

**ORDINANCE NO. Z-4039**

**SPECIAL USE PERMIT NO. 2019-00043**

**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:

All of Lot 9, Brillhart Subdivision, a subdivision in the City of Overland Park, Johnson County, Kansas; and, part of Lot 8 of said subdivision described as follows: the East 54 feet of the South 53 feet thereof; and, Lot 7 of said subdivision except the following: the North 263.99 feet of said Lot 7 and that part more particularly described as: commencing at the Northeast Corner of Lot 7, thence South 263.99 feet along the East line of Lot 7 to the Point of Beginning, thence East 100 feet perpendicular to the East line of Lot 7, thence South 311.50 feet parallel to the East line of Lot 7 to the North line of Merriam Drive as now established, thence Northeasterly along said North line to the East line of Lot 7, thence North 272.57 feet along the East line of Lot 7 to the Point of Beginning.

**Section 2.** That the real property hereinabove described shall hereafter allow renewal of a contractor's storage yard, for a ten-year period of time.

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:

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.

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PASSED by the City Council this 7th day of October, 2019.

APPROVED by the Mayor this 7th day of October, 2019.

**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