

ORDINANCE NO. Z-3447

SPECIAL USE PERMIT NO. 2010-3

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 that part of the Northwest quarter of Section 32, Township 12, Range 25, now in the City of Overland Park, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the Northwest quarter of said Section 32; thence South 0°00'00" E, along the West line of the Northwest quarter of said Section 32, a distance of 213.00 feet; thence N 90°00'00" E, a distance of 80.00 feet to a point on the East right-of-way line of Metcalf Avenue as now established, said point being the true point of beginning of subject tract; thence S 0°00'00" E along said East right-of-way line of Metcalf Avenue, 145.00 feet; thence N 90°00'00" E, along said right-of-way line of Metcalf Avenue, 40.00 feet; thence S 0°00'00" E along said right-of-way line of Metcalf Avenue, 40.00 feet; thence N 90°00'00" E, a distance of 136.53 feet; thence S 0°00'00" E, a distance of 24.00 feet; thence N 90°00'00" E, a distance of 143.47 feet; thence N 0°00'00" E, a distance of 249.51 feet; thence S 32°27'46" W, a distance of 57.27 feet; thence N 57°32'14" W, a distance of 14.56 feet; thence N 90°00'00" W, a distance of 276.97 feet to the true point of beginning of subject tract, containing 61498.4733 square feet or 1.4118 acres more or less.

SECTION 2. That the real property hereinabove described shall hereafter allow a drinking establishment, for a five-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:

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None.

SECTION 4. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the Overland Park Sun, an official City newspaper.

PASSED by the City Council this 19th day of April, 2010.

APPROVED by the Mayor this 19th day of April, 2010.

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Carl Gerlach, Mayor

ATTEST:

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Marian Cook, City Clerk

APPROVED AS TO FORM:

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J. Bart Budetti, Senior Assistant City Attorney