

ORDINANCE NO. Z-4111

SPECIAL USE PERMIT NO. 2020-00034

AN ORDINANCE RELATING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY.

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

Section 1. Special Use Permit Granted. Pursuant to regulations set forth in the Overland Park Municipal Code, Section 18.370, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property, to-wit:

Legal Description:

A tract of land lying in the Northwest One Quarter of Section 20, Township 13 South, Range 25 East, in the City of Overland Park, Johnson County, Kansas and being part of Lot 1, The Fountains Shopping Center, according to the recorded plat thereof, said tract being more particularly described as follows:

Commencing at the Southeast corner of said Lot 1; thence South 87 degrees 57 minutes 42 seconds West along the South line of said Lot 1 a distance of 66.41 feet; thence North 02 degrees 02 minutes 18 seconds West a distance of 9.15 feet to the TRUE POINT OF BEGINNING; thence South 87 degrees 51 minutes 11 seconds West a distance of 131.92 feet to a point; thence North 02 degrees 08 minutes 49 seconds West a distance of 127.11 feet to a point; thence North 87 degrees 49 minutes 14 seconds East a distance of 131.92 feet to a point; thence South 02 degrees 08 minutes 49 seconds East a distance of 127.18 feet to a point, said point being the POINT OF BEGINNING, and containing 0.3851 acres, more or less.

Section 2. That the real property hereinabove described shall hereafter allow the renewal of a drinking establishment, for a five-year period of time. This property is currently zoned CP-1, Planned Restricted Business District.

All Zoning Ordinances or Zoning Regulations of the City of Overland Park, Kansas, affecting the use of the real property hereinbefore described which are inconsistent with this ordinance are hereby made inapplicable to the said property for said period of time.

Section 3. Conditions and Stipulations. The special use permit granted in Sections 1 and 2 hereinabove in addition to full compliance with any general provisions contained in Chapter 18.370 of the Overland Park Municipal Code, Unified Development Ordinance, is hereby made contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions, and restrictions, of which the violation of any

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hereafter enumerated will be a supplementary basis for revocation in addition to those specified in Section 18.370.050, to-wit:

None.

Section 4. Take Effect. This ordinance shall take effect and be in force as of the date of its passage, approval and publication as provided by law.

PASSED by the City Council this 1st day of February, 2021.

APPROVED by the Mayor this 1st day of February, 2021.

CITY OF OVERLAND PARK, KANSAS

By: (s) Carl Gerlach
Carl Gerlach
Mayor

(SEAL)

ATTEST:

APPROVED AS TO FORM:

By: (s) Elizabeth Kelley
Elizabeth Kelley
City Clerk

By: (s) Stephen B. Horner
Stephen B. Horner
Senior Assistant City Attorney