

ORDINANCE NO. Z-4117

SPECIAL USE PERMIT NO. 2020-00040

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:

Part Of Lot 23, Block 25, Cherokee Hills, Overland Park, Johnson County, Kansas,

A tract of land being part of Lot 23, Block 25, CHEROKEE HILLS, a subdivision of land in Overland Park, Johnson County, Kansas, more particularly described as follows:

Note: Basis of bearings is North 87° 34' 11" East on the South line of the Southeast Quarter of Section 36, Township 12 South, Range 24 East, of the Sixth Principal Meridian, in Overland Park, Johnson County, Kansas.

Commencing at the Southwest corner of the Southeast Quarter of Section 36, Township 12 South, Range 24 East, of the Sixth Principal Meridian, in Overland Park, Johnson County, Kansas;

Thence North 87° 34' 11" East on the South line of the Southeast Quarter of said Section 36, 133.65 feet; Thence North 02° 25' 49" West, 40.00 feet, to a point on the North right-of-Way line of W. 95th Street, said point being the Southwest corner of Lot 23, Block 25, CHEROKEE HILLS, a subdivision of land in Overland Park, Johnson County, Kansas; Thence North 87° 34' 11" East, on the North Right-of-Way line of W 95th Street being the South Line of said Lot 23, Block 25, CHEROKEE HILLS, 48.51 feet; Thence departing from the North Right-of-Way line of W 95th Street and the South Line of said Lot 23, Block 25, CHEROKEE HILLS, North 02° 25' 49" West, 44.26 feet to the Point of Beginning; Thence continuing North 02° 25' 49" West, 55.00 feet; Thence North 87° 34' 11" East, 42.00 feet; Thence South 02° 25' 49" east, 55.00 feet; Thence South 87° 34' 11" West, 42.00 feet to the Point of Beginning.

Said tract of land contains 2,310 square feet or 0.05303 acres more less and subject to all easement, covenants, conditions and restrictions of record.

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Section 2. That the real property hereinabove described shall hereafter allow renewal of a utility building, for a 10-year period of time. This property is currently zoned R-1, Single-Family Residential 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 hereafter enumerated will be a supplementary basis for revocation in addition to those specified in Section 18.370.050, to-wit:

- a. Generator testing may only be conducted Monday through Friday, 10:00 a.m. to 5:00 p.m.

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.

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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