

RESOLUTION 2026-09

A resolution of the Leavenworth County Kansas Board of County Commissioners, conditionally issuing a Special Use Permit for Wireless Communication Facility (Telecommunications Tower) – Tillman Infrastructure, LLC on the following described property:

The Southwest Quarter (SW ¼) of Section Thirty-four (34), Township Eleven (11) South of Range Twenty-one (21) East of the 6th Principal Meridian except public highways.

WHEREAS, a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 13th day of April, 2026, and

WHEREAS, the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 13th day of May, 2026; and

WHEREAS, the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commissioners considered, in session on the 3rd day of June, 2026, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leavenworth County, that:

- I. Based upon the findings as set forth in the staff report and the findings of fact adopted by the Board of County Commissioners on the 3rd Day of June, 2026, and incorporated herein by reference, Case No. DEV-26-015, Special Use Permit (SUP) for a Wireless Communication Facility (Telecommunications Tower) – Tillman Infrastructure, LLC is conditionally approved subject to the performance and observation of the conditions and stipulations set forth herein.,
- II. The Special Use Permit conditionally granted in Section I. is hereby contingent upon the performance and observations of the following additional and supplementary regulations, stipulations, conditions, and restrictions, of which any violations shall constitute an additional basis for revocation:
 1. The SUP is considered a Type 2 permit and shall be limited to a period of twenty (20) years.
 2. No limit on hours of operation.
 3. The Special Use Permit shall be subject to the written narrative and site plan provided on April 6, 2026 and April 13, 2026.
 4. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
 5. The applicant shall provide confirmation of both the FCC and FAA approval of the telecommunications tower to the Planning & Zoning Department prior to a building permit being issued and construction commencing.
 6. A copy of the executed lease agreement must be provided to the Planning & Zoning Department prior to a building permit being issued.
 7. A building permit shall be obtained prior to commencement of construction.
 8. A 24-hour emergency contact number shall be posted at the facility in the event of an emergency.
 9. The applicant shall provide updated plans in compliance with all outstanding review comments made by County Staff prior to any acceptance being issued.
 10. The applicant shall contact the Emergency Management Department and Fire District #2 with an

Emergency Plan. Confirmation of the final approved plan must be submitted to the Planning & Zoning Department prior to issuance of a building permit.

11. The proposed telecommunications tower shall maintain a required setback of the total tower height plus 20 feet to all property lines and right-of-way lines.
12. Applicant shall file and maintain a security bond, letter of credit or other such security acceptable to the County. Such security shall be in the amount equal to twenty (20) percent of the cost of construction to the tower as disclosed by the applicant. Such security shall be used to pay for removal of the tower if the owner fails to remove the tower as provided in #14. The security shall be returned to the applicant upon proper removal of the tower.
13. Any tower that is not operated for a continuous period of two (2) years shall be considered abandoned, and the owner of such tower shall remove same within ninety (90) days of receipt of notice from the governing authority notifying the owner of such abandonment. If such tower is not removed within said ninety (90) days, the governing authority may remove such tower at the owner's expense.
14. Pad sites and guy wire locations must be surrounded by a minimum of a six-foot tall fence that may use screening inserts or other material that block direct view of the site.
15. Vegetation must be removed from around the pad site and controlled on the leased area of the property.
16. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
17. No on-street parking shall be allowed and traffic shall not queue onto the public road network when entering the site.
18. Lighting generated from proposed use shall be limited to 0.00 foot-candles net gain, as measured at the property line.
19. Noise shall be limited to 65 dBs along property lines adjacent to Residentially Zoned Parcels.
20. All areas disturbed during construction shall be either sodded or seeded within a year of completion of construction.
21. That the conditional Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. The Tillman Infrastructure LLC, and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.
22. This SUP is subject to revocation upon the violation or, or failure to comply with, any condition stated herein.
23. Applicant shall not cause or allow any public nuisance to exist on the subject property
24. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.

Located in Section 34, Township 11 South, Range 21, in Leavenworth County, Kansas, more commonly known as 15076 214th Street.

Adopted this 3rd day of June, 2026
Board of County Commission
Leavenworth, County, Kansas


Mike Stieben, Chairman

ATTEST:

Fran Keppler
Fran Keppler, Leavenworth County Clerk



Jeff Culbertson
Jeff Culbertson, Member

Vanessa Reid
Vanessa Reid, Member

Willie Dove
Willie Dove, Member

Mike Smith
Mike Smith, Member