

Ordinance No. 439

An Ordinance issuing a Conditional Use Permit for an additional Telecommunications Antenna and Related Equipment at 1216 N. 155th Street , City of Basehor, Kansas.

WHEREAS, under the Zoning Ordinance of the City of Basehor, Kansas, as amended, the Governing Body of the City of Basehor, Kansas, has the power to locate conditional uses in each zoning district by ordinance; and

WHEREAS, the City Planning Commission , after fully complying with the requirements of the ordinances of the City of Basehor, Kansas, held a public hearing on the 2nd. day of March, 2004 in the Basehor City Hall, Basehor, Kansas, the official date was published in the Basehor Sentinel; and

WHEREAS, the City Planning Commission, made findings that the proposed conditional use complies with all the applicable provisions of the City Ordinance, the proposed conditional use at the specified location will contribute to and promote the economic development, welfare, and convenience of the community; that the conditional use will not cause substantial injuries to the value of other property in the neighborhood in which it is located; and, that the conditional use shall not dominate the neighborhood or be of such nature as to significantly impact other development in the neighborhood; and

WHEREAS, upon a motion made, duly seconded, and passed, the Planning Commission resolved to issue a permit as a conditional use, on the following described property hereinafter described in accordance with the provisions of the Zoning Ordinance of the City of Basehor, Kansas; NOW, THEREFORE

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1: That a conditional use permit be issued to Verizon Wireless for a Telecommunications Antenna and Related Equipment on the following described property:

A tract of land in the Southwest ¼ of Section 2, Township 11, Range 22 of the 6th P.M. more fully described as follows:

Commencing at the intersection of the North line of Section 2, Township 11, Range 22 with Highway 72 (now known as 155th Street) and said point also known as the Southwest corner of the Southwest quarter of Section 35, Township 10, range 22; thence, South 3,446.40 feet; thence, West 30.00 feet to the West right-of-way of 155th. Street

SCANNED

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and point of beginning of the tract; thence, West 416.00 feet; thence, South 242.94 feet; thence, East 416.00 feet; thence, North 242.94 feet more or less; to the point of beginning of this tract. All in the City of Basehor, Leavenworth County, Kansas.

More commonly known as 1216 N. 155th Street.

Section 2: That the Telecommunications Antenna and Related Equipment shall be maintained in accordance with the provisions of the Zoning Ordinance of the City of Basehor, Kansas as well as all State and Federal rules and regulations and shall be subject to the following conditions:

- (a) This conditional use permit shall be valid until September 20, 2005 from the date of publication of this ordinance; and
- (b) The conditional use permit shall automatically renew for a period of five (5) years upon the approval of the conditional use permit extension for the existing tower on the property
- (c) The conditional use permit shall run concurrent with the tower on the property.

Section 3: That this ordinance shall take effect and be in force from and after it's passage, approval, and publication in the official newspaper of the City of Basehor, Kansas as provided by law.

Passed by the Governing Body of the City of Basehor, Kansas this 12th day of April, 2004.

Joseph Scherer, Mayor

ATTEST:

MARY A. MOGLE, CMC City Clerk

