

(First published in the Basehor Sentinel, May, 1996)

ORDINANCE NO. 302

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BASEHOR, KANSAS BY PLACING A SPECIAL USE PERMIT ON CERTAIN PROPERTY IN THE CITY OF BASEHOR, KANSAS.

WHEREAS, under the Zoning Ordinance of the City of Basehor, Kansas, the Governing Body of the City of Basehor, Kansas, is given the power to amend or change zoning on certain property within the corporate boundaries of the City of Basehor, Kansas; and

WHEREAS, the City Planning Commission, in compliance with the Zoning Ordinance of the City of Basehor, Kansas and the Kansas Statute, K.S.A 12-757, held a public hearing on 6th of November, 1996 at 7:15 o'clock p.m. in City Hall, Basehor, Kansas, and the official date and time set out was published in the Basehor Sentinel, the official newspaper; and

WHEREAS, upon a motion made and duly seconded and adopted, the Governing Body resolved to permit a Special Use Permit for the addition of an antenna and ground equipment at the base of an existing tower on property described herein.

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

SECTION 1: That the following described property, to-wit:

A tract of land in the Southwest 1/4 of Section 2, Township 11 South, Range 22 East in Leavenworth County, Kansas, more particularly described as follows: Commencing at the intersection of Highway 72 a distance of 3446.00 feet; thence west 446.00 feet; thence south 40.00 feet to the true point of beginning ; thence west 30.00 feet; thence south 30.00 feet; thence east 30.00 feet; thence north 30.00 feet to the true point of beginning. All in Leavenworth County, Kansas.

SECTION 2: This Special Use Permit is to place additional transmitting and receiving antennae on an existing tower, as well as adding new equipment at the base of the tower.

1. Any franchise tax due to the City of Basehor be paid.
2. All applicable building code and other ordinance requirements be met.
3. A landscape / site plan be submitted at the time of building permit application. Such plan shall show evergreen and/or other landscaping to be provided on the west and north sides of the fenced area, to act as a visual buffer. Landscape materials and plants must be the same species as those approved for this area through previous special use permits. When a species has not been specified the applicant should coordinate with other leasees to ensure similar materials are used. Once the landscape plan is approved by the City, healthy plants of an adequate size shall be planted and be maintained in a healthy condition.
4. The drive to this portion of the property be asphalted with consideration given to the timing for connection to sewers.
5. There shall be no interference with other frequencies or signals in the area.
6. The Special Use Permit be granted to the owner of the property, Mr. Ray Breuer, for a period of three (3) years from the date of ordinance publication.

SECTION 3: That the Zoning District Map adopted under the Zoning Ordinance of the City of Basehor, Kansas, shall be and the same is hereby corrected to reflect the Special Use Permit as set forth in above.

SECTION 4: That the Special Use Permit is effective from the date of enactment and that this Ordinance shall take effect and be in force from and after its passage, approval and publication in the official newspaper of the City of Basehor, Kansas: The Basehor Sentinel.



Bryce Bettin, Mayor

ATTEST:



Mary A. Mogle, City Clerk

REVIEWED FOR CONTENT:

John F. Thompson, City Attorney

SCANNED

1-17-07 