20, 1996 by Ordinance No. 4323, the City Council granted a special use permit for a 180-foot microwave telecommunications tower for a period of 10 years on land located at 1850 SE Hamblen Road, and said permit expired on August 20, 2006.

WHEREAS, Application #2007-123, submitted by Global Signal Acquisitions II, LLC, requesting a special use permit renewal for telecommunication tower in District PI-1 on land located at 1850 SE Hamblen Road, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on July 24, 2007, and rendered a report to the City Council containing findings of fact and a recommendation that the special use permit be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on August 16, 2007, and rendered a decision to grant said special use permit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the application pursuant to Section 5.310 of the Unified Development Ordinance allow a telecommunications tower in District PI-1 with a Special Use Permit is hereby granted for a period of ten (10) years from the previous expiration date, to expire on August 20 2016, with respect to the following described property:

*Commencing at the Northeast corner of the Southeast Quarter Section 17, Township 47, Range 31, in the City of Lee's Summit, Jackson County, Missouri, thence S 02°22'12" W along the East line of the said Southeast Quarter a distance of 930.36 feet to a point; thence N 87°37'48" W on a line perpendicular to said East line, a distance of 96.00 feet to the Point of Beginning of the hereinafter described tract, thence S 02°22'12" W a distance of 52.00 feet to a point; thence N 87°37'48" W a distance of 40.00 feet to a point; thence N 02°22'12" E a distance of 52.00 feet to a point; thence S 87°37'48" E a distance of 40.00 feet to the Point of Beginning and containing 0.0477 acres more or less.*

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for 10 years from the previous expiration date, to expire on August 20 2016

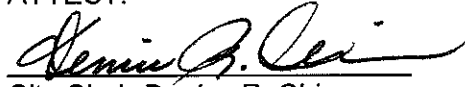
SECTION 3. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City Unified Development Ordinance, No. 5209.

SECTION 4. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

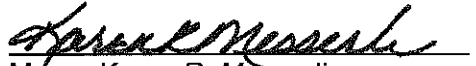
PASSED by the City Council of the City of Lee's Summit, Missouri, this 10th day of September, 2007.

  
Mayor Karen R. Messerli

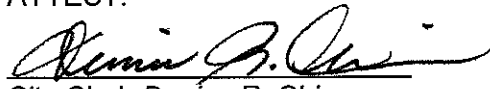
ATTEST:

  
City Clerk Denise R. Chisum

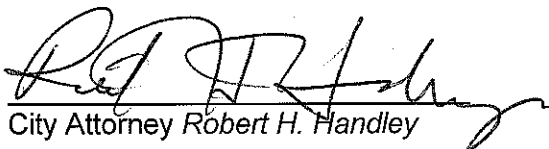
APPROVED by the Mayor of said city this 13th day of September, 2007.

  
Mayor Karen R. Messerli

ATTEST:

  
City Clerk Denise R. Chisum

APPROVED AS TO FORM:

  
City Attorney Robert H. Handley