

## WESTWOOD HILLS

(First published in Johnson County Herald  
Wednesday, March 26, 1973)

### ORDINANCE NO. 96 AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE CITY OF WESTWOOD HILLS, KANSAS, AND REPEALING ORDINANCES NUMBER 26, 44A AND 45, AND ALL AMENDMENTS THEREOF.

#### CHAPTER V ZONING REGULATIONS

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#### ARTICLE 1. DEFINITIONS

5.101 For the purpose of this Ordinance, certain terms or words used herein shall be interpreted or defined as follows:  
Words used in the present tense include the future tense. The singular includes the plural. The word "person" includes a corporation as well as an individual. The word "lot" includes the word "plot" or "parcel". The term "shall" is always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied".

(A) ACCESSORY BUILDING: A building the use of which is customarily incidental and subordinate to the principal use of the dwelling and located on the same lot with such dwelling.

(B) ALTERATION: Any addition, removal, extension, or change of any exterior surface, or a main building, dwelling, or accessory building.

(C) APPURTENANCE: A subordinate or accessory building or structure or portion of main building, the use of which is incidental and customary to that of the main building.

(D) BACK YARD: The land lying between the front building line and the rear property line on a lot.

(E) BOARD: The Board of Zoning Appeals as established by Ordinance No. 96.

(F) BUILDING: A structure having a roof supported by columns or walls, whether or not completely enclosed.

(G) COMMISSION: The City Planning Commission as established by Charter or Ordinance No. 96.

(H) DWELLING: A building designated exclusively for residential occupancy.

(I) FENCE: Any barrier or wall more than one foot high containing posts, wire, wood, mesh, rods, metal, plastic, masonry, concrete, rock, brick, earth, or other solid non-living substance.

(J) FRONT YARD: The land bordered by the residential structure, the side building lines, and the streets upon which the structure abuts.

(K) GARAGE: An appurtenance for storage of motor vehicles.

(L) HEDGE: Any barrier or dividing row of bushes, shrubs, erect plants or vines, or low trees, more than one foot high.

(M) PUBLIC BUILDING: A building designed exclusively for city purposes.

(N) SINGLE FAMILY: One or more persons who are related by blood or marriage, including not more than one non-related lodger or boarder, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than three (3) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a non-profit cost-sharing basis.

#### ARTICLE 2. ZONING REGULATIONS

##### 5.201 USE DISTRICT AND AREA REGULATIONS.

In order to regulate and restrict the location of trades, callings, industries, commercial enterprises and the location, erection, alteration and repair of buildings in the two "use and area districts" designated as (a) residential district, and (b) retail district. The City of Westwood Hills is hereby divided into the aforesaid districts, the boundaries of which are shown upon the official city map dated October 9, 1950, the residential district being the entire city except that portion in the retail district and the retail district being comprised of Lots 43, 44, 45 and 46, in Block 5, Westwood Hills, an addition in Johnson County, Kansas.

Except as hereinafter provided, no building, structure, fence or appurtenance shall be erected, altered, structurally improved, nor shall any building, structure, appurtenance, lot, plot, tract or premises be used for any purpose, other than is permitted by this article in the use and area district in which said building, structure, appurtenance, lot, plot, tract or premises is located.

##### 5.202 RESIDENTIAL DISTRICT.

(A) USES PERMITTED. In a residential district, no building, structure, appurtenance, lot, plot, tract or premises shall be used or no building, structure or appurtenance shall be hereafter erected, repaired, structurally improved except as a single family dwelling, public playground or park unless otherwise provided in this article.

(B) SETBACKS REQUIRED. No building, structure or appurtenance shall be located on a lot, plot, tract or parcel of land closer than:

30 feet to the front property line;  
4 feet to the side property line;  
15 feet to the rear property line.

On corner lots no building, garage, structure or appurtenance shall be erected on a lot, plot, tract or parcel of land closer than:

20 feet to the side street, or  
closer to said side street than the majority of the buildings or structures facing on such side street, whichever distance provides the greater setback.

Provided that in the case of fences, the setbacks provided herein shall not be required.

(C) FENCES: All fences shall not be required, except to type and design must be suitable to and in conformity with the improvements on the lot on which they are constructed and compatible with the surrounding neighborhood.

No permit shall be issued for construction of any fence or wall exceeding 6 feet in height, or to be constructed in any front yard, unless consent in writing to said construction shall be obtained from all owners and occupants of land abutting the lot upon which said construction is proposed or unless good cause for the necessity of such construction be shown by the applicant.

(D) HEDGES: Any hedge, which is, or which may grow to be, an increase in height at its highest point may be planted, maintained or grown in any front yard or backyard without prior approval. Any hedge higher than 4 feet must have the prior approval of the Commission evidenced by a permit.

(E) STREETS, SIDEWALKS, CURBS AND DRIVEWAYS: No street sidewalk, curb or driveway shall be removed or altered in any manner without the written approval of the City Planning Commission.

##### 5.203 RETAIL DISTRICT.

In a retail district, no building, structure, appurtenance, lot, plot, tract or premises shall be used, and no building, structure or appurtenance shall be hereafter erected or altered unless otherwise provided in this article except as follows:

(A) Stores and Professional Offices: Retail stores, stores for custom work, professional offices and banks.

(B) Shops: Barber, beauty, light cleaning, dry cleaning, shoe repair, and alterations.

(C) Other Business: Architectural, advertising agencies, fire and police stations, and municipal buildings.

(D) Height and Architectural Design Requirements: Buildings, structures and appurtenances to be used for any of the purposes enumerated in Sub-section (A), (B) and (C) of this section shall not exceed one story in height and shall conform to the basic architectural design and construction of permanent buildings, structures and appurtenances presently existing in the said retail district.

(E) Off-street parking and Loading Requirements: For all buildings and structures not now constructed or existing in the said retail district, off-street parking in the form of garages or areas made available exclusively for this purpose shall be provided within the said retail district as follows:

(1) One off-street parking space of at least 5 x 40 feet in size for each two hundred square feet floor area of said building or structure.

(2) Said required off-street parking space shall not include any parking or loading area presently used or dedicated for said use within said retail district.

(3) Said off-street parking space shall be located immediately adjacent to and flush with the said building or structure.

(4) No presently existing street or parking within said retail district shall be altered in any manner to provide the required off-street parking space or area without the written approval of the City Planning Commission.

##### 5.204 USES PROHIBITED

(A) No dwelling shall be constructed or altered or used for occupancy by more than one single family.

(B) No building, structure or appurtenance shall be used for any business or other purpose not permitted by this article in the use and area district in which located as hereinafter set forth.

(C) No temporary or uncompleted building, structure or appurtenance shall be used for any business or other purpose not permitted by this article in the use and area district in which located as hereinafter set forth.

(D) No building, structure or appurtenance shall be used for any business or other purpose not permitted by this article in the use and area district in which located as hereinafter set forth.

(E) No building, structure or appurtenance shall be used for any business or other purpose not permitted by this article in the use and area district in which located as hereinafter set forth.

(F) No building, structure or appurtenance shall be used for any business or other purpose not permitted by this article in the use and area district in which located as hereinafter set forth.

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(X) No building, structure or appurtenance shall be used for any business or other purpose not permitted by this article in the use and area district in which located as hereinafter set forth.

(Y) No building, structure or appurtenance shall be used for any business or other purpose not permitted by this article in the use and area district in which located as hereinafter set forth.

(Z) No building, structure or appurtenance shall be used for any business or other purpose not permitted by this article in the use and area district in which located as hereinafter set forth.

Whenever by reason of unusual and peculiar conditions appurtenant to a particular building, structure, lot or tract, as relating to the existing or appropriate development within the immediate vicinity, the strict application of a provision or provisions in this ordinance to work an unnecessary hardship, the Board of Zoning Appeals shall have the power to grant a variance or exception from such provision or provisions, but: Provided, That such variance shall be in harmony with the spirit and intent of this Ordinance, and: Provided further, That such variance or exception does not change the classification of the property nor make any changes in the zoning ordinances nor is a mere convenience to the applicant.

#### ARTICLE 3. PERMITS AND PROCEDURE FOR OBTAINING

5.301 WHEN REQUIRED. Except as herein otherwise provided, no building, structure, appurtenance, fence, driveway, patio or garage shall be constructed, erected, added to or materially altered, structurally improved or otherwise changed, remodelled, or replaced or any exterior mechanical equipment installed, nor any such work commenced upon any lot, tract or parcel of land unless the owner, contractor, or the duly authorized agent of either shall first have applied for and received from the City a permit therefor as herein provided.

5.302 MINOR ALTERATIONS. No permit shall be required for minor alterations such as painting, decorating, minor landscaping, patching, maintenance, re-roofing with materials similar to existing materials, and installation of room air conditioners, screens, storm doors, and windows.

##### 5.303 APPLICATIONS FOR PERMITS

(1) Contents. All applications for building permits shall contain the legal description of the lot, the street address of the lot, the names of the owners-applicants, a general description of the building or construction to be undertaken thereon, including the approximate size, shape, square foot area, list of materials for construction, the location of the new construction upon the lot, the name of the architect and contractor, if any, and the actual or estimated cost of the construction or improvement. Permit applications for a complete building or for alteration or for addition to an existing building, residential or commercial, amounting to five hundred (500) square feet or more, shall be accompanied by a complete set of final plans, including plot plans, detailed floor plans, elevations front, rear and sides, building details and specifications. Such applications may be made on forms which may be provided by the City Planning Commission.

(2) Filing of Applications. All applications for permits together with the designated fee therefor as hereinafter provided, shall be filed with the Chairman, Vice-Chairman or Secretary of the City Planning Commission, or in the event of their absence from the City, with any member of said Commission.

(3) Fees. All applications for building permits shall be accompanied by the following fees:

A. Residential District. A fee equal to one half of one percent (1/2 percent) of the cost of the proposed structure (minimum \$10.00) except that in lieu thereof, on applications for permits for fences, walls, hedges, patios, and sidewalks and driveways alterations, no such fee shall be required if the signatures of all owners and occupants of land abutting upon the land upon which said construction or alteration is to be made shall appear upon said application consenting to said construction or alteration on original.

B. Retail District. A fee equal to one percent (1 percent) of the cost of the proposed construction (minimum \$50.00).

C. Inspection Fees. All fees and expenses incurred for inspection to assure compliance with the Codes hereinafter provided for in Articles 7 and 8 shall be borne by and be the liability of the applicant for building permit on the structure upon which a building permit is required. Prior to the granting of a building permit, the Commission may require the applicant to post such additional sum to secure payment of such fees and expenses as the Commission may deem necessary.

(4) Consideration of Applications. Upon receipt of an application for a permit, the City Planning Commission shall schedule a hearing to consider the application as soon as practicable, and except on those applications hereinafter specified in paragraph (3) where all abutting land owners have consented in writing to the granting of said application, the Commission shall mail or otherwise deliver to the applicant and to the owners of all property immediately adjoining that of the applicant a written notice of the time, date, and place of such hearing as well as a description of the construction or alteration proposed by said application. Such hearing shall take place no sooner than five (5) days after the mailing or delivery of such notice, unless signed consents to said building or construction as herein provided in 5.303 have been obtained in which event said hearing may be held immediately upon the filing of said application.

##### 5.304 ISSUANCE OR DENIAL OF PERMIT.

After hearing on said application, the Commission shall enter an order either granting or denying said application. In the event that said application is approved and no objection in writing to the granting of said application was received prior thereto, said permit shall issue forthwith and construction or alteration may begin in accordance therewith. In event that said application is granted and that prior thereto any landowner within a 200 foot radius of the property upon which construction or alteration is proposed has objected, in writing, thereto, such permit will be issued on the 10th day following the granting thereof provided that no notice of appeal, as hereinafter provided, to the Board of Zoning Appeals has been filed. In the event that said application is denied, the Commission's findings and reasons for denial shall be stated in writing to the applicant if request is made therefor within 10 days of said action. If said application is denied, the applicant may appeal the Commission's determination by filing a notice of appeal, as hereinafter provided, to the Board of Zoning Appeals within 10 days of said denial.

##### 5.305 APPEAL TO BOARD OF ZONING APPEALS.

Any applicant, or property owner within a 200 foot radius of the property upon which the construction or alteration is proposed, may appeal the finding and determination of the City Planning Commission to the Board of Zoning Appeals, provided that, no such right of appeal shall exist for objecting or protesting property owners unless a protest or objection shall first have been made and considered by the City Planning Commission. Such appeal shall be taken by filing within 10 days of the decision of the City Planning Commission a written notice of appeal with the City Clerk of the City of Westwood Hills, Kansas.

Upon the filing of such notice of appeal, the City Clerk shall immediately transmit said notice of appeal to the Board of Zoning Appeals of the City of Westwood Hills, Kansas, which said Board shall as soon thereafter as practicable schedule a hearing on said application and appeal and shall give notice of the date, time, and place of such hearing to the applicant, all owners of land abutting on the property of the applicant, and all other land owners within a 200 foot radius of applicant's land who shall have objected or protested the proposed construction or alteration before the City Planning Commission. Such notice shall be given and published in accordance with the provisions of Ordinance No. 96.

The Board of Zoning Appeals shall have the power to grant variances and exceptions under the circumstances and in the manner provided by Ordinance No. 96.

##### 5.306 SEPARATE PERMITS.

There shall be separate permits required for each building or structure to be constructed, erected or altered, except accessory buildings and appurtenances which may be included in the permit for the principal building when construction is simultaneous, and provided, further, that there shall be but one fee required for simultaneous applications for permits on the same property.

##### 5.307 REVOCATION OF PERMITS.

A permit may be revoked by the City Planning Commission or the Board of Zoning Appeals at any time prior to the completion of the building or structure for which the same was issued when it shall appear to the City Planning Commission or Board of Zoning Appeals that the same was procured by false representation, or was issued by mistake, or that any other provisions of the zoning ordinances are being violated. Provided, however, that 24 hours written notice of such revocation shall be served upon the owner, his agent or contractor or upon any person employed upon the building or structure for which such permit was issued and thereafter no such construction shall proceed.

#### ARTICLE 6. CLEARING AND CLEANING OF STREETS FOLLOWING CONSTRUCTION

5.601 CLEARING AND CLEANING OF STREETS FOLLOWING CONSTRUCTION. Every person, firm or corporation obtaining a building permit shall, within ten (10) days after completion of the work cause that portion of the street or alley occupied by him with building material to be thoroughly cleared and cleaned.

#### ARTICLE 7. BUILDING, MECHANICAL, PLUMBING AND ELECTRICAL CODES FOR RETAIL DISTRICT

5.701 MINIMUM STANDARDS. This Article, including the basic codes incorporated by reference, shall constitute the minimum standards for the construction, alteration, remodeling, use, occupancy, location, maintenance, mechanical, plumbing, and electrical specifications of buildings and structures located in the Retail District.

5.702 UNIFORM BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS INCORPORATED BY REFERENCE. The certain standard code known as the Uniform Building Code, edition of 1973, and the standards of the Uniform Building Code Standards, edition of 1973, published by the International Conference of Building Officials, hereinafter jointly referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article. (K.S.A. 12-3009:3015)

5.703 UNIFORM MECHANICAL CODE. The certain standard code known as the Uniform Mechanical Code, edition of 1973, published by the International Conference of Building Officials, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article.

5.704 UNIFORM PLUMBING CODE. The certain standard code known as the Uniform Plumbing Code, 1973 edition, published by the International Association of Plumbing and Mechanical Officials, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article.

5.705 THE NATIONAL ELECTRICAL CODE. The certain standard code known as the National Electrical Code, 1975 edition, published by National Fire Protection Association, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article.

5.706 MARKED COPIES OF STANDARD CODE FILED. There shall be not less than three (3) copies of the standard Codes incorporated by reference in Sections 5.702 through 5.705 of this Article kept on file in the office of the City Clerk and kept available for inspection by the public at all reasonable business hours. The filed copies of the standard Codes shall be marked or stamped "Official Copy as Incorporated by the Ordinances of the City of Westwood Hills, Kansas, 1975." All sections or portions of the filed copies of the standard Codes shall be clearly marked to show deletions from the standard Code. (K.S.A. 12-3010, 12-3015)

#### ARTICLE 8. BUILDING, MECHANICAL, PLUMBING AND ELECTRICAL CODES FOR RESIDENTIAL DISTRICT

5.801 MINIMUM STANDARDS. This Article, including the basic codes incorporated by reference, shall constitute the minimum standards for the construction, alteration, remodeling, use, occupancy, location, maintenance, mechanical, plumbing, and electrical specifications of buildings and structures located in the Residential District.

5.802 ONE OR TWO FAMILY DWELLING CODE. The certain standard code known as One or Two Family Dwelling Code, 1971 edition, published by the Building Officials and Code Administrators International, Inc., hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article.

5.803 NATIONAL ELECTRICAL CODE. The certain standard code known as the National Electrical Code, 1975 edition, published by the National Fire Protection Association, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article.

5.804 MARKED COPIES OF STANDARD CODE FILED. There shall be not less than three (3) copies of the standard Codes incorporated by reference in Sections 5.802 and 5.803 of this Article kept on file in the office of the City Clerk and kept available for inspection by the public at all reasonable business hours. The filed copies of the standard Codes shall be marked or stamped "Official Copy as Incorporated by the Ordinances of the City of Westwood Hills, Kansas, 1975." All sections or portions of the filed copies of the standard Codes shall be clearly marked to show deletions from the standard Code.

Johnson County  
**Herald**

AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

M. H. CLINGAN being first duly sworn,

Deposes and says: That he is the editor of the Johnson County Herald, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas, with a general paid circulation on a weekly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly, published at least weekly 50 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Shawnee Mission, in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said

newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the

26th day of March, 1975, with subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

M. H. Clingan  
Editor

Subscribed and sworn to before me this 26th

day of March, 1975

Helen M. Caldwell  
HELEN M. CALDWELL, Notary Public in and for  
Johnson County, Kansas  
JOHNSON COUNTY, KANSAS  
MY COMMISSION EXPIRES AUG. 28, 1975  
My commission expires \_\_\_\_\_

Notary Fee . . . . . \$\_\_\_\_\_

Printer's fee . . . . . \$ 122.79

Additional copies . . . . . \$\_\_\_\_\_

Total Charge . . . . . \$ 122.79

IN THE \_\_\_\_\_ COURT OF  
JOHNSON COUNTY, KANSAS

State of Kansas, Johnson County, ss:

\_\_\_\_\_, 19\_\_\_\_  
The within Proof of Publication approved by

Johnson County Herald—Fully Qualified to  
Publish Legal Notices  
Since 1924

5-901. It shall be unlawful for any person to violate the provisions of this ordinance and any violation thereof shall be deemed a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed \$500.00 for each offense. Each day's violation shall constitute a separate offense. Nothing in this section shall be construed as to affect any other remedy the City may have to abate such violation.

ARTICLE 10. VALIDITY  
5-1001 Should any article, section, clause or provision of this ordinance be declared invalid or unconstitutional by any Court of record, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

ARTICLE 11. REPEAL  
5-1101 Ordinances No. 28, 46A and 63 are hereby repealed.

ARTICLE 12. EFFECTIVE DATE  
5-1201 This ordinance shall take effect and be enforced from and after its publication according to law.

Passed by the City Council this 3rd day of March, 1975.

Approved by the Mayor, this 3rd day of March, 1975.

s. Jerry D. Foster  
Jerry D. Foster, Mayor

ATTEST:  
s. Ora M. Amberg  
Ora M. Amberg, City Clerk  
SEAL

(1) Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history of the applicant, whether such person in previously operating in this or another City, County or State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

#### SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31 in the year in which a license expires, a business for which a license is required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

#### SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

#### SECTION 9. ENFORCEMENT.

(a) Inspections:

(i) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said-business without regard to use, except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft. . . . .	\$ 50.00
500 - 999 sq. ft. . . . .	65.00
1,000 - 1,499 sq. ft. . . . .	80.00
1,500 - 1,999 sq. ft. . . . .	95.00
2,000 - 2,499 sq. ft. . . . .	110.00
2,500 - 2,999 sq. ft. . . . .	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

-s. Jerry D. Foster  
Jerry D. Foster, Mayor

ATTEST:  
-s. Ora M. Amberg  
Ora M. Amberg, City Clerk  
(SEAL)

## WESTWOOD HILLS

(First published in Johnson County Herald Wednesday March 26, 1975)

### ORDINANCE NO. 100 ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED  
BY THE GOVERNING BODY OF THE CITY  
OF WESTWOOD HILLS, KANSAS.

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons, premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

SECTION 3. DEFINITIONS. For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on the premises in this City or anywhere else within its jurisdiction.

(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permittee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

#### SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses located in that district known as the "Retail District" as defined and delineated by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas.

(b) Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, for which a license, or permit is required by any law or ordinance of this City, without a license or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

#### SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Officer shall collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

#### SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

and equipping of school buildings, architectural expenses incidental thereto, and the acquisition of school building sites within the school district governed by said board; and

WHEREAS, K.S.A. 71-501, provides for the raising of such a fund by an annual tax levy for a period of not to exceed five years in an amount not to exceed one half (1/2) mill on all taxable tangible property in such district all as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of The Johnson County Community Junior College, Johnson County, Kansas, on this 24th day of February, 1975, that a special building fund be created in an aggregate amount of \$1,603,150 by levying not to exceed one half mill each year for a period of five years commencing with taxes to be levied in 1975 on all taxable tangible property within the said school district governed by said board, all as provided by law; and

BE IT FURTHER RESOLVED that said board shall annually certify such mill levy with other levies to the County Clerk of Johnson County, Kansas, as provided by law; and BE IT FURTHER RESOLVED that this notice as required by law shall be published once a week for three (3) successive weeks in the Herald and The Daily News, papers having a general circulation within said district; and

BE IT FURTHER RESOLVED that such levy may be made unless a petition in opposition to the same, signed by not less than ten percent (10 percent) of the qualified electors of such community junior college district is filed with the clerk of such community junior college within ninety (90) days following the last publication of the resolution. In the event such a petition is filed, such levy shall not be made unless the Board of Trustees submits the question to the voters at an election called for such purpose or at the general election in which case the levy may be made if a majority of those voting at such election on the proposition vote in favor thereof.

BOARD OF TRUSTEES, THE JOHNSON COUNTY COMMUNITY JUNIOR COLLEGE, JOHNSON COUNTY, KANSAS

-s. John R. Price  
John R. Price, Trustee and Chairman of the Board of Trustees  
-s. Joyce Smith  
Joyce Smith, Trustee and Vice Chairman of the Board of Trustees  
-s. Wilbur T. Billington  
Wilbur T. Billington, Trustee and Treasurer of the Board of Trustees

and day in said court in the City of Olathe, Kansas, at which time and place said cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon said petition.

-s. Elaine F. Leifer  
Elaine F. Leifer, Administratrix  
Petitioner  
Abraham Jacob Gorelick,  
5908 W. 101 Place  
Overland Park, Kansas 66207  
642-9451 36-37-38

## COOK ESTATE

(First published in Johnson County Herald Wednesday March 19, 1975)  
IN THE PROBATE COURT OF  
JOHNSON COUNTY, KANSAS  
In the Matter of the Estate of  
FLORA V. COOK, Deceased. No. 1449  
NOTICE OF HEARING  
THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a petition has been filed in said court by Marjorie Carter as one of the heirs-at-law of Flora V. Cook deceased, praying for the determination of the descent of the following described real estate in Johnson County, Kansas, to-wit:

All of Lot 20, Block 13 of Prairie Village, a subdivision now in the City of Prairie Village, Johnson County, Kansas, as shown by the recorded plat thereof; and all other property, real and personal, and interests therein, owned by the said Flora V. Cook at the time of her death, and you are hereby required to file your written defense thereto on or before the 10th day of April, 1975, at 9:30 o'clock A.M., of said day, in said court, in the City of Olathe, in Johnson County, Kansas, at which time and place said cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon said petition.

MARJORIE CARTER, Petitioner  
STEINER and REID  
Attorneys for Petitioner  
Suite 201, Two Gateway Center  
Kansas City, Kansas 66101  
324-9000 36-37-38

## PETERS ESTATE

(First published in Johnson County Herald Wednesday March 19, 1975)  
IN THE PROBATE COURT OF  
JOHNSON COUNTY, KANSAS  
In the Matter of the Estate of:  
DELMAR R. PETERS, Deceased. No. 14492  
NOTICE OF APPOINTMENT  
OF EXECUTOR

TO THE CREDITORS, HEIRS, DEVISEES AND LEGATEES OF DELMAR R. PETERS, DECEASED AND ALL OTHERS CONCERNED:

You and each of you will take notice that on the 12th day of March, 1975, Leonard Harvey was appointed Executor of the Estate of Delmar R. Peters, deceased, qualified as such, and Letters Testamentary were granted to him on March 12, 1975, by the Probate Court of Johnson County, Kansas.

All parties interested in the Estate will take notice and govern themselves accordingly. All creditors are notified to exhibit their demands against the Estate within six months from the date of the first publication of this notice as provided by law, and if their demands are not thus exhibited, they shall be forever barred.

LEONARD HARVEY,  
EXECUTOR  
WALTER FULLER, JR.  
428 Brotherhood Building  
Kansas City, Kansas 66101  
Phone: 321-7100  
ATTORNEY FOR EXECUTOR 36-37-38

## ELECTION

(First published in the Johnson County Herald Wednesday, March 12, 1975)  
NOTICE OF ELECTION  
WATER DISTRICT NO. 1 OF  
JOHNSON COUNTY

Notice is hereby given pursuant to K.S.A. 19-3507(a) Article 35 that a general election will be held on the 1st day of April 1975 in the Water District No. 1 of Johnson County, State of Kansas, for the election of one (1) board member to position number one (1) and one (1) board member to position number two (2) for a term beginning on the thirtieth day of April, 1975, and ending on the thirtieth day of April, 1979.

Notice is hereby further given that all qualified electors residing in such water district are eligible to vote for the following candidates:

Position No. 1  
Lawrence J. Brennan, 6009 W. 90, Overland Park  
P. Clifford Sharp, 5209 W. 68, Prairie Village

Position No. 2  
Roberta Chittenden, 8705 W. 90 Terr., Overland Park  
Murry W. Maxwell, 5423 Riggs, Mission  
The polls will be open from and between the hours of 7:00 A.M. to 7:00 P.M. at the following places:

OVERLAND PARK CITY

WARD—PCT. POLLING PLACE  
Ward 1 - Pct. 1, Shawnee Mission North High School, 7401 Johnson Drive  
Ward 1 - Pct. 2, Shawnee Mission North High School, 7401 Johnson Drive  
Ward 1 - Pct. 3, Arrowhead School, 6601 Santa Fe Drive

Ward 1 - Pct. 4, TWA Breech Training Academy, 6300 Lamar  
Ward 1 - Pct. 5, Milburn Junior High School, 8200 W. 71st  
Ward 1 - Pct. 6, Santa Fe Trail School, 7100 Lamar

Ward 1 - Pct. 7, Santa Fe Trail School, 7100 Lamar  
Ward 1 - Pct. 8, Overland Park Christian Church, 7600 W. 75th  
Ward 1 - Pct. 9, East Antioch School, 7342 Lowell

Ward 1 - Pct. 10, Santa Fe Trail School, 7100 Lamar  
Ward 1 - Pct. 11, Antioch School, 9120 W. 75th St.

Ward 1 - Pct. 12, Overland Park Lutheran Church, 79th & Lowell  
Ward 2 - Pct. 1, Santa Fe Trail School, 7100 Lamar

Ward 2 - Pct. 2, Overland Park Lutheran Church, 79th & Lowell  
Ward 2 - Pct. 3, Tomahawk School, 6301 W. 78th St.

Ward 2 - Pct. 4, Shawnee Mission West High School, 8800 W. 85th Street  
Ward 2 - Pct. 5, Shawnee Mission West High School, 8800 W. 85th Street  
Ward 2 - Pct. 6, Overland Park City Hall, 8500 Santa Fe Drive

Ward 2 - Pct. 7, Overland Park Intermediate Bldg., 8200 Santa Fe  
Ward 2 - Pct. 8, Overland Park Primary School, 8155 Santa Fe  
Ward 2 - Pct. 9, Broadmoor Junior High School, 6701 W. 83rd St.

Ward 2 - Pct. 10, Broadmoor Junior High School, 6701 W. 83rd St.  
Ward 2 - Pct. 11, Sequoyah School, 6201 W. 83rd St.

Ward 3 - Pct. 1, King Louie West Bowl, 8788 Metcalf  
Ward 3 - Pct. 2, King Louie West Bowl, 8788 Metcalf

Ward 3 - Pct. 3, Round Hill Bath & Tennis Club, 8930 Maple Circle  
Ward 3 - Pct. 4, Pawnee School, 9501 W. 91st St.

Ward 3 - Pct. 5, Valley View Methodist Church, 94th & Woodward  
Ward 3 - Pct. 6, Bethany Lutheran Church, 91st & Lamar

Ward 3 - Pct. 7, Knox United Presbyterian Church, 9595 W. 95th  
Ward 3 - Pct. 8, Valley View School, 8101 W. 95th

Ward 5 - Pct. 10, North Oxford School, 5901 W. 111th St.

PRAIRIE VILLAGE CITY  
Ward 1 - Pct. 1, Indian Hills Junior High School, 6400 Mission Rd.  
Ward 1 - Pct. 2, Prairie School, 67th & Mission Rd.

Ward 1 - Pct. 3, Southminster Presbyterian Church, 6306 Roe Avenue  
Ward 2 - Pct. 1, Faith Lutheran Church, 6700 Roe Blvd.

Ward 2 - Pct. 3, Asbury Methodist Church, 5400 W. 75th St.  
Ward 2 - Pct. 4, Asbury Methodist Church, 5400 W. 75th St.

Ward 3 - Pct. 2, Belinder School, 7230 Belinder Rd.  
Ward 3 - Pct. 3, Belinder School, 7230 Belinder Rd.

Ward 3 - Pct. 4, St. Ann's Church, 7231 Mission Rd.  
Ward 4 - Pct. 1, Shawnee Mission East High School, 7500 Mission Rd.

Ward 4 - Pct. 2, Shawnee Mission East High School, 7500 Mission Rd.  
Ward 4 - Pct. 3, Ridgeview School, 79th & Roe

Ward 4 - Pct. 4, Ridgeview School, 79th & Roe  
Ward 5 - Pct. 1, Sequoyah School, 6201 W. 83rd St.

Ward 5 - Pct. 2, Briarwood School, 5300 W. 86th  
Ward 5 - Pct. 3, Meadowbrook Junior High School, 8500 Mission Rd.

Ward 5 - Pct. 4, Lutheran Church of the Resurrection, 91st & Mission Rd.  
Ward 6 - Pct. 1, Corinth School, 83rd & Mission Rd.

Ward 6 - Pct. 2, Prairie Village Community Center, 2900 W. 79th  
Ward 6 - Pct. 3, Zion Lutheran Church, 7501 Belinder Rd.

Ward 6 - Pct. 4, Somerset School, Somerset Dr. & Belinder  
Ward 6 - Pct. 5, Corinth School, 83rd & Mission Rd.

OLATHE CITY  
Ward 3 - Pct. 4, Santa Fe Trail Junior High School, 1100 Ridgeview

SHAWNEE CITY  
Ward 1 - Pct. 1, Bluejacket School, 11615 W. 49th Ter.

Ward 1 - Pct. 2, Bluejacket School, 11615 W. 49th Ter.  
Ward 1 - Pct. 3, Bluejacket School, 11615 W. 49th Ter.

Ward 1 - Pct. 4, Marsh School, 5642 Rosehill  
Ward 2 - Pct. 1, Flint School, 5705 Flint

Ward 2 - Pct. 2, Shawnee Township Building, 12321 Johnson Dr.  
Ward 2 - Pct. 3, Hocker Grove Junior High School, 10400 Johnson Dr.

Ward 2 - Pct. 4, Shawnee Fire Station No. 1, 5835 Barton  
Ward 3 - Pct. 1, Nieman School, 67th & Nieman Rd.

Ward 3 - Pct. 2, Shawnee Mission N.W. High School, 12701 W. 67th St.  
Ward 3 - Pct. 3, Greenwood School, 16000 W. 65th St.

Ward 3 - Pct. 4, Nieman School, 67th & Nieman Rd.  
Ward 4 - Pct. 1, Shawanoe School, 11230 W. 75th

Ward 4 - Pct. 2, Shawnee Mission N.W. High School, 12701 W. 67th St.  
Ward 4 - Pct. 3, Shawnee Presbyterian Church, 6837 Nieman Rd.

Ward 4 - Pct. 4, Shawanoe School, 11230 W. 75th  
FAIRWAY CITY  
Ward 1 Fairway City Hall

5244 Norwood  
Ward 2, Old Mission Methodist Church, State Park Rd. & Johnson Dr.

Ward 3, George W. Lee Residence, 5711 Windsor  
Ward 4, Indian Hills Junior High School, 6400 Mission Rd.

LEAWOOD CITY  
Ward 1 - Pct. 1 & 2, Leawood Baptist Church, 83rd & State Line  
Ward 2 - Pct. 1 & 2, Cure of Ars, 9403 Mission Rd.

Ward 3 - Pct. 1 & 2, Brookwood School, 103rd & Wenonga  
Ward 3 - Pct. 3, Leawood South Country Club, 127th & Overbrook

Ward 4 - Pct. 1 & 2, Police Court Complex, 9617 Lee Blvd.  
LENEXA CITY  
Ward 1 - Pct. 1, Trailridge School, 7500 Quivira Rd.

Ward 1 - Pct. 2, Lakeview Village, 9100 Park  
Ward 2 - Pct. 2, Donald Bonjour School, 9400 Plumm Rd.

Ward 3 - Pct. 1, Trailridge School, 7500 Quivira Rd.  
Ward 4 - Pct. 1, Assembly of God Activity Center, 10113 Lenexa Dr.

MERRIAM CITY  
Ward 1 - Pct. 1 & 2, South Park School, 8715 W. 49th Terr.

Ward 2 - Pct. 1 & 2, Johnson County Water Dist. No. 1, 65th & Carter, Service Center  
Ward 3 - Pct. 1 & 2, Georgetown Apartments, 7200 Eby

Ward 4 - Pct. 1 & 2, Crestview School, 6200 Craig

MISSION CITY  
Ward 1 - Pct. 1 & 2, Rushton School, 6001 W. 51st Terr.

Ward 2 - Pct. 1 & 2, Mission City Hall, 6090 Woodson

Ward 3 - Pct. 1 & 2, Hickory Grove School, 5900 Lamar

Ward 4 - Pct. 1, Highlands School, 6200 Roe

Ward 4 - Pct. 2, Mohawk School, 6649 Lamar

ROELAND PARK CITY  
Ward 1 - Pct. 1 & 2, Roeland Park United Methodist Church, 5110 Cedar

Ward 2 - Pct. 1 & 2, Roeland Grade School, 5001 Clark Dr.

Ward 3 - Pct. 1 & 2, Roeland Park Grade School, 5527 Juniper

Ward 4 - Pct. 1 & 2, Bishop Mieg High School, 5041 Reinhardt

COUNTRYSIDE CITY  
Precinct 1, Trinity Lutheran Church, No. 50 Highway & Nell Ave.

MISSION HILLS CITY  
Precinct 1 & 2, Mission Hills Town Hall, 6300 State Line

Precinct 3 & 4, Indian Hills Country Club, Cherokee Lane & Tomahawk Rd.

MISSION WOODS CITY  
Precinct 1, Westwood American Lutheran Church, 5035 Rainbow

WESTWOOD CITY  
Precinct 1 & 2, Westwood View School, 2511 W. 50th St.



## WESTWOOD HILLS

(First published in Johnson County Herald, Wednesday, March 26, 1975)

### ORDINANCE NO. 99

AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE CITY OF WESTWOOD HILLS, KANSAS, AND REPEALING ORDINANCES NUMBER 28, 46A AND 63, AND ALL AMENDMENTS THERETO.

#### CHAPTER V

##### ZONING REGULATIONS

- ARTICLE 1 - Definitions
- ARTICLE 2 - Zoning Regulations
- ARTICLE 3 - Non-Conforming Uses
- ARTICLE 4 - Variances and Exceptions
- ARTICLE 5 - Permits and Procedures for Obtaining
- ARTICLE 6 - Clearing and Cleaning of Streets Following Construction
- ARTICLE 7 - Building, Mechanical, Plumbing and Electrical Codes for Retail District
- ARTICLE 8 - Building, Mechanical, Plumbing and Electrical Codes for Residential District
- ARTICLE 9 - Penalty
- ARTICLE 10 - Validity
- ARTICLE 11 - Repeal
- ARTICLE 12 - Effective Date

##### ARTICLE 1 - DEFINITIONS

5-101 For the purpose of this Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense. The singular includes the plural. The word "person" includes a corporation as well as an individual. The word "lot" includes the word "plot" or "parcel." The term "shall" is always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

(A) ACCESSORY BUILDING: A building the use of which is customarily incidental and subordinate to the principal use of the dwelling and located on the same lot with such dwelling.

(B) ALTERATION: Any addition, removal, extension, or change of any exterior surface of a main building, dwelling, or accessory building.

(C) APPURTENANCE: A subordinate or accessory building or structure or portion of main building, the use of which is incidental and customary to that of the main building.

(D) BACK YARD: The land lying between the front building line and the rear property line on a lot.

(E) BOARD: The Board of Zoning Appeals as established by Ordinance No. 96.

(F) BUILDING: A structure having a roof, supported by columns or walls, whether or not completely enclosed.

(G) COMMISSION: The City Planning Commission as established by Charter, Ordinance No. 2.

(H) DWELLING: A building designated exclusively for residential occupancy.

(I) FENCE: Any barrier or wall more than one foot high containing posts, wire, wood, mesh, rods, metal, plastic, masonry, concrete, rock, brick, earth, or other solid non-living substance.

(J) FRONT YARD: The land bordered by the residential structure, the side building lines, and the streets upon which said structure abuts.

(K) GARAGE: An appurtenance for storage of motor vehicles.

(L) HEDGE: Any barrier or dividing row of bushes, shrubs, erect plants or vines, or low trees, more than one foot high.

(M) PUBLIC BUILDING: A building, designed exclusively for city purposes.

(N) SINGLE FAMILY: One or more persons who are related by blood or marriage, including not more than one non-related lodger or boarder, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than three (3) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a non-profit cost-sharing basis.

##### ARTICLE 2 - ZONING REGULATIONS

5-201 USE DISTRICT AND AREA REGULATIONS. In order to regulate and restrict the location of trades, callings, industries, commercial enterprises and the location, erection, alteration and repair of buildings in the two "use and area districts" designated as (a) residential district, and (b) retail district. The City of Westwood Hills is hereby divided into the aforesaid districts, the boundaries of which are shown upon the official city map dated October 9, 1950, the residential district being the entire city except that portion in the retail district and the retail district being comprised of Lot 2, excepting the west 10 feet thereof, and Lots 43, 44, 45 and 46, in Block 5, Westwood Hills, an addition in Johnson County, Kansas.

Except as hereinafter provided, no building, structure, fence or appurtenance shall be erected, altered, structurally or otherwise changed, repaired, restored or improved, nor shall any building, structure, appurtenance, lot, plot, tract or premise be used for any purpose, other than is permitted by this article in the use and area district in which said building, structure, appurtenance, lot, plot, tract or premises is located.

##### 5-202 RESIDENTIAL DISTRICT.

(A) USES PERMITTED. In a residential district, no building, structure, appurtenance, lot, plot, tract or premise shall be used and no building, structure or appurtenance shall be hereafter erected, altered, structurally or otherwise changed, repaired, restored or improved except as a single family dwelling, public playground or park, unless otherwise provided in this article.

(B) SETBACKS REQUIRED. No building, structure or appurtenance shall be erected on a lot, tract or parcel of land closer than:

- 30 feet to the front property line,
- 4 feet to the side property line,
- 15 feet to the rear property line

On corner lots no building, garage, structure or appurtenance shall be erected on a lot, tract or parcel of land closer than:

- 20 feet to the side street, or
- closer to said side street than the majority of the buildings or structures facing on such side street, whichever distance provides the greater setback.

Provided that, in the case of fences, the setbacks provided herein shall not be required.

(C) FENCES. All fences and walls with respect to type and design must be suitable to and in conformity with the improvements on the lot on which they are constructed and compatible with the surrounding neighborhood.

No permit will be issued for construction of any fence or wall exceeding 4 feet in height, or to be constructed in any front yard, unless consent in writing to said construction shall be obtained from all owners and occupiers of land abutting the lot upon which said construction is proposed or unless good cause for the necessity of such construction be shown by the applicant.

(D) HEDGES. Any hedge which is, or which may grow to be, 48 inches in height at its highest point may be planted or permitted to grow in any front yard or backyard without prior approval. Any hedge higher than 4 feet must have the prior approval of the Commission as evidenced by a permit.

(E) STREETS, SIDEWALKS, CURBS AND DRIVEWAYS. No street sidewalk, curb or driveway shall be removed or altered in any manner without the written approval of the City Planning Commission.

5-203 RETAIL DISTRICT. In a retail district, no building, structure, appurtenance, lot, plot, tract or premise shall be used and no building, structure or appurtenance shall be hereafter erected, altered or otherwise changed, repaired, restored or improved except as follows:

(A) Stores and Professional Offices. Retail stores, stores for custom work, professional offices and banks.

(B) Shops. Bakery, barber, beauty, light dry cleaning, and dyeing, confectionary, dress-making, florist, tailor, shoe repair, and interior design.

(C) Other Businesses. Architects, advertising agencies, fire and police stations and municipal buildings.

(D) Height and Architectural Design Requirements. Buildings, structures and appurtenances to be used for any of the purposes enumerated in sub-section (A), (B) and (C) of this section, shall not exceed one story in height, and shall conform to the basic architectural design and construction of permanent buildings, structures and appurtenances presently existing in the said retail district.

(E) Off-Street Parking and Loading Requirements. For all buildings or structures not now constructed on and existing in the said retail district, off-street parking in the said retail district, off-street parking in the form of garages or appurtenances shall be provided within the said retail district as follows:

(1) One off-street parking space of at least 8.5 x 40.0 feet in size for each Two Hundred (200) square feet floor area of said building or structure.

(2) Said required off-street parking space shall not include any parking or loading area presently used or dedicated for said use within said retail district.

(3) Said off-street parking space shall be located immediately adjacent to and abut with the said building or structure.

(4) No presently existing street or culch within said retail district shall be altered in any manner to provide the required off-street parking space or area without the written approval of the City Planning Commission.

##### 5-204 USES PROHIBITED

(A) No dwelling shall be constructed or converted or used for occupancy by more than a single family.

(B) No business building shall be erected or any dwelling converted to or used for any business purpose nor business of any nature conducted within the City of Westwood Hills, except in conformity with the use and area district in which located, as hereinafter provided.

(C) No temporary or incomplete building or structure, nor any automotive equipment, trailer, garage or appurtenance incidental to a family dwelling shall be erected, maintained or used for residential or business purposes, temporarily or permanently.

(D) No uncompleted building, structure or appurtenance shall be maintained or permitted for a period longer than six (6) months.

(E) No building, structure or appurtenance damaged by fire or windstorm shall be permitted to remain in such damaged condition for a period longer than three (3) months.

(F) No building, material, or equipment, machinery or refuse shall be maintained or kept in the open upon any lot, plot, tract or premise within a residential district other than during actual construction operations upon said premises or related premises.

(G) No building, structure or appurtenance on any lot, block, tract or premise shall be used or occupied for any of the following purposes: (1) coal yard, lumber yard, junk yard; (2) tourist cabins, trailer camps; (3) feed store, poultry house, slaughter house, rendering or processing establishment; (4) multiple family residence, duplex, apartment house, lodging house, boarding house or rooming house, hotel, nursing home or hospital; (5) tavern, saloon, liquor store night club; (6) manufacturing plant of any kind or nature; (7) gas station, garage, or auto sales, whether new or used; (8) small animal hospital or kennels.

(H) No dams, bridges, obstructions or buildings of any kind may be built in or over the existing creek or stream which runs through the city nor shall any person divert the flow or course of said creek or stream.

(I) No automobile or truck incapable of present operation, no motor home, no detachable camper, no boat, and no trailer shall be parked or stored on the streets of the City or on private property where open to view.

##### ARTICLE 3 - NON-CONFORMING USES

5-301 NON-CONFORMING USES. No provision of Article 2 of this chapter shall apply to existing buildings, structures, or appurtenances, nor to the existing use of any building, appurtenance, or structure or land at the time of the adoption of such provision, but the provisions of Article 2 of this chapter shall apply to any alteration, change, structural or otherwise, repair or restoration of a building, structure or appurtenance to provide for a purpose or a use in a manner different from the use or purpose to which it was put before such alteration, change, structural or otherwise, repair or restoration; provided, that nothing in Article 2 of this chapter shall prevent the restoration or repair of a building, structure or appurtenance damaged not more than 50 percent of its value by fire, explosion, act of God or public enemy, or prevent the continuation of the use of such building, structure or appurtenance, or part thereof, as such use existed at the time of such damage. A non-conforming use changed to a conforming use shall not thereafter be changed back to a non-conforming use. When a non-conforming use (90) days, it shall not be re-established and future use shall be in conformity with the provisions of Article 2 of this chapter.

##### ARTICLE 4 - VARIANCES AND EXCEPTIONS

##### 5-401 VARIANCES AND EXCEPTIONS.

Whenever by reason of unusual and peculiar conditions appertaining to a particular building, structure, lot or tract, as relating to the existing or appropriate development within the immediate vicinity, the strict application of a provision or provisions in this ordinance to work an unnecessary hardship, the Board of Zoning Appeals shall have the power to grant a variance or exception from such provision or provisions, but: Provided, That such variance shall be in harmony with the spirit and intent of this Ordinance, and: Provided further, That such variance or exception does not change the classification of the property nor make any changes in the zoning ordinances nor is a mere convenience to the applicant.

##### ARTICLE 5 - PERMITS, AND PROCEDURE FOR OBTAINING

5-501 WHEN REQUIRED. Except as herein otherwise provided, no building, structure, appurtenance, fence, hedge, driveway, patio or garage shall be constructed, erected, added to or materially altered, structurally or otherwise changed, remodelled, or improved or any exterior mechanical equipment installed, nor any such work commenced upon any lot, tract or parcel of land unless the owner, contractor or the duly authorized agent of either shall first have applied for and received from the City Planning Commission a permit therefor as herein provided.

5-502 MINOR ALTERATIONS. No permit shall be required for minor alterations such as painting, decorating, minor landscaping, patching, maintenance, re-roofing with materials similar to existing materials, and installation of room air conditioners, screens, storm doors and windows.

5-503 APPLICATIONS FOR PERMITS. (1) Contents. All applications for building permits shall contain the legal description of the lot, the street address of the lot, the names of the owners-applicants, a general description of the building or construction to be undertaken thereon including the approximate size, shape, square foot area, list of materials for construction, the location of the new construction upon the lot, the name of the architect and contractor, if any, and the actual or estimated cost of the construction or improvement. Permit applications for a complete building or for alteration or for addition to an existing building, residential or commercial, amounting to five hundred (500) square feet or more, shall be accompanied by a complete set of final plans, including plot plans, detailed floor plans, elevations front, rear and sides, building details and specifications, drawn and sealed by a registered architect. Such applications may be made on forms which may be provided by the City Planning Commission.

(2) Filing of Applications. All applications for permits together with the designated fee therefor as hereinafter provided, shall be filed with the Chairman, Vice-Chairman or secretary of the City Planning Commission, or in the event of their absence from the City, with any member of said Commission.

(3) Fees. All applications for building permits shall be accompanied by the following fees:

A. Residential District. A fee equal to one half of one percent (1/2 percent) of the cost of the proposed structure (minimum \$10.00) except that in lieu thereof, on applications for permits for fences, walls, hedges, patios, and sidewalks and driveway alterations, no such fee shall be required if the signatures of all the land and occupiers of land abutting upon the lot, tract or parcel of land upon which the construction is to be made shall appear on the application consenting to said construction.

B. For alteration on original. percent (1/2 percent) of the cost of the proposed structure (minimum \$50.00).

C. Inspection Fees. All fees and expenses with that for inspection to assure compliance Articles Codes hereinafter provided for in Sub-sections B and C shall be borne by and be the responsibility of the applicant for building permit.

Structure upon which inspection is required. Prior to the granting of a building permit, the Commission may require the applicant to post such additional sum to secure payment of such fees and expenses as the Commission may deem necessary.

(4) Consideration of Applications. Upon receipt of an application for a permit, the City Planning Commission shall schedule a hearing to consider the application as soon as practicable, and except as the applications hereinbefore specified in paragraph (3) where all abutting land owners have consented in writing to the granting of said application, the Commission shall mail or otherwise deliver to the applicant and to the owners of all property immediately adjoining that of the applicant a written notice of the time, date, and place of such hearing as well as a description of the construction or alteration proposed by said application. Such hearing shall take place no sooner than five (5) days after the mailing or delivery of such notice, unless signed consents to said building or construction as herein provided in 5-503 have been obtained in which event said hearing may be had immediately upon the filing of said application.

5-504 ISSUANCE OR DENIAL OF PERMIT. After hearing on said application, the Commission shall enter an order either granting or denying said application. In the event that said application is approved and no objection, in writing, to the granting of said application was made prior thereto, said permit shall be issued forthwith and construction or alteration may begin in accordance therewith. In event that said application is denied and that prior thereto any landowner within a 200 foot radius of the property upon which construction or alteration is proposed has objected, in writing, thereto, such permit will be issued on the 10th day following the granting thereof provided that no notice of appeal, as hereinafter provided, to the Board of Zoning Appeals has been filed. In the event that said application is denied, the Commission's findings and reasons for denial shall be stated in writing to the applicant if written request is made thereof within 10 days of said action. If said application is denied, the applicant may appeal the Commission's determination by filing a notice of appeal, as hereinafter provided, to the Board of Zoning Appeals within 10 days of said denial.

5-505 APPEAL TO BOARD OF ZONING APPEALS. Any applicant, or property owner within a 200 foot radius of the property upon which the construction or alteration is proposed, may appeal the finding and determination of the City Planning Commission to the Board of Zoning Appeals, provided that, no such right of appeal shall exist for objecting or protesting property owners unless a protest or objection shall first have been made and considered by the City Planning Commission. Such appeal shall be taken by filing within 10 days of the decision of the City Planning Commission a written notice of appeal with the City Clerk of the City of Westwood Hills, Kansas.

Upon the filing of such notice of appeal, the City Clerk shall immediately transmit said notice of appeal to the Board of Zoning Appeals of the City of Westwood Hills, Kansas, which said Board shall as soon thereafter as practicable schedule a hearing on said application and appeal and shall give notice of the date, time, and place of such hearing to the applicant, all owners of land abutting the property of the applicant, and all other land owners within a 200 foot radius of applicant's land who shall have objected or protested the proposed construction or alteration before the City Planning Commission. Such notice shall be given and published in accordance with the provisions of Ordinance No. 96.

The Board of Zoning Appeals shall have the power to grant variances and exceptions under the circumstances and in the manner provided by Ordinance No. 96.

5-506 SEPARATE PERMITS. There shall be separate permits required for each building or structure to be constructed, erected or altered, except accessory buildings and appurtenances which may be included in the permit for the principal building when construction is simultaneous, and provided, further, that there shall be but one fee required for simultaneous applications for permits on the same property.

5-507 REVOCATION OF PERMITS. A permit may be revoked by the City Planning Commission or the Board of Zoning Appeals at any time prior to the completion of the building or structure for which the same was issued when it shall appear to the City Planning Commission or Board of Zoning Appeals that the same was procured by false representation, or was issued by mistake, or that any other provisions of the zoning ordinances are being violated. Provided, however, that 24 hours written notice of such revocation shall be served upon the owner, his agent or contractor or upon any person employed upon the building or structure for which such permit was issued and thereafter no such construction shall proceed.

ARTICLE 6 - CLEARING AND CLEANING OF STREETS FOLLOWING CONSTRUCTION

5-601 CLEARING AND CLEANING OF STREETS FOLLOWING CONSTRUCTION. Every person, firm or corporation obtaining a building permit shall, within ten (10) days after completion of the work cause that portion of the street or alley occupied by him with building material to be thoroughly cleared and cleaned.

ARTICLE 7 - BUILDING, MECHANICAL, PLUMBING AND ELECTRICAL CODES FOR RETAIL DISTRICT

5-701 MINIMUM STANDARDS. This Article, including the basic codes incorporated by reference, shall constitute the minimum standards for the construction, alteration, remodeling, use, occupancy, location, maintenance, mechanical, plumbing, and electrical specifications of buildings and structures located in the Retail District.

5-702 UNIFORM BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS INCORPORATED BY REFERENCE. The certain standard code known as the Uniform Building Code, edition of 1973, and the Standards of the Uniform Building Code Standards, edition of 1973, published by the International Conference of Building Officials, hereinafter jointly referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article. (K.S.A. 12-3009-3015)

5-703 UNIFORM MECHANICAL CODE. The certain standard code known as the Uniform Mechanical Code, edition of 1973, published by the International Conference of Building Officials, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, is hereby incorporated herein by reference and made a part of this Article.

5-704 UNIFORM PLUMBING CODE. The certain standard code known as the Uniform Plumbing Code, 1973 edition, published by the International Association of Plumbing and Mechanical Officials, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, is hereby incorporated herein by reference and made a part of this Article.

5-705 THE NATIONAL ELECTRICAL CODE. The certain standard code known as the National Electrical Code, 1975 edition, published by National Fire Protection Association, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, is hereby incorporated herein by reference and made a part of this Article.

5-706 MARKED COPIES OF STANDARD CODE FILED. There shall be not less than three (3) copies of the standard Codes incorporated by reference in Sections 5-702 through 5-705 of this Article kept on file in the office of the City Clerk and kept available for inspection by the public at all reasonable business hours. The filed copies of the standard Codes shall be marked or stamped "Official Copy as Incorporated by the Ordinances of the City of Westwood Hills, Kansas, 1975." All sections or portions of the filed copies of the standard Code shall be clearly marked to show deletions from the standard Code. (K.S.A. 12-3010, 12-3015)

ARTICLE 8 - BUILDING, MECHANICAL PLUMBING AND ELECTRICAL CODES FOR RESIDENTIAL DISTRICT

5-801 MINIMUM STANDARDS. This Article, including the basic codes incorporated by reference, shall constitute the minimum standards for the construction, alteration, remodeling, use, occupancy, location, maintenance, mechanical, plumbing and electrical specifications of buildings and structures located in the Residential District.

5-802 ONE OR TWO FAMILY DWELLING CODE. The certain standard code known as the One or Two Family Dwelling Code, 1971 edition, published by the Building Officials and Code Administrators International, Inc., hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article.

5-803 NATIONAL ELECTRICAL CODE. The certain standard code known as the National Electrical Code, 1975 edition, published by the National Fire Protection Association, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article.

5-804 MARKED COPIES OF STANDARD CODE FILED. There shall be not less than three (3) copies of the standard Codes incorporated by reference in Sections 5-802 and 5-803 of this Article kept on file in the office of the City Clerk and kept available for inspection by the public at all reasonable business hours. The filed copies of the standard Codes shall be marked or stamped "Official Copy as Incorporated by the Ordinances of the City of Westwood Hills, Kansas, 1975." All sections or portions of the filed copies of the standard Code shall be clearly marked to show deletions from the standard Code.

Johnson County  
**Herald**

AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

M. H. CLINGAN being first duly sworn,

Deposes and says: That he is the editor of the Johnson County Herald, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas, with a general paid circulation on a weekly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly, published at least weekly 50 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Shawnee Mission, in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said

newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the

26th day of March, 1975, with subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_

*M. H. Clingan*  
Editor

Subscribed and sworn to before me this 26th

day of March, 1975.

*Heleen M. Caldwell*

HELEN M. CALDWELL, Notary Public for  
Johnson County, Kansas  
JOHNSON COUNTY, KANSAS  
MY COMMISSION EXPIRES AUG. 28, 1975

My commission expires: \_\_\_\_\_

Notary Fee - - - - - \$\_\_\_\_\_

Printer's fee - - - - - \$122.79

Additional copies - - - - - \$\_\_\_\_\_

Total Charge - - - - - \$122.79

IN THE \_\_\_\_\_ COURT OF

JOHNSON COUNTY, KANSAS

State of Kansas, Johnson County, ss:

\_\_\_\_\_, 19\_\_\_\_  
The within Proof of Publication approved by

Johnson County Herald—Fully Qualified to  
Publish Legal Notices  
Since 1924

ARTICLE 9 - PENALTY  
5-901 It shall be unlawful for any person to violate any provision of this ordinance and any violation thereof shall be deemed a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed \$500.00 for each offense. Each day's violation shall constitute a separate offense. Nothing in this section shall be construed as to affect any other remedy the City may have to abate such violation.

ARTICLE 10 - VALIDITY  
5-1001 Should any article, section, clause or provision of this ordinance be declared invalid or unconstitutional by any Court of record, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

ARTICLE 11 - REPEAL  
5-1101 Ordinances No. 28, 46A and 63 are hereby repealed.

ARTICLE 12 - EFFECTIVE DATE  
5-1201 This ordinance shall take effect and be enforced from and after its publication according to law.

Passed by the City Council this 3rd day of March, 1975.  
Approved by the Mayor, this 3rd day of March, 1975.

s. Jerry D. Foster  
Jerry D. Foster, Mayor

ATTEST:

s. Ora M. Amberg  
Ora M. Amberg, City Clerk  
SEAL

Johnson County  
**Herald**

AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

M. H. CLINGAN being first duly sworn,  
Deposes and says: That he is the editor of the Johnson  
County Herald, a weekly newspaper printed in the  
State of Kansas, and published in and of general circu-  
lation in Johnson County, Kansas, with a general paid  
circulation on a weekly basis in Johnson County,  
Kansas, and that said newspaper is not a trade, religious  
or fraternal publication.

Said newspaper is a weekly, published at least  
weekly 50 times a year; has been published continu-  
ously and uninterruptedly in said county and state for  
a period of more than five years prior to the first  
publication of said notice; and has been admitted at the  
post office of Shawnee Mission, in said County as  
second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said

newspaper for 1 consecutive weeks, the first  
publication thereof being made as aforesaid on the

26th day of March, 1975, with  
subsequent publications being made on the following  
dates:

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-----, 19-----

-----, 19-----

-----, 19-----

-----, 19-----

-----, 19-----

M. H. Clingan  
Editor

Subscribed and sworn to before me this 26th

day of March, 1975

Heleen M. Caldwell

HELLEN M. CALDWELL  
Notary Public in and for  
Johnson County, Kansas  
JOHNSON COUNTY, KANSAS  
My commission expires: MY COMMISSION EXPIRES AUG. 28, 1975

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IN THE ----- COURT OF

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-----, 19-----

The within Proof of Publication approved by

Johnson County Herald—Fully Qualified to  
Publish Legal Notices

Since 1924

Case No. \_\_\_\_\_

Plaintiff.

vs.

Defendant.

**PROOF OF PUBLICATION**



structure or appurtenance shall be erected on a lot, tract or parcel of land closer than:

- 30 feet to the front property line,
- 4 feet to the side property line,
- 15 feet to the rear property line

On corner lots no building, garage, structure or appurtenance shall be erected on a lot, tract or parcel of land closer than:

- 20 feet to the side street, or
- closer to said side street than the majority of the buildings or structures facing on such side street, whichever distance provides the greater setback.

Provided that, in the case of fences, the setbacks provided herein shall not be required.

(C) FENCES. All fences and walls with respect to type and design must be suitable to and in conformity with the improvements on the lot on which they are constructed and compatible with the surrounding neighborhood.

No permit will be issued for construction of any fence or wall exceeding 4 feet in height, or to be constructed in any front yard, unless consent in writing to said construction shall be obtained from all owners and occupiers of land abutting the lot upon which said construction is proposed or unless good cause for the necessity of such construction be shown by the applicant.

(D) HEDGES. Any hedge which is, or which may grow to be, 48 inches in height at its highest point may be planted or permitted to grow in any front yard or backyard without prior approval. Any hedge higher than 4 feet must have the prior approval of the Commission as evidenced by a permit.

(E) STREETS, SIDEWALKS, CURBS AND DRIVEWAYS. No street sidewalk, curb or driveway shall be removed or altered in any manner without the written approval of the City Planning Commission.

5-203 RETAIL DISTRICT. In a retail district, no building, structure, appurtenance, lot, plot, tract or premise shall be used and no building, structure or appurtenance shall be hereafter erected, or altered unless otherwise provided in this article, except as follows, to-wit:

(A) Stores and Professional Offices. Retail stores, stores for custom work, professional offices and banks.

(B) Shops. Bakery, barber, beauty, light dry cleaning, and dyeing, confectionary, dress-making, florist, tailor, shoe repair, and interior design.

(C) Other Businesses. Architects, advertising agencies, fire and police stations and municipal buildings.

(D) Height and Architectural Design Requirements. Buildings, structures and appurtenances to be used for any of the purposes enumerated in sub-section (A), (B) and (C) of this section, shall not exceed one story in height, and shall conform to the basic architectural design and construction of permanent buildings, structures and appurtenances presently existing in the said retail district.

(E) Off-Street Parking and Loading Requirements. For all buildings or structures not now constructed on and existing in the said retail district, off-street parking in the form of garages of areas made available exclusively for that purpose shall be provided within the said retail district as follows:

(1) One off-street parking space of at least 8.5 x 40.0 feet in size for each Two Hundred (200) square feet floor area of said building or structure.

(2) Said required off-street parking space shall not include any parking or loading area presently used or dedicated for said use within said retail district.

(3) Said off-street parking space shall be located immediately adjacent to and flush with the said building or structure.

(4) No presently existing street or curbing within said retail district shall be altered in any manner to provide the required off-street parking space or area without the written approval of the City Planning Commission.

5-204 USES PROHIBITED

(A) No dwelling shall be constructed or converted or used for occupancy by more than a single family.

(B) No business building shall be erected or any dwelling converted to or used for any business purpose nor business of any nature conducted within the City of Westwood Hills except in conformity with the use and area district in which located, as hereinabove set forth.

(C) No temporary or incomplete building or structure, nor any automotive equipment, trailer, garage or appurtenance incidental to a family dwelling shall be erected, maintained or used for residential or business purposes, temporarily or permanently.

(D) No uncompleted building, structure or appurtenance shall be maintained or permitted for a period longer than six (6) months.

(E) No building, structure or appurtenance damaged by fire or windstorm shall be permitted to remain in such damaged condition for a period longer than three months.

(F) No building material, construction equipment, machinery or refuse shall be maintained or kept in the open upon any lot, plot, tract or premise within a residence district other than during actual construction operations upon said premises or related premises.

(G) No building, structure or appurtenance or any lot, block, tract or premise shall be used or occupied for any of the following purposes: (1) coal yard, lumber yard, junk yard; (2) tourist cabins, trailer camps; (3) feed store, poultry house, slaughter house, rendering or processing establishment; (4) multiple family residence, duplex, apartment house, lodging house, boarding house or rooming house, hotel, nursing home or hospital; (5) tavern, saloon, liquor store, night club; (6) manufacturing plant of any type or nature; (7) gas station, garage, or auto sales, whether new or used; (8) small animal hospital or kennels.

(H) No dams, bridges, obstructions or buildings of any kind may be built in or over the existing creek or stream which runs through the city nor shall any person divert the flow or course of said creek or stream.

(I) No automobile or truck incapable of present operation, no motor home, no detachable camper, no boat, and no trailer shall be parked or stored on the streets of the City or on private property where open to view.

#### ARTICLE 3. NON-CONFORMING USES

5-301 NON-CONFORMING USES. No provision of Article 2 of this chapter shall apply to existing buildings, structures, or appurtenances, nor to the existing use of any building, appurtenance, or structure or land at the time of the adoption of such provision, but the provisions of Article 2 of this chapter shall apply to any alteration, change, structural or otherwise, repair or restoration of a building, structure or appurtenance to provide for a purpose or a use in a manner different from the use or purpose to which it was put before such alteration, change, structural or otherwise, repair or restoration; provided that nothing in Article 2 of this chapter shall prevent the restoration or repair of a building, structure or appurtenance damaged not more than 50 percent of its value by fire, explosion, act of God or public enemy, or prevent the continuance of the use of such building, structure or appurtenance, or part thereof, as such use existed at the time of such damage. A non-conforming use changed to a conforming use may not thereafter be changed back to a non-conforming use. When a non-conforming use has been discontinued for a period of ninety (90) days, it shall not be re-established and future use shall be in conformity with the provisions of Article 2 of this chapter, notwithstanding the purposes for which the premises were erected or used.

#### ARTICLE 4. VARIANCES AND EXCEPTIONS

5-401 VARIANCES AND EXCEPTIONS. Whenever by reason of unusual and peculiar

circumstances appearing to a particular building, structure, lot or tract, as relating to the existing or appropriate development within the immediate vicinity, the strict application of a provision or provisions in this ordinance to work an unnecessary hardship, the Board of Zoning Appeals shall have the power to grant a variance or exception from such provision or provisions, but: Provided, That such variance shall be in harmony with the spirit and intent of this Ordinance, and: Provided further, That such variance or exception does not change the classification of the property nor make any changes in the zoning ordinances nor is a mere convenience to the applicant.

#### ARTICLE 5. PERMITS, AND PROCEDURE FOR OBTAINING

5-501 WHEN REQUIRED. Except as herein otherwise provided, no building, structure, appurtenance, fence, hedge, driveway, patio or garage shall be constructed, erected, added to or materially altered, structurally or otherwise changed, remodelled, or improved or any exterior mechanical equipment installed, nor any such work commenced upon any lot, tract or parcel of land unless the owner, contractor or the duly authorized agent of either shall first have applied for and received from the City Planning Commission a permit therefor as herein provided.

5-502 MINOR ALTERATIONS. No permit shall be required for minor alterations such as painting, decorating, minor landscaping, patching, maintenance, re-roofing with materials similar to existing materials, and installation of room air conditioners, screens, storm doors, and windows.

#### 5-503 APPLICATIONS FOR PERMITS.

(1) Contents. All applications for building permits shall contain the legal description of the lot, the street address of the lot, the names of the owners-applicants, a general description of the building or construction to be undertaken thereon including the approximate size, shape, square foot area, list of materials for construction, the location of the new construction upon the lot, the name of the architect and contractor, if any, and the actual or estimated cost of the construction or improvement. Permit applications for a complete building or for alteration or for addition to an existing building, residential or commercial, amounting to five hundred (500) square feet or more, shall be accompanied by a complete set of final plans, including plot plans, detailed floor plans, elevations front, rear and sides, building details and specifications, drawn and sealed by a registered architect. Such applications may be made on forms which may be provided by the City Planning Commission.

(2) Filing of Applications. All applications for permits together with the designated fee therefor as hereinafter provided, shall be filed with the Chairman, Vice-Chairman or secretary of the City Planning Commission, or in the event of their absence from the City, with any member of said Commission.

(3) Fees. All applications for building permits shall be accompanied by the following fees:

A. Residential District. A fee equal to one half of one percent (1/2 percent) of the cost of the proposed structure (minimum \$50.00) except that in lieu thereof, no applications for permits for fences, walls, hedges, patios, and sidewalks and driveway alterations, no such fee shall be required if the signatures of all owners and occupiers of land abutting upon the land upon which said construction or alteration is to be made shall appear upon said application consenting to said construction or alteration on original.

B. Retail District. A fee equal to one percent (1 percent) of the cost of the proposed construction (minimum \$50.00).

C. Inspection Fees. All fees and expenses incurred for inspection to assure compliance with the Codes hereinafter provided for in Articles 7 and 8 shall be borne by and be the liability of the applicant for building permit on the structure upon which inspection is required. Prior to the granting of a building permit, the Commission may require the applicant to post such additional sum to secure payment of such fees and expenses as the Commission may deem necessary.

(4) Consideration of Applications. Upon receipt of an application for a permit, the City Planning Commission shall schedule a hearing to consider the application as soon as practicable, and except on those applications hereinbefore specified in paragraph (3) where all abutting land owners have consented in writing to the granting of said application, the Commission shall mail or otherwise deliver to the applicant and to the owners of all property immediately adjoining that of the applicant a written notice of the time, date, and place of such hearing as well as a description of the construction or alteration proposed by said application. Such hearing shall take place no sooner than five (5) days after the mailing or delivery of such notice, unless signed consents to said building or construction as herein provided in 5-503 have been obtained in which event said hearing may be had immediately upon the filing of said application.

5-504 ISSUANCE OR DENIAL OF PERMIT. After hearing on said application, the Commission shall enter an order either granting or denying said application. In the event that said application is approved and no objection, in writing, to the granting of said application was made prior thereto, said permit shall issue forthwith and construction or alteration may begin in accordance therewith. In event that said application is granted and that prior thereto any landowner within a 200 foot radius of the property upon which construction or alteration is proposed has objected, in writing, thereto, such permit will be issued on the 10th day following the granting thereof provided that no notice of appeal, as hereinafter provided, to the Board of Zoning Appeals has been filed. In the event that said application is denied, the Commission's findings and reasons for denial shall be stated in writing to the applicant if written request is made thereof within 10 days of said action. If said application is denied, the applicant may appeal the Commission's determination by filing a notice of appeal, as hereinafter provided, to the Board of Zoning Appeals within 10 days of said denial.

5-505 APPEAL TO BOARD OF ZONING APPEALS. Any applicant, or property owner within a 200 foot radius of the property upon which the construction or alteration is proposed, may appeal the finding and determination of the City Planning Commission to the Board of Zoning Appeals, provided that, no such right of appeal shall exist for objecting or protesting property owners unless a protest or objection shall first have been made and considered by the City Planning Commission. Such appeal shall be taken by filing within 10 days of the decision of the City Planning Commission a written notice of appeal with the City Clerk of the City of Westwood Hills, Kansas.

Upon the filing of such notice of appeal, the City Clerk shall immediately transmit said notice of appeal to the Board of Zoning Appeals of the City of Westwood Hills, Kansas, which said Board shall as soon thereafter as practicable schedule a hearing on said application and appeal and shall give notice of the date, time, and place of such hearing to the applicant, all owners of land abutting on the property of the applicant, and all other land owners within a 200 foot radius of applicant's land who shall have been objected or protested to by the applicant or any other person or persons who shall have been objected or protested to by the City Planning Commission. Such notice shall be given and published in accordance with the provisions of Ordinance No. 96.

The Board of Zoning Appeals shall have the power to grant variances and exceptions under the circumstances and in the manner

provided by Ordinance No. 96.

5-506 SEPARATE PERMITS. There shall be separate permits required for each building or structure to be constructed, erected or altered, except accessory buildings and appurtenances which may be included in the permit for the principal building when construction is simultaneous, and provided, further, that there shall be but one fee required for simultaneous applications for permits on the same property.

5-507 REVOCATION OF PERMITS. A permit may be revoked by the City Planning Commission or the Board of Zoning Appeals at any time prior to the completion of the building or structure for which the same was issued when it shall appear to the City Planning Commission or Board of Zoning Appeals that the same was procured by false representation, or was issued by mistake, or that any other provisions of the zoning ordinances are being violated. Provided, however, that 24 hours written notice of such revocation shall be served upon the owner, his agent or contractor or upon any person employed upon the building or structure for which such permit was issued and thereafter no such construction shall proceed.

#### ARTICLE 6. CLEARING AND CLEANING OF STREETS FOLLOWING CONSTRUCTION

5-601 CLEARING AND CLEANING OF STREETS FOLLOWING CONSTRUCTION. Every person, firm or corporation obtaining a building permit shall, within ten (10) days after completion of the work cause that portion of the street or alley occupied by him with building material to be thoroughly cleared and cleaned.

#### ARTICLE 7. BUILDING, MECHANICAL, PLUMBING AND ELECTRICAL CODES FOR RETAIL DISTRICT

5-701 MINIMUM STANDARDS. This Article, including the basic codes incorporated by reference, shall constitute the minimum standards for the construction, alteration, remodeling, use, occupancy, location, maintenance, mechanical, plumbing, and electrical specifications of buildings and structures located in the Retail District.

5-702 UNIFORM BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS INCORPORATED BY REFERENCE. The certain standard code known as the Uniform Building Code, edition of 1973, and the standards of the Uniform Building Code Standards, edition of 1973, published by the International Conference of Building Officials, hereinafter jointly referred to as the "Code", and any amendments thereto or revisions thereof, are hereby incorporated herein by reference and made a part of this Article. (K.S.A. 12-3009:3015)

5-703 UNIFORM MECHANICAL CODE. The certain standard code known as the Uniform Mechanical Code, edition of 1973, published by the International Conference of Building Officials, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, is hereby incorporated herein by reference and made a part of this Article.

5-704 UNIFORM PLUMBING CODE. The certain standard code known as the Uniform Plumbing Code, 1973 edition, published by the International Association of Plumbing and Mechanical Officials, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, is hereby incorporated herein by reference and made a part of this Article.

5-705 THE NATIONAL ELECTRICAL CODE. The certain standard code known as the National Electrical Code, 1975 edition, published by National Fire Protection Association, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, is hereby incorporated herein by reference and made a part of this Article.

5-706 MARKED COPIES OF STANDARD CODE FILED. There shall be not less than three (3) copies of the standard Codes incorporated by reference in Sections 5-702 through 5-705 of this Article kept on file in the office of the City Clerk and kept available for inspection by the public at all reasonable business hours. The filed copies of the standard Codes shall be marked or stamped "Official Copy as Incorporated by the Ordinances of the City of Westwood Hills, Kansas, 1975." All sections or portions of the filed copies of the standard Code shall be clearly marked to show deletions from the standard Code. (K.S.A. 12-3010, 12-3015)

#### ARTICLE 8. BUILDING, MECHANICAL, PLUMBING AND ELECTRICAL CODES FOR RESIDENTIAL DISTRICT

5-801 MINIMUM STANDARDS. This Article, including the basic codes incorporated by reference, shall constitute the minimum standards for the construction, alteration, remodeling, use, occupancy, location, maintenance, mechanical, plumbing, and electrical specifications of buildings and structures located in the Residential District.

5-802 ONE OR TWO FAMILY DWELLING CODE. The certain standard code known as the One or Two Family Dwelling Code, 1971 edition, published by the Building Officials and Code Administrators International, Inc. and American Insurance Association, et al., hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, is hereby incorporated herein by reference and made a part of this Article.

5-803 NATIONAL ELECTRICAL CODE. The certain standard code known as the National Electrical Code, 1975 edition, published by the National Fire Protection Association, hereinafter referred to as the "Code", and any amendments thereto or revisions thereof, is hereby incorporated herein by reference and made a part of this Article.

5-804 MARKED COPIES OF STANDARD CODE FILED. There shall be not less than three (3) copies of the standard Codes incorporated by reference in Sections 5-802 and 5-803 of this Article kept on file in the office of the City Clerk and kept available for inspection by the public at all reasonable business hours. The filed copies of the standard Codes shall be marked or stamped "Official Copy as Incorporated by the Ordinances of the City of Westwood Hills, Kansas, 1975." All sections or portions of the filed copies of the standard Code shall be clearly marked to show deletions from the standard Code.

5-901 It shall be unlawful for any person to violate the provisions of this ordinance and any violation thereof shall be deemed a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed \$500.00 for each offense. Each day's violation shall constitute a separate offense. Nothing in this section shall be construed as to affect any other remedy the City may have to abate such violation.

ARTICLE 10. VALIDITY

5-1001 Should any article, section, clause or provision of this ordinance be declared invalid or unconstitutional by any Court of record, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

ARTICLE 11. REPEAL

5-1101 Ordinances No. 28, 46A and 63 are hereby repealed.

ARTICLE 12. EFFECTIVE DATE

5-1201 This ordinance shall take effect and be enforced from and after its publication according to law.

Passed by the City Council this 3rd day of March, 1975.

Approved by the Mayor, this 3rd day of March, 1975.

-s. Jerry D. Foster  
Jerry D. Foster, Mayor

ATTEST:  
-s. Ora M. Amberg  
Ora M. Amberg, City Clerk  
SEAL

## WESTWOOD HILLS

(First published in Johnson County Herald Wednesday, March 26, 1975)

### ORDINANCE NO. 99

AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE CITY OF WESTWOOD HILLS, KANSAS, AND REPEALING ORDINANCES NUMBER 28, 46A AND 63, AND ALL AMENDMENTS THERETO.

#### CHAPTER V

##### ZONING REGULATIONS

ARTICLE 1 - Definitions  
ARTICLE 2 - Zoning Regulations  
ARTICLE 3 - Non-Conforming Uses  
ARTICLE 4 - Variances and Exceptions  
ARTICLE 5 - Permits and Procedures for Obtaining

ARTICLE 6 - Clearing and Cleaning of Streets Following Construction

ARTICLE 7 - Building, Mechanical, Plumbing and Electrical Codes for Retail District

ARTICLE 8 - Building, Mechanical, Plumbing and Electrical Codes for Residential District

ARTICLE 9 - Penalty  
ARTICLE 10 - Validity  
ARTICLE 11 - Repeal  
ARTICLE 12 - Effective Date

#### ARTICLE 1. DEFINITIONS

5-101 For the purpose of this Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense. The singular includes the plural. The word "person" includes a corporation as well as an individual. The word "lot" includes the word "plot" or "parcel." The term "shall" is: always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

(A) ACCESSORY BUILDING: A building the use of which is customarily incidental and subordinate to the principal use of the dwelling and located on the same lot with such dwelling.

(B) ALTERATION: Any addition, removal, extension; or change of any exterior surface of a main building, dwelling, or accessory building.

(C) APPURTENANCE: A subordinate or accessory building or structure or portion of main building, the use of which is incidental and customary to that of the main building.

(D) BACK YARD: The land lying between the front building line and the rear property line on a lot.

(E) BOARD: The Board of Zoning Appeals as established by Ordinance No. 96.

(F) BUILDING: A structure having a roof, supported by columns or walls, whether or not completely enclosed.

(G) COMMISSION: The City Planning Commission as established by Charter Ordinance No. 2.

(H) DWELLING: A building designated exclusively for residential occupancy.

(I) FENCE: Any barrier or wall more than one foot high containing posts, wire, wood, mesh, rods, metal, plastic, masonry, concrete, rock, brick, earth, or other solid non-living substance.

(J) FRONT YARD: The land bordered by the residential structure, the side building lines, and the streets upon which said structure abuts.

(K) GARAGE: An appurtenance for storage of motor vehicles.

(L) HEDGE: Any barrier or dividing row of bushes, shrubs, erect plants or vines, or low trees, more than one foot high.

(M) PUBLIC BUILDING: A building designed exclusively for city purposes.

(N) SINGLE FAMILY: One or more persons who are related by blood or marriage, including not more than one non-related lodger or boarder, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than three (3) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a non-profit cost-sharing basis.

#### ARTICLE 2. ZONING REGULATIONS

5-201 USE DISTRICT AND AREA REGULATIONS. In order to regulate and restrict the location of trades, callings, industries, commercial enterprises and the location, erection, alteration and repair of buildings in the two "use and area districts" designated as (a) residential district, and (b) retail district. The City of Westwood Hills is hereby divided into the aforesaid districts, the boundaries of which are shown upon the official city map dated October 9, 1950, the residential district being the entire city except that portion in the retail district and the retail district being comprised of Lot 2, excepting the last 10 feet thereof, and Lots 43, 44, 45 and 46, in Block 5, Westwood Hills, an addition in Johnson County, Kansas.

Except as hereinafter provided, no building, structure, fence or appurtenance shall be erected, altered, structurally or otherwise changed, repaired, restored or improved, nor shall any building, structure, appurtenance, lot, plot, tract or premise be used for any purpose, other than is permitted by this article in the use and area district in which said building, structure, appurtenance, lot, plot, tract or premises is located.

#### 5-202 RESIDENTIAL DISTRICT.

(A) USES PERMITTED. In a residential district, no building, structure, appurtenance, lot, plot, tract or premise shall be used and no building, structure or appurtenance shall be hereafter erected, altered, structurally or otherwise changed, repaired, restored or improved except as a single family dwelling, public playground or park, unless otherwise provided in this article.

(B) SETBACKS REQUIRED. No building

# Why you should vote for me

(Continued from Page 15)

the cornerstone of Board policy. I would include an increase in teacher salaries and would favor a professional study of boundaries to implement maximum efficiency in the utilization of facilities. There must be an evaluation of the administration as to number of positions, job function, organization and economic demands; and any excess must be removed.

"6. Responses to all issues will be made in a manner that I honestly feel would be in the best interest of the District."

**Lawrence W. Hamtil**  
9622 Sagamore

**Pediatric Ophthalmologist**

I would like to state that I have respect for the students right for firm discipline in the school system. I respect the students to have good course material presented to them and for them to have input into that material. I will respect the child by insisting he or she learn.

"I have respect for the parents rights to see that their children are educated in a firm and responsible manner. I have respect for the teachers right to be able to teach in a way they see fit without undue interference with the structure of the material to be taught.

"I respect the teachers right to teach in a manner which they deem best suited to their interest in teaching and to their abilities.

"I respect the patrons rights to have taxes levied at reasonable levels which are within their ability to pay. I have respect for the right of taxpayer to accountability.

"Furthermore I have respect for the principals who have a remarkably difficult job to do. I hope to be able to assist them in exercising this right and privilege.

"As a board member I would feel responsible to the students to make certain they get taught the material they desire in a firm and constructed manner without undue interference. I would accept the responsibility I would have as a board member to counsel with the parents and the patrons of this district whenever they come to me with matters of concern to them regarding their children or regarding their tax input into this district. I would be responsible to the teachers when they come to me with a problem about their compensation or their classroom problems!"

## NORTHWEST AREA

Position No. 5)

**Neal Johnston**

13825 Johnson Drive

**President, Johnston's, Inc.**

"The Shawnee Mission school system is a big business. Forty-seven million dollars (\$47,000,000.) per year makes it, undoubtedly, the largest self-contained business in Johnson County. Thirty-seven hundred (3700) employees further confirms this fact.

"I am the only businessman who might serve on our next school board. I feel it is most important to consider the size of our educational effort, it's effectiveness, and it's efficiency. Every day I must make decisions which might destroy my business and myself financially. I have been doing this for 15 years. A school board member, today, should be one who is orientated to goals, priorities, and direction. He should be orientated to the effective accomplishment of these ultimate ends at the most reasonable cost.

"I am this man."

**Myrna Stringer**  
10325 W. 62nd St.

continue to emphasize for the four years I'm on the Board, is the best education has to offer for each individual student. One of the "best" in my opinion, that we do not offer to any great degree in the Shawnee Mission district, is career education. Public education can and should offer guidance and information on careers for both college and non-college bound students.

"Lifetime learning skills taught at the primary level and reinforced with every day practice and use, is the key to good basic education. An ongoing and constructive evaluation of programs and problems and communication to the patrons of my area and from the patrons to other Board members, will be my role as a school board member."

**AT-LARGE (Position No. 7)**

**Gentry W. Harris**

2706 W. 77th St.

**Associate, Harris**

**Hearing Aid Service**

"The issue in the At-Large election is clear cut. Do the voters of the Shawnee Mission District want to continue with an ever increasing school budget, and resultant increases in taxes; or hold our present budget?"

"Do the voters want a voice in the operation of the Shawnee Mission School District, or continue to be dictated to by the administration?"

"My opponent was endorsed by Dr. Ball and six of his high income administrators prior to any elections. I doubt if these endorsements were given without strings attached.

"The only commitment I have is to the children, and the taxpayer parents of the district. I would insure that every tax dollar benefit went directly to the children."

**Barbara H. Sauvan**

4918 W. 69th Terr.

"My experience and background provide me with the foundation to be a constructive and productive Board member, working in the best interests of every child in our school district. The new Board will be faced with declining enrollment in some schools, overcrowding in others, and ever increasing inflationary costs.

"Only through cooperative, intelligent and positive efforts between the Board, teachers, administrators and patrons can these problems be solved and quality education be guaranteed to every student. I pledge myself to work toward this goal."

## Board of Trustees JCCC

**John F. (Jack) Cramer**

11702 W. 59th Terrace

**Chairman of Board, Cramer**

**Products, Inc., Gardner**

"I feel that the people of Johnson County have something to be proud of in the Johnson County Community College. The students graduating from the various Johnson County high schools must be encouraged to accept the many opportunities offered by the Johnson County Community College.

"Having been a member of the original investigating committee as to the possibility of locating such a college in Johnson County, I have followed the growth of our community college with great pride."

**J. B. Hill**

(A statement was requested of Mr. Hill, but none was received.)

**George H. Langworthy**

4802 Barkley Drive

**Partner, Landmark Lumber,**

additional funds, and a large physical plant are required.

"In 1966 I assisted in getting the college started, and was a candidate for the Board of Trustees not elected. I am now a candidate because I want to translate my long time interest into action, and hope that the voters of Johnson County will elect me because of my proven interest and excellent qualifications."

**Sister Virginia Pearl**

9403 Mission Road

Sister Virginia Pearl has announced her withdrawal as a candidate for the Johnson County Community College Board. Her present duties, she said, do not allow her enough time to serve as a board member.

**Jacob F. Ruf**

13700 Pflumm Road

**Executive vice president,**

**Information Systems**

**Development, Inc., Lenexa**

"I believe the Board should be open and totally accountable to the community, using practices required of all public agencies in the execution of college business and the expenditure of public funds.

"An open door policy is also necessary for the input of information required for board decisions.

"I believe in the use of management by objective principles, as opposed to management by crisis, in establishing the priorities required to maintain fiscal responsibility in the expenditure of limited funds. This should be a cooperative effort of the Board and the College Administrators, but the Board should not assume responsibilities in operational areas except through the president.

"My 16 years business experience with industry, government and educational institutions, qualifies me to help direct the college in the establishment of priorities and the allocation of resources, so that JCCC can reach its full potential of serving the community."

**Dr. Hugh W. Speer**

6304 Sherwood Lane

**Professor, UMKC**

"Our community college has made remarkable progress and continuity is important. The most critical function of a board is choosing a president. The selection process is now underway by a joint committee of staff and board.

The committees on future development have compiled their reports which are under consideration by the board. On and off campus facilities and priorities must be considered very carefully. We must work for maximum efficiency in financial management and administration.

"Vocational-career work and continuing education deserve more emphasis.

"The college should be of, by and for the community but avoid provincialism. It can increasingly become the cultural center for the county and a town-meeting type of forum in open meetings and on cable TV."

## Leawood

**MAYOR**

**William M. Eddy**

8009 Belinder Rd.

**J. A. Tobin Construction**

"We must continue the substantial progress which Leawood has made in recent years in many areas. Currently underway are construction drawings for the renovation of the Leawood Sewer System and the building of one of the finest and most comprehensive recreation complexes in the entire area.

"A special public safety

(A statement was requested of Dr. Evans, but none was received.)

**Jack Paradise**

9615 Meadow Lane

**Accountant**

Paradise furnished information to the Herald indicating his strong support for additional fire and police protection, which he described as his "number one priority", and also expressed his opposition to the Tomahawk Reservoir project, which he said was unnecessary for flood control. He further said Tomahawk "would not allow much in the way of recreation".

Paradise is also opposed to unnecessary tax increases and said "It's time to control government spending from city to state to federal levels".

He said working with sewer problems in the northern section of Leawood is another top priority item, and he proposed an "effective city newsletter" to better inform the residents of meetings that will affect them as well as to communicate to the public what services are available to them from the city.

Paradise believes because he is self-employed that he is the only candidate for mayor of Leawood who can "devote the enormous amount of time that the job requires".

## Lenexa

**MAYOR**

**Tom Leftwich**

9001 Rosehill Rd.

"I am an independent businessman, under obligation to no one.

"I am 50 years old, lived in Johnson County 15 years, in business 19 years in Johnson County, lived in Lenexa 10 years.

"I believe that Government should be by the people.

"Curb taxes, use tax dollars wisely.

"Let the people know the truth.

"Take a long hard look at a project before jumping into the development of it. It could save many tax dollars.

"Be for the people and cut out special interest groups.

"Get enforcement of our laws. This could help everyone.

"I think that the departments in this city are too heavily budgeted as it is. Each department should be made to keep within same.

"When asking for increases in the budgets ask ourselves if the people really need extra services for the tax dollar."

**Mrs. Johnna Lingle**

**Incumbent Mayor**

12217 W. 93rd St.

"By creating an atmosphere of community co-operation instead of strife, we have been able to accomplish many things for