ORDINANCE NO. ____

AN ORDINANCE RELATING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY, UNDER THE AUTHORITY GRANTED BY THE WESTWOOD, KANSAS ZONING ORDINANCE.

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

SECTION ONE: That having received a recommendation from the Planning Commission, and proper notice have been given and hearing held on February 4, 2013 as provided by law and under the authority of and subject to the provisions of the Westwood, Kansas Zoning Ordinance, a Special Use Permit is issued on lands legally described as follows:

Lot 2 Woodside Club Complex, a subdivision of land in the City of Westwood, Johnson County, Kansas

SPECIAL USE PERMIT NO. 2013-01

To allow temporary telecommunication towers and facilities on property zoned CP-1; Planned Commercial District located at 2001 W. 47th Place.

SECTION TWO: That upon taking effect of this Ordinance, the above special use permit shall be incorporated as part of the Zoning Ordinance as amended for two years from and after its passage, approval, and publication in the official city newspaper.

All Zoning Ordinances or Zoning Regulations of the City of Westwood, 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 THREE: The special use permit granted in Sections 1 and 2 hereinabove, 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 16-8.1.3, to-wit:

1. Submittal of a certificate of insurance showing liability insurance of $1,000,000 per occurrence and $2,000,000 in the aggregate; and

2. The telecommunication carriers holds harmless and waive their rights of subrogation against the City of Westwood for all claims or losses that may occur from their operations in, and in conjunction with their operations, within the City of Westwood.

3. The Special Use Permit will become effective upon the issuance of a demolition permit for the YouthFront building located at located at 4715 Rainbow Blvd.
SECTION FOUR: This ordinance shall take effect and be in force from and after its publication in an official City newspaper.

PASSED and APPROVED on this 14th day of March, 2013.

_________________________________  John Yé, Mayor

ATTEST:

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Frederick L. Sherman, City Clerk

APPROVED AS TO FORM:

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Ryan B. Denk, City Attorney