

AN ORDINANCE GRANTING A SPECIAL USE PERMIT ON LAND LOCATED AT 657-663 NE NEWPORT DRIVE TO OPERATE A MAINTENANCE STORAGE FACILITY, FOR USE BY A HOMEOWNERS ASSOCIATION IN THE UPKEEP OF COMMON AREAS, FOR A PERIOD OF TEN (10) YEARS IN DISTRICT R-3, ALL IN ACCORDANCE WITH SECTION 280 WITHIN COMPREHENSIVE ZONING ORDINANCE NO. 715 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, an application requesting a special use permit to operate a maintenance storage facility, for equipment owned and used by a homeowners association in upkeep of common areas, on land located at 657-663 NE Newport Drive in District R-3, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Planning Commission did hold a public hearing for the request on September 11, 1995, after due public notice in the manner prescribed by law and then did render a report to the Board of Aldermen containing findings of fact and a recommendation that the special use permit requested be denied; and,

WHEREAS, due public notice in the manner prescribed by law was given of a public hearing before the Board of Aldermen of this city for October 3, 1995; and,

WHEREAS, the Board of Aldermen of said city did hold a public hearing for said application on October 3, 1995, and rendered a decision to grant said special use permit.

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

SECTION 1. That the application of Chapel Oaks Development Company, pursuant to Section 280.A.16. in Comprehensive Zoning Ordinance No. 715, to allow the operation of a maintenance storage facility in District R-3 for equipment owned and used by the Chapel Oaks homeowners association in upkeep of common areas is hereby granted for a period of ten (10) years, with respect to the following described property:

Lot 32, Chapel Oaks, a subdivision in Lee's Summit, Jackson County, Missouri.

SECTION 2. That the granting of said special use permit shall be subject to the following conditions:

1. The building must meet Uniform Building Code regulations for a commercial maintenance facility.
2. A parking area must be provided for maintenance employees.

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3. A fire hydrant must be provided to meet the 300-foot requirement.
4. All equipment and materials must be stored inside the building, not outside.
5. The upper level of the structure shall not to be used as living quarters.
6. That the applicant obtain all necessary building permits and submit all required plans.
7. A concrete drive must be installed to access Newport Drive, granting waivers as required to locate the drive in accordance with the appended site plan.

SECTION 3. That development of the property located at 657-663 NE Newport Drive shall be in accordance with the site plan dated April 27, 1995, and accepted by the Community Development Department on May 31, 1995, appended hereto and made a part thereof.

SECTION 4. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED by the Board of Aldermen for the City of Lee's Summit, Missouri, this 17<sup>th</sup> day of October, 1995.

ATTEST:

  
City Clerk Denise R. Chisum

  
Mayor Karen R. Messerli



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APPROVED by the Mayor of said city this 17<sup>th</sup> day of October, 1995.

ATTEST:

*Denise R. Chisum*  
City Clerk Denise R. Chisum

APPROVED AS TO FORM:

*Christine M. Treat*  
City Attorney Christine M. Treat

*Karen R. Messerli*  
Mayor Karen R. Messerli