Memo

To: Mayor and City Council

Fr: Shellby L. Hendee, CEcD

Dt; September 21, 2010

Re: Ordinance, CUP, SBA Towers

ISSUE

In January, 2009, the City granted a conditional use permit to Capitol Towers of Norman, Oklahoma to construct and operate a 200-foot telecommunications tower at 505 W. Grand Ave. on property owned by Michael and Denise Earley. SBA Towers II LLC of Boca Raton, Florida has acquired the tower and applies for its own permit to continue operation. The Earleys retain ownership of the real property. Cameron CUP regulations require that a new owner or operator obtain its own CUP which does not transfer with ownership. With beacon and lightning arrestor, the tower is actually 216 feet high which remains in compliance with City zoning and airport height and hazard regulations.

RECOMMENDATION

The Cameron Planning and Zoning Commission recommends that the City Council approve the attached ordinance granting a conditional use permit to SBA Towers II LLC.

Bill 2010-53

AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AUTHORIZING A CONDITIONAL USE PERMIT FOR SBA TOWERS II LLC ALLOWING OPERATION OF A COMMUNICATIONS TOWER AT 505 WEST GRAND AVENUE

WHEREAS, on July 30, 2010, SBA Towers II LLC and property owner Michael Earley submitted a Petition for Conditional Use Permit for operation of a communications tower at 505 West Grand Avenue; and

WHEREAS, public notice regarding the above request was published in the *Cameron Citizen-Observer*, a newspaper of general circulation, on August 19, 2010; and a public hearing concerning said matter was held at City Hall in Cameron, Missouri at 6:00 p.m. on September 13 2010; and

WHEREAS, the Cameron Planning and Zoning Commission, having met and reviewed said request, finds that it complies with the Conditional Use provisions of the Cameron Zoning Ordinance, approves the permit, and recommends adoption by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to Article 31, Conditional Uses, of the Cameron Zoning Ordinance, petitioner SBA Towers II LTD is hereby granted a conditional use permit for operation of a communications tower at 505 West Grand Avenue in accordance with the petition, site plans, maps, narrative, engineering design, and other documents submitted therefor which are attached hereto and made a part hereof.

Section 2. The Petitioners shall at all times comply with the provisions of Ch. 10.5, Telecommunications, of the Cameron City Code.

Section 3. The Mayor is authorized to sign this ordinance on behalf of the City.

Section 4. The City Clerk is directed to attest to the Mayor's signature.

Section 5 . This ordinance shall be in full force and effect from and after its passage and approval.

Read two times, passed and approved this 4th day of October 2010.

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Mayor Dennis M. Clark

ATTEST:

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City Clerk