

Legislation Text

File #: 2018-2014, **Version:** 1

Public Hearing - Application #PL2018-027 - Special Use Permit renewal for a telecommunication tower - 5740 NE Lakewood Way; American Tower Asset Sub II, LLC, applicant.

Issue/Request:

This application is for a special use permit (SUP) renewal for a 100-foot tall self-supporting telecommunication tower located at 5740 NE Lakewood Way. This site is zoned AG (Agricultural). The telecommunication tower was built in 1998 (Building Permit #B9800609); the original SUP (Appl. #1998-012) was approved for a time period of 20 years. This is the first renewal since the original approval.

The existing tower does not meet the current setback requirements from property lines (Section 10.600.F.3.a). However, it met the property line setback requirements in effect at the time of its approval, and so this is a lawful non-conforming condition.

No time limitation for the special use permit is established as part of this approval due to §67.5094 R.S.Mo., Subpart 14. This statute lists "Prohibited Acts by Authority," which states: *In order to ensure uniformity across the state of Missouri with respect to the consideration of every application, an authority shall not: Limit the duration of the approval of an application.*

Josh Johnson, Assistant Director of Planning Services

Recommendation: Staff recommends **APPROVAL** of the special use permit.