

LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, August 14, 2024
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048

www.leavenworthcounty.gov

Board of Zoning Appeals

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Secretary's Report

5. Declarations: (if necessary)

- A. Declarations of receipt of communications by Planning Commissioners
- B. Disclosure of ex-parte communications for each hearing item
- C. Declarations of abstention from specific agenda items by a Commissioner

6. Approval of Board of Zoning Appeals Agenda

7. Regular Agenda

A. Case DEV-24-091 Variance Smith Trust Agreement Access Management

Consideration of a Variance request from Article 41, Section 6 Exhibit B.1.a of the Leavenworth County Zoning & Subdivision Regulations on the following described property:
A tract of land in the Southeast Quarter of Section 13, Township 10 South, Range 21, East of the 6th P.M., in Leavenworth County, Kansas.

Also known as 00000 Tonganoxie Drive

PID: 146-13-0-00-00-016

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

B. Case DEV-24-096 Variance Potts Access Management

Consideration of a Variance request from Article 41, Section 6 Exhibit B.1.a & Article 41, Section 6 Exhibit B.1.b.III of the Leavenworth County Zoning & Subdivision Regulations on the following described property: A tract of land in the Southeast Quarter of the Southeast Quarter of Section 09, Township 11 South, Range 22, East of the 6th P.M., in Leavenworth County, Kansas.

Also known as 18081 166th Street

PID: 182-09-0-00-00-017

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Adjournment of the Board of Zoning Appeals

Planning Commission

1. Roll Call

2. Approval of Minutes

3. Secretary's Report

4. Declarations: (if necessary)

- A. Declarations of receipt of communications by Planning Commissioners
- B. Disclosure of ex-parte communications for each hearing item
- C. Declarations of abstention from specific agenda items by a Commissioner

5. Approval of Agenda

6. Consent Agenda

A. Case DEV-24-060 & 061 Preliminary & Final Plat Badlands Ranch

Consideration of a Preliminary & Final Plat for tracts of land in the Southwest Quarter of Section 34, Township 10 South, Range 20, East of the 6th P.M., in Leavenworth County Kansas.

Also known as 00000 Parallel Road

PID: 138-34-0-00-00-007

B. Case DEV-24-064 & 065 Preliminary & Final Plat Gaither Subdivision

Consideration of a Preliminary & Final Plat for a triangular tract of land lying on the West side of the road in the Southwest Quarter of the Southwest Quarter of Section 28, Township 10, Range 21, in Leavenworth County, Kansas.

Also known as 20571 219th St.

PID: 148-28-0-00-00-009

C. Case DEV-24-067 & 068 Preliminary & Final Plat Gambrill's Place

Consideration of Preliminary & Final Plat for a tract of land in the Northwest Quarter of Section 15, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

Also known as: 21211 Evans Rd.

PID: 195-15-0-00-00-006

D. Case DEV-24-082 & 083 Preliminary & Final Plat Tranquill Acres

Consideration of a Preliminary & Final Plat for a Subdivision being the Northeast Quarter of the Northeast Quarter of Section 9, Township 12 South, Range 21, East of the 6th P.M., in Leavenworth County Kansas.

Also known as 21521 Cantrell Road

PID: 222-09-0-00-00-001

9. Regular Agenda

A. Case DEV-24-051 & 052 Preliminary & Final Plat Metro Estates

Consideration of Preliminary & Final Plat for a tract of land in the East 1/2 of the Southeast 1/4 of Section 22, Township 11 South, Range 20 East of the 6th P.M., in Leavenworth County, Kansas.

Also known as: 25402 Metro Ave.

PID: 205-22-0-00-00-021

B. Case DEV-24-071 & 072 Preliminary & Final Plat Serenity Acres

Consideration of Preliminary & Final Plat for a tract of land in the Southeast Quarter of the Southeast Quarter of Section 09, Township 11 South, Range 22, East of the 6th P.M., in Leavenworth County, Kansas.

Also known as: 18081 166th St.

PID: 182-09-0-00-00-017

C. Case DEV-24-079 Preliminary Plat E & R Rolling Meadows South

Consideration of Preliminary Plat for a tract of land in the Southeast Quarter of Section 34, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

Also known as: 00000 Stillwell Rd.

PID: 198-34-0-00-00-007.02

D. Case DEV-24-084 Exception Cook-Richter Boundary Line Adjustment

Consideration of an Exception from Article 50, Section 40.3.i Lot-Depth to Lot-Width for a tract of land in the East 1/2 of Section 5, Township 9 South, Range 21, East of the 6th p.m., Leavenworth County, Kansas.

Also known as: 28813 219th St.

PID: 113-05-0-00-00-006

E. Case DEV-24-094 Rezoning Baragary

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning district on the following described property: Three tracts of land in Southeast Quarter of Section 22, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

Also known as: 20995 Honey Creek Rd; 00000 Honey Creek Rd; 16625 206th St.

PID: 195-22-0-00-00-005; 005.01; 005.02

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

F. Case DEV-24-095 Rezoning Lamb

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning district on the following described property: Two tracts of land in the Northeast ¼ of Section 10, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

Also known as: 13963 206th St.

PID: 222-10-0-00-00-002

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Adjournment of Planning Commission

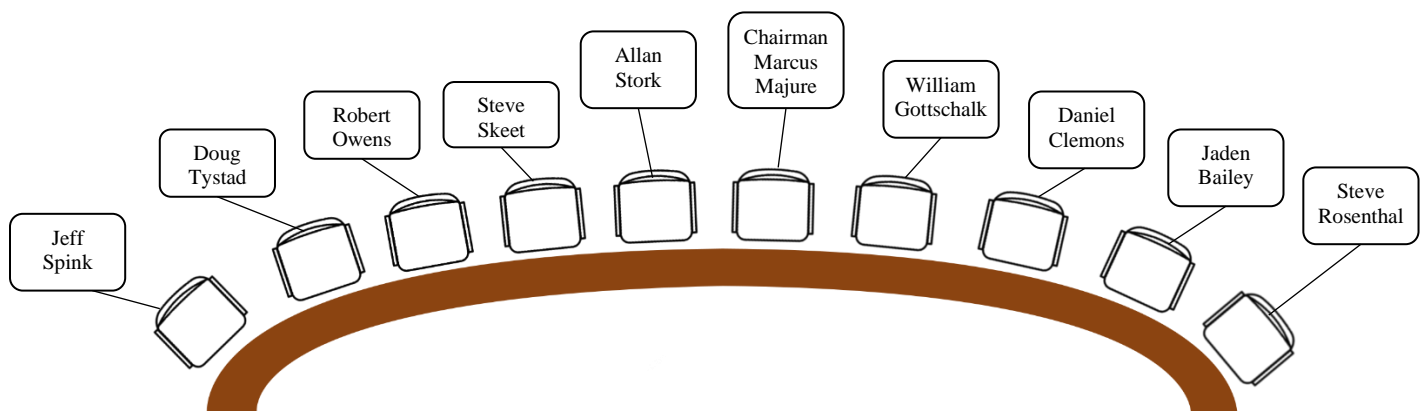
Upcoming meeting dates:

Wednesday, September 11, 2024, 5:30 PM
Regular Planning Commission Meeting

For More Information

If you have any questions or need to make special arrangements for a meeting,
please call or stop by the Planning and Zoning Department.
Contact Dawn Chamberlain – 913-684-0465

Planning Commission Seating Chart 2024



**LEAVENWORTH COUNTY
BOARD OF ZONING APPEALS
STAFF REPORT
(PUBLIC HEARING REQUIRED)**

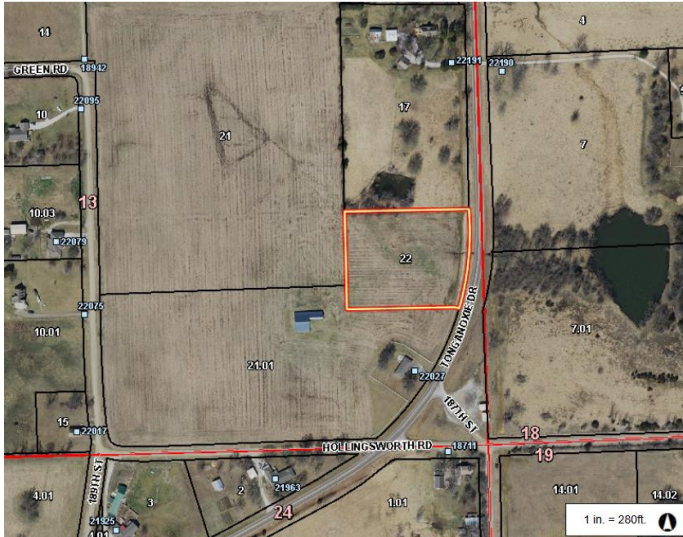
CASE NO: DEV-24-091 Smith Trust Agreement Access Management

August 14, 2024

REQUEST: Variance from Zoning and Subdivision Regulations Article 41, Section 6.B.1.a. (Residential Entrance Spacing)

STAFF REPRESENTATIVE:
JOSH SCHWEITZER
DEVELOPMENT PLANNER

SUBJECT PROPERTY: 00000 Tonganoxie Drive



APPLICANT/APPLICANT AGENT:
JOE HERRING
HERRING SURVEYING
315 N 5TH ST.
LEAVENWORTH KS 66048

PROPERTY OWNER:
SMITH TRUST AGREEMENT
22323 Tonganoxie Dr.
Tonganoxie, KS 66086

CONCURRENT APPLICATIONS:
N/A

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:
RR-2.5

LEGAL DESCRIPTION:

A tract of land in the Southeast Quarter of Section 13, Township 10 South, Range 21, East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

PROPERTY INFORMATION

ACTION OPTIONS:

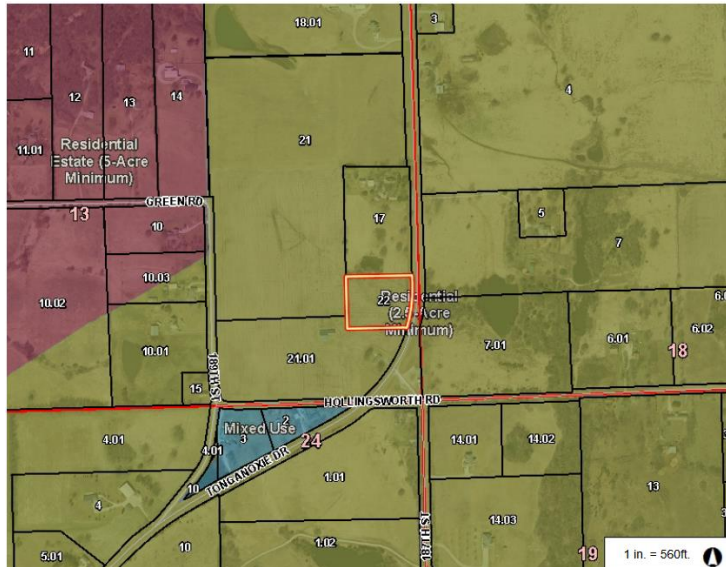
1. Approve Case No DEV-24-091, variance from Article 41, Section 6.B.1.a. Residential Entrance Spacing; or
2. Denial of Case No DEV-24-091, variance from Article 41, Section 6.B.1.a. Residential Entrance Spacing; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 3.20 +- ACRES

PARCEL ID NO:
146-13-0-00-00-022

BUILDINGS:
N/A

Location Map: Future Land Use Designation



ACCESS/STREET:
Tonganoxie Drive, Arterial ±26' WIDE,
Paved

UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: Stranger

WATER: RWD 8

ELECTRIC: EVERY

NOTICE & REVIEW:

STAFF REVIEW: 8/06/2024

NEWSPAPER NOTIFICATION:
7/24/2024

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**
7/24/2024

FACTORS TO BE CONSIDERED:
<i>A request for a variance may be granted in such individual case upon finding that all of the following conditions have been met (KS Statute 12-759)</i>
<p>1. The variance requested arises from such condition which is unique and which is not ordinarily found in the same zoning classification, and is created by the zoning regulations and not by an action of the property owner or the applicant;</p> <p>The parcel directly to the south has an existing drive and if measured from that drive to the proposed entrance would approximately be +- 496', which would violate the 660' between drives on a Major-Arterial Road. The existing drive and the northern property line of the subject property is approximately +- 627'.</p> <p>The northern parcels' driveway of the subject parcel to the proposed entrance is approximately +- 641'.</p> <p>The subject parcel is in conformance with all other Zoning & Subdivision Regulations.</p>
<p>2. The granting of the variance will not adversely affect the rights of adjacent property owners or residents;</p> <p>The Public Works Department made comments that they are supportive of this request. The proposed entrance is in the safest location for access and attempting to achieve offset distance between adjacent driveways.</p>
<p>3. The strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application:</p> <p>There is reason to believe that hardship could incur on the property owner that the tract directly to the south would have to move their existing driveway to the northern section of the property to allow for a shared access between the two lots.</p>
<p>4. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and;</p> <p>Based upon information received from Public Works, the proposed location of the entrance appears to be the best and safest place to serve the existing lot.</p>
<p>5. Granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations</p> <p>The regulations are intended to provide for a safe and harmonious development of Leavenworth County by setting forth rules and regulations for development and construction of buildings and entrances on property. The requested variance does not appear to violate any of these concerns.</p>

STAFF COMMENTS:

The request is for the installation of a new driveway that does not conform with Leavenworth County Zoning & Subdivision Regulations. They are proposing to place the new entrance just north of an existing culvert. Public Works is supportive of the location of proposed entrance.

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Location Map
- D: Memorandums

BOARD OF ZONING APPEALS APPLICATION

Leavenworth County Planning and Zoning
300 Walnut, Suite 212
Leavenworth, Kansas 66048
913-684-0465

464

Office Use Only

Case No. 146-13 016.00 DEV-24-091
PID: _____
Township Stranger
BZA Hearing Date _____
ACTION Variance for forest spacing Date Received 06.28.2024 Date Paid 06.28.2024
Zoning District RR 2.5
Comprehensive Plan land use designation _____

APPLICANT/AGENT INFORMATION

NAME Joe Herring
ADDRESS 315 North 5th Street
CITY/ST/ZIP Leavenworth, KS 66048
PHONE 913-651-3858
EMAIL herringsurveying@outlook.com

OWNER INFORMATION (If different)

NAME Smith Trust Agreement
ADDRESS 22323 TONGANOXIE DR
CITY/ST/ZIP Tonganoxie, KS 66086
PHONE N/A
EMAIL N/A

GENERAL INFORMATION

Description of Appeal or Variance – Attach narrative addressing the Factor to be Considered (last page of application packet) to this application.

PROPERTY INFORMATION

Address of Property 00000 Tonganoxie Drive
Parcel size 3.48 Acres
Present improvements or structures None
Current use of the property? Agriculture

I, the undersigned, am the (circle one) owner authorized agent of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for an appeal/variance as indicated above.

Signature Joe Herring - digitally signed 6-28-24 Date _____

ATTACHMENT A

Written Narrative Requirements

Written Narrative Description: A written narrative description of the proposed variance must be submitted that addresses:

FACTORS TO BE CONSIDERED

A request for a variance may be granted in such individual cases, upon finding that all the following conditions have been met (KS Statutes 12-759).

- (A) That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant;
- (B) That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;
- (C) That the strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
- (D) That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare;
- (E) That granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.

ATTACHMENT C

The variance request is for the installation of a new driveway that does not meet the required driveway spacing per Leavenworth County, Kansas. Driveway is to access a 3.48 acre tract as per approved Survey Doc #2024S027. Driveway location is to be on the North side of the existing culvert, as shown on said survey and discussed with Public Works and Planning and Zoning. The granting of this variance will not adversely affect the rights of adjacent property owners and is in the safest place for a driveway on the subject property. The Strict application would impose a hardship on the owner - the existing driveway to the south would need to be moved to a location that could be shared between properties - the southern driveway is locate on the crest of the hill. The granting of the variance will also not adversely affect public health, safety, morals, order, convenience, prosperity, or general welfare for the reasons given above. Nor does the variance go against the general spirit and intent of the zoning regulations.

Janet Klammer
COUNTY CLERK

Doc #: 2024R04671
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
06/28/2024 12:43:23 PM
RECORDING FEE: 38.00
PAGES: 2

KANSAS QUIT-CLAIM DEED

THIS INDENTURE; Made on the 28th day of June, 2024 AD, by and between, SMITH TRUST AGREEMENT, Grantors of the County of Leavenworth, State of Kansas party of the first part, and SMITH TRUST AGREEMENT, Grantee of the County of Leavenworth, State of Kansas parties of the second part.

Tract of land in the Southeast Quarter of Section 13, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 7, 2024, and more fully described as follows: Beginning at the Northeast corner of said Southeast Quarter; thence South 01 degrees 39'39" East for a distance of 407.71 feet along the East line of said Southeast Quarter; thence South 88 degrees 33'34" West for a distance of 1320.00 feet; thence North 01 degrees 39'42" West for a distance of 407.30 feet to the North line of said Southeast Quarter; thence North 88 degrees 32'30" East for a distance of 1320.02 along said North line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 12.35 acres, more or less, including road right of way.

AND

Tract of land in the Southeast Quarter of Section 13, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 7, 2024, and more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 39'39" East for a distance of 1852.31 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 01 degrees 39'39" East for a distance of 50.14 feet along said East line; thence along a curve to the right having a radius of 955.30 feet and an arc length of 298.89 along the apparent centerline of Tonganoxie Drive as survey and described by D.G.White LS-356; thence North 73 degrees 44'10" West for a distance of 50.01 feet; thence South 88 degrees 27'42" West for a distance of 374.99 feet; thence North 01 degrees 32'18" West for a distance of 333.21 feet; thence North 88 degrees 58'44" East for a 468.27 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 3.48 acres, more or less, including road right of way.

AND

Tract of land in the Southeast Quarter of Section 13, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 7, 2024, and more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 39'39" East for a distance of 407.71 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 01 degrees 39'39" East for a distance of 726.10 feet along said East line; thence South 88 degrees 49'04" West for a distance of 466.72 feet; thence South 01 degrees 32'18" East for a distance of 1050.39 feet; thence North 88 degrees 27'42" East for a distance of 374.99 feet; thence South 73 degrees 44'10" East for a distance of 50.01 feet to the apparent centerline of Tonganoxie Drive as surveyed and described by D.G.White LS-356; thence along a non-tangent curve to the right have a radius of 955.30 feet and an arc length of 542.88 feet along said centerline to the South line of said Southeast Quarter, being subtended by a chord bearing South 32 degrees 32'45" West and a chord distance of 535.61 feet; thence South 88 degrees 28'17" West for a distance of 972.48 feet along said South line; thence North 01 degrees 39'42" West for a distance of 2234.57 feet; thence North 88 degrees 33'34" East for a distance of 1320.00 along said North line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 54.70 acres, more or less, including road right of way.

No Kansas Real Estate Sales Validation Questionnaire needed due to number 3

KSA 79-1437(e)(a)



WITNESSETH, That the said party of the first part, for no considerations, to them given by the said parties of the second part (the receipt of which is hereby acknowledged) do by these presents, REMISE, RELEASE and FOREVER QUIT CLAIM unto the said parties of the second part, the following described lots, tracts or parcels of land, lying, being and situate in the County of Leavenworth and State of Kansas, to-wit:

TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privilege and appurtenances thereto belonging, unto the said parties of the second part and unto their heirs and assign forever; so that neither the said parties of the first part nor their heirs nor any other person or persons, for them or in their name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.

Kay Diane Smith, trustee

Kay Smith, Trustee

SMITH TRUST AGREEMENT

Kay Diane Smith, trustee

Douglas Edward Smith Trustee

Douglas E. Smith, Trustee

SMITH TRUST AGREEMENT

DOUGLAS EDWARD SMITH D.E.

Acknowledgement

STATE OF Kansas)

)ss.

COUNTY OF Leavenworth)

BE IT REMEMBERED, That on this 28th day of June, A.D. 2024 before me, the undersigned, a Notary Public, in and for said County and State, came Kay Smith and Douglas E. Smith, Trustees of the SMITH TRUST AGREEMENT who is personally known to me known to be the persons who executed the within instrument of writing, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

commission expires:

Ronnie L. Smith My
NOTARY PUBLIC

Ronnie L. Smith



AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner
COUNTY OF LEAVENWORTH
STATE OF KANSAS

We/I Douglas Edward Smith and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
22323 Tonganoxie Road Tonganoxie KS and that we authorize the
following people or firms to act in our interest with the Leavenworth County Planning
and Zoning Department for a period of one calendar year. Additionally, all statements
herein contained in the information herewith submitted are in all respects true and correct
to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5th Street, Leavenworth,
KS 66048, 913-651-3858

2)

Signed and entered this 16 day of January, 2024

Douglas Edward Smith 22323 Tonganoxie Rd Tonganoxie KS
Print Name, Address, Telephone 913 683 5775 6086

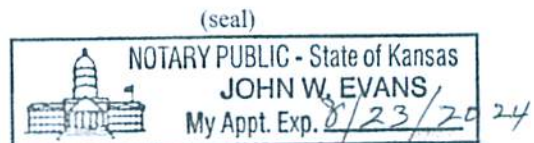
Douglas Edward Smith Trustee
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

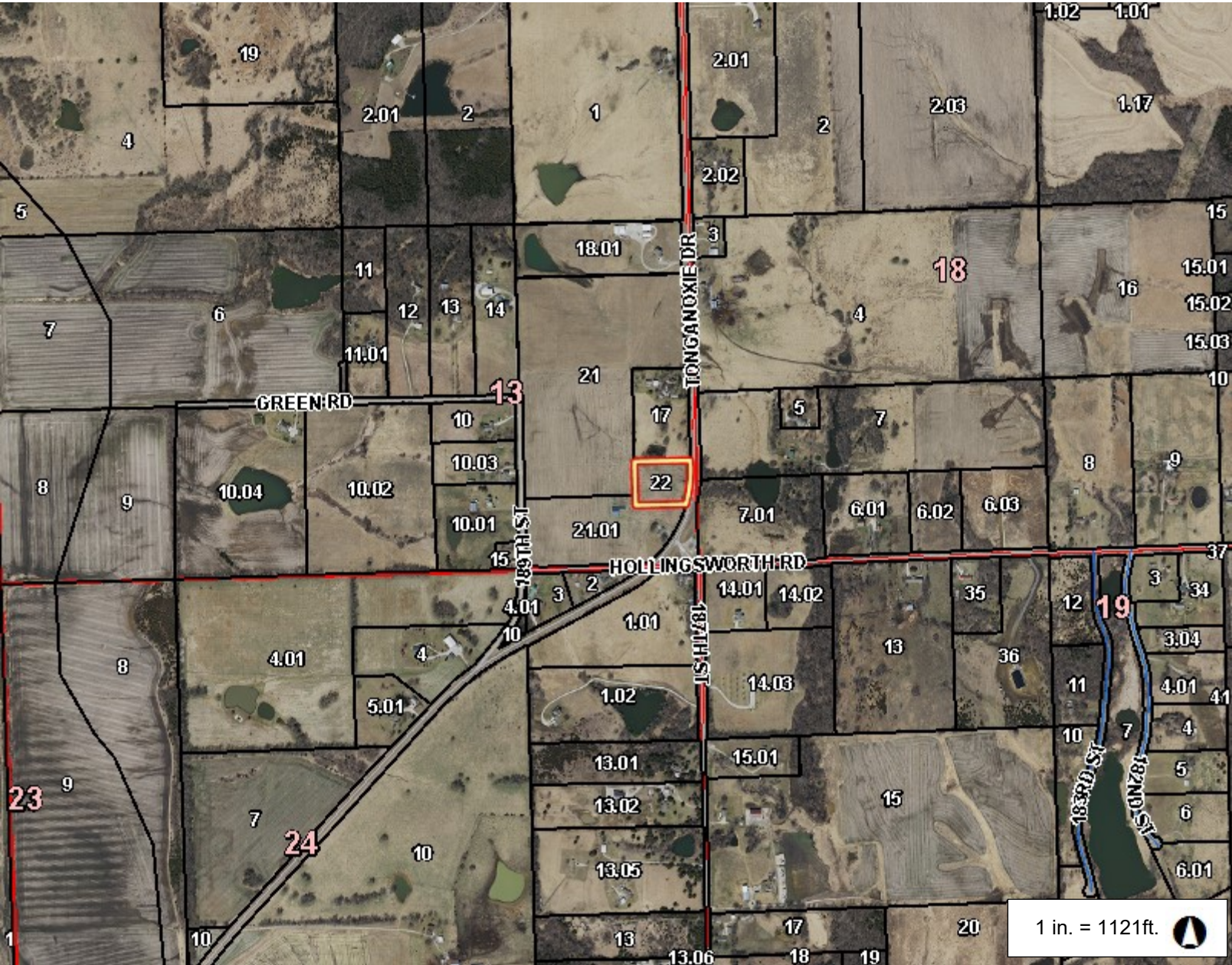
Be it remember that on this 16 day of January 2024 before me, a notary public in and
for said County and State came Douglas Edward Smith to me
personally known to be the same persons who executed the forgoing instrument of writing, and
duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand
and affixed my notary seal the day and year above written.

NOTARY PUBLIC John W. Evans














My Commission Expires: 8/23/2024



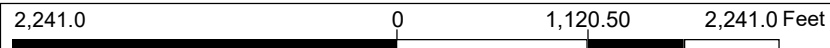
Leavenworth County, KS



Legend

-  Parcel Number
-  Parcel
-  City Limit Line
-  Major Road
-  <all other values>
-  70
-  Road
-  <all other values>
-  PRIVATE
-  Railroad
-  Section
-  Section Boundaries
-  County Boundary

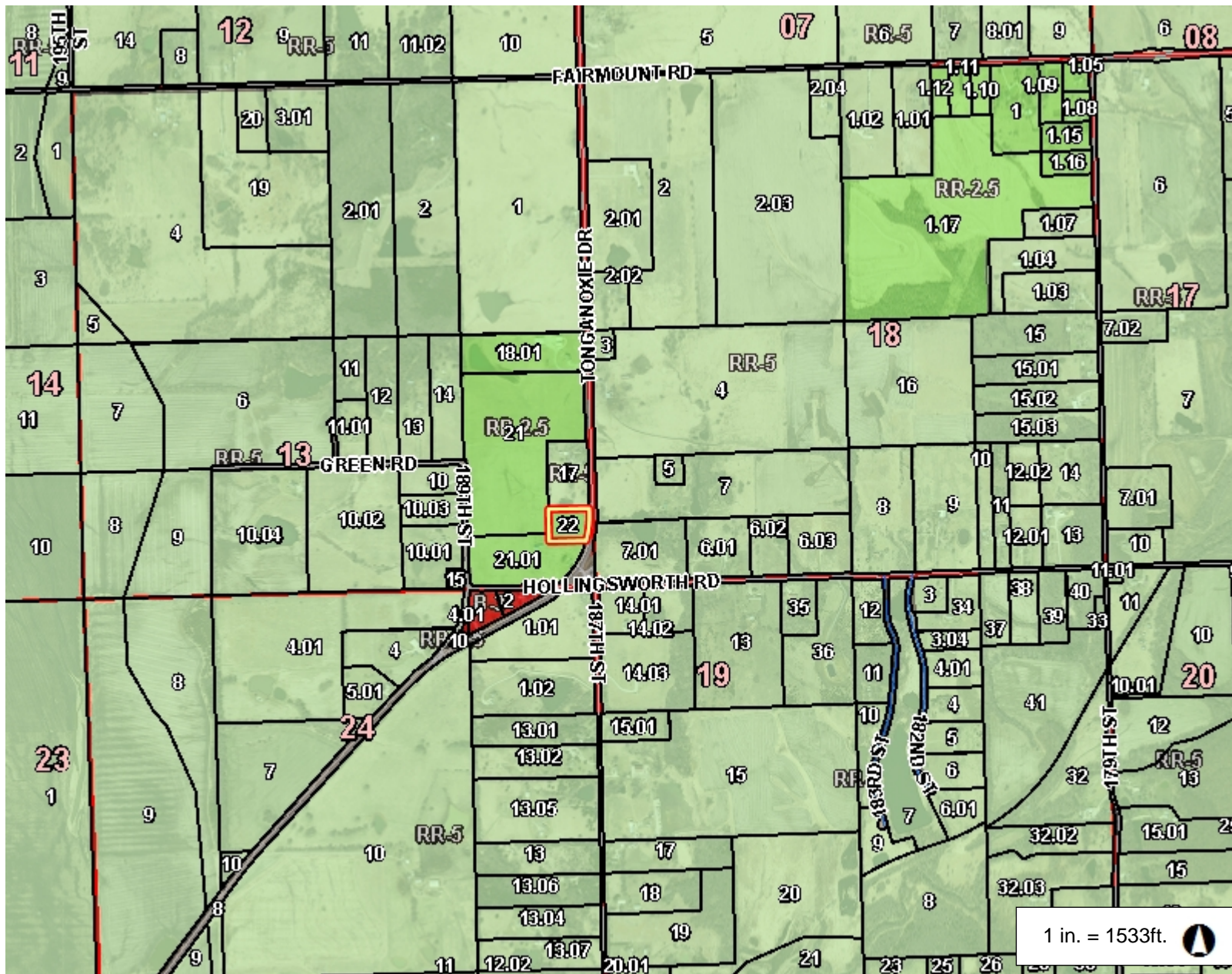
Notes



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Leavenworth County, KS



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
 - B-1
 - B-2
 - B-3
 - I-1
 - I-2
 - I-3
 - MXD
 - PC
 - PI
 - PR-1
 - PR-2
 - PR-3

Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

CERTIFICATE OF SURVEY

Tracts of land in the Southeast Quarter of Section 13, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

BOUNDARY LINE ADJUSTMENT

PREPARED FOR:
SMITH TRUST AGREEMENT
22323 TONGANOXIE DR
TONGANOXIE, KS 66086
PID NO. 146-13-0-00-016, 018, 018.01

SURVEYOR'S DESCRIPTION:

TRACT 1:
Tract of land in the Southeast Quarter of Section 13, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 7, 2024, and more fully described as follows: Beginning at the Northeast corner of said Southeast Quarter; thence South 01 degrees 39'39" East for a distance of 407.71 feet along the East line of said Southeast Quarter; thence South 88 degrees 33'34" West for a distance of 1320.00 feet; thence North 01 degrees 39'42" West for a distance of 407.30 feet to the North line of said Southeast Quarter; thence North 88 degrees 32'30" East for a distance of 1320.02 along said North line to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 12.35 acres, more or less, including road right of way.
Error of Closure: 1 - 221545

TRACT 2:
Tract of land in the Southeast Quarter of Section 13, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 7, 2024, and more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 39'39" East for a distance of 1852.31 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 01 degrees 39'39" East for a distance of 50.14 feet along said East line; thence along a curve to the right having a radius of 955.30 feet and an arc length of 298.89 along the apparent centerline of Tonganoxie Drive as survey and described by D.G.White LS-356; thence North 73 degrees 44'10" West for a distance of 50.01 feet; thence South 88 degrees 27'42" West for a distance of 374.99 feet; thence North 01 degrees 32'18" West for a distance of 333.21 feet; thence North 88 degrees 58'44" East for a 468.27 feet to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 3.43 acres, more or less, including road right of way.
Error of Closure: 1 - 406832

TRACT 3:
Tract of land in the Southeast Quarter of Section 13, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 7, 2024, and more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 39'39" East for a distance of 407.71 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 01 degrees 39'39" East for a distance of 726.10 feet along said East line; thence South 88 degrees 49'04" West for a distance of 466.72 feet; thence South 01 degrees 32'18" East for a distance of 1050.39 feet; thence North 88 degrees 27'42" East for a distance of 374.99 feet; thence South 73 degrees 44'10" East for a distance of 50.01 feet to the apparent centerline of Tonganoxie Drive as surveyed and described by D.G.White LS-356; thence along a non-tangent curve to the right have a radius of 955.30 feet and an arc length of 542.88 feet along said centerline to the South line of said Southeast Quarter, being subtended by a chord bearing South 32 degrees 32'45" West and a chord distance of 535.61 feet; thence South 88 degrees 28'17" West for a distance of 972.48 feet along said South line; thence North 01 degrees 39'42" West for a distance of 2234.57 feet; thence North 88 degrees 33'34" East for a distance of 1320.00 along said North line to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 54.70 acres, more or less, including road right of way.
Error of Closure: 1 - 1440530

RATIFICATION BY COUNTY STAFF
This tract split, as described and shown above, has been submitted to and approved by the following County Staff persons this ____ day of _____ 2024.

Planning Director: John Jacobson



Scale 1" = 200'

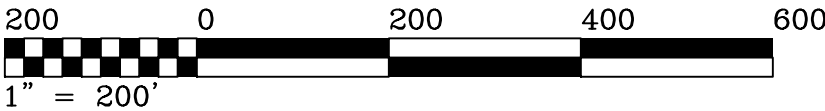
Job # K-23-1741
June 7, 2024

J.Herring, Inc. (dba)
HERRING SURVEYING COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@teamcash.com

NOTARY CERTIFICATE
Be it remember that on this ____ day of _____ 2024, before me, a notary public in and for said County and State came John Jacobson, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC: _____

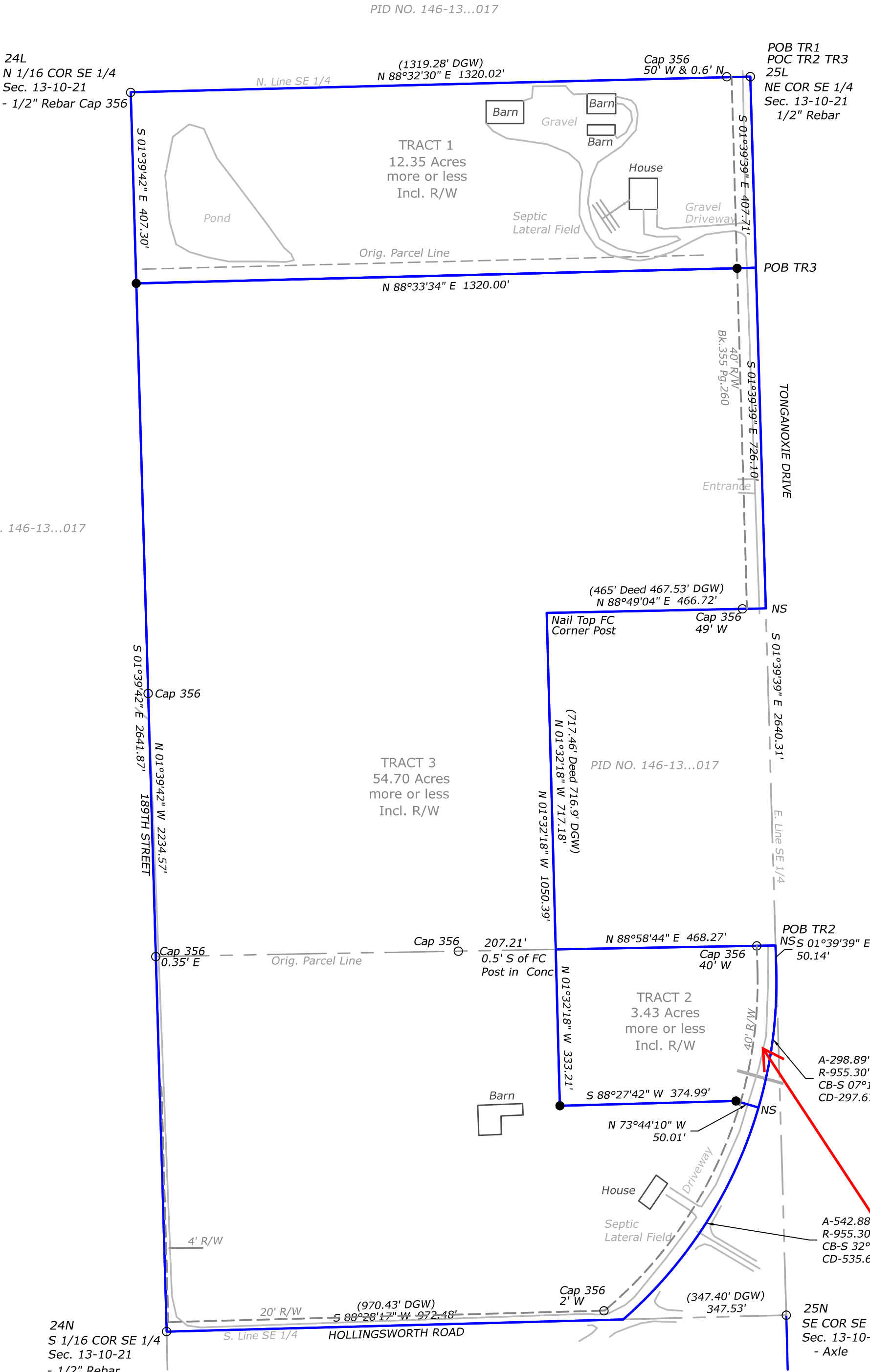
My Commission Expires: _____
(seal)



I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363
County Surveyor

PID NO. 146-13...017



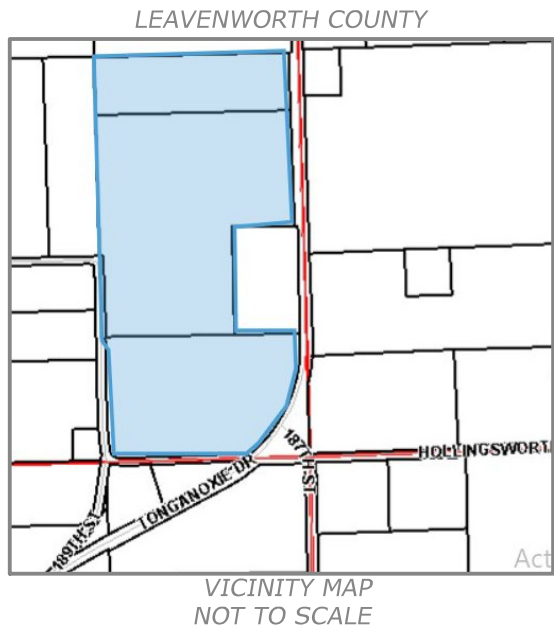
PID #231-15...001

Tract 2 will need a BZA request to place the driveway on the north side of the RCB. This will create a 495'+/- offset from the existing house drive. Public Works will support this variance because to place the drive at the northeast corner of Tract 2 would create a driveway location in violation of required intersection sight distance.

06-21-2024
PW Comments

- NOTES:
- 1) This survey does not show ownership or easements, per agreement with client
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All record and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - See Surveyor's Description
 - 5) Basis of Bearing - KS SPC North Zone 1501
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Referenced Surveys -
DGW - D.G.White - Survey 2011, S-15-05 #44, NKA 2005S044
KH - K. Herring Survey S-11 #60, 1978 NKA1978S060
 - 8) Road Records - See Survey
 - 9) Referenced Deed Document Document No. 2014R07545
 - 10) Survey prepared without the benefit of a title commitment.
 - 11) Fence Lines do not necessarily denote property lines.
 - 12) Structures are shown in approximate location.
 - 13) Property is not in a Special Flood Hazard Area Zone A per FEMA FIRM Map 20103C0225G dated July 16, 2015
 - 14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.

- LEGEND:
- - 1/2" Rebar Set with Cap No.1296
 - - 1/2" Rebar Found, unless otherwise noted.
 - POB - Point of Beginning
 - POC - Point of Commencing
 - Tree/Brush Line
 - NS - Not Set this Survey per agreement with client



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through June 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Schweitzer, Joshua

From: McAfee, Joe
Sent: Friday, July 12, 2024 1:58 PM
To: Schweitzer, Joshua; Magaha, Chuck; Van Parys, David; Brown, Misty; Noll, Bill; 'Mark B'
Cc: PZ
Subject: RE: DEV-24-091 BZA for Smith Trust Agreement - Herring

Joshua,

PW Engineering has reviewed the narrative submitted by the applicant and concurs that placing the driveway just north of the existing reinforced box culvert is the safest location for access while attempting to achieve offset distance between adjacent driveways. The BZA will still be the deciding factor on the appeal but PW Engineering agrees that the driveway will be placed in the best place to serve the existing lot.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Monday, July 1, 2024 2:56 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'Mark B' <stfdchief1760@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-091 BZA for Smith Trust Agreement - Herring

The Department of Planning and Zoning has received a request for a Variance from the Leavenworth County Zoning & Subdivision Regulation Article 41, Section 6, Exhibit B, 1.a (Residential Entrance Spacing).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by 16 July.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Road Entrance
Date: July 02, 2024

Amy, I have reviewed the request of the Drive entrance off Tonganoxie Drive presented by Smith Trust Agreement. I have no comments to lend at this time. If you feel I have missed an issue please give a call at 684-0457.

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Tuesday, July 2, 2024 9:05 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-091 BZA for Smith Trust Agreement - Herring

We have not received any complaints on this property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Monday, July 1, 2024 2:56 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'Mark B' <stfdchief1760@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-091 BZA for Smith Trust Agreement - Herring

The Department of Planning and Zoning has received a request for a Variance from the Leavenworth County Zoning & Subdivision Regulation Article 41, Section 6, Exhibit B, 1.a (Residential Entrance Spacing).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by 16 July.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

**LEAVENWORTH COUNTY
BOARD OF ZONING APPEALS
STAFF REPORT
(PUBLIC HEARING REQUIRED)**

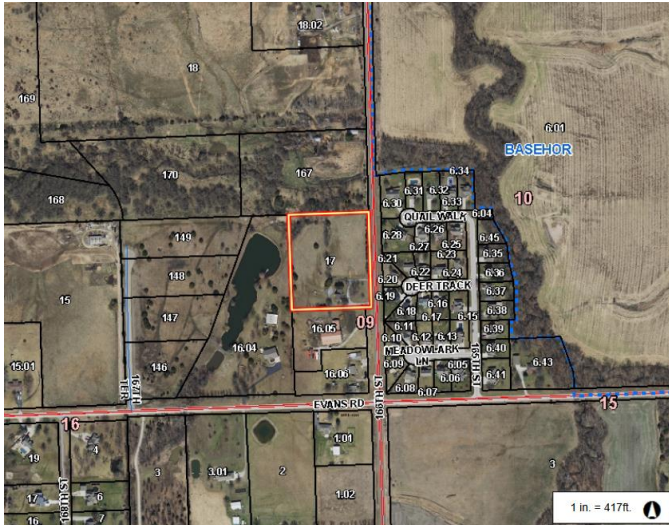
CASE NO: DEV-24-096 Potts Access Management

August 14, 2024

REQUEST: Variance from Zoning and Subdivision Regulations Article 41, Section 6.B.1.a. (Residential Entrance Spacing) & Article 41, Section 6.B.1.b.III lots larger than 3 acres may have secondary access

STAFF REPRESENTATIVE:
JOSH SCHWEITZER
DEVELOPMENT PLANNER

SUBJECT PROPERTY: 18081 166th St.



APPLICANT/APPLICANT AGENT:
JOE HERRING
HERRING SURVEYING
315 N 5TH ST.
LEAVENWORTH KS 66048

PROPERTY OWNER:
Daryl & Tamara Potts
18081 166th St.
Basehor, KS 66007

CONCURRENT APPLICATIONS:
DEV-24-071 & 072 Pre & Final Plat
Serenity Acres

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:
Mixed Residential

LEGAL DESCRIPTION:

A tract of land in the Southeast Quarter of the Southeast Quarter of Section 09, Township 11 South, Range 22, East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

PROPERTY INFORMATION

ACTION OPTIONS:

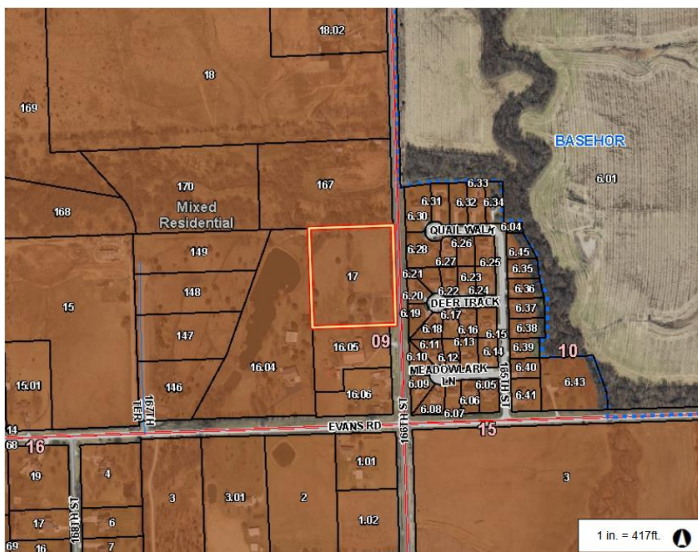
1. Approve Case No DEV-24-096, variance from Article 41, Section 6.B.1.a. Residential Entrance Spacing & Article 41, Section 6.B.1.b.III secondary access; or
2. Denial of Case No DEV-24-096, variance from Article 41, Section 6.B.1.a. Residential Entrance Spacing & Article 41, Section 6.B.1.b.III secondary access; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 4.70 +- ACRES

PARCEL ID NO:
182-09-0-00-00-017

BUILDINGS:
Existing House

Location Map: Future Land Use Designation



ACCESS/STREET:
166th St., Collector ±30' WIDE, Paved

UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: Fairmount

WATER: Suburban

ELECTRIC: EVERY

NOTICE & REVIEW:

STAFF REVIEW: 8/06/2024

NEWSPAPER NOTIFICATION:
7/24/2024

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**
7/24/2024

FACTORS TO BE CONSIDERED: Article 41, Section 6.B.1.a. Residential Entrance Spacing

A request for a variance may be granted in such individual case upon finding that all of the following conditions have been met (KS Statute 12-759)

- 1. *The variance requested arises from such condition which is unique and which is not ordinarily found in the same zoning classification, and is created by the zoning regulations and not by an action of the property owner or the applicant;***

Both driveways have existed on the same tract for over 25 years for. However, the Public Works department is not supportive of this request as the existing driveways do not meet the 300' requirement between drives for High Volume Collector roadways.

- 2. *The granting of the variance will not adversely affect the rights of adjacent property owners or residents;***

The request does not appear to adversely affects the rights of adjacent property owners or residents.

- 3. *The strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application:***

The proposed subdivision has sufficient frontage for both lots to have their own driveway that would meet the 300' width separation requirement.

The property owner's intent of the request is to share access with family and to mitigate any potential unnecessary costs.

- 4. *The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and;***

166th Street is considered a High-Volume Collector Road that requires a minimum of 300' spacing in between each driveway allowing for safe entry/exist of the lots.

- 5. *Granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations***

The regulations are intended to provide for a safe and harmonious development of Leavenworth County by setting forth rules and regulations for development and construction of buildings on property. The requested variance does not appear to violate any of these concerns other than what has previously been addressed.

FACTORS TO BE CONSIDERED: Section 6.B.1.b.III secondary access
<i>A request for a variance may be granted in such individual case upon finding that all of the following conditions have been met (KS Statute 12-759)</i>
<p>1. <i>The variance requested arises from such condition which is unique and which is not ordinarily found in the same zoning classification, and is created by the zoning regulations and not by an action of the property owner or the applicant;</i></p> <p>Both driveways have existed on the same tract of land for over 25 years. However, with the concurrent application the property owner is creating this condition by proposing to subdivide their land to less than 3 acres.</p>
<p>2. <i>The granting of the variance will not adversely affect the rights of adjacent property owners or residents;</i></p> <p>Other property owners within the immediate area only have one driveway for their lot. The two lots directly to the south have less than 2.5 acres</p>
<p>3. <i>The strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application:</i></p> <p>The property owner's intent of the request is to share access with northern entrance with family and the southern entrance will not be shared between the two owners.</p>
<p>4. <i>The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and;</i></p> <p>Public works is not supportive of this request either as the platting process is creating a lot size that does not allow for multiple driveways to remain on one lot. The existing driveways as well, do not meet the 300' requirement between drives.</p>
<p>5. <i>Granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations</i></p> <p>The regulations are intended to provide for a safe and harmonious development of Leavenworth County by setting forth rules and regulations for development and construction of buildings on property. The requested variance does not appear to violate any of these concerns other than what has previously been addressed.</p>

STAFF COMMENTS:

Staff does not have additional information other than what was previously addressed and various documents.

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Location Map
- D: Memorandums

BOARD OF ZONING APPEALS APPLICATION

Leavenworth County Planning and Zoning

300 Walnut, Suite 212

Leavenworth, Kansas 66048

913-684-0465

as Flood

4.70

458

Fairmount
Suburban
Everyday

Office Use Only

Case No. DEV-24-PID: 182-09 017.00Township Fairmount

BZA Hearing Date _____

ACTION _____ Date Received 07.15.2024 Date Paid 07.01.2024Zoning District RR 2.5Comprehensive Plan land use designation Mixed**APPLICANT/AGENT INFORMATION**NAME Joe HerringADDRESS 315 North 5th StreetCITY/ST/ZIP Leavenworth, KS 66048PHONE 913-651-3858EMAIL herringsurveying@outlook.com**OWNER INFORMATION (If different)**NAME POTTS,DARYL L & WILSON-POTTS,TAMARA DADDRESS 18081 166th StreetCITY/ST/ZIP Basehor, KS 66007PHONE N/AEMAIL N/A**GENERAL INFORMATION**

Description of Appeal or Variance – Attach narrative addressing the Factor to be Considered (last page of application packet) to this application.

PROPERTY INFORMATIONAddress of Property 18081 166th StreetParcel size 5 AcresPresent improvements or structures HouseCurrent use of the property? Rural Residential

I, the undersigned, am the (circle one) owner authorized agent of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for an appeal/variance as indicated above.

Signature Joe Herring - digitally signed July 2, 2024 Date 7-2-24**ATTACHMENT A**

Written Narrative Requirements

Written Narrative Description: A written narrative description of the proposed variance must be submitted that addresses:

FACTORS TO BE CONSIDERED

A request for a variance may be granted in such individual cases, upon finding that all the following conditions have been met (KS Statutes 12-759).

- (A) That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant;
- (B) That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;
- (C) That the strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
- (D) That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare;
- (E) That granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.

ATTACHMENT C

The variance request is to allow for the 2 driveways to remain as constructed on the property even though they do not match the access management property driveway spacing. House was constructed approximately 40 years ago along with the Southern Driveway. Approximately 25 years ago the 2nd and Northern Driveway was constructed. The property owners are in process of platting their property into 2 Lots named SERENITY ACRES. The owners are doing so for their family to build next to them for Medical Reasons. They prefer for the house to be as close to them as possible sharing the Northern driveway through an easement. Driveway is in a safe location and will help in the needed access between homes along with not incurring a financial burden of constructing new driveways that would be caused by the application of the regulation avoiding the hardship that would be caused to the owners. The granting of the variance will not adversely affect public health, safety, morals, order, convenience, prosperity, or general welfare for the reasons stated above. Nor does the variance go against the general spirit and intent of the zoning regulations.

WARRANTY DEED
JOINT TENANCY

Lyle B. Lewis and Jean M. Lewis, husband and wife

of Leavenworth County, Kansas, convey and warrant to

Daryl L. Potts and Tamara D. Wilson-Potts, husband and wife

of Leavenworth County, Kansas, as joint tenants with rights of survivorship and not as tenants in common.

A tract in the Southeast Quarter of the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, described as: Beginning 494.32 feet North 00° East from the Southeast corner of said Southeast Quarter; thence South 89° 40' 58" West 440.0 feet; thence North 00° East 495.0 feet; thence North 89° 40' 58" East 440.0 feet to the east line of said Southeast Quarter; thence South 00° West 495.0 feet to the beginning. EXCEPT part taken or used for road.

Said property situated in Leavenworth County, Kansas, for the sum of One dollar and other good and valuable considerations Dollars, this 24th day of October, 1991

Lyle B. Lewis
Jean M. Lewis
Jean H. Lewis

STATE OF KANSAS, Leavenworth County, ss.

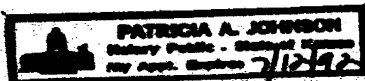
BE IT REMEMBERED, That on this 24th day of October, A. D. 1991

before me, a Notary Public in and for said County and State, came

Lyle B. Lewis and Jean M. Lewis, husband and wife

to me personally known to be the same person who executed the foregoing instrument, and he duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last above written.



Patricia A. Johnson
Patricia A. Johnson Notary Public

My notarial commission expires

7-12

1992

BOOK 658 PAGE 896

STATE OF KANSAS, _____ County, ss.

BE IT REMEMBERED, That on this _____ day of _____, A. D. 19____
before me, a Notary Public in and for said County and State, came _____

to me personally known to be the same person____ who executed the foregoing
instrument, and _____he____ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and
affixed my official seal, on the day and year last above written.

Notary Public

My notarial commission expires _____ 19____

STATE OF KANSAS, _____ County, ss.

BE IT REMEMBERED, That on this _____ day of _____, A. D. 19____
before me, a Notary Public in and for said County and State, came _____

to me personally known to be the same person____ who executed the foregoing
instrument, and _____he____ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and
affixed my official seal, on the day and year last above written.

Notary Public

My notarial commission expires _____ 19____

STATE OF KANSAS
COUNTY OF LEAVENWORTH } SS
FILED FOR RECORD

1991 OCT 24 P 4:01

DORA J. PARMER
REGISTER OF DEEDS

Justin N. Elliott DEP.

Address:
1801 166th St.
Bonner Springs KS 66012
James: 606

THIS DEED MUST BE RECORDED

No. _____

WARRANTY DEED

JOINT TENANCY

FROM

TO

Entered in Transfer Record _____ in my
office, this 25 day of Oct

A. D. 1991

Linda A. Schen
County Clerk.

STATE OF KANSAS,

_____ County, } ss.

This instrument was filed for record on
the _____ day of _____ A. D.
19____, at _____ o'clock _____ M., and
duly recorded in Book _____ of Deeds,
at page _____

Register of Deeds.

By _____ Deputy.

FEES.

Register of Deeds, for recording, \$ _____

County Clerk, for transfer, \$ _____

Total, \$ _____

Shirley Short Title Company, Inc.

FOURTH AND DELAWARE STREETS
LEAVENWORTH, KANSAS 66048

600

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I

Daryl L. Potts and Tamara D. Wilson Potts

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
18081 166th St. Bascher, KS 66007 and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring - Herring Surveying Company 315 N. 5th Street, Leavenworth, KS 66048, 913-651-3858

2)

Signed and entered this 20th day of May, 2024

Daryl L. Potts 18081 166th St. Bascher KS 66007

Print Name, Address, Telephone

913 416 2345

Signature

STATE OF KANSAS)

) SS

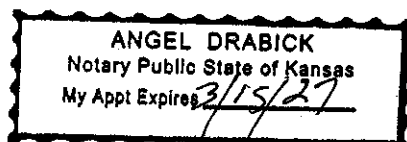
COUNTY OF LEAVENWORTH)

Be it remember that on this 20th day of May, 2024, before me, a notary public in and for said County and State came Daryl & Tamara Potts to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC

My Commission Expires: 3/15/2027

(seal)



Leavenworth County, KS



Legend

- Parcel
- City Limit Line
- Major Road
- <all other values>
- Road
- <all other values>
- PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary

1 in. = 1666ft.



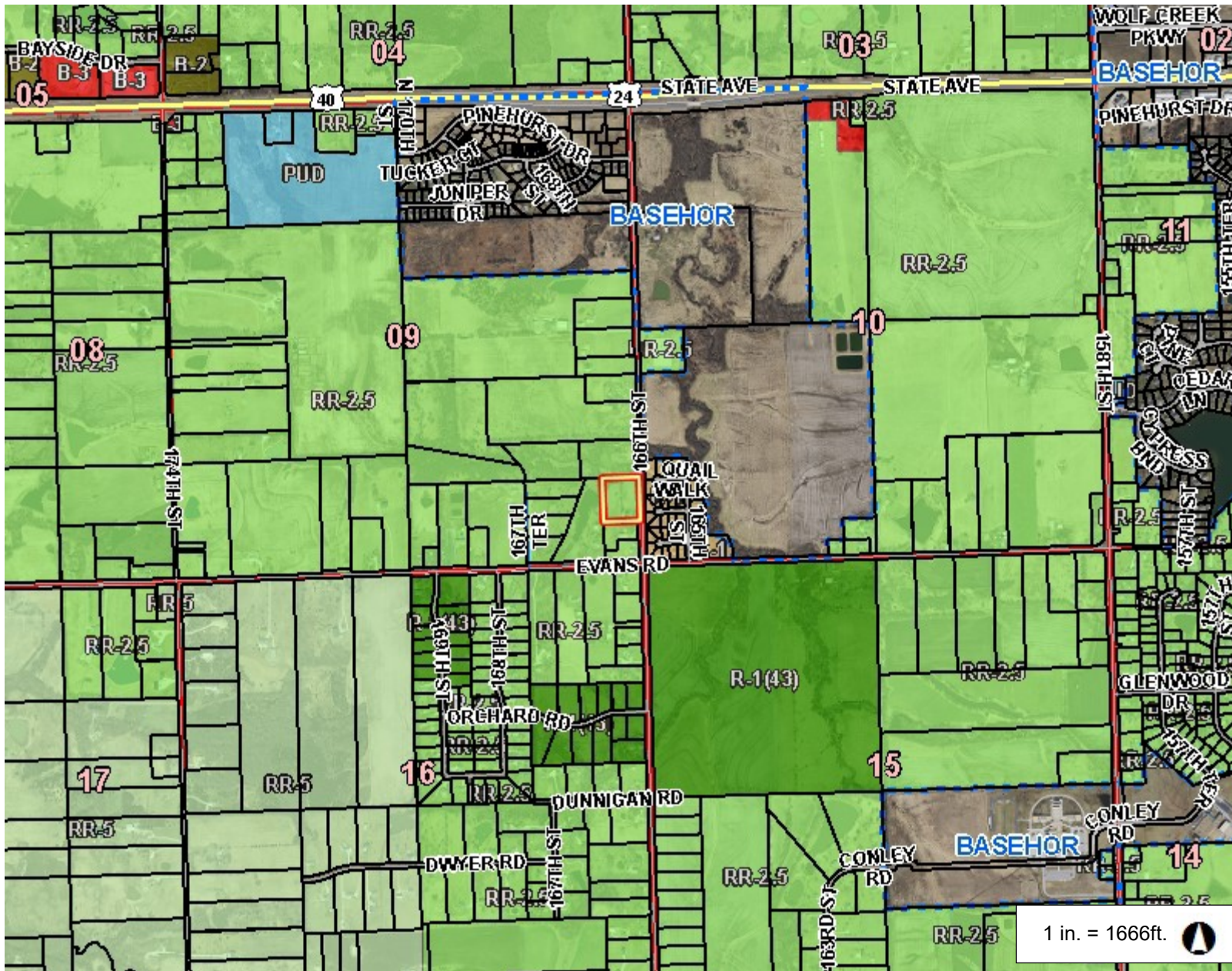
3,332.1 0 1,666.04 3,332.1 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Leavenworth County, KS



Legend

- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- <all other values>
- PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning**
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3
- PUD

Notes

3,332.1 0 1,666.04 3,332.1 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

PREPARED FOR:
POTTS,DARYL L & WILSON-POTTS,TAMARA D
18081 166TH ST
BASEHOR, KS 66007
PID NO. 182-09-0-00-00-017

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Erosion and Sediment Control Plan shall be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing ditches and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy.
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) No off-plat restrictions.

- On August 14, 2024, The Board of Zoning Appeals granted a variance from Article 41 - Access Management Policy driveway spacing (Sec 6(B)(1)(a)) & one entrance per Lot under 3 Acres (Sec 6(B)(b)(III))

TALLGRASS BUILDING COMPANY LLC
PID No. 182-09-0-00-00-167
PIONEER ACRES
LOT 1
Doc #2023P00040

STORK, ALLAN F & MARION SUE
PID NO. 182-09...016.04
LOT 1B
HEART LAND ESTATES
Doc # 2020S026

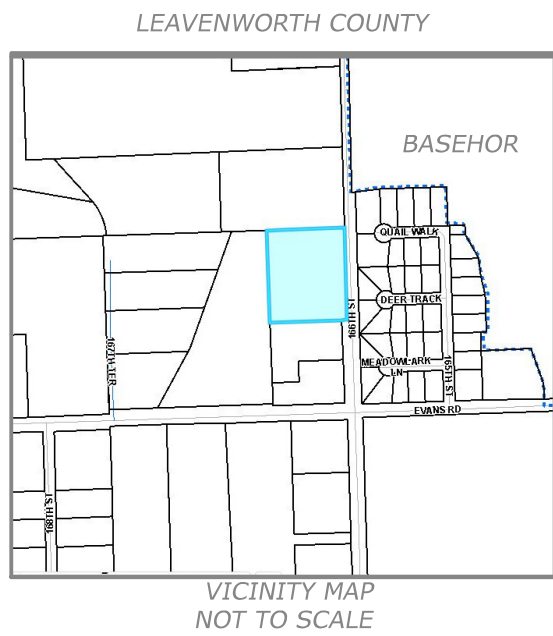
166TH STREET
(Bk. "B" pg. 230 - Court Case #0110CV351)
(Right of way width varies)
S 01°42'58" E 2664.93'
S 01°42'58" E 495.09' (495')

LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base around Point
- △ - PK Nail Found in Place
- () - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - Not Set this survey per agreement with client
 - A - Arc Distance
 - R - Arc Radius
 - B - Chord Bearing
 - C - Chord Distance
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client
- ➡ - DIRECTION OF WATER FLOW
- ⊙ - Power Pole
- X ——— - Fence Line
- OHP ——— - Overhead Power Lines
- T ——— - Underground Telephone/Fiber Optic Line
- ⊕ - Gas Valve
 - - Water Meter/Valve
 - ⊕ - Telephone Pedestal
- W ——— - 6" Water Line - location as per district
- POB - Point of Beginning
- POC - Point of Commencing
- ~~~~~ - Tree/Brush Line

ZONING:
RR 2.5 - Rural Residential 2.5

- NOTES:
- 1) This Survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - Plat - 1 : 1367002, 5.0087 Acres, more or less
- 5) Basis of Bearing - SPC KSPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture & Residential Use.
- 8) Read Record - See Survey
- 9) Benchmark - NAVD88
- 10) Profile Benchmarks - 100' ELEVATION COR SE 1/4 Section 9 - Elev = 932.27'
- 11) Easements, if any, are created here or listed in referenced title commitment.
- 12) Reference Recorded Deed Book 658 Page 896
- 13) Utility Companies -
 - Water - Suburban
 - Electric - Energy
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 14) Updated Security First Title File No. 3079723
updated June 3, 2024
- 15) Property is not in a Special Flood Hazard Area per FEMA Firm Map 130103C03276 dated July 16, 2015
- 16) Building Setback Lines as shown herein or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
- 17) Distances to and of structures, if any, are + or - 1'.
- 18) Easements as per referenced Title Commitment are shown herein, if any.
- 19) Fence Lines do not necessarily denote the boundary line for the property.
- 20) Reference Surveys:
 - WITT SUBDIVISION Survey Book 15 #92, 2005 - NKA2005P00092
 - HEART LAND ESTATES Doc #2011P00006
 - SUNNY SIDE ESTATES Doc #201P00031
 - PIONEER ACRES Doc #2023P000040
 - PAH - I.A. Harting Survey Doc #2025S016 & 2025S009
 - Heart Land Estates Lot Split Doc #2025S026



MC KENNA, GLEN J & ANGIE; CARROLL, FRANK JR & LISA MARIE
PID NO. 182-09-0-00-00-016.05
LOT 2
HEART LAND ESTATES
Doc # 2011P00006

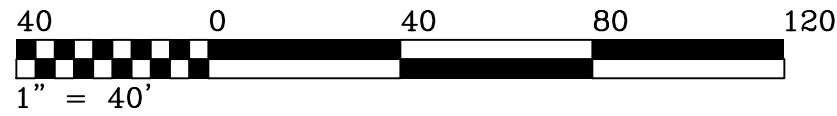


Scale 1" = 40'

Job # K-24-1792
June 6, 2024 Rev. 8-5-24

**J. Herring, Inc. (dba)**
HERRING
SURVEYING
COMPANY

315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@teamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of June 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Friday, July 19, 2024 9:09 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-096 BZA for Potts - Herring

We have not received any complaints on this property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Tuesday, July 16, 2024 12:09 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'kvoth@cityofbasehor.org' <kvoth@cityofbasehor.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-096 BZA for Potts - Herring

The Department of Planning and Zoning has received a request for a Variance from the Leavenworth County Zoning & Subdivision Regulation Article 41, Section 6, Exhibit B, 1.a (Residential Entrance Spacing) & Article 41, Section 6, Exhibit B, 1.b.III (Lots larger than 3 acres may have a secondary access).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by 30 July.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

Schweitzer, Joshua

From: McAfee, Joe
Sent: Tuesday, July 30, 2024 4:43 PM
To: Schweitzer, Joshua; Brown, Misty
Cc: PZ; Noll, Bill
Subject: RE: DEV-24-096 BZA for Potts - Herring

Public Works Engineering does not support the BZA request due to the following reasons:

- 1) The frontage for both Lots 1 and 2 is adequate for each lot to have a driveway that meets the 300' width separation requirement for the High Volume Collector roadway.
- 2) The platting process creates a lot size that does not allow for multiple drives to remain on one lot. In addition the existing drives do not meet the 300' requirement between existing drives.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Tuesday, July 16, 2024 12:09 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'kvoth@cityofbasehor.org' <kvoth@cityofbasehor.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-096 BZA for Potts - Herring

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by 30 July.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

Schweitzer, Joshua

From: Mike Lingenfelser <lingenfelserm@fairmountfd.org>
Sent: Tuesday, July 16, 2024 2:23 PM
To: Schweitzer, Joshua
Subject: Re: DEV-24-096 BZA for Potts - Herring

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Joshua
Fairmount Township Fire Department has no issues with the variance.
Mike Lingenfelser, Fire Chief
Fairmount Township Fire Department
2624 N 155th St
Basehor, Kansas 66007
Work-913-724-4911
Cell 913-306-0258

On Tue, Jul 16, 2024 at 12:09 PM Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov> wrote:

The Department of Planning and Zoning has received a request for a Variance from the Leavenworth County Zoning & Subdivision Regulation Article 41, Section 6, Exhibit B, 1.a (Residential Entrance Spacing) & Article 41, Section 6, Exhibit B, 1.b.III (Lots larger than 3 acres may have a secondary access).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by 30 July.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov

v / r

Joshua J. Schweitzer

Development Planner

Leavenworth County Planning & Zoning

300 Walnut St, Suite 212

Leavenworth County, Kansas 66048

Schweitzer, Joshua

From: Krystal A. Voth <kvoth@cityofbasehor.org>
Sent: Wednesday, July 31, 2024 11:13 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-096 BZA for Potts - Herring

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Mr. Schweitzer,

The City of Basehor has no comment regarding this application.

Be well,

Krystal

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Wednesday, July 31, 2024 10:58 AM
To: Krystal A. Voth <kvoth@cityofbasehor.org>
Subject: FW: DEV-24-096 BZA for Potts - Herring

Good Morning Ma'am,

I am just trying to follow up with you to see if you had any comments to provide for the above mentioned case?

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Tuesday, July 16, 2024 12:09 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'kvoth@cityofbasehor.org' <kvoth@cityofbasehor.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-096 BZA for Potts - Herring

The Department of Planning and Zoning has received a request for a Variance from the Leavenworth County Zoning & Subdivision Regulation Article 41, Section 6, Exhibit B, 1.a (Residential Entrance Spacing) & Article 41, Section 6, Exhibit B, 1.b.III (Lots larger than 3 acres may have a secondary access).

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
July 10, 2024**

The complete recorded meeting can be found on the County's YouTube channel.

The Planning Commission meeting was called to order at 5:30 p.m.

Oath of Office – Marcus Majure, Robert Owens, Jaden Bailey, Allan Stork, and Dan Clemons

Pledge of Allegiance

Members present: Steve Rosenthal, Allan Stork, Robert Owens, William Gottschalk, Dan Clemons, Jeff Spink, Marcus Majure, Doug Tystad, and Jaden Bailey

Members absent: Steve Skeet

Staff present: John Jacobson-Director, Amy Allison-Deputy Director, Josh Schweitzer-Planner, Stephanie Sloop-Planning Coordinator, Misty Brown-County Counselor

Minutes: Commissioner Stork made a motion to approve the minutes and Commissioner Tystad seconded that motion.

ROLL CALL VOTE - Motion to approve the passed, 7/0 (1 Abstain, 1 Absent)

Secretary's Report: Amy Allison gave the secretary's report going over the agenda. Ms. Allison explained that there were two items on the regular agenda and that there were two cases to be heard by the Board of Zoning Appeals after the conclusion of the regular Planning Commission Meeting.

Declarations: None

Commissioner Gottschalk made a motion to approve the agenda, the Commissioner Bailey made a motion to second.

ROLL CALL VOTE - Motion to approve the agenda passed, 8/0

Case DEV-24-075 Rezoning Lot 2 Dodge Addition

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning district on the following described property: Lot 2 Dodge Addition, in Leavenworth County, Kansas.

Josh Schweitzer gave the staff report for the above-listed case, outlining the details of the request.

Chairman Majure asked if there were any questions or discussions from the board. The public hearing was opened and Chairman Majure asked if the applicant wished to speak. Austin Thompson, with Atlas Consulting, addressed the board, further explaining the nature of the request.

Chairman Majure asked if there was anyone present that wanted to speak in favor or in opposition of this request. Two residents came forward to express their opposition. The public hearing was closed.

Chairman Majure asked if there were any further questions or discussions from the board, if not he would accept a motion.

Commissioner Stork motioned to approve the exception requested for Case DEV-24-075 a Rezone for Lot 2 Dodge Addition, the motion was seconded by commissioner Rosenthal.

ROLL CALL VOTE - Motion to approve passed 8/0

Case DEV-24-030 Special Use Permit Noyes Family Farm Event Center

Consideration of a Special Use Permit for an Event Center on the following described property: Tract of land of Southwest ¼, Section 23, Township 10 South, Range 22 East of the Sixth P.M., in Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case.

Chairman Majure asked if there were any questions or discussions from the board. The public hearing was opened and the applicant/agent was invited to come forward. The applicant/agent, Chris Storm, came forward to describe the request and answer any questions from the board.

Chairman Majure asked if there was anyone present wishing to speak in favor or opposition. Several residents came forward to express their support of the applicants. The applicants also came forward to further describe their vision for the property. The public comment portion of the hearing was closed.

Chairman Majure asked if there were any further questions or discussions from the board. Discussion was had between board members.

Commissioner Gottschalk made a motion to table the request requesting more time to gather information from outside agencies. Commissioner Rosenthal seconded the motion. Discussion was had amongst the Commission. The motion to table was withdrawn.

Commission Tystad made a motion to approve Case DEV-24-030 with the amended conditions of:

- **Occupancy for all indoor events shall be limited to 99 occupants. Occupancy for all outdoor events shall be limited to 150 occupants. Employees shall be limited to two full-time employees and unlimited seasonal or part-time employees.**
- **All structures used for the purpose of this business shall comply with the Kansas Fire Protection Plan.**

Commissioner Gottschalk seconded the motion.

ROLL CALL VOTE - Motion to approve passed 8/0

Adjournment of Planning Commission

Board of Zoning Appeals

1. Roll Call

Members present: Allan Stork, William Gottschalk, Dan Clemons, Jeff Spink, Marcus Majure, Doug Tystad, and Jaden Bailey

2. Regular Agenda

Case DEV-24-069 Variance Findeisen Water Well

Consideration of a Variance request from Article 50, Section 20, Utility Requirements Leavenworth County Zoning & Subdivision Regulations and Leavenworth County Sanitary Code, Chapter 5, Water Supply, Article 2, Section 1 on the following described property: Lot 3, Dakota Hills, a subdivision in Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case.

Chairman Majure asked if there were any questions or discussions from the board. Hearing none the public hearing was opened and the applicant was asked to come forward. Mr. Neil Findeisen came forward to explain the reason for his request of a variance.

Chairman Majure asked if there was anyone present wishing to speak in favor or opposition. The public comment portion of the hearing was closed. Ms. Allison reminded the Board that two letters of concern were sent in to be presented to the Board, stating the letters were included in their paperwork given tonight.

Chairman Majure stated that he would accept a motion if there were no further discussion.

Commissioner Bailey motioned to approve Case DEV-24-069 variance. Commissioner Clemons seconded the motion.

ROLL CALL VOTE - Motion to approve the request passed 8/0

Case DEV-24-070 Variance Findeisen Water Well

Consideration of a Variance request from Article 50, Section 20, Utility Requirements Leavenworth County Zoning & Subdivision Regulations and Leavenworth County Sanitary Code, Chapter 5, Water Supply, Article 2, Section 1 on the following described property: Lot 4, Dakota Hills, a subdivision in Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case.

Chairman Majure asked if there were any questions or discussions from the board. Hearing none the public hearing was opened and the applicant was asked to come forward. Mr. Neil Findeisen came forward to explain the reason for his request of a variance.

Chairman Majure asked if there was anyone present wishing to speak in favor or opposition. The public comment portion of the hearing was closed. Ms. Allison reminded the Board that two letters of concern were sent in to be presented to the Board, stating the letters were included in their paperwork given tonight.

Chairman Majure stated that he would accept a motion if there were no further discussion.

Commissioner Bailey motioned to approve Case DEV-24-070 variance. Commissioner Clemons seconded the motion.

ROLL CALL VOTE - Motion to approve the request passed 8/0

Meeting was adjourned 7:17 PM

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-060 & 061 Badlands Ranch (Cross Access Easement)

August 14, 2024

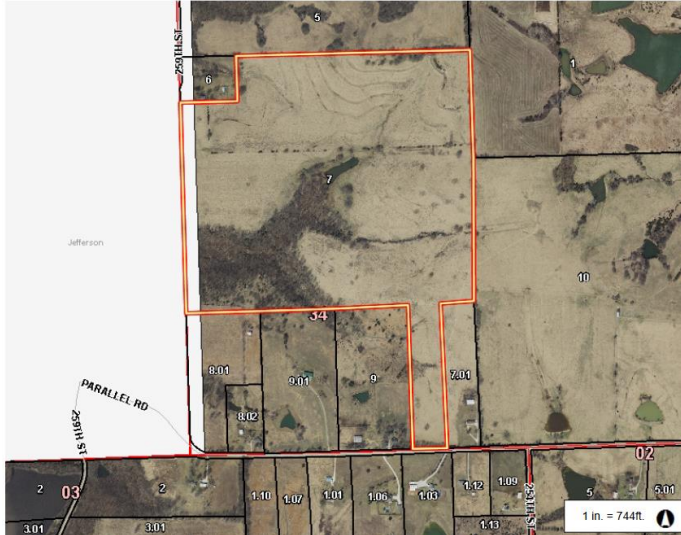
REQUEST: *Consent Agenda*

☒ Preliminary Plat ☒ Final Plat

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 00000 Parallel Road



APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING
315 N. 5th Street
Leavenworth, KS 66048

PROPERTY OWNER:

Kevin & Alana Smarker
25470 Parallel Road
Tonganoxie, KS 66086

CONCURRENT APPLICATIONS:

NONE

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:

RR-5

LEGAL DESCRIPTION:

Tracts of land in the Southwest Quarter of Section 34, Township 10 South, Range 20, East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-060 & 061, Preliminary & Final Plat for Badlands Ranch, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-060 & 061, Preliminary & Final Plat for Badlands Ranch to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 144.90 +- ACRES

PARCEL ID NO:

138-34-0-00-00-007

BUILDINGS:

N/A

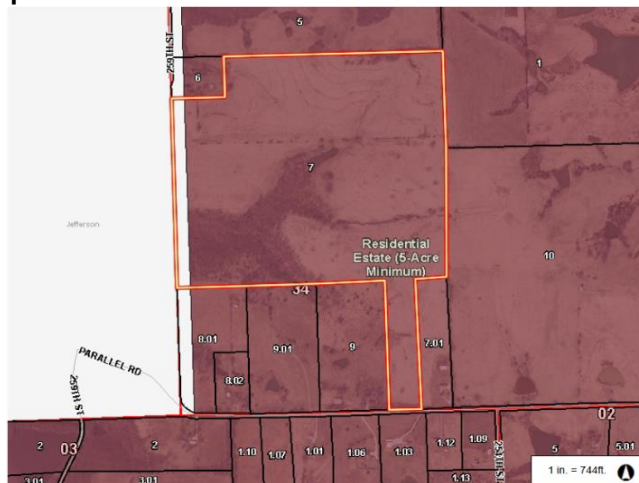
PROJECT SUMMARY:

Request for a final plat approval of a Cross Access Easement to subdivide property located at 00000 Parallel Road (138-34-0-00-00-007) as Lots 01 through 02 of Badlands Ranch.

ACCESS/STREET:

Parallel Rd - Local, Gravel \pm 24'

Location Map: FUTURE LAND USE DESIGNATION



UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: Tonganoxie

WATER: RWD 9

ELECTRIC: FREESTATE

NOTICE & REVIEW:

STAFF REVIEW:

8/5/2024

NEWSPAPER NOTIFICATION:

N/A

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**

N/A

STANDARDS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</i>			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	X	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards	X	
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing a Cross Access Easement and to divide a 144.90 +- acre parcel into two (2) lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots range in size from 7.10 to 137.29. All lots meet the requirements for the RR-5 zoning district.

PROPOSED CONDITIONS:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary, infrastructure is available.
5. Provide an updated HOA in accordance with Article 43 (Cross Access Easements) of the Leavenworth County Zoning & Subdivision Regulations.
6. Badlands Ranch is hereby approved as a Cross Access Easement (C.A.E) Subdivision. The installation and maintenance of the C.A.E private drive is the responsibility of the members of the Home Owners Association per the approved HOA agreement. Leavenworth County does not accept any liability or maintenance of the proposed private drive.
7. The developer must comply with the following memorandums:
 - Memo – RWD 9, dated May 06, 2024
 - Memo – Emergency Management, dated July 09, 2024
 - Email –County Surveyor, dated August 05, 2024

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Maps
- C: Memorandums

34 10 20 No Flood
RR5 RWA 9
Freestate Tonganoxie

138-34 007.00

FINAL &
~~PRELIMINARY~~ PLAT APPLICATION
Leavenworth County Planning and Zoning Department
300 Walnut St., Suite 212
Leavenworth, Kansas
913-684-0465

464 144.90

CK in Vault

Office Use Only	
Township: _____	Planning Commission Meeting Date: _____
Case No. <u>DEV-24</u>	Date Received/Paid: _____
Zoning District _____	Comprehensive Plan Land Use Designation: _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>SMARKER, KEVIN M & ALANA J</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>25470 Parallel Road</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP: <u>Tonganoxie, KS 66086</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL: <u>herringsurveying@outlook.com</u>	EMAIL: <u>N/A</u>

GENERAL INFORMATION

Proposed Subdivision Name: BADLANDS RANCH

Address of Property: 00000 Parallel Road

PID: 138-34-0-00-00-007 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>144</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>9 AC</u>
Maximum Lot Size: <u>135 AC</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 9</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>Tonganoxie</u>	Electric Provider: <u>Freestate</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning & Subdivision Regulations.</i>	Cross-Access Easement Requested: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	1. <u>Lot 1 - Width to Depth</u>	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

Is any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number: _____

I, the undersigned, am the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 5/30/2024 Date: 5-30-24

ATTACHMENT A



Continental

TITLE COMPANY

SCHEDULE A

CTC File No.: 24462022

INFORMATIONAL REPORT

1. Effective Date: March 19, 2024 at 8:00 A.M. Updated May 21, 2024
2. Fee Simple interest in the Land described in this Report is owned, at the Report Date, by:

Kevin M. Smarker and Alana J. Smarker
3. The land referred to in this Commitment is described as follows:

A part of the Southwest Quarter of the South 60 acres of the Northwest Quarter of Section 34, Township 10 South, Range 20 East of the 6th PM, and more particularly described as follows: Beginning at a point that is North 00°03'44" West, 1320.00 feet from the Southwest corner of said Section 34; thence North 00°03'44" West 1905.97 feet; thence South 89°52'16" East, 521.10 feet; thence North 00°00'00" East, 409.49 feet; thence South 89°51'10" East, 2120.04 feet; thence South 00°02'20" East, 3629.61 feet; thence North 89°58'59" West, 625.19 feet; thence North 00°03'44" West, 1320.00 feet; thence North 89°58'59" West, 2014.91 feet to the Point of Beginning,

LESS THE FOLLOWING TRACT:

Beginning at the Southeast corner of the Southwest Quarter of said Section 34; thence North 89°58'59" West along the South line of the Southwest Quarter of said Section 34, 322.0 feet; thence North 00°02'20" West, parallel to East line of the Southwest Quarter, 1320.00 feet; thence South 89°58'59" East, parallel to the South line of the Southwest Quarter of said Section 34, 322.00 feet to a point on the East line of the Southwest Quarter; thence South 00°02'20" East, along the East line of the Southwest Quarter, 1320.00 feet to the Point of Beginning, also less any part thereof taken or used for road purposes, in Leavenworth County, Kansas

By: _____
Title Officer: Mary Middleton

SCHEDULE BI - REQUIREMENTS

CTC File No.: 24462022

NOTE: This is an Informational Report and has been issued as a report as to the status of title and as such should not be relied upon for a Real Estate Transaction. This is not a commitment to insure, and no insurance is provided by this informational report.

If a commitment for Title Insurance is desired, the identity of the entities to be insured and policy amounts must be disclosed to this Company and this Company will issue a Commitment for Title Insurance disclosing all requirements for issuance of the policy as well as any additional exceptions which may be taken.

1. The following Requirements must be met: NONE

SCHEDULE BII - EXCEPTIONS

CTC File No.: 24462022

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Right or claims of parties in possession not shown by the Public Records.
2. Easements, or claims of easements, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
4. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.
6. Loss or damage by reason of there being recorded in the Public Records, any deeds, mortgages, lis pendens, liens or other title encumbrances subsequent to the commitment date and prior to the effective date of the final Policy.
7. Assessments, Dues or Fees levied by the Homeowners Association of said Subdivision, if any.
8. State, County and City general taxes for the year 2023, and subsequent years.
9. Tenancy rights, either as month to month or by virtue of written lease of any party now in possession of the premises in question.
10. **The Company has been advised about a network security incident affecting access to Kansas Court systems, including, but not limited to, the ability to search Court records and e-file Court documents.**

NO COURT RECORDS HAVE BEEN SEARCHED OR REPORTED.

11. Mortgage executed by Kevin Smarker and Alana Smarker, husband and wife to Union State Bank of Everest dba Bank of Mcclouth dated September 11, 2020 and recorded September 22, 2020, as Document No. 2020R09344, securing \$335,000.00. (Future Advances)
12. Building Setback Lines, Easements, Covenants, Conditions and Restrictions which are shown on the plat recorded in Plat Book S13 Page 52, including provisions for Subdivision Assessments according to the recorded plat.
13. Right of Way granted to Rural Water District No. 9 as more fully set forth in the instrument recorded in Book 503 at Page 1051.
14. Notwithstanding the reference to acreage in the description of subject property, no representation as to the actual acreage of subject property is assumed hereunder and any discrepancy between the actual acreage of subject property and the acreage of same as described, is hereby excepted.

NOTE: The Title Agent issuing this commitment is furnishing a 24 Month Chain of Title for informational purposes only and the Company has no liability for any of the information provided:

Warranty Deed from Kevin M. Smarker and Alana J. Smarker, husband and wife, and Henry O. Wirthman and Ethel L. Wirthman, husband and wife to Kevin M. Smarker and Alana J. Smarker, husband and wife, as joint tenants with rights of survivorship and not as tenants in common recorded February 23, 1994 in Book 690 at Page 1632.

NOTE: For informational purposes only we submit the following tax figures and property address, if known. We assume no liability for the correctness of the same.

Commonly known as: 0000 Parallel Rd, Tonganoxie, KS 66086

Tax Year: 2023

Tax ID No.: 14886

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner
COUNTY OF LEAVENWORTH
STATE OF KANSAS

We/I Kevin M. Smarker and Alana J. Smarker

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
25470 Parallel Rd. Tonganoxie, KS 66086, and that we authorize the
following people or firms to act in our interest with the Leavenworth County Planning
and Zoning Department for a period of one calendar year. Additionally, all statements
herein contained in the information herewith submitted are in all respects true and correct
to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5th Street, Leavenworth,
KS 66048, 913-651-3858

2)

Signed and entered this 21st day of Feb, 2024

Kevin M. Smarker + Alana J. Smarker
25470 Parallel Rd. Tonganoxie, KS 66086 913-704-7115
Print Name, Address, Telephone

K M Smarker Alana J Smarker
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

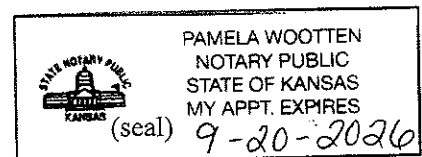
Be it remembered that on this 21st day of February, 2024, before me, a notary public in and
for said County and State came Kevin & Alana Smarker to me
personally known to be the same persons who executed the forgoing instrument of writing, and
duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand
and affixed my notary seal the day and year above written.

NOTARY PUBLIC

Pamela Wootten

My Commission Expires:

9-20-2026

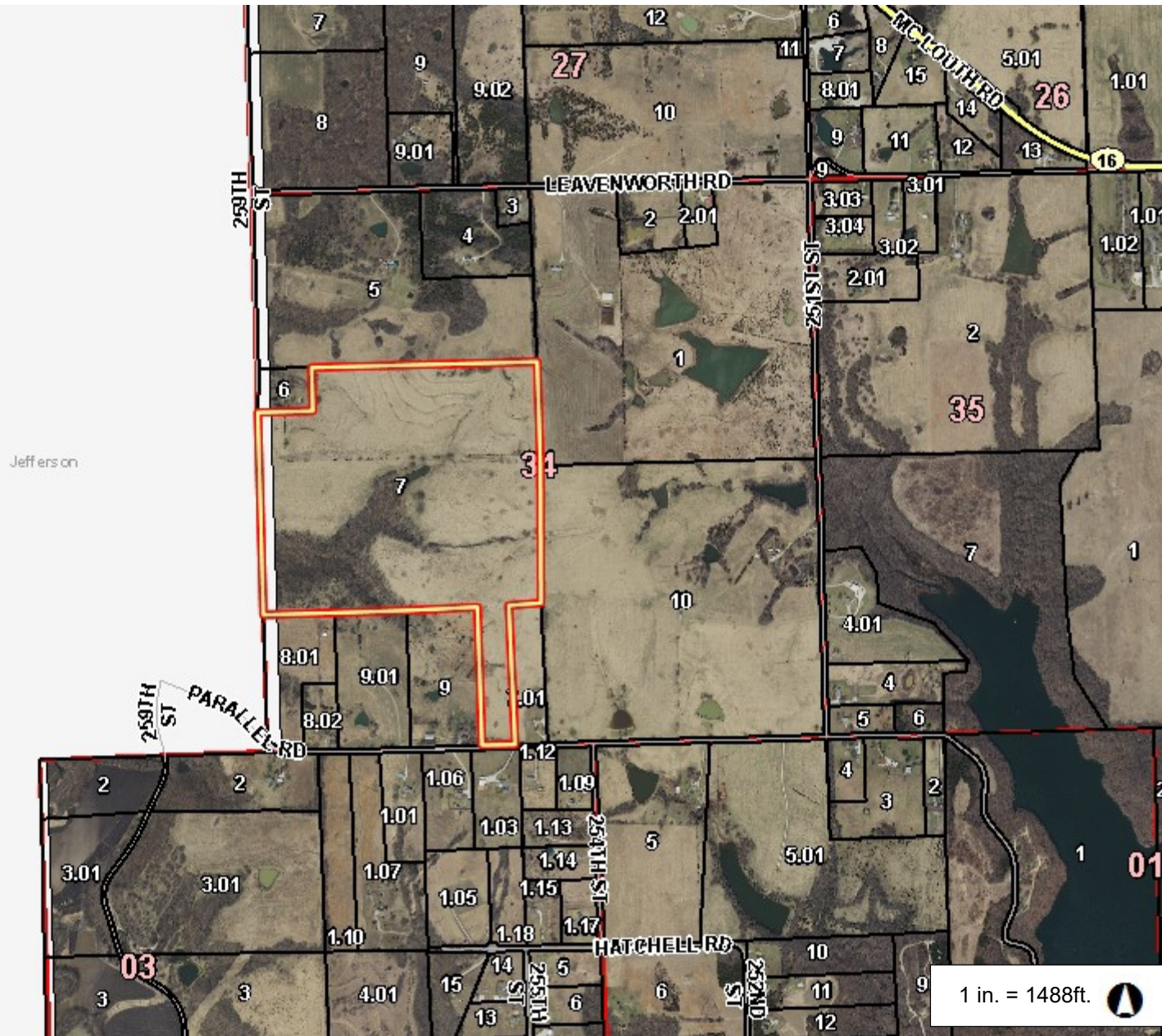


BADLANDS RANCH HOA

Owners of Lots 1 and 2 will share 50% of the responsibility to maintain the Cross Access Easement driveway.

Maintenance of the cross access easement is the sole responsibility of the developer and/or future property owners of the properties that the cross access easement provides access to. The cross access easements is not a public right-of-way and will in no way be maintained by Leavenworth County.

Leavenworth County, KS



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary

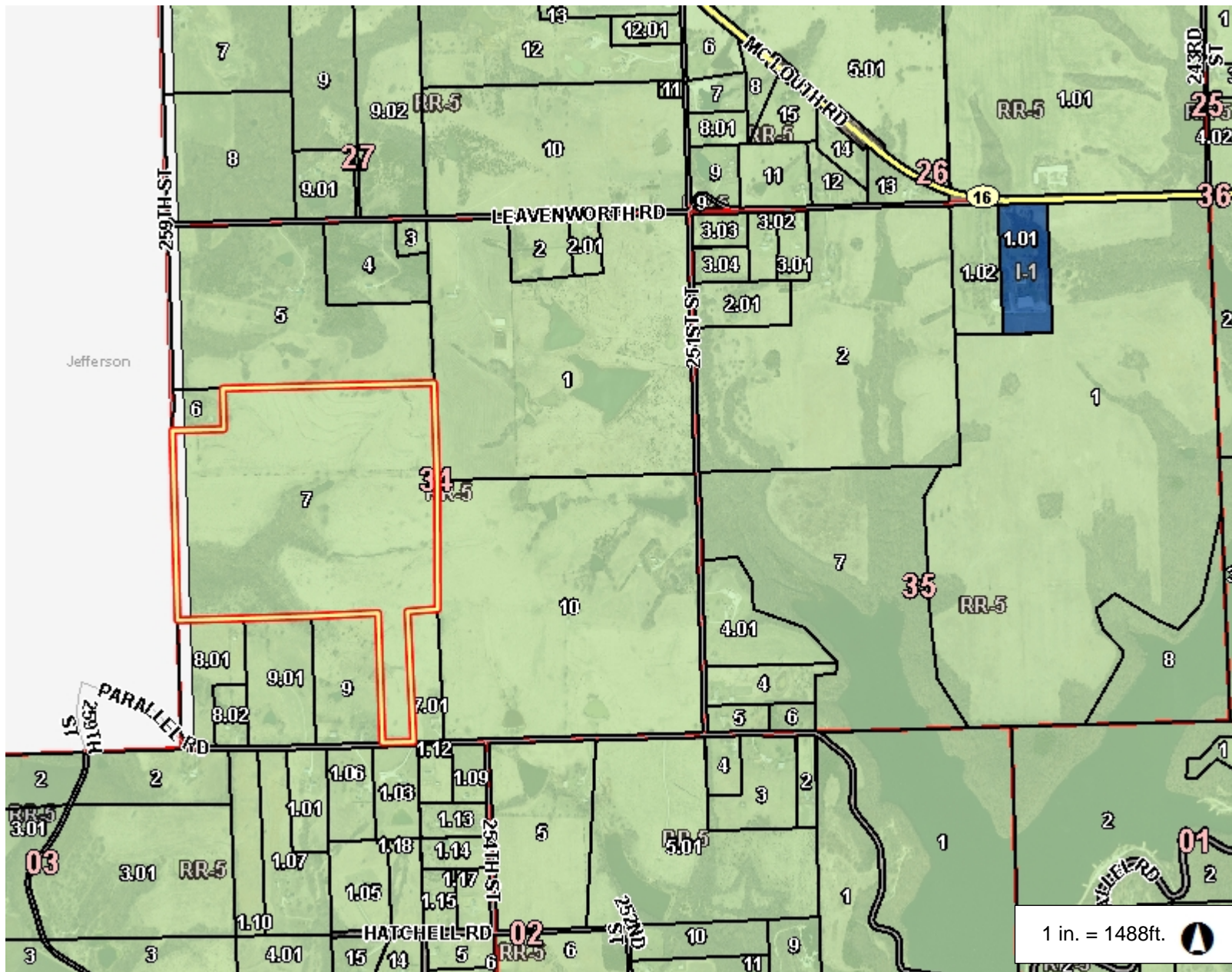
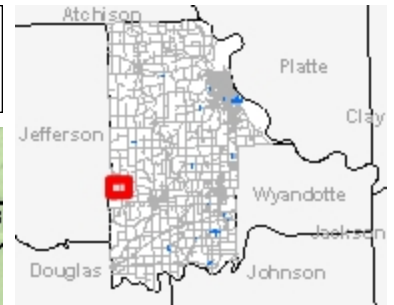
Notes

2,976.6 0 1,488.29 2,976.6 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Leavenworth County, KS



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- +
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
 - B-1
 - B-2
 - B-3
 - I-1
 - I-2
 - I-3
 - MXD
 - PC
 - PI
 - PR-1
 - PR-2
 - PR-3

Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

BADLANDS RANCH

A Cross Access Easement Plat in the West Half of Section 34, Township 10 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
SMARKER, KEVIN M & ALANA J
25470 Parallel Road
Tonganoxie, KS 66086
PID # 138-34-0-00-00-007

RECORD DESCRIPTION:

A part of the Southwest Quarter and the South 60 acres of the Northwest Quarter of Section 34, Township 10 South, Range 20 East of the 6th PM, and more particularly described as follows: Beginning at a point that is North 00°03'44" West, 1320.00 feet from the Southwest corner of said Section 34; thence North 00°03'44" West 1905.97 feet; thence South 89°52'16" East, 521.10 feet; thence North 00°00'00" East, 409.49 feet; thence South 89°51'10" East, 2120.04 feet; thence South 00°02'20" East, 3629.61 feet; thence North 89°58'59" West, 625.19 feet; thence North 00°03'44" West, 1320.00 feet; thence North 89°58'59" West, 2014.91 feet to the Point of Beginning, LESS THE FOLLOWING TRACT:
Beginning at the Southeast corner of the Southwest Quarter of said Section 34; thence North 89°58'59" West along the South line of the Southwest Quarter of said Section 34, 322.0 feet; thence North 00°02'20" West, parallel to East line of the Southwest Quarter, 1320.00 feet; thence South 89°58'59" East, parallel to the South line of the Southwest Quarter of said Section 34, 322.00 feet to a point on the East line of the Southwest Quarter; thence South 00°02'20" East, along the East line of the Southwest Quarter, 1320.00 feet to the Point of Beginning, also less any part thereof taken or used for road purposes, in Leavenworth County, Kansas

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have Access to Parallel Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances.
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

ZONING:

RR 5 - Rural Residential 5

NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - 1 : 342266, 144.39 Acres, more or less.
- 5) Basis of Bearing - KS SPC North Zone 1501 East line of the Northwest Quarter
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing Use Agriculture - Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88 Project Benchmark (BM) - SW COR SECTION - 1/2" Rebar - Elev. 1021.9'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Book 690 at Page 1632
- 12) Utility Companies -
 - Water - Water District 9
 - Electric - FreeState
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Continental Title File Number 24462022 updated May 21, 2024
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0200C dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
 - MDC - M.D.Cooper Survey Book S-13 Page 52, 1986 - NKA1986S052
 - COUNTY LINE SUBDIVISION Book S-16 Page 75, 2006 - NKA2006P00075

LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- () - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - Not Set this survey per agreement with client
- POB - Point of Beginning
- POC - Point of Commencing
- //// - No Vehicle Entrance Access
- NS - Not Set this Survey per agreement with client
- ⦿ - Power Pole
- X - Fence Line
- OHP - Overhead Power Lines
- T - Underground Telephone/Fiber Optic Line
- ⬢ - Gas Valve
- ⬢ - Water Meter/Valve
- ⬢ - Telephone Pedestal
- W - 6" Water Line - location as per district
- ~ - Tree/Brush Line

LEAVENWORTH COUNTY



NOT TO SCALE

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through July 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

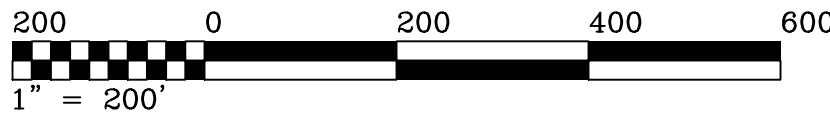


Scale 1" = 200'

Job # K-23-1766
May 28, 2024 Rev. 7-20-24



315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@jeancash.com



BADLANDS RANCH

A Cross Access Easement Plat in the West Half of Section 34, Township 10 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
SMARKER, KEVIN M & ALANA J
25470 Parallel Road
Tonganoxie, KS 66086
PID # 138-34-0-00-00-007

CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: BADLANDS RANCH.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lot 2 for the benefit of Lot 1, and over Lot 1 for the benefit of Lot 2 for said purposes. Maintenance is to be shared between the owners of said Lots 1 and 2. Home Owner's Association (H.O.A.) recorded at the Leavenworth County Register of Deeds Office Doc # 2024R

IN TESTIMONY WHEREOF,
We, the undersigned owners of BADLANDS RANCH, have set our hands this _____ day of _____, 2024.

Kevin M. Smarker Alana J. Smarker

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Kevin M. Smarker and Alana J. Smarker, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of BADLANDS RANCH this _____ day of _____, 2024.

Secretary Chairperson
John Jacobson Marcus Majure

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of BADLANDS RANCH this _____ day of _____, 2024.

Chairperson County Clerk
Jeff Culbertson Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2024 at _____ o'clock ____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

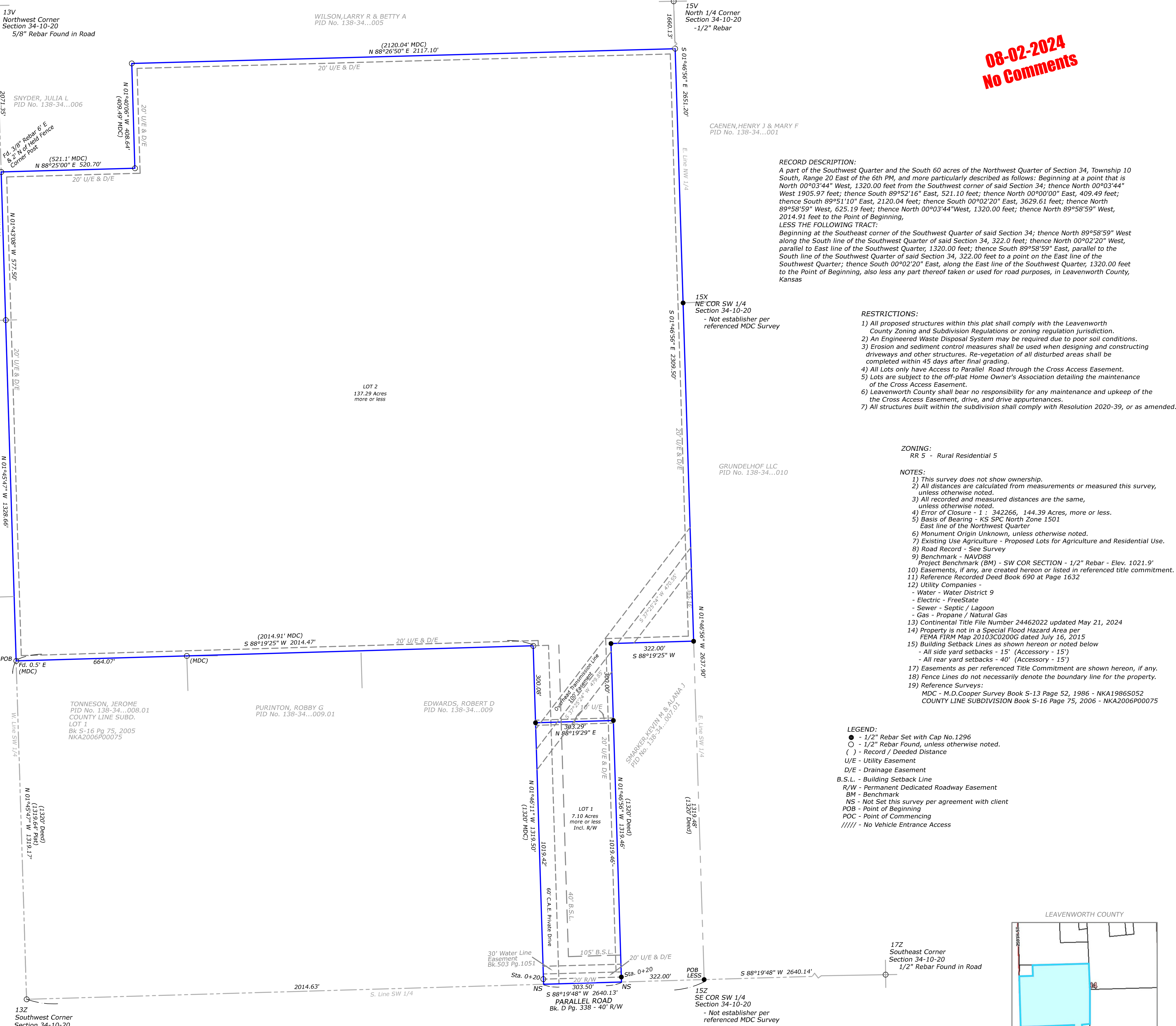
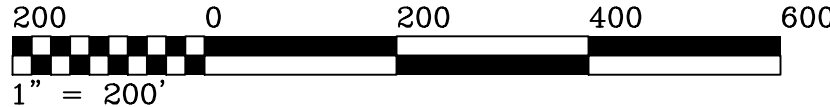
Register of Deeds - TerriLois G. Mashburn

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumbchen, PS#1363
County Surveyor



Scale 1" = 200'



LEGEND:
● - 1/2" Rebar Set with Cap No.1296
○ - 1/2" Rebar Found, unless otherwise noted.
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
BM - Benchmark
NS - Not Set this survey per agreement with client
POB - Point of Beginning
POC - Point of Commencing
///// - No Vehicle Entrance Access



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through July 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



08-02-2024
No Comments

RECORD DESCRIPTION:
A part of the Southwest Quarter and the South 60 acres of the Northwest Quarter of Section 34, Township 10 South, Range 20 East of the 6th PM, and more particularly described as follows: Beginning at a point that is North 00°03'44" West, 1320.00 feet from the Southwest corner of said Section 34; thence North 00°03'44" West 1905.97 feet; thence South 89°52'16" East, 521.10 feet; thence North 00°00'00" East, 409.49 feet; thence South 89°51'10" East, 2120.04 feet; thence South 00°02'20" East, 3629.61 feet; thence North 89°58'59" West, 625.19 feet; thence North 00°03'44" West, 1320.00 feet; thence North 89°58'59" West, 2014.91 feet to the Point of Beginning,
LESS THE FOLLOWING TRACT:
Beginning at the Southeast corner of the Southwest Quarter of said Section 34; thence North 89°58'59" West along the South line of the Southwest Quarter of said Section 34, 322.0 feet; thence North 00°02'20" West, parallel to East line of the Southwest Quarter, 1320.00 feet; thence South 89°58'59" East, parallel to the South line of the Southwest Quarter of said Section 34, 322.00 feet to a point on the East line of the Southwest Quarter; thence South 00°02'20" East, along the East line of the Southwest Quarter, 1320.00 feet to the Point of Beginning, also less any part thereof taken or used for road purposes, in Leavenworth County, Kansas

RESTRICTIONS:
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3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
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6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances.
7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

ZONING:
RR 5 - Rural Residential 5

NOTES:
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7) Existing Use Agriculture - Proposed Lots for Agriculture and Residential Use.
8) Road Record - See Survey
9) Benchmark - NAVD88 Project Benchmark (BM) - SW COR SECTION - 1/2" Rebar - Elev. 1021.9'
10) Easements, if any, are created hereon or listed in referenced title commitment.
11) Reference Recorded Deed Book 690 at Page 1632
12) Utility Companies -
- Water - Water District 9
- Electric - FreeState
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
13) Continental Title File Number 24462022 updated May 21, 2024
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0200G dated July 16, 2015
15) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 15' (Accessory - 15')
- All rear yard setbacks - 40' (Accessory - 15')
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18) Fence Lines do not necessarily denote the boundary line for the property.
19) Reference Surveys:
MDC - M.D.Cooper Survey Book S-13 Page 52, 1986 - NKA1986S052
COUNTY LINE SUBDIVISION Book S-16 Page 75, 2006 - NKA2006P00075

08-02-24

Combined Review

No Comments

Badlands Ranch
Leavenworth County Kansas

Drainage Report

May 15, 2023

Revised July 3, 2024

Revised July 21, 2024



Schweitzer, Joshua

From: Shauna Snyder <shauna.snyder@freestate.coop>
Sent: Tuesday, May 7, 2024 7:15 AM
To: PZ
Cc: Joe Herring
Subject: SERVICE VERIFICATION - Parcel - R18647

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

FreeState Electrical Cooperative will provide power to a new home/development being built on/at Parallel Rd, parcel R18647, for Kevin and Alana Smarker (Badlands Ranch). FreeState will provide service for 2 separate lots here.

Thank you,

Shauna Snyder
Member Account Coordinator



1-800-794-1989 | www.freestate.coop



RURAL WATER DISTRICT 9

P.O. Box 295
Tonganoxie, Kansas 66086
(913) 845-3571
LVRWD9.COM

I am responding to a request that LVRWD #9 received from Joe Herring from Herring Surveying Company, requesting a letter stating that LVRWD9 can provide water to R18647 S34 T10 R20 Lot #1 in Badlands Ranch, on Parallel Rd. Leavenworth County.

LVRWD9 can provide water to Lot #1 only at this time. For Lot #2 in the Badlands Ranch there will need to be an engineer evaluation and infrastructure cost at the owner/builders expense prior to being able to supply water to Lot #2. They will also need to receive, read and sign LVRWD 9 developer policy.

If you have any questions or concerns, please do not hesitate to contact us at (913) 845-3571 or by email at lvrawd9@gmail.com.

Thank you and have a great day.

Thanks,

District Manager,
Karen Armstrong

Schweitzer, Joshua

From: Joshua Schweitzer <joshua.schweitzer@gmail.com>
Sent: Wednesday, July 17, 2024 10:25 AM
To: Schweitzer, Joshua
Subject: Fwd: Fw: Fw: Smarker Property - BADLANDS RANCH

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

----- Forwarded message -----

From: **Joe Herring** <herringsurveying@outlook.com>
Date: Wed, Jul 17, 2024 at 10:02 AM
Subject: Fw: Fw: Smarker Property - BADLANDS RANCH
To: Joshua Schweitzer <joshua.schweitzer@gmail.com>

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Timothy Smith <chief1860@ttrfd.com>
Sent: Thursday, May 30, 2024 12:48 PM
To: Joe Herring <herringsurveying@outlook.com>
Subject: Re: Fw: Smarker Property - BADLANDS RANCH

No, I hadn't sent one. Typically I get a copy of these requests from Planning and Zoning but didn't for this one.

You can use this email as confirmation that the Tonganoxie Township Fire Department does not have any issues with this request.

On Thu, May 30, 2024 at 12:30 PM Joe Herring <herringsurveying@outlook.com> wrote:
Did you send a service letter for this project?

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Badlands Subdivision
Date: July 09, 2024

Amy, I have reviewed the preliminary plat of the Badlands Subdivision presented by Kevin and Alana Sharker. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, a fire hydrant should be placed along the right-a-way on the Lot 1 along the right-of-way, and this will meet the requirements for this subdivision. I am not for sure if this will become a larger subdivision in the future so the area will need to be addressed further regarding the plans for Lot 2. Lot 1 may become a driveway since it is not wide enough for the current width of the frontage, no for sure if this is correct?

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

Schweitzer, Joshua

From: Baumchen, Daniel
Sent: Monday, August 5, 2024 1:22 PM
To: Schweitzer, Joshua; Noll, Bill; McAfee, Joe; 'Mitch Pleak'
Cc: PZ
Subject: RE: DEV-24-060 & 061 Preliminary & Final Plat Badlands Ranch
Attachments: Badlands Ranch final No Comments 2024.08.05.pdf

No comments for final plat drawing, but still need LSRR.

Dan Baumchen, PS
County Surveyor
Leavenworth County Department of Public Works
913-684-0472

From: Schweitzer, Joshua
Sent: Monday, August 5, 2024 8:21 AM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-060 & 061 Preliminary & Final Plat Badlands Ranch

Good Morning,

Attached are the updated revisions for the above mentioned case.

Please let me know if you have any questions.

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Wednesday, June 5, 2024 8:36 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-060 & 061 Preliminary and Final Plat Badlands Ranch - Herring

We have not received any complaints on this property, and we are not aware of any septic systems currently installed on it.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Tuesday, June 4, 2024 2:38 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-060 & 061 Preliminary and Final Plat Badlands Ranch - Herring

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 00000 Parallel Rd. (138-34-0-00-00-007)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us June 18th, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov.

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-064 & 065 Gaither Subdivision

August 14, 2024

REQUEST: *Consent Agenda*

☒ Preliminary Plat ☒ Final Plat

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 20571 219th St.



APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING
315 N. 5th Street
Leavenworth, KS 66048

PROPERTY OWNER:

Southpark Development Co LLC
PO Box 147
Tonganoxie, KS 66086

CONCURRENT APPLICATIONS:

NONE

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:
RR-2.5

LEGAL DESCRIPTION:

A triangular tract of land lying on the West side of the road in the Southwest Quarter of the Southwest Quarter of Section 28, Township 10, Range 21, in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-064 & 065, Preliminary & Final Plat for Gaither Subdivision, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-064 & 065, Preliminary & Final Plat for Gaither Subdivision to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 19.30 +- ACRES

PARCEL ID NO:

148-28-0-00-00-009

BUILDINGS:

Existing House and Outbuildings

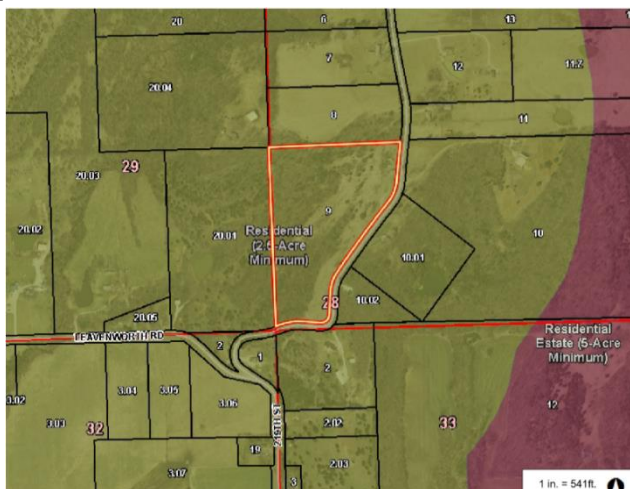
PROJECT SUMMARY:

Request for a final plat approval to subdivide property located at 20571 219th St. (148-28-0-00-00-009) as Lots 01 through 04 of Gaither Subdivision.

ACCESS/STREET:

219th Street - Collector, paved \pm 23'

Location Map: FUTURE LAND USE DESIGNATION



UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: Tonganoxie

WATER: RWD 9

ELECTRIC: FREESTATE

NOTICE & REVIEW:

STAFF REVIEW:

8/5/2024

NEWSPAPER NOTIFICATION:

N/A

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**

N/A

STANDARDS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</i>			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	N/A	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards	X	
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing to divide a 19.30 +/- acre parcel into four (4) lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots range in size from 3.32 to 6.72. All lots meet the requirements for the RR-2.5 zoning district.

PROPOSED CONDITIONS:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary, infrastructure is available.
5. The developer must comply with the following memorandums:
 - Memo – RWD 9, dated March 22, 2024
 - Memo – Emergency Management, dated July 9, 2024

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Maps
- C: Memorandums

148-23 009.00

FINAL &
~~PRELIMINARY~~ PLAT APPLICATION
Leavenworth County Planning and Zoning Department
300 Walnut St., Suite 212
Leavenworth, Kansas
913-684-0465

OK 9743

Office Use Only	
Township: _____	Planning Commission Meeting Date: _____
Case No. _____	Date Received/Paid: _____
Zoning District _____ Comprehensive Plan Land Use Designation: _____	

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>Southpark Development Co LLC</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>PO BOX 147</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP: <u>Tonganoxie, KS 66086</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL: <u>herringsurveying@outlook.com</u>	EMAIL: <u>N/A</u>

GENERAL INFORMATION

Proposed Subdivision Name: GAITHER SUBDIVISION

Address of Property: 20571 219TH ST

PID: 148-28-0-00-00-009 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>20 Acres</u>	Number of Lots: <u>4</u>	Minimum Lot Size: <u>3.1 Ac</u>
Maximum Lot Size: <u>6.7 Ac</u>	Proposed Zoning: <u>RR-2.5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 9</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>Tonganoxie</u>	Electric Provider: <u>FreeState</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning & Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if yes, what is the panel number: _____	
I, the undersigned, am the owner, duly authorized agent , of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.	
Signature: <u>Joe Herring - digitally signed June 2, 2024</u>	Date: <u>6/2/24</u>

ATTACHMENT A



Continental
TITLE COMPANY

SCHEDULE A

CTC File No.: 24461531

INFORMATIONAL REPORT

1. Effective Date: March 15, 2024 at 8:00 A.M. Updated May 21, 2024
2. Fee Simple interest in the Land described in this Report is owned, at the Report Date, by:

South Park Development Company, LLC
3. The land referred to in this Commitment is described as follows:

The following described Real Estate, situated in the County of Leavenworth and State of Kansas, to-wit:

A triangular tract of land lying on the West side of the road in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 28, Township 10, Range 21.

By: 

Title Officer: Lisa Riggs

SCHEDULE BI - REQUIREMENTS

CTC File No.: 24461531

NOTE: This is an Informational Report and has been issued as a report as to the status of title and as such should not be relied upon for a Real Estate Transaction. This is not a commitment to insure, and no insurance is provided by this informational report.

If a commitment for Title Insurance is desired, the identity of the entities to be insured and policy amounts must be disclosed to this Company and this Company will issue a Commitment for Title Insurance disclosing all requirements for issuance of the policy as well as any additional exceptions which may be taken.

1. The following Requirements must be met: NONE

SCHEDULE BII - EXCEPTIONS

CTC File No.: 24461531

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Right or claims of parties in possession not shown by the Public Records.
2. Easements, or claims of easements, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
4. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.
6. Loss or damage by reason of there being recorded in the Public Records, any deeds, mortgages, lis pendens, liens or other title encumbrances subsequent to the commitment date and prior to the effective date of the final Policy.
7. Assessments, Dues or Fees levied by the Homeowners Association of said Subdivision, if any.
8. State, County and City general taxes for the year 2023, and subsequent years.
9. Tenancy rights, either as month to month or by virtue of written lease of any party now in possession of the premises in question.
10. State, County, and City General Taxes for the second half of 2023, which become delinquent after May 10th.
11. Right of Way Easement granted to Rural Water District No. 9, Leavenworth Co., Kansas as more fully set forth in the instrument recorded in Book 502 at Page 1473.
12. **The Company has been advised about a network security incident affecting access to Kansas Court systems, including, but not limited to, the ability to search Court records and e-file Court documents.**

NO COURT RECORDS HAVE BEEN SEARCHED OR REPORTED.

NOTE: The Title Agent issuing this commitment is furnishing a 24 Month Chain of Title for informational purposes only and the Company has no liability for any of the information provided:

Quit Claim Deed from Jack L Willis And Estee M Willis, husband and wife to South Park Development Company, LLC recorded May 6, 2022 as Document No. 2022R04313.

Quit Claim Deed from Louis Willis, a single person to Jack L Willis and Estee M Willis, husband and wife recorded August 26, 2019 as Document No. 2019R06650.

NOTE: For informational purposes only we submit the following tax figures and property address, if known. We assume no liability for the correctness of the same.

Commonly known as: 20571 219th St, Tonganoxie, KS 66086

Tax Year: 2023

Tax ID No.: 15326

CAMA/Pin No.: 148-28-0-00-00-009.00-0

Assessed Value: \$28,774

Tax Amount: \$3,384.34 FIRST HALF PAID; SECOND HALF DUE

Includes the following Special Assessments, if any: None

Delinquent Taxes, if any: None

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner
COUNTY OF LEAVENWORTH
STATE OF KANSAS

We/I JACK Willis president of Estate Willis of South Park Development Co LLC

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
20571 219th Tonganoxie, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5th Street, Leavenworth, KS 66048, 913-651-3858

2) Signed and entered this 11 day of Aug, 2023

JACK Willis president of South Park Development Co LLC
Print Name, Address, Telephone

Jack Willis Estate Willis
Signature

STATE OF KANSAS)

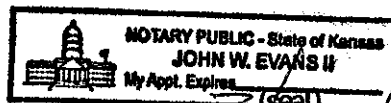
) SS

COUNTY OF LEAVENWORTH)

Be it remembered that on this 11 day of Aug, 2023, before me, a notary public in and for said County and State came _____ to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

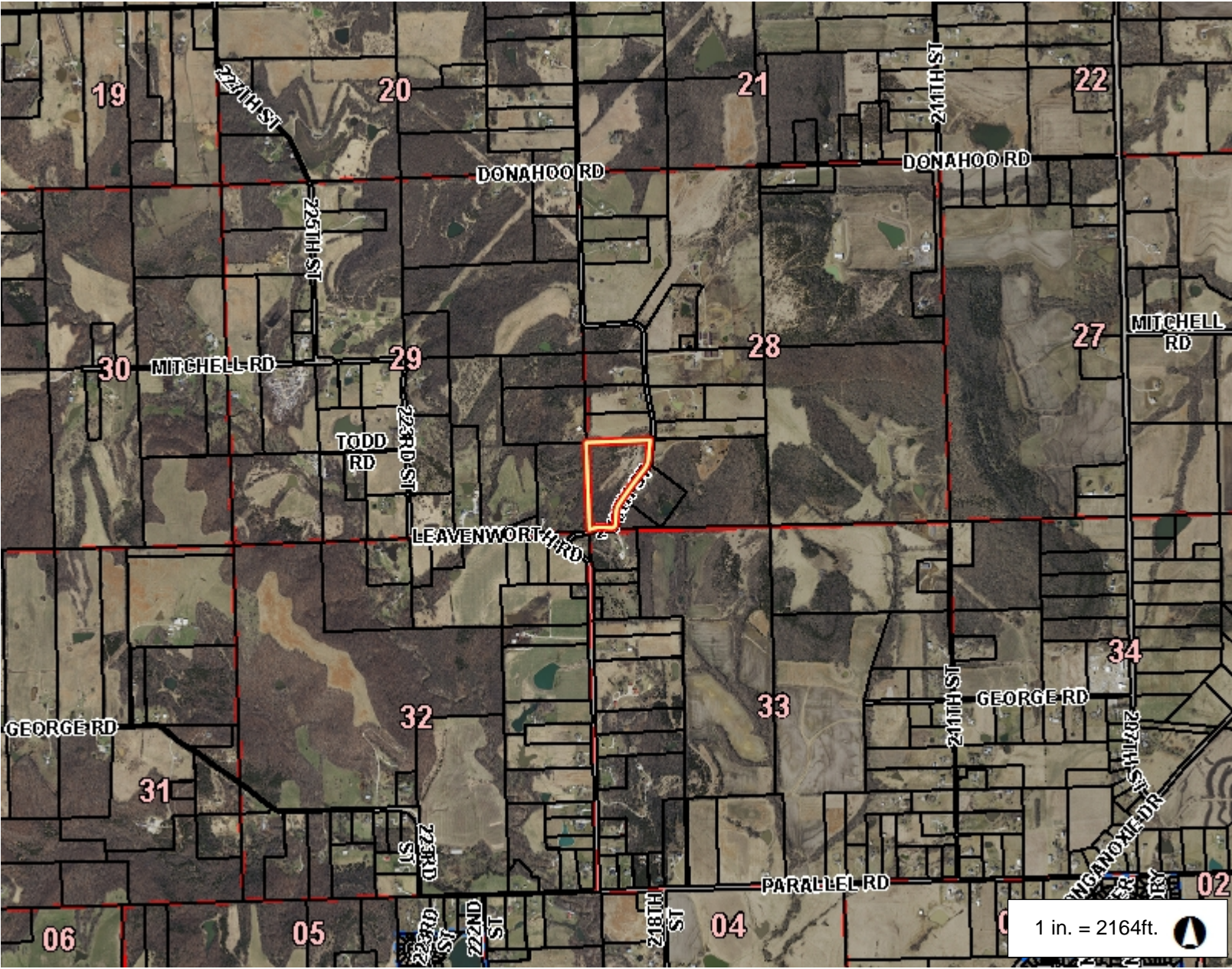
NOTARY PUBLIC John W. Evans II

My Commission Expires: 3/29/2024



3/29/2024

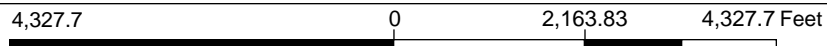
Leavenworth County, KS



Legend

- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- Railroad
- Section
 - Section Boundaries
 - County Boundary

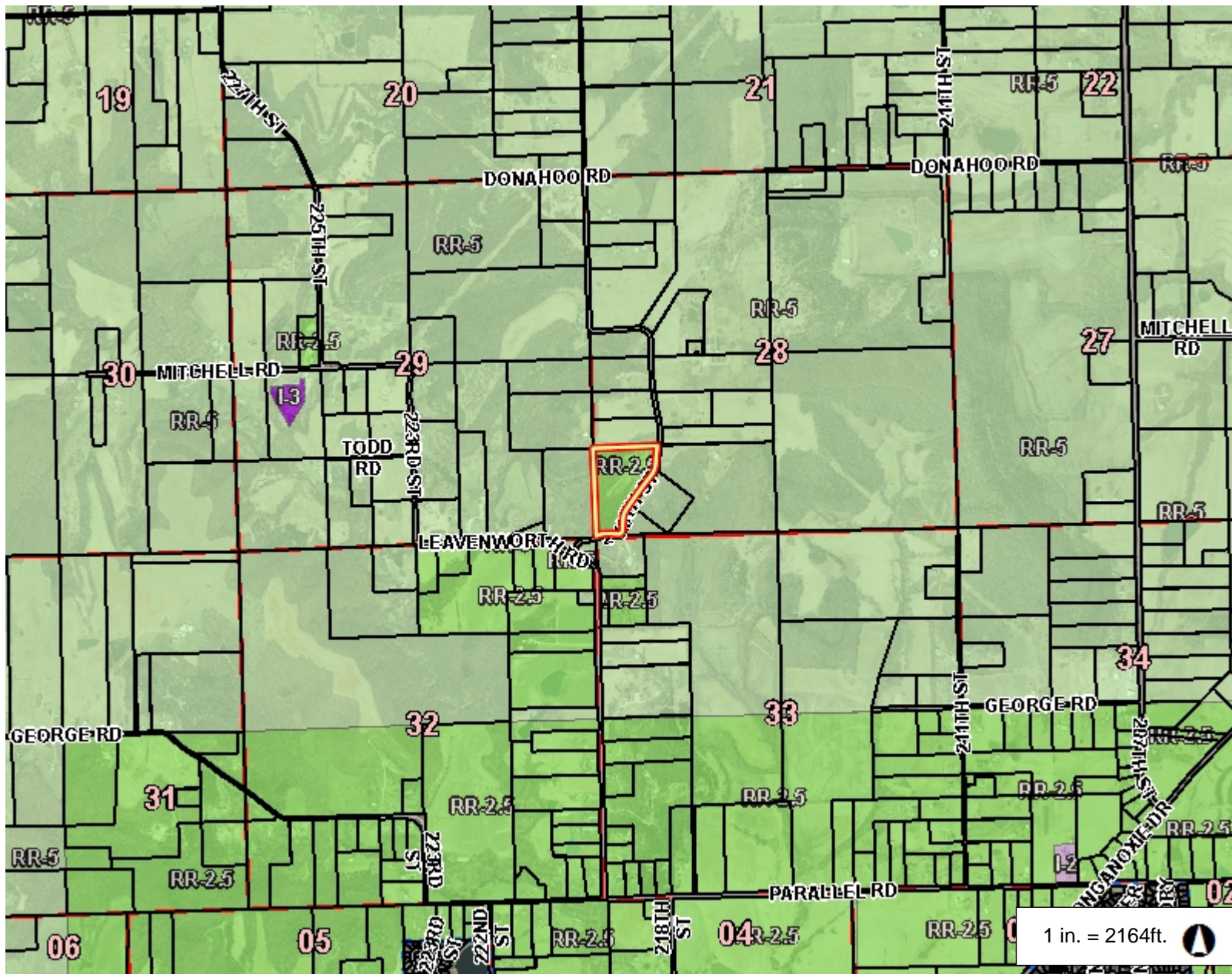
Notes



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Leavenworth County, KS



A Minor Subdivision in the Southwest Quarter of Section 28, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

PREPARED FOR:
SOUTH PARK DEVELOPMENT CO LLC
20571 219TH ST
TONGANOXIE, KS 66086
PID # 148-28-0-00-00-009

DESCRIPTION: per Referenced Title Commitment
A triangular tract of land lying on the West side of the road in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 28, Township 10, Range 21.

SURVEYOR'S DESCRIPTION:

A tract of land in the Southwest Quarter of Section 28, Township 10 South, Range 21 East of the 6th PM, Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on July 14, 2024, more fully described as follows: Beginning at the Southwest corner of said Southwest Quarter; thence North 01 degrees 33'46" West for a distance of 151.17 feet along the West line of said Southwest Quarter to the Northwest corner of the Southwest Quarter of said Southwest Quarter; thence North 88 degrees 23'38" East for a distance of 958.08 feet to the apparent centerline of 219th Street, as existing and established by Larry Hahn survey Document #20185073; thence South 04 degrees 46'57" West for a distance of 244.98 feet along said centerline; thence along a curve to the right having a radius of 455.00 feet and an arc length of 151.17 feet along said centerline; thence along a curve to the right having a radius of 228.00 feet and an arc length of 151.17 feet; thence along a curve to the right having a radius of 228.00 feet and an arc length of 123.94 feet along said centerline; thence along a curve to the left having a radius of 228.00 feet and an arc length of 123.94 feet along said centerline; then subtended by a chord bearing of South 20 degrees 19'14" West and a chord distance of 38.65 feet; thence along a curve to the right having a radius of 135.00 feet and an arc length of 100.86 feet along said centerline; then subtended by a chord bearing South 28 degrees 31'42" West and a chord distance 98.53 feet; thence South 49 degrees 55'11" West for a distance of 38.65 feet to the South line of said Southwest Quarter; thence South 88 degrees 07'54" West for a distance of 36.60 feet along said South line to the point of beginning, together with all the land and interest therein contained.

Said property contains 20.53 acres, more or less, including road right of way.

Error of Closure = 1 : 392927

Said property contain 20.53 acres, more or less, including road right of way.
Error of Closure - 1 : 392927

Error of Closure - 1 : 392927



ZONING:

RR 2.5 - Rural Residential 2.5

NOTES:

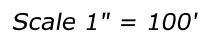
- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure = 1: 149381, 20.36 Acres, more or less
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
Project Benchmark (BM) - SW COR - ELEV - 1047'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2022R04313
 - Utility Companies -
 - Water - RWD 9
 - Electric - Free State
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 12) Reference Centennial Title Company File Number 24461531 dated May 21, 2024
- 13) Property is not in Special Flood Hazard Area per FEMA FIRF Map 20103C0225G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
- 16) Easements as per referenced Title Commitment are shown hereon, if any.
 - Rural Water District No. 9 Easement Bk.597 Pg.220, vacated and replaced with Recorded Easement Doc #2024R01649
- 17) Fence Lines do not necessarily denote the boundary line for the property.
- 18) Reference Surveys:
 - (LTH) - L.T.Hahn Survey Doc # 2018S073
 - (DGW) - D.W. Hahn Survey Book S-14 #82, 1992 - NKA 1992S082

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion control measures shall be required for any new design and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) Additional access limits as shown herein.
- 6) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 7) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or replaced on the existing location and must meet all setbacks.
- 8) No off-plat restrictions.

LEGEND:

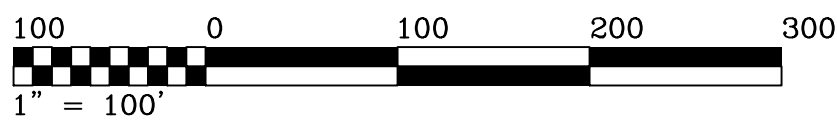
- - 1/2" Bar Set with Cap No.1296
 ○ - 1/2" Bar Found, unless otherwise noted.
 () - Record / Deeded Distance
 U/E - Utility Easement
 D/E - Drainage Easement
 B.S.L. - Building Setback Line
 R/W - Permanent Dedicated Roadway Easement dedicated this plat
 C - Centerline
 S - Section Line
 BM - Benchmark
 POB - Point of Beginning
 POC - Point of Commencing
 NS - Not Set this Survey
 per agreement with client
 A - Arc Distance
 R - Radius Length
 CB - Chord Bearing
 CD - Chord Distance
 P - Power Pole
 X - Fence Line
 OHP - Overhead Power Lines
 T - Underground Telephone/Fiber Optic Line
 ♦ - Gas Valve
 ⬮ - Water Meter/Valve
 ⬮ - Telephone Pedestal
 W - Proposed 6" Water Line - location as per district
 ~ - Tree/Brush Line
 ///// - No Vehicle Entrance Access



Job # K-23-1726
June 2, 2024 Rev. 7/23/24



315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@teamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of November 2023 through June 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

GAITHER SUBDIVISION

A Minor Subdivision in the Southwest Quarter of Section 28, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
SOUTH PARK DEVELOPMENT CO LLC
20571 219TH ST
TONGANOXIE, KS 66086
PID # 148-28-00-00-009

DESCRIPTION: per Referenced Title Commitment
A triangular tract of land lying on the West side of the road in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 28, Township 10, Range 21.

SURVEYOR'S DESCRIPTION:
A tract of land in the Southwest Quarter of Section 28, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on July 14, 2024, more fully described as follows: Beginning at the Southwest corner of said Southwest Quarter; thence North 01 degrees 33'46" West for a distance of 1316.41 feet along the West line of said Southwest Quarter to the Northwest corner of the Southwest Quarter of said Southwest Quarter; thence North 88 degrees 23'38" East for a distance of 958.08 feet to the apparent centerline of 219th Street, as existing and established by Larry Hahn survey Document #20185073; thence South 04 degrees 46'57" West for a distance of 244.98 feet along said centerline; thence along a curve to the right having a radius of 455.00 feet and an arc length of 151.87 feet along said centerline, being subtended by a chord bearing South 14 degrees 20'40" West and a chord distance of 151.17 feet; thence South 35 degrees 53'38" West for a distance of 677.34 feet along said centerline; thence along a curve to the left having a radius of 228.00 feet and an arc length of 123.94 feet along said centerline, being subtended by a chord bearing of South 20 degrees 19'14" West and a chord distance of 122.42 feet; thence South 03 degrees 53'55" West for a distance of 166.64 feet along said centerline; thence along a curve to the right having a radius of 135.00 feet and an arc length of 100.86 feet along said centerline, being subtended by a chord bearing South 28 degrees 31'42" West and a chord distance 98.53 feet; thence South 49 degrees 55'54" West for a distance of 336.60 feet to the South line of said Southwest Quarter; thence South 88 degrees 07'11" West for a distance of 336.60 feet along said South line to the point of beginning, together with and subject to covenants, easement and restriction of record.
Said property contain 20.53 acres, more or less, including road right of way.
Error of Closure - 1 : 392927

CERTIFICATION AND DEDICATION
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: GAITHER SUBDIVISION.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated by easement.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,
We, the undersigned owners of GAITHER SUBDIVISION, have set our hands this _____ day of _____, 2024.

Jack Willis, Trustee
SOUTH PARK DEVELOPMENT CO LLC

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Jack Willis, Trustee of the SOUTH PARK DEVELOPMENT CO LLC to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC _____
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of GAITHER SUBDIVISION this _____ day of _____, 2024.

Secretary _____ Chairperson _____
John Jacobson Marcus Major

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

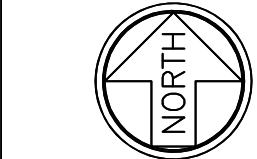
County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of GAITHER SUBDIVISION this _____ day of _____, 2024.

Chairperson _____ County Clerk _____
Jeff Culbertson Attest: Janet Klasinski

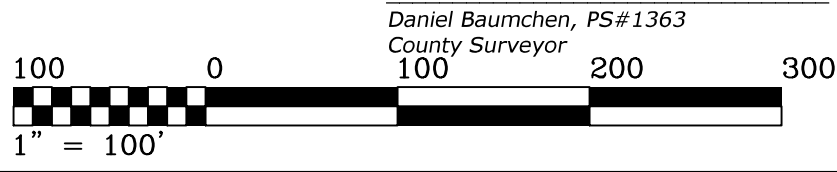
REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2024 at _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



Scale 1" = 100'

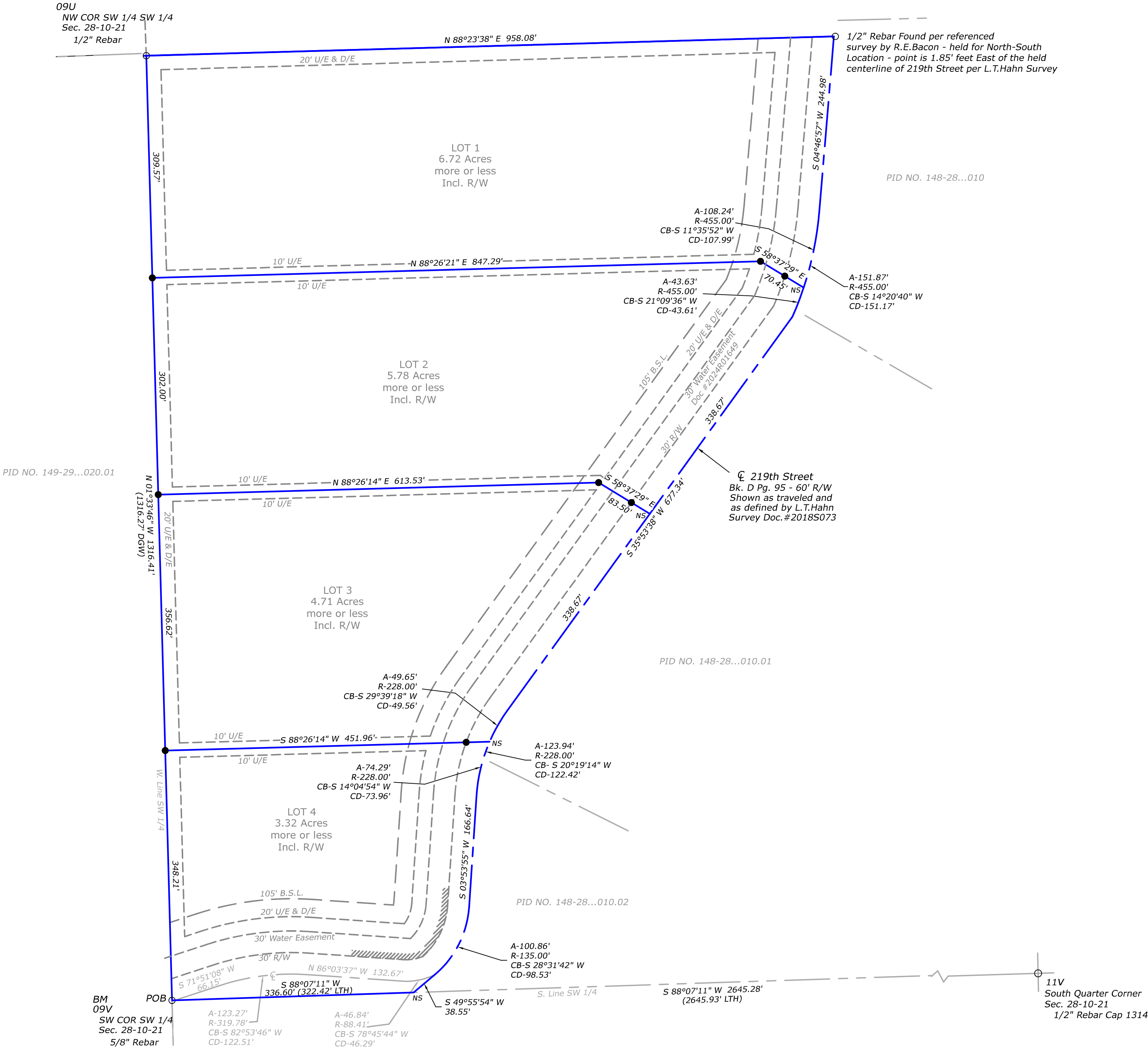
Job # K-23-1726
June 2, 2024 Rev. 7-23-24



I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumenchen, PS#1363
County Surveyor

PID NO. 148-28...008

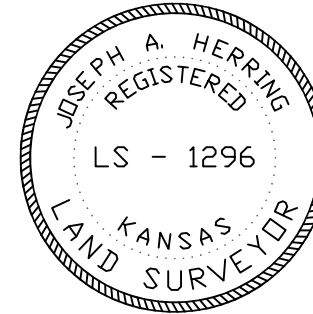


ZONING:
RR 2.5 - Rural Residential 2.5

- NOTES:
- 1) This survey does not show ownership.
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All recorded and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - 1 : 149381, 20.36 Acres, more or less
 - 5) Basis of Bearing - KS SPC North Zone 1501
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Existing and Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88
Project Benchmark (BM) - SW COR - ELEV - 1047'
 - 10) Easements, if any, are created hereon or listed in referenced title commitment.
 - 11) Reference Recorded Deed Doc # 2022R04313
 - 12) Utility Companies -
 - Water - RWD 9
 - Electric - Free State
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
 - 13) Reference Continental Title Company File Number 24461531 dated May 21, 2024
 - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0225G dated July 16, 2015
 - 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
 - 16) Easements as per referenced Title Commitment are shown hereon, if any.
 - Rural Water District No. 9 Easement Bk.597 Pg.220, vacated and replaced with Recorded Easement Doc. #2024R01645
 - 17) Fence Lines do not necessarily denote the boundary line for the property.
 - 18) Reference Surveys:
 - (LTH) - L.T.Hahn Survey Doc # 20185073
 - (DGW) - D.G.White Survey Book S-14 #82, 1992 - NKA 19925082
 - (REB) - R.E.Bacon Survey Book S-9 #35, 1974 - NKA 19745035

- RESTRICTIONS:
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
 - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
 - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
 - 4) Lots are subject to the current Access Management Policy. Additional access limits as shown hereon.
 - 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
 - 6) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks
 - 7) No building can be constructed on the south portion of 219th St. on Lot 4.
 - 8) No off-plat restrictions.

- LEGEND:
- - 1/2" Bar Set with Cap No.1296
 - - 1/2" Bar Found, unless otherwise noted.
 - () - Record / Deeded Distance
 - U/E - Utility Easement
 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement
 - CL - Centerline
 - SL - Section Line
 - BM - Benchmark
 - POB - Point of Beginning
 - POC - Point of Commencing
 - NS - Not Set this Survey per agreement with client
 - A - Arc Distance
 - R - Radius Length
 - CB - Chord Bearing
 - CD - Chord Distance
 - //// - No Vehicle Entrance Access



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of November 2023 through June 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

06-18-2024
Combined PW
Review
No Comment

Gaither Subdivision
Leavenworth County Kansas
Drainage Report
March 8, 2024



Tonganoxie Township Rural Fire Department

*18993 McLouth RD
Tonganoxie, KS 66086
Phone (913) 845-3801
Fax (913) 845-3801
Tim Smith Chief
Chief1860@ttrfd.com*

June 10, 2024

To whom it may concern,

The Tonganoxie Township Fire Department has looked at the Gaither Subdivision concept. At the present time while we are reluctant to give our approval for additional homes in this area without the infrastructure in place to allow for a viable water supply for fire suppression purposes we will do so.

Thank you,

Tim Smith

Schweitzer, Joshua

From: Joe Herring <herringsurveying@outlook.com>
Sent: Sunday, June 2, 2024 11:51 AM
To: PZ
Subject: RWD 9 Water Gaither Subd
Attachments: Development Policy.pdf

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Rural Water District 9 lvrwd9 <lvrwd9@gmail.com>
Sent: Friday, March 22, 2024 12:07 PM
To: Joe Herring <herringsurveying@outlook.com>
Subject: Re: GAITHER SUBD CONCEPT

Joe, I apologize that it has taken a few weeks to get back with you. I have attached LVRWD9 Development Policy as requested. I have also spoken with Jack Willis and he signed an easement for LVRWD9 to be able to move our main water line that runs through the center of his lots to move them closer to the road. This plan is in our CIP from several years ago and now that we have secured a loan for these projects we are gaining easements so we can move forward. Where we are moving the line will benefit him and the district. It will benefit the district in part to have them closer to the road and benefit him to have them out of the center of his property. If you need anything further please let me know.

On Thu, Feb 29, 2024 at 7:25 AM Joe Herring <herringsurveying@outlook.com> wrote:

Please provide me with the standard letter for the proposed development. 4 Lots off of 219th Street..
Appreciate you time in considering this request.
Attached pdf file is the concept of the 4 Lots

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

Schweitzer, Joshua

From: Joe Herring <herringsurveying@outlook.com>
Sent: Sunday, June 2, 2024 11:47 AM
To: PZ
Subject: Fw: SERVICE VERIFICATION - Parcel - R19308 GAITHER SUBDIVISION

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Freestate service letter

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Shauna Snyder <shauna.snyder@freestate.coop>
Sent: Thursday, February 29, 2024 7:44 AM
To: Joe Herring <herringsurveying@outlook.com>
Subject: SERVICE VERIFICATION - Parcel - R19308

FreeState Electrical Cooperative will provide power to a new home/development being built on/at 219th St, parcel R19308, for Gaither Subdivision (South Park Development Co, LLC). FreeState will provide service for 4 separate lots.

Thank you,

Shauna Snyder
Members Service Representative



1-800-794-1989 | www.freestate.coop

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Gaither Subdivision
Date: July 09, 2024

Amy, I have reviewed the preliminary plat of the Gaither Subdivision presented by South Park Development. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, a fire hydrant should be placed along the right-a-way between Lot 2 and Lot 3 along the right-of-way, and this will meet the requirements for this subdivision.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Thursday, June 6, 2024 9:16 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-064 & 065 Preliminary & Final Plat Gaither Subdivision - Herring

All past violations on this property were resolved in July 2020. There have been no additional violations on this property since then. The lagoon will remain on the same property as the home it services.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Wednesday, June 5, 2024 1:59 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-064 & 065 Preliminary & Final Plat Gaither Subdivision - Herring

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 4-lot subdivision at 20571 219th St. (148-28-0-00-00-009)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us June 20th, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov.

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-067/068 GAMBRILL'S PLACE

August 14, 2024

REQUEST: *Consent Agenda*

☒ Preliminary Plat

☒ Final Plat

STAFF REPRESENTATIVE:

AMY ALLISON

DEPUTY DIRECTOR

SUBJECT PROPERTY: 21211 EVANS ROAD

FUTURE LAND USE: MIXED RESIDENTIAL



APPLICANT/APPLICANT AGENT:

LARRY HAHN

HAHN SURVEYING

PROPERTY OWNER:

ERIC GAMBRILL

21211 EVANS ROAD

TONGANOXE, KS 66086

CONCURRENT APPLICATIONS:
NONE

LAND USE

ZONING: RR-2.5

FUTURE LAND USE
DESIGNATION: MIXED
RESIDENTIAL

LEGAL DESCRIPTION:

A tract of land in the Northwest Quarter of Section 15, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-067 & 068, Preliminary & Final Plat for Gambrill's Place, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-067 & 068, Preliminary & Final Plat for Gambrill's Place to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

5.10 ACRES

PARCEL ID NO:

195-15-0-00-00-006.00

BUILDINGS:

1 Single-family residence and
accessory structure.

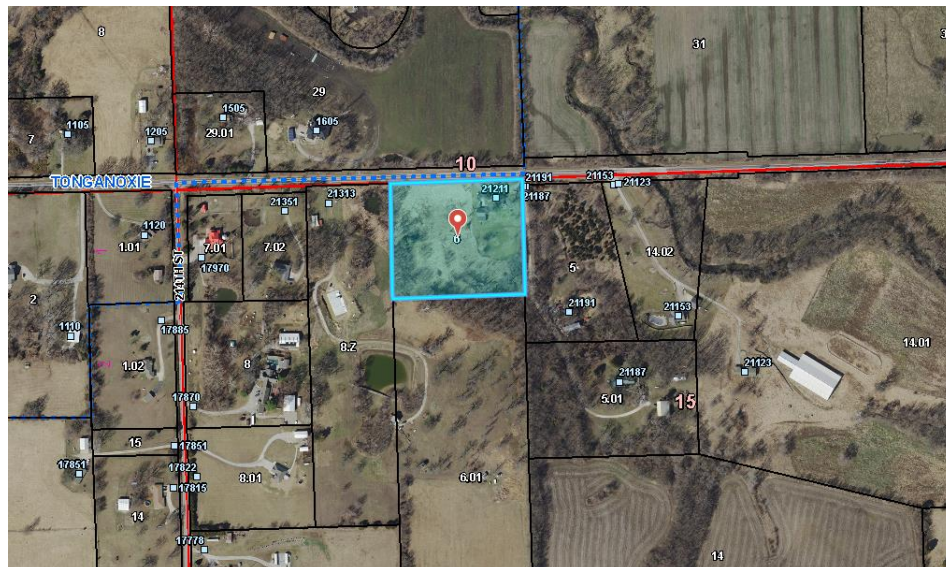
PROJECT SUMMARY:

Request for preliminary and final plat approval to subdivide property located at 21211 Evans Road as Lots 1 and 2 of Grambrill's Place.

ACCESS/STREET:

Evans Road – County Collector,
PAVED ± 24';

Location Map:



UTILITIES

SEWER: PRIVATE SEPTIC
SYSTEM

FIRE: Stranger

WATER: Suburban Water

ELECTRIC: Evergy

NOTICE & REVIEW:

STAFF REVIEW:

8/5/2024

NEWSPAPER NOTIFICATION:

N/A

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**

N/A

STANDARDS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</i>			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	n/a	
43	Cross Access Easements	n/a	
50-20	Utility Requirements	X	
	City of Tonganoxie will not require hooking into city facilities		
50-30	Other Requirements	X	
50-40	Minimum Design Standards	X	
50-50	Sensitive Land Development	n/a	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	n/a	

STAFF COMMENTS:

The applicant is proposing to divide a 5.10 acre parcel into 2 lots. The Subdivision is classified as Class A with all lots lying within the Urban Growth Area of the City of Tonganoxie. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 600' of the subdivision (per City Requirements). Lots 1 and 2 will be approximately 2.5 acres in size. All lots meet the requirements for the RR-2.5 zoning district. The applicant is proposing to use the existing driveway as a shared drive as no additional entrances would be permitted along the current frontage. Staff is generally in support.

PROPOSED CONDITIONS:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. The developer must comply with the following memorandums:
 - a. Memo – Chuck Magaha, Emergency Management, dated July 10, 2024

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Maps
- C: Memorandums

FINAL PLAT APPLICATION
Leavenworth County Planning and Zoning Department,
300 Walnut St., County Courthouse
Leavenworth, Kansas
913-684-0465
913-684-0798 Fax

Stranger
195-15 006.00

CAMA No. DEV-24- Office Use Only Date Received: _____
Township: _____
Planning Commission Meeting Date: _____ Date Paid: 05-13-2024
Project No: _____

APPLICANT/AGENT INFORMATION		OWNER INFORMATION	
NAME	_____	NAME	<u>ERIC GAMBRILL</u>
ADDRESS	_____	ADDRESS	<u>21211 EVANS ROAD</u>
CITY/ST/ZIP	_____	CITY/ST/ZIP	<u>TONGANOXIE, KS. 66086</u>
PHONE	_____	PHONE	<u>913-423-8995</u>
EMAIL	_____	EMAIL	_____
CONTACT PERSON	_____	CONTACT PERSON	<u>TY GAMBRILL</u>

GENERAL INFORMATION
Subdivision Name: GAMBRILL'S PLACE
Legal Description (S-T-R 1/4 Section): NW 1/4 15-T11S-R21E
Zoning: RR-210
Surveyor and/or Engineer Firm: HAHN SURVEYING
Contact Person: LARRY HAHN
Address: PO BOX 186 BASEHOR, KANSAS 66007
Phone: 813-547-3405 Fax: _____ Email: hahnsurvey@gmail.com

SUBDIVISION INFORMATION		
Gross Acreage: <u>5.00 ACRES</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>2.50 ACRES</u>
Maximum Lot Size: <u>2.50 ACRES</u>	Zoning: <u>RR-5.0</u>	Density: _____
Open Space Acreage: _____	Water District: <u>SUBURBAN</u>	Proposed Sewage: <u>ON SITE</u>
Fire District: <u>STRANGER</u>	Electric Provider: <u>EVERGY</u>	Natural Gas Provider: <u>PROPANE</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Phase Number: _____	

Is any part of the site designated as Floodplain? ☐ Yes ☒ No If yes, what is the panel number: _____

I, the undersigned as the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for Final Plat approval as indicated above.
Signature: [Signature] Date: 5-16-2024

ATTACHMENT A-2

* Large Copies
* Energy
* Suburban
* Stranger FD
Chief Billquist

195-15 006.00
Stranger
DEV-24-

PRELIMINARY PLAT APPLICATION

Leavenworth County Planning and Zoning Department,
300 Walnut St., Suite 30
Leavenworth, Kansas
913-684-0465
913-684-0398 Fax

Office Use Only

CAMA No. _____
Township: _____
Planning Commission Meeting Date: _____ Date Received: 05-20-2024 Date Paid: 05-13-2024
Project No. _____

APPLICANT/AGENT INFORMATION

NAME: _____
MAILING ADDRESS: _____
CITY/ST/ZIP: _____
PHONE: _____ EMAIL: _____
CONTACT PERSON: _____

OWNER INFORMATION

NAME: ERIC GAMBRILL
MAILING ADDRESS: 21211 EVANS ROAD
CITY/ST/ZIP: TONGANOXIE, KS. 66088
PHONE: 913-433-8995 EMAIL: _____
CONTACT PERSON: TY GAMBRILL

GENERAL INFORMATION

Proposed Subdivision Name: GAMBRILL'S PLACE
Nearest Intersection: EVANS ROAD & 214TH STREET
Legal Description (S-T-R 1/4 Section): NW 1/4 15-T11S-R21E
Zoning: RR - 2.50
Comprehensive Plan Land Use Designation: _____
Urban Growth Management Area: _____
Surveyor and/or Engineer Firm: HAHN SURVEYING
Contact Person: LARRY HAHN
Address: PO BOX 186 BASEHOR, KANSAS 66007
Phone: 913-547-3405 Fax: _____ Email: hahnsurvey@gmail.com

SUBDIVISION INFORMATION

Gross Acreage: 1.00 ACRES	Number of Lots: 2	Minimum Lot Size: 2.50 ACRES
Maximum Lot Size: 2.50 ACRES	Proposed Zoning: RR-5.0	Density: _____
Open Space Acreage: _____	Water District: SUBURBAN	Proposed Sewage: ON SITE
Fire District: STRANGER	Electric Provider: EVERGY	Natural Gas Provider: PROPANE
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: Local <input checked="" type="checkbox"/> Collector <input type="checkbox"/> Arterial <input type="checkbox"/> State <input type="checkbox"/> Federal	

Is any part of the site designated as Floodplain? ☐ Yes ☒ No If yes, what is the panel number: _____

I, the undersigned am the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for preliminary plat approval as indicated above.

Signature: _____

Date: 5-16-2024

ATTACHMENT A-1

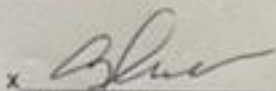
OWNER AUTHORIZATION

I/We ERIC GAMBRILL hereby referred to as the "Undersigned", being of lawful age, do hereby on this 11th day of May 2024 make the following statements, to wit:

- I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property:
See Exhibit A attached hereto and incorporated herein by reference.
- I/We the undersigned, have previously authorized and hereby authorize LARRY HAHN
HAHN SURVEYING (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Department of Leavenworth County, Kansas, 21211 EVANS ROAD (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
- I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritorious or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
- It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand below.

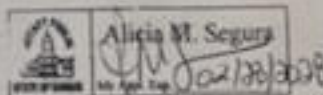
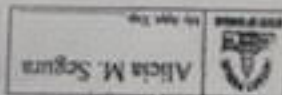
STATE OF KANSAS
COUNTY OF LEAVENWORTH


ERIC GAMBRILL

The foregoing instrument was acknowledged before me on this 11th day of May, 2024,
by Eric Gambrell

My Commission Expires February 28, 2028 Notary Public 

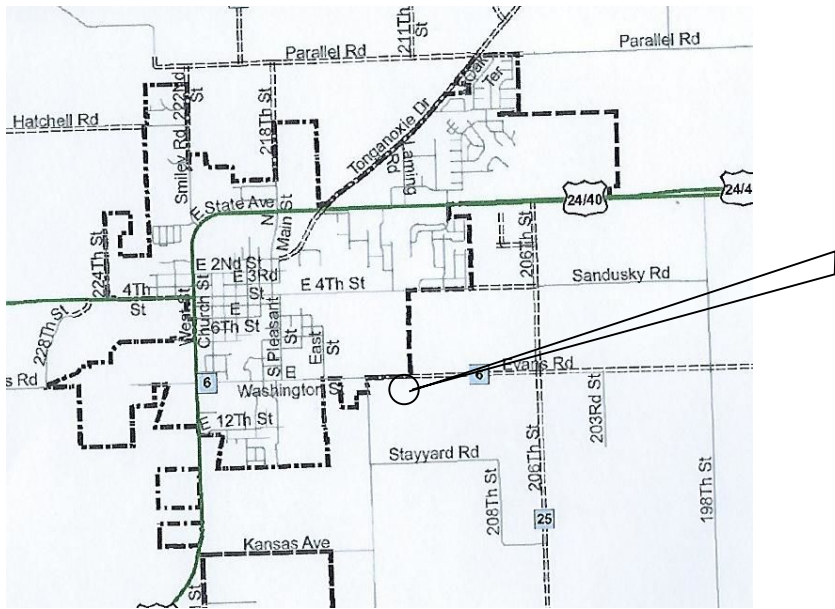
ATTACHMENT B



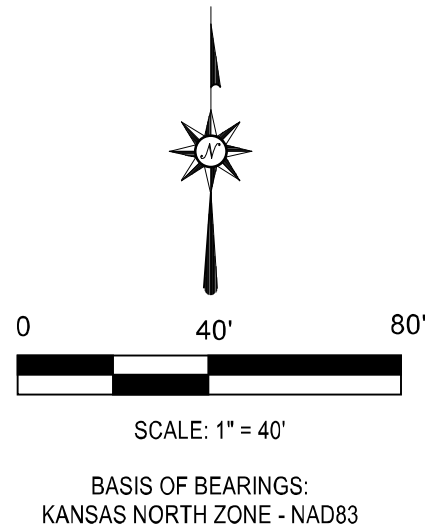
GAMBRILL'S PLACE

A SUBDIVISION IN THE NORTHWEST QUARTER
OF SECTION 15-T11S-R21E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

PRELIMINARY PLAT



LOCATION MAP
NO SCALE



LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT - DEDICATED THIS PLAT
- S/B BUILDING SETBACK
- |||| NO ACCESS
- POC POINT OF COMMENCING
- (W)— EXISTING WATERLINE (AS LAID)

NW CORNER 15-T11S-R21E (13J)
1/2" REBAR (BM)
1. N 14.30 TO CENTERLINE OF PAVEMENT
2. N 14.18 TO 1/2" REBAR WITH 2" ALUMINUM CAP
3. SW 47.00 TO 60D NAIL IN POWER POLE
4. WSW 55.24 TO 60D NAIL IN POWER POLE
5. N 42.30 TO NAIL WITH WASHER IN FENCE POST

NOTE:
60 FEET WIDE ROAD RIGHT OF WAY
PER BRIDGE PLANS
PROJECT #52C-2468-01 (1994)
SHEET 3

"UNPLATTED TRACT"
PN. 192-10-29
OWNER:
WANDERING TRAVELLER TRUST
1605 WASHINGTON STREET
TONGANOXIE, KS. 66086

NE CORNER 15-T11S-R21E (17J)
ALUMINUM CAP IN SURVEY BOX
1. NE 77.45 TO 60D NAIL WITH WASHER IN TOP OF CORNER POST
2. SE 78.64 TO 60D NAIL WITH WASHER IN RR TIE POST
3. SE 83.32 TO TOP NUT OF FIRE HYDRANT
4. SW 69.35 TO 60D NAIL WITH WASHER IN POWER POLE

N 1/4 CORNER 15-T11S-R21E (15J)
1/2" REBAR (HELD THIS SURVEY)
1. N 37.50 TO SPIKE WITH WASHER IN CORNER POST
2. SE 31.85 TO MAG NAIL WITH WASHER IN 30" WALNUT
3. N 2' +/- TO CENTERLINE OF PAVEMENT
4. NW 3.23 TO FOUND MAG NAIL - NO PK NAIL OR REBAR

NOTE:
HOUSE - ARTICLE 21 OF LEAVENWORTH COUNTY
ZONING AND SUBDIVISION REGULATIONS.

40' WIDE ACCESS EASEMENT
BK. 713, PG. 1467

"UNPLATTED TRACT"
PN. 195-15-5
OWNER:
LISA SCHELLER, LIVING TRUST
15912 206TH STREET
TONGANOXIE, KS. 66086

OWNER / DEVELOPER

ERIC GAMBRILL / ROBIN GAMBRILL
21211 EVANS ROAD
TONGANOXIE, KS. 66086 (PN. 195-15-6)
(913) 433-8995

BENCHMARK

1/2" REBAR AT THE NW CORNER OF 15-T11S-R21E
EL. 872.85 (NAVD 88)

PUBLIC IMPROVEMENT

NONE

ROAD INFORMATION

EVANS ROAD - 24' WIDE PAVED SURFACE
ROAD CLASS - COUNTY COLLECTOR

DRAINAGE CALCULATIONS

ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE

UTILITIES

ELECTRIC / EVERGY
WATER / SUBURBAN WATER
GAS / PRIVATE PROPANE
SEWAGE / PRIVATE ON SITE SYSTEM

ZONING

RR - 2.50 ACRE

REFERENCES:

- UNRECORDED SURVEY PROVIDED BY CLIENT (1986)
THIS TRACT
- KEN HERRING S-9, #120 (1972) NKA 1972S120
- KEN HERRING S-9, #19 (1973) NKA 1973S019
- KEN HERRING S-9, #126 (1972) NKA 1972S126
- DO WHITE S-12, #48 (1983) NKA 1983S048
- DOC. #2021S054

DEED DESCRIPTION - BK. 805, PG. 1249 (2001)

THE EAST 21 ACRES OF THE NORTH 55 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 11, RANGE 21, LESS THE FOLLOWING TRACT: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 15; THENCE EAST 1318.58 FEET TO A POINT; THENCE SOUTH 438.50 FEET TO THE POINT OF BEGINNING OF THIS TRACT; THENCE SOUTH 1373.50 FEET; THENCE WEST 498.43 FEET; THENCE NORTH 1373.50 FEET; THENCE EAST 497.36 FEET TO THE POINT OF BEGINNING, LESS THAT PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, IN LEAVENWORTH COUNTY, KANSAS.

SURVEYORS DESCRIPTION

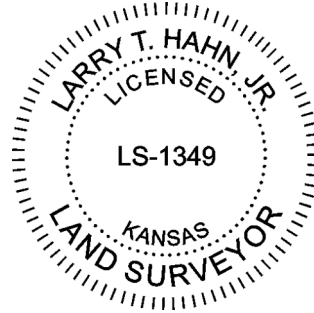
A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 15-T11S-R21E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, PS #1349, MAY, 2024, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE, N 88°13'51"E, 821.56 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS TRACT;
THENCE, CONTINUING ALONG SAID NORTH LINE, N 88°13'51"E, 497.02 FEET;
THENCE, S 01°48'38"E, 438.50 FEET;
THENCE, S 88°13'51"W, 497.36 FEET;
THENCE, N 01°45'48"W, 438.50 FEET TO THE POINT OF BEGINNING.
CONTAINS 5.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.
RELATIVE: 1:10,142,285

RESTRICTIONS

- 40' REAR SETBACK FOR RESIDENCES
- 15' REAR SETBACK FOR ACCESSORY BUILDINGS
- 15' SIDE SETBACK
- AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
- A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
- RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY RESOLUTION.
- NO ADDITION TO THE HOUSE ON LOT 2 SHALL ENCRoACH ANY FURTHER INTO THE BUILDING SETBACK LINE OR EASEMENT. IF THE STRUCTURE IS DAMAGED MORE THAN 51%, IT MUST BE BUILT IN COMPLIANCE WITH REQUIRED SETBACKS.
- STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
- NO DRIVEWAY ACCESS FOR LOT 1 SHALL BE PERMITTED ON TO EVANS ROAD.
- NO OFF PLAT RESTRICTIONS.

NOTES

- FENCE LINES DO NOT DENOTE PROPERTY LINES.
- LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT OR ANY AGENT OF APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
- EXISTING USE OF AREA BEING PLATTED - RESIDENTIAL - RR-2.5
PROPOSED USE - RR-2.5
- THIS PLAT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA
FEMA FIRM 2010C030026, DATED JULY 16, 2015
- O & E REPORT BY CONTINENTAL TITLE COMPANY - FILE NO. 24461643, MARCH 11, 2024



LARRY T. HAHN, PS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF APRIL, 2024, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS.

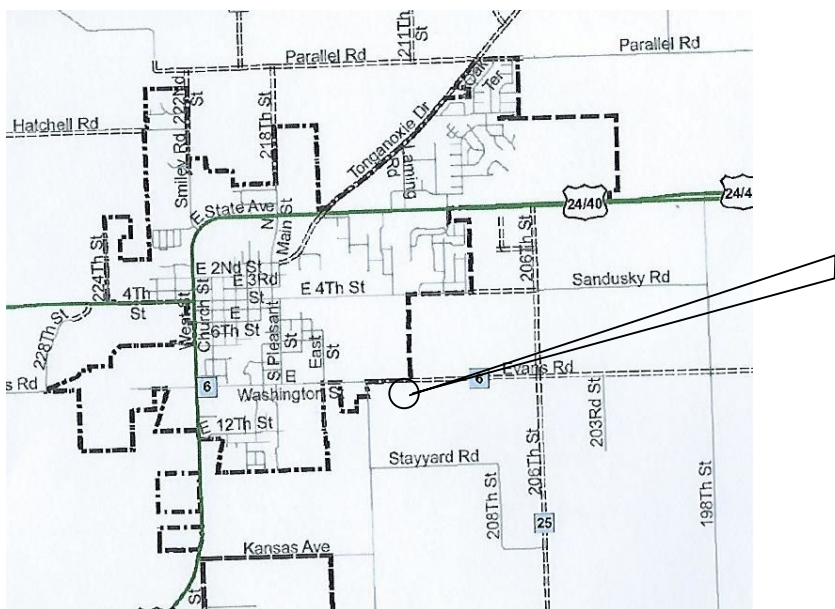


HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

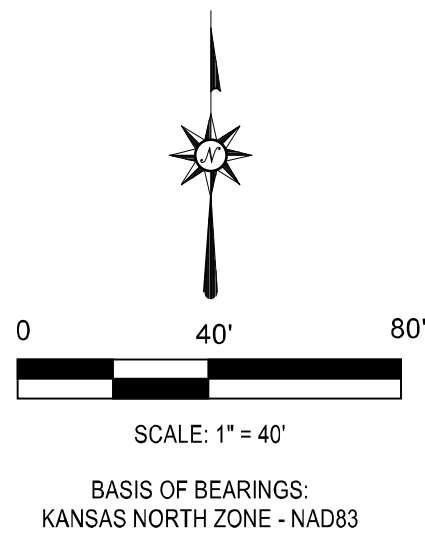
GAMBRILL'S PLACE

A SUBDIVISION IN THE NORTHWEST QUARTER
OF SECTION 15-T11S-R21E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

FINAL PLAT



LOCATION MAP
NO SCALE



LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT - DEDICATED THIS PLAT
- S/B BUILDING SETBACK
- //// NO ACCESS
- POC POINT OF COMMENCING

NW CORNER 15-T11S-R21E (13J)
1/2" REBAR (BM)
1. N 14.30 TO CENTERLINE OF PAVEMENT
2. N 14.18 TO 1/2" REBAR WITH 2" ALUMINUM CAP
3. SW 47.00 TO 60D NAIL IN POWER POLE
4. WSW 55.24 TO 60D NAIL IN POWER POLE
5. N 42.30 TO NAIL WITH WASHER IN FENCE POST

NOTE:
60 FEET WIDE ROAD RIGHT OF WAY
PER BRIDGE PLANS
PROJECT #52C-2468-01 (1994)
SHEET 3

"UNPLATTED TRACT"
PN. 192-10-29

NORTH LINE
15-T11S-R21E

5.09 FEET NORTH
OF SECTION LINE

NE CORNER 15-T11S-R21E (17J)
ALUMINUM CAP IN SURVEY BOX
1. NE 77.45 TO 60D NAIL WITH WASHER IN TOP OF CORNER POST
2. SE 78.64 TO 60D NAIL WITH WASHER IN RR TIE POST
3. SE 83.32 TO TOP NUT OF FIRE HYDRANT
4. SW 69.35 TO 60D NAIL WITH WASHER IN POWER POLE

DEED DESCRIPTION - BK. 805, PG. 1249 (2001)

THE EAST 21 ACRES OF THE NORTH 55 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 11, RANGE 21, LESS THE FOLLOWING TRACT: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 15; THENCE EAST 1318.58 FEET TO A POINT; THENCE SOUTH 438.50 FEET TO THE POINT OF BEGINNING OF THIS TRACT; THENCE SOUTH 1373.50 FEET; THENCE WEST 498.43 FEET; THENCE NORTH 1373.50 FEET; THENCE EAST 497.36 FEET TO THE POINT OF BEGINNING, LESS THAT PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, IN LEAVENWORTH COUNTY, KANSAS.

SURVEYORS DESCRIPTION

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 15-T11S-R21E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, PS #1349, MAY, 2024, DESCRIBED AS FOLLOWS, COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE, N 88°13'51"E, 821.56 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS TRACT;
THENCE, CONTINUING ALONG SAID NORTH LINE, N 88°13'51"E, 497.02 FEET;
THENCE, S 01°48'38"E, 438.50 FEET;
THENCE, S 88°13'51"W, 497.36 FEET;
THENCE, N 01°45'48"W, 438.50 FEET TO THE POINT OF BEGINNING.
CONTAINS 5.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.
RELATIVE: 1:10,142,285

CERTIFICATION AND DEDICATION

THE UNDERSIGNED PROPRIETOR STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT HE HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "GAMBRILL'S PLACE".

EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED FOR PUBLIC USE. THE RIGHTS OF WAY WHICH ARE SHOWN WITH DASHED LINES ON THE ACCOMPANYING PLAT AND SAID EASEMENTS MAY BE EMPLOYED TO LOCATE AND MAINTAIN SEWERS, WATER LINES, GAS LINES, POLES AND WIRES AND ANY OTHER FORM OF PUBLIC UTILITY NOW AND HEREAFTER USED BY THE PUBLIC, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENT" OR "U/E".

BUILDING LINES OR SETBACK LINES (S/B) ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT OR CONSTRUCTED BETWEEN THIS LINE AND THE STREET LINE.

IN TESTIMONY WHEREOF:
I, THE UNDERSIGNED OWNER OF "GAMBRILL'S PLACE", HAVE SET MY HAND THIS _____ DAY OF _____, 2024.

ERIC GAMBRILL

STATE OF KANSAS / COUNTY OF LEAVENWORTH

ON THIS _____ DAY OF _____, 2024, BEFORE ME APPEARED ERIC GAMBRILL, KNOWN TO ME TO BE THE SAME PERSON DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS THEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVAL

WE, THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "GAMBRILL'S PLACE" THIS _____ DAY OF _____, 2024.

CHAIRPERSON / MARCUS MAJURE

SECRETARY / JOHN JACOBSON

THE LEAVENWORTH COUNTY ENGINEERS PLAT REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH THE SUBDIVISION REGULATIONS AS ADOPTED BY LEAVENWORTH COUNTY. THE COUNTY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSIONS, ELEVATIONS AND QUANTITIES.

COUNTY ENGINEER / MITCH PLEAK, PE

WE THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, DO HEREBY APPROVE THE FOREGOING PLAT OF "GAMBRILL'S PLACE" THIS _____ DAY OF _____, 2024.

CHAIRPERSON / JEFF CULBERTSON

COUNTY CLERK / JANET KLASINSKI (ATTEST)

COUNTY SURVEYOR CERTIFICATION

I HEREBY CERTIFY THIS SURVEY PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS SURVEY PLAT WAS REVIEWED FOR COMPLIANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

COUNTY SURVEYOR / DANIEL BAUMCHEN, PS #1363

REFERENCES:
1. UNRECORDED SURVEY PROVIDED BY CLIENT (1966)
"THIS TRACT"
2. KEN HERRING S-9, #120 (1972) NKA 1972S120
3. KEN HERRING S-9, #19 (1973) NKA 1973S019
4. KEN HERRING S-9, #126 (1972) NKA 1972S126
5. DG WHITE S-12, #48 (1983) NKA 1983S048
6. DOC. #2021S054

"UNPLATTED TRACT"
PN. 195-15-8.00-Z

OWNER / DEVELOPER

ERIC GAMBRILL
21211 EVANS ROAD
TONGANOXIE, KS. 66086 (PN. 195-15-6)
(913) 433-8995

BENCHMARK

1/2" REBAR AT THE NW CORNER 15-T11S-R21E
EL. 872.85 (NAVD 88)

ZONING

RR - 2.50 ACRE

NOTES

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- EXISTING USE OF AREA BEING PLATTED - RESIDENTIAL - RR-2.5
PROPOSED USE - RR-2.5
- THIS PLAT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA
FEMA FIRM 20103C03026, DATED JULY 16, 2015
- O & E REPORT BY CONTINENTAL TITLE COMPANY - FILE NO. 24461643, MARCH 11, 2024

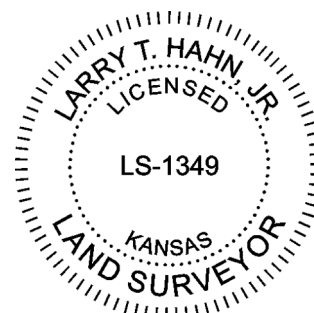
RESTRICTIONS

- 40' REAR SETBACK FOR RESIDENCES
15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
- AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
- A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
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- NO DRIVEWAY ACCESS FOR LOT 1 SHALL BE PERMITTED ON TO EVANS ROAD.
- NO OFF PLAT RESTRICTIONS.

STATE OF KANSAS / COUNTY OF LEAVENWORTH

FILED FOR RECORD AS DOCUMENT # _____ ON THIS _____ DAY OF _____, 2024
AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS OF LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / TERRILOIS G. MASHBURN



LARRY T. HAHN, PS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF APRIL, 2024, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS.



HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

Allison, Amy

From: larry hahn <hahnsurvey@gmail.com>
Sent: Friday, May 31, 2024 4:40 PM
To: Johnson, Melissa
Subject: Fwd: Gambrell's Place

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Larry Hahn, PS
Hahn Surveying
PO Box 186
Basehor, Ks. 66007
(913) 547-3405

----- Forwarded message -----

From: Travis Miles <Travis@suburbanwaterinc.com>
Date: Wed, May 22, 2024 at 6:54 AM
Subject: Re: Gambrell's Place
To: larry hahn <hahnsurvey@gmail.com>
Cc: Trish Peterson <trish@suburbanwaterinc.com>, AAlisson@leavenworthcounty.gov
<AAlisson@leavenworthcounty.gov>

Leavenworth County,

Suburban has reviewed the preliminary and final plat for Gambrell's place. As the proposed plat is only (2) Lots, Suburban will not require and improvements to the distribution system for the proposed development.

Suburban will provide service to the plat and recommends approval from LVCO.

Thanks

Travis J Miles
CEO/President
Suburban Water, Inc.
1216 N 155th Street, PO BOX 588
Basehor, KS 66007
Office: (913) 724-1800
Fax: (913) 724-1505
Cell: (913) 238-0040
travis@suburbanwaterinc.com

This email and any files transmitted with it may be confidential and/or contain Suburban Water, Inc. proprietary information intended solely for the use of only the individual to which it is addressed. If you are not the intended recipient, please be advised that you have received this email in error and that any use,

dissemination, forwarding, printing, or copying of this email and any attachments is strictly prohibited. If you have received this email in error, please immediately delete the email and any attachments from your system and notify the sender. Any other use of this email is prohibited. Thank you for your compliance.

From: larry hahn <hahnsurvey@gmail.com>
Sent: Monday, May 20, 2024 2:28 PM
To: Travis Miles <Travis@suburbanwaterinc.com>
Cc: Trish Peterson <trish@suburbanwaterinc.com>
Subject: Gambrill's Place

To all -

I have submitted a preliminary and final plat to Leavenworth County Planning and Zoning.

The Planning Staff would appreciate your written input for the proposed plat.

Please review the attached information and forward any comments to AAlisson@leavenworthcounty.gov

If you have any questions or need additional information, please contact me.

Thank You,

Larry Hahn, PS
Hahn Surveying
PO Box 186
Basehor, Ks. 66007
(913) 547-3405

Allison, Amy

From: Mark B <stfdchief1760@gmail.com>
Sent: Sunday, June 9, 2024 9:52 AM
To: larry hahn; Schweitzer, Joshua
Cc: Bert Dunham; Troy McKitrick
Subject: Re: Gambrill's Place

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Stranger Township Fire Department has no issues with the final plat of Gambrill's Place.

Let me know if you have any questions.

Mark Billquist
Stranger Township Fire Department

On Fri, Jun 7, 2024 at 11:38 AM larry hahn <hahnsurvey@gmail.com> wrote:

Mark -

I have submitted a preliminary and final plat to Leavenworth County Planning and Zoning.

The Planning Staff would appreciate your written input for the proposed plat.

Please review the attached information and forward any comments to Leavenworth County Planning And Zoning to JSchweitzer@leavenworthcountty.gov

If you have any questions or need additional information, please contact me.

Thank You,

Larry Hahn, PS
Hahn Surveying
PO Box 186
Basehor, Ks. 66007
(913) 547-3405

--

Mark Billquist
Stranger Township Fire Chief
10-33 Foundation National Treasurer
[913-369-0510](tel:913-369-0510) mobile
stfdchief1760@gmail.com

"Sometimes darkness can show you the light"



June 24, 2024

To Whom It May Concern:

This letter is to Inform you that Evergy will provide electrical power to the area pictured below per request of Eric Gambrill.

Without knowing required load this letter does not guarantee we currently have capacity and additional build may be needed.



E & R Rolling Meadows South Plat

Steven Heath

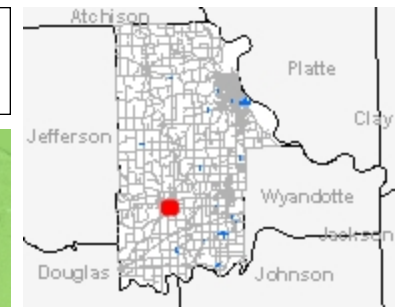
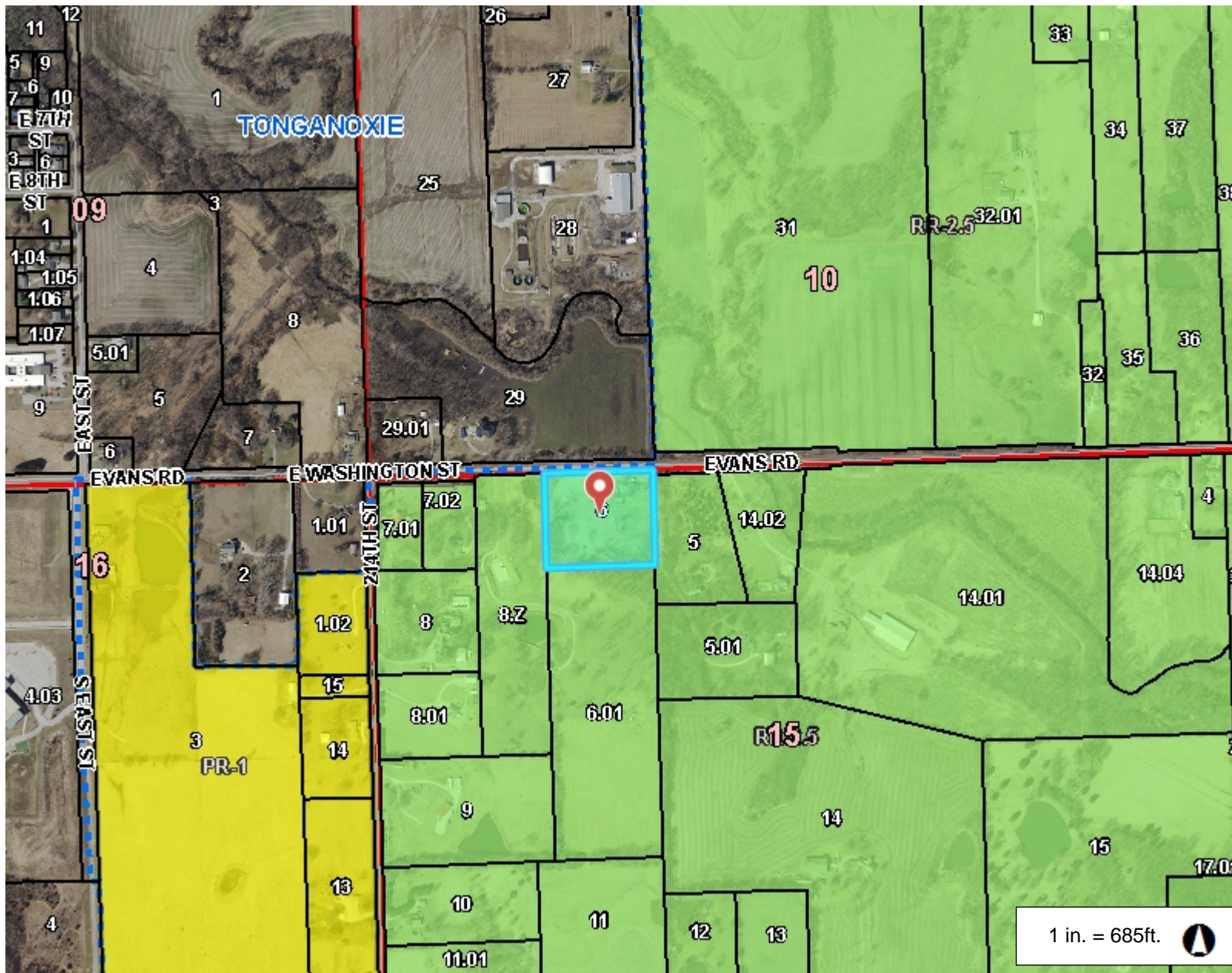
Evergy

TD Designer I

steven.heath@evergy.com

☎ 785-865-4857

DEV-24-067/068 Gambrill's Place



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
 - B-1
 - B-2
 - B-3
 - I-1
 - I-2
 - I-3
 - MXD
 - PC
 - PI
 - PR-1
 - PR-2
 - PR-3

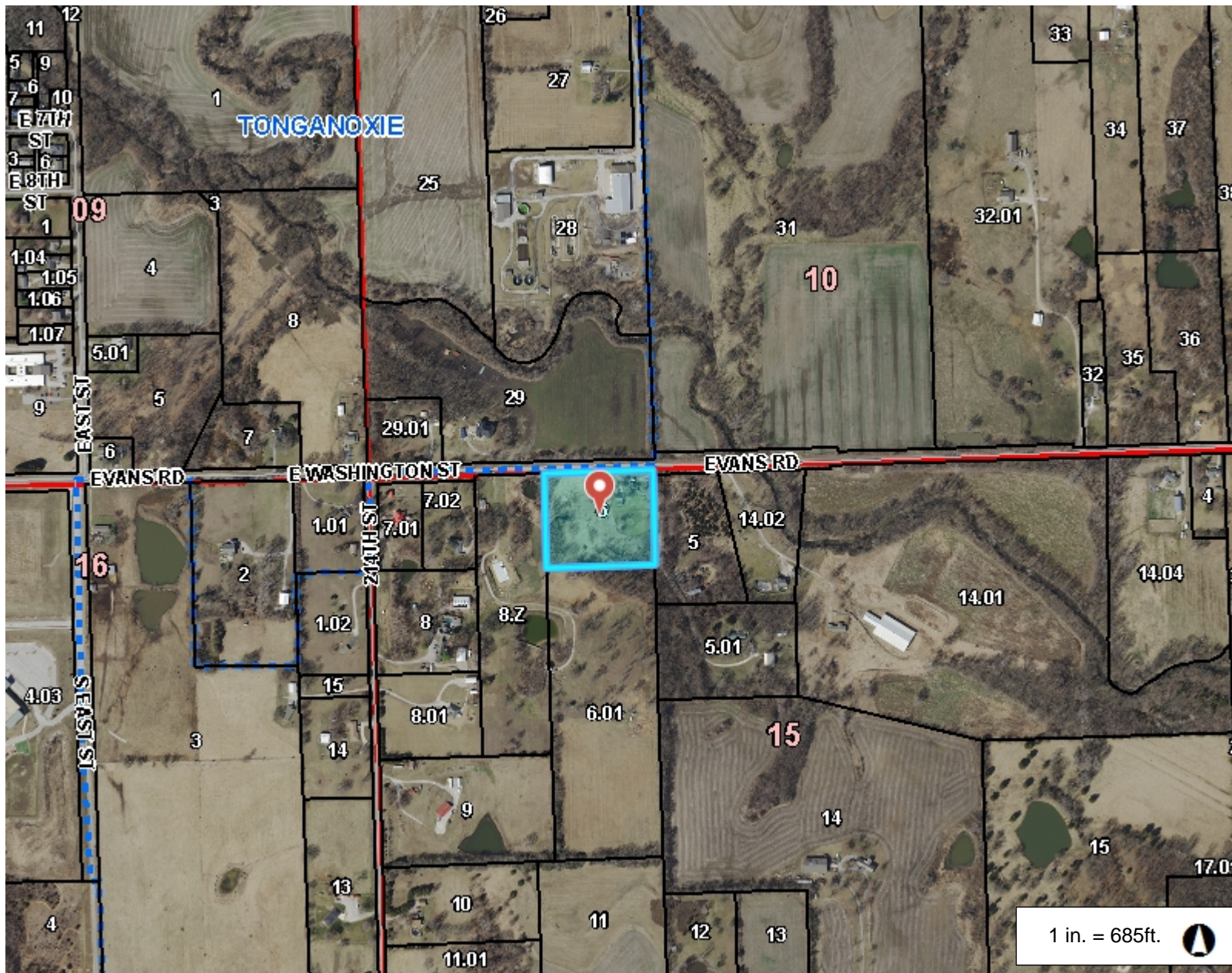
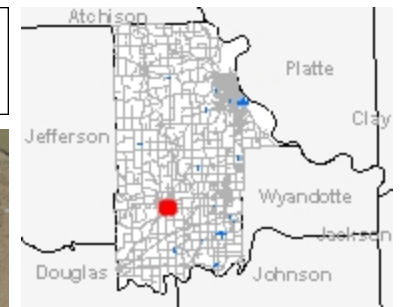
Notes

1,370.7 0 685.35 1,370.7 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DEV-24-067/068 Gambrill's Place



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary

1 in. = 685ft.



1,370.7 0 685.35 1,370.7 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

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Notes

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Gambrill's Place Subdivision
Date: July 10, 2024

Amy, I have reviewed the preliminary plat of the Gambrill's Place Subdivision presented by Eric Gambrill. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, a fire hydrant should be placed along the right-a-way on the Between Lot 1 and Lot 2 along the right-of-way, and this will meet the requirements for this subdivision.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

Allison, Amy

From: Anderson, Kyle
Sent: Wednesday, July 10, 2024 9:12 AM
To: Allison, Amy
Subject: RE: RE: DEV-24-067/068 Preliminary and Final Plat – Gambrill Place

We have not received any complaints on this property and it appears the septic system will remain on the same property as the home it services.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Tuesday, July 9, 2024 10:38 AM
To: Anderson, Kyle <KAnderson@leavenworthcounty.gov>
Subject: FW: RE: DEV-24-067/068 Preliminary and Final Plat – Gambrill Place

Hey Kyle,

Do you have any comments for this application?

Thanks!
Amy

From: Allison, Amy
Sent: Monday, June 24, 2024 4:02 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'George Brajkovic' <gbrajkovic@tonganoxie.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-067/068 Preliminary and Final Plat – Gambrill Place

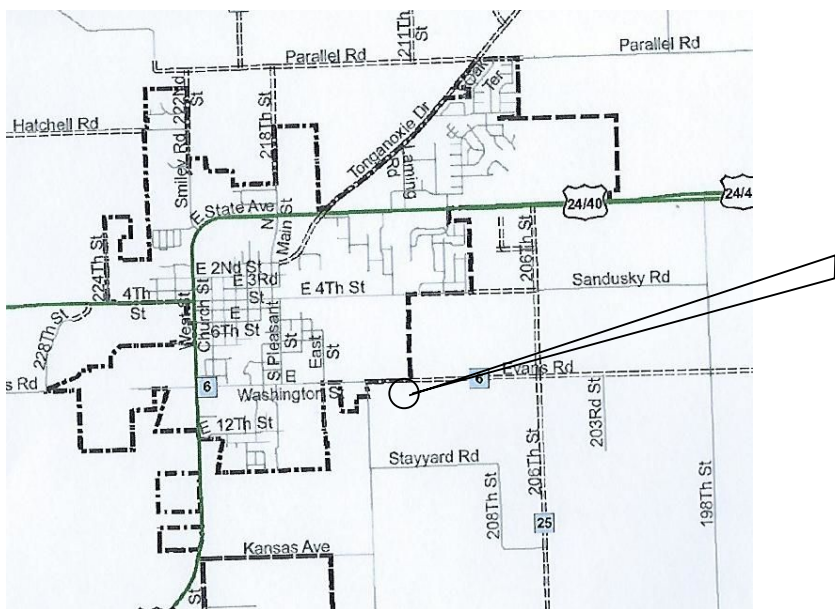
Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 21211 Evans Road.

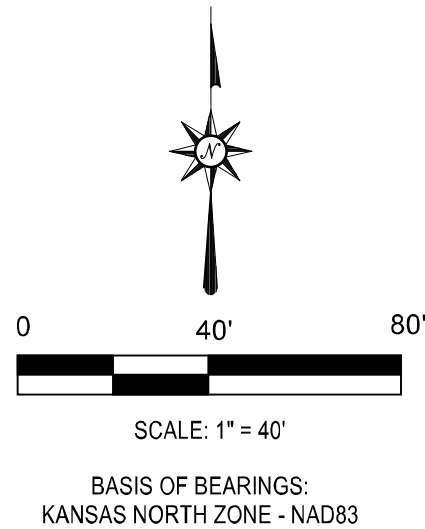
The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, July 8, 2024.

GAMBRILL'S PLACE
A SUBDIVISION IN THE NORTHWEST QUARTER
OF SECTION 15-T11S-R21E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

FINAL PLAT



LOCATION MAP
NO SCALE



LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT - DEDICATED THIS PLAT
- S/B BUILDING SETBACK
- //// NO ACCESS
- POC POINT OF COMMENCING

NW CORNER 15-T11S-R21E (13J)
1/2" REBAR (BM)
1. N 14.30 TO CENTERLINE OF PAVEMENT
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3. SW 47.00 TO 60D NAIL IN POWER POLE
4. WSW 55.24 TO 60D NAIL IN POWER POLE
5. N 42.30 TO NAIL WITH WASHER IN FENCE POST

NOTE:
60 FEET WIDE ROAD RIGHT OF WAY
PER BRIDGE PLANS
PROJECT #52C-2468-01 (1994)
SHEET 3

"UNPLATTED TRACT"
PN. 192-10-29

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ALUMINUM CAP IN SURVEY BOX
1. NE 77.45 TO 60D NAIL WITH WASHER IN TOP OF CORNER POST
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3. SE 83.32 TO TOP NUT OF FIRE HYDRANT
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THENCE, CONTINUING ALONG SAID NORTH LINE, N 88°13'51"E, 497.02 FEET;
THENCE, S 01°48'38"E, 438.50 FEET;
THENCE, S 88°13'51"W, 497.36 FEET;
THENCE, N 01°45'48"W, 438.50 FEET TO THE POINT OF BEGINNING.
CONTAINS 5.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.
RELATIVE: 1:10,142,285

CERTIFICATION AND DEDICATION

THE UNDERSIGNED PROPRIETOR STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT HE HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "GAMBRILL'S PLACE".

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IN TESTIMONY WHEREOF:
I, THE UNDERSIGNED OWNER OF "GAMBRILL'S PLACE", HAVE SET MY HAND THIS _____ DAY OF _____, 2024.

ERIC GAMBRILL

STATE OF KANSAS / COUNTY OF LEAVENWORTH

ON THIS _____ DAY OF _____, 2024, BEFORE ME APPEARED ERIC GAMBRILL, KNOWN TO ME TO BE THE SAME PERSON DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS THEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVAL

WE, THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "GAMBRILL'S PLACE" THIS _____ DAY OF _____, 2024.

CHAIRPERSON / MARCUS MAJURE

SECRETARY / JOHN JACOBSON

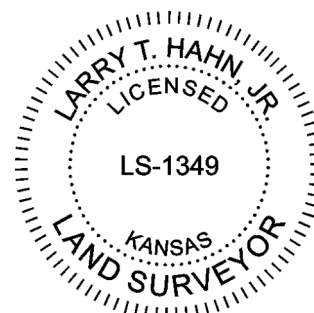
THE LEAVENWORTH COUNTY ENGINEERS PLAT REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH THE SUBDIVISION REGULATIONS AS ADOPTED BY LEAVENWORTH COUNTY. THE COUNTY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSIONS, ELEVATIONS AND QUANTITIES.

COUNTY ENGINEER / MITCH PLEAK, PE

WE THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, DO HEREBY APPROVE THE FOREGOING PLAT OF "GAMBRILL'S PLACE" THIS _____ DAY OF _____, 2024.

CHAIRPERSON / JEFF CULBERTSON

COUNTY CLERK / JANET KLASINSKI (ATTEST)



LARRY T. HAHN, PS #1349

COUNTY SURVEYOR CERTIFICATION

I HEREBY CERTIFY THIS SURVEY PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS SURVEY PLAT WAS REVIEWED FOR COMPLIANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

Reviewed 2024.07.29 No comments

COUNTY SURVEYOR / DANIEL BAUMCHEN, PS #1383

- REFERENCES:
- UNRECORDED SURVEY PROVIDED BY CLIENT (1966) "THIS TRACT"
 - KEN HERRING S-9, #120 (1972) NKA 1972S120
 - KEN HERRING S-9, #19 (1973) NKA 1973S019
 - KEN HERRING S-9, #126 (1972) NKA 1972S126
 - DG WHITE S-12, #48 (1983) NKA 1983S048
 - DOC. #2021S054

OWNER / DEVELOPER

ERIC GAMBRILL
21211 EVANS ROAD
TONGANOXIE, KS. 66086 (PN. 195-15-6)
(913) 433-8995

BENCHMARK

1/2" REBAR AT THE NW CORNER 15-T11S-R21E
EL. 872.85 (NAVD 88)

ZONING

RR - 2.50 ACRE

NOTES

- LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT OR ANY AGENT OF APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
- EXISTING USE OF AREA BEING PLATTED - RESIDENTIAL - RR-2.5
PROPOSED USE - RR-2.5
- THIS PLAT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA
FEMA FIRM 20103C03026, DATED JULY 16, 2015
- O & E REPORT BY CONTINENTAL TITLE COMPANY - FILE NO. 24461643, MARCH 11, 2024

RESTRICTIONS

- 40' REAR SETBACK FOR RESIDENCES
15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
- AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
- A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
- RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY RESOLUTION.
- NO ADDITION TO THE HOUSE ON LOT 2 SHALL ENCROACH ANY FURTHER INTO THE BUILDING SETBACK LINE OR EASEMENT.
- STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
- NO DRIVEWAY ACCESS FOR LOT 1 SHALL BE PERMITTED ON TO EVANS ROAD.
- NO OFF PLAT RESTRICTIONS.

STATE OF KANSAS / COUNTY OF LEAVENWORTH

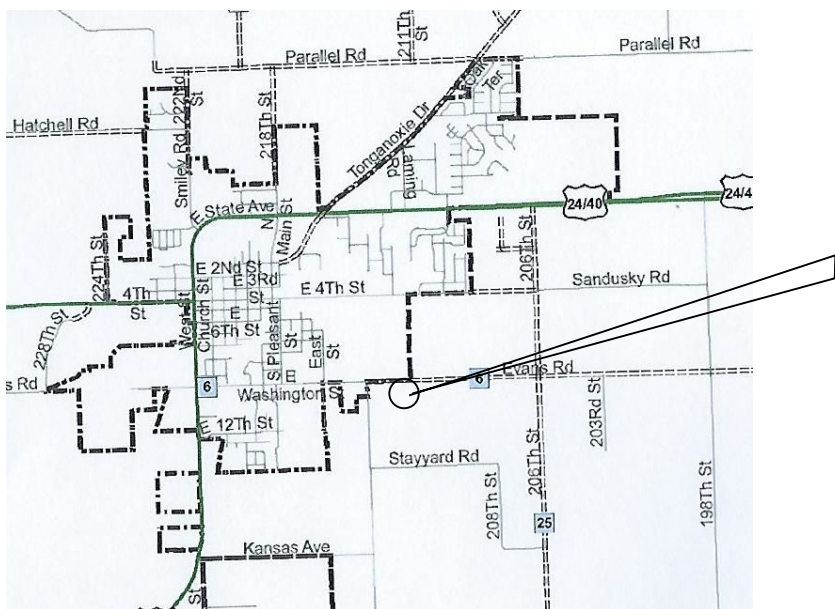
FILED FOR RECORD AS DOCUMENT # _____ ON THIS _____ DAY OF _____, 2024
AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS OF LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / TERRILOIS G. MASHBURN

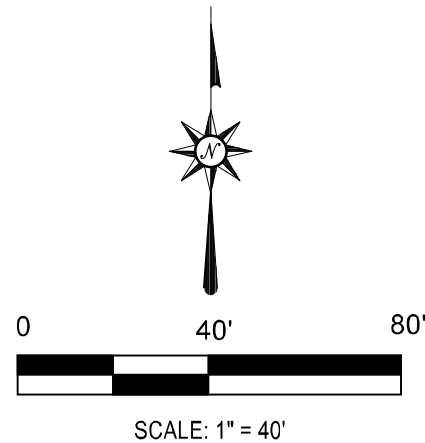
HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

GAMBRILL'S PLACE
A SUBDIVISION IN THE NORTHWEST QUARTER
OF SECTION 15-T11S-R21E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

FINAL PLAT



LOCATION MAP
NO SCALE



LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT - DEDICATED THIS PLAT
- S/B BUILDING SETBACK
- //// NO ACCESS
- POC POINT OF COMMENCING

08-06-2024
PW Approved
No Comments

NW CORNER 15-T11S-R21E (13J)
1/2" REBAR (BM)
1. N 14.30 TO CENTERLINE OF PAVEMENT
2. N 14.18 TO 1/2" REBAR WITH 2" ALUMINUM CAP
3. SW 47.00 TO 60D NAIL IN POWER POLE
4. WSW 55.24 TO 60D NAIL IN POWER POLE
5. N 42.30 TO NAIL WITH WASHER IN FENCE POST

NOTE:
60 FEET WIDE ROAD RIGHT OF WAY
PER BRIDGE PLANS
PROJECT #52C-2468-01 (1994)
SHEET 3

"UNPLATTED TRACT"
PN. 192-10-29

NE CORNER 15-T11S-R21E (17J)
ALUMINUM CAP IN SURVEY BOX
1. NE 77.45 TO 60D NAIL WITH WASHER IN TOP OF CORNER POST
2. SE 78.64 TO 60D NAIL WITH WASHER IN RR TIE POST
3. SE 83.32 TO TOP NUT OF FIRE HYDRANT
4. SW 69.35 TO 60D NAIL WITH WASHER IN POWER POLE

DEED DESCRIPTION - BK. 805, PG. 1249 (2001)

THE EAST 21 ACRES OF THE NORTH 55 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 11, RANGE 21, LESS THE FOLLOWING TRACT: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 15; THENCE EAST 1318.58 FEET TO A POINT; THENCE SOUTH 438.50 FEET TO THE POINT OF BEGINNING OF THIS TRACT; THENCE SOUTH 1373.50 FEET; THENCE WEST 498.43 FEET; THENCE NORTH 1373.50 FEET; THENCE EAST 497.36 FEET TO THE POINT OF BEGINNING, LESS THAT PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, IN LEAVENWORTH COUNTY, KANSAS.

SURVEYORS DESCRIPTION

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 15-T11S-R21E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, PS #1349, MAY, 2024, DESCRIBED AS FOLLOWS, COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE, N 88°13'51"E, 821.56 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS TRACT;
THENCE, CONTINUING ALONG SAID NORTH LINE, N 88°13'51"E, 497.02 FEET;
THENCE, S 01°48'38"E, 438.50 FEET;
THENCE, S 88°13'51"W, 497.36 FEET;
THENCE, N 01°45'48"W, 438.50 FEET TO THE POINT OF BEGINNING.
CONTAINS 5.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.
RELATIVE: 1:10,142,285

CERTIFICATION AND DEDICATION

THE UNDERSIGNED PROPRIETOR STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT HE HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "GAMBRILL'S PLACE".

EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED FOR PUBLIC USE. THE RIGHTS OF WAY WHICH ARE SHOWN WITH DASHED LINES ON THE ACCOMPANYING PLAT AND SAID EASEMENTS MAY BE EMPLOYED TO LOCATE AND MAINTAIN SEWERS, WATER LINES, GAS LINES, POLES AND WIRES AND ANY OTHER FORM OF PUBLIC UTILITY NOW AND HEREAFTER USED BY THE PUBLIC, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENT" OR "U/E".

BUILDING LINES OR SETBACK LINES (S/B) ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT OR CONSTRUCTED BETWEEN THIS LINE AND THE STREET LINE.

IN TESTIMONY WHEREOF:
I, THE UNDERSIGNED OWNER OF "GAMBRILL'S PLACE", HAVE SET MY HAND THIS _____ DAY OF _____, 2024.

ERIC GAMBRILL

STATE OF KANSAS / COUNTY OF LEAVENWORTH

ON THIS _____ DAY OF _____, 2024, BEFORE ME APPEARED ERIC GAMBRILL, KNOWN TO ME TO BE THE SAME PERSON DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS THEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVAL

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CHAIRPERSON / MARCUS MAJURE

SECRETARY / JOHN JACOBSON

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COUNTY ENGINEER / MITCH PLEAK, PE

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CHAIRPERSON / JEFF CULBERTSON

COUNTY CLERK / JANET KLASINSKI (ATTEST)

COUNTY SURVEYOR CERTIFICATION

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COUNTY SURVEYOR / DANIEL BAUMCHEN, PS #1363

REFERENCES:
1. UNRECORDED SURVEY PROVIDED BY CLIENT (1966)
"THIS TRACT"
2. KEN HERRING S-9, #120 (1972) NKA 1972S120
3. KEN HERRING S-9, #19 (1973) NKA 1973S019
4. KEN HERRING S-9, #126 (1972) NKA 1972S126
5. DG WHITE S-12, #48 (1983) NKA 1983S048
6. DOC. #2021S054

"UNPLATTED TRACT"
PN. 195-15-8.00-Z

OWNER / DEVELOPER

ERIC GAMBRILL
21211 EVANS ROAD
TONGANOXIE, KS. 66086 (PN. 195-15-6)
(913) 433-8995

BENCHMARK

1/2" REBAR AT THE NW CORNER 15-T11S-R21E
EL. 872.85 (NAVD 88)

ZONING

RR - 2.50 ACRE

NOTES

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PROPOSED USE - RR-2.5
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FEMA FIRM 20103C03026, DATED JULY 16, 2015
- O & E REPORT BY CONTINENTAL TITLE COMPANY - FILE NO. 24461643, MARCH 11, 2024

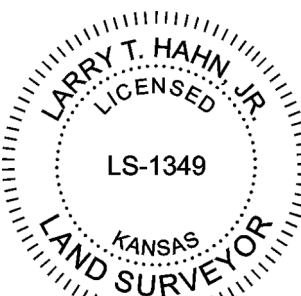
RESTRICTIONS

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15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
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- EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
- A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
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- NO OFF PLAT RESTRICTIONS.

STATE OF KANSAS / COUNTY OF LEAVENWORTH

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AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS OF LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / TERRILOIS G. MASHBURN



LARRY T. HAHN, PS #1349

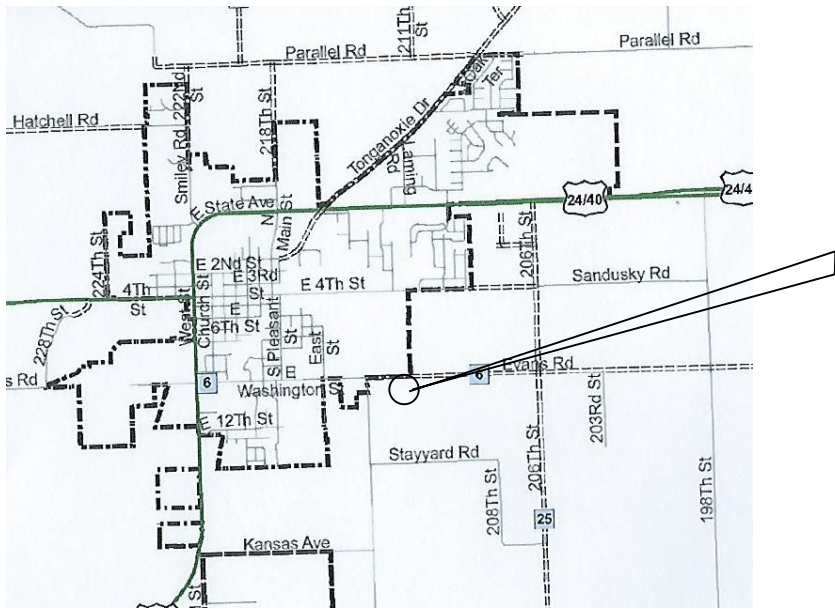
THIS IS TO CERTIFY THAT IN THE MONTH OF APRIL, 2024, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS.



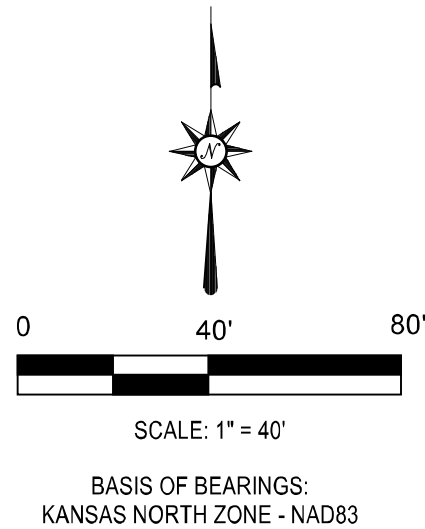
HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

GAMBRILL'S PLACE
A SUBDIVISION IN THE NORTHWEST QUARTER
OF SECTION 15-T11S-R21E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

PRELIMINARY PLAT



LOCATION MAP
NO SCALE



08-06-2024
Approved PW
No Comments

LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT - DEDICATED THIS PLAT
- S/B BUILDING SETBACK
- //// NO ACCESS
- POC POINT OF COMMENCING
- (W)— EXISTING WATERLINE (AS LAID)

NW CORNER 15-T11S-R21E (13J)
1/2" REBAR (BM)
1. N 14.30 TO CENTERLINE OF PAVEMENT
2. N 14.18 TO 1/2" REBAR WITH 2" ALUMINUM CAP
3. SW 47.00 TO 60D NAIL IN POWER POLE
4. WSW 55.24 TO 60D NAIL IN POWER POLE
5. N 42.30 TO NAIL WITH WASHER IN FENCE POST

NOTE:
60 FEET WIDE ROAD RIGHT OF WAY
PER BRIDGE PLANS
PROJECT #52C-2468-01 (1994)
SHEET 3

"UNPLATTED TRACT"
PN. 192-10-29
OWNER:
WANDERING TRAVELLER TRUST
1605 WASHINGTON STREET
TONGANOXIE, KS. 66086

NE CORNER 15-T11S-R21E (17J)
ALUMINUM CAP IN SURVEY BOX
1. NE 77.45 TO 60D NAIL WITH WASHER IN TOP OF CORNER POST
2. SE 78.64 TO 60D NAIL WITH WASHER IN RR TIE POST
3. SE 83.32 TO TOP NUT OF FIRE HYDRANT
4. SW 69.35 TO 60D NAIL WITH WASHER IN POWER POLE

N 1/4 CORNER 15-T11S-R21E (15J)
1/2" REBAR (HELD THIS SURVEY)
1. N 37.50 TO SPIKE WITH WASHER IN CORNER POST
2. SE 31.85 TO MAG NAIL WITH WASHER IN 30" WALNUT
3. N 2' +/- TO CENTERLINE OF PAVEMENT
4. NW 3.23 TO FOUND MAG NAIL - NO PK NAIL OR REBAR

NOTE:
HOUSE - ARTICLE 21 OF LEAVENWORTH COUNTY
ZONING AND SUBDIVISION REGULATIONS.

40' WIDE ACCESS EASEMENT
BK. 713, PG. 1467

"UNPLATTED TRACT"
PN. 195-15-5
OWNER:
LISA SCHELLER, LIVING TRUST
15912 206TH STREET
TONGANOXIE, KS. 66086

OWNER / DEVELOPER
ERIC GAMBRILL / ROBIN GAMBRILL
21211 EVANS ROAD
TONGANOXIE, KS. 66086 (PN. 195-15-6)
(913) 433-8995

BENCHMARK
1/2" REBAR AT THE NW CORNER OF 15-T11S-R21E
EL. 872.85 (NAVD 88)

PUBLIC IMPROVEMENT
NONE

ROAD INFORMATION
EVANS ROAD - 24' WIDE PAVED SURFACE
ROAD CLASS - COUNTY COLLECTOR

DRAINAGE CALCULATIONS
ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE

UTILITIES
ELECTRIC / EVERGY
WATER / SUBURBAN WATER
GAS / PRIVATE PROPANE
SEWAGE / PRIVATE ON SITE SYSTEM

ZONING
RR - 2.50 ACRE

REFERENCES:
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THIS TRACT
2. KEN HERRING S-9, #120 (1972) NKA 1972S120
3. KEN HERRING S-9, #19 (1973) NKA 1973S019
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5. DO WHITE S-12, #48 (1983) NKA 1983S048
6. DOC. #2021S054

DEED DESCRIPTION - BK. 805, PG. 1249 (2001)

THE EAST 21 ACRES OF THE NORTH 55 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 11, RANGE 21, LESS THE FOLLOWING TRACT: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 15; THENCE EAST 1318.58 FEET TO A POINT; THENCE SOUTH 438.50 FEET TO THE POINT OF BEGINNING OF THIS TRACT; THENCE SOUTH 1373.50 FEET; THENCE WEST 498.43 FEET; THENCE NORTH 1373.50 FEET; THENCE EAST 497.36 FEET TO THE POINT OF BEGINNING, LESS THAT PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, IN LEAVENWORTH COUNTY, KANSAS.

SURVEYORS DESCRIPTION

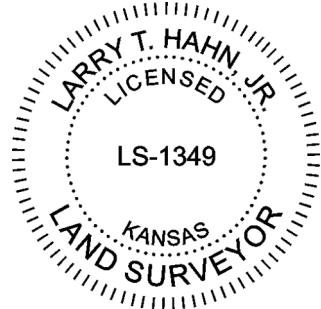
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THENCE, S 88°13'51"W, 497.36 FEET;
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CONTAINS 5.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.
RELATIVE: 1:10,142,285

RESTRICTIONS

- 40' REAR SETBACK FOR RESIDENCES
- 15' REAR SETBACK FOR ACCESSORY BUILDINGS
- 15' SIDE SETBACK
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- STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
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- NO OFF PLAT RESTRICTIONS.

NOTES

- FENCE LINES DO NOT DENOTE PROPERTY LINES.
- LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT OR ANY AGENT OF APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
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PROPOSED USE - RR-2.5
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FEMA FIRM 2010C030026, DATED JULY 16, 2015
- O & E REPORT BY CONTINENTAL TITLE COMPANY - FILE NO. 24461643, MARCH 11, 2024



LARRY T. HAHN, PS #1349

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HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-082 & 083 Tranquil Acres

August 14, 2024

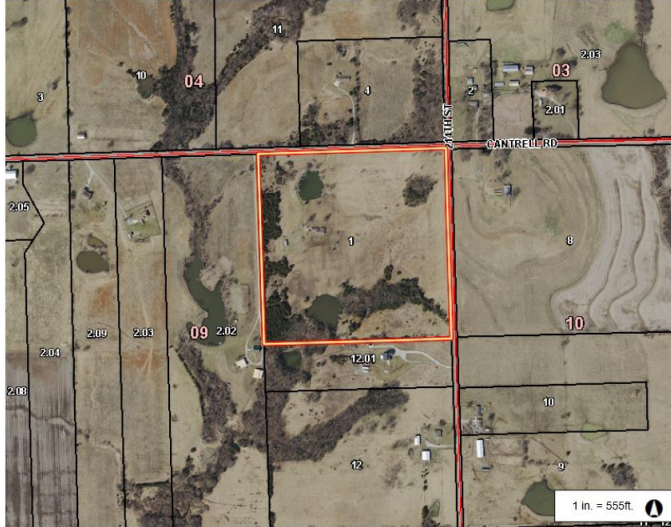
REQUEST: *Consent Agenda*

☒ Preliminary Plat ☒ Final Plat

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 21521 Cantrell Rd.



APPLICANT/APPLICANT AGENT:

LARRY HAHN
HAHN SURVEYING
PO Box 186
Basehor, KS 66007

PROPERTY OWNER:

Tom & Karen Lindsay
22511 Golden Road
Linwood, KS 66052

CONCURRENT APPLICATIONS:

NONE

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:

County Road 1

LEGAL DESCRIPTION:

A Subdivision being the Northeast Quarter of the Northeast Quarter of Section 9, Township 12 South, Range 21, East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-082 & 083, Preliminary & Final Plat for Tranquil Acres, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-082 & 083, Preliminary & Final Plat for Tranquil Acres to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 39.10 +- ACRES

PARCEL ID NO:

222-09-0-00-00-001

BUILDINGS:

Existing House and Outbuilding

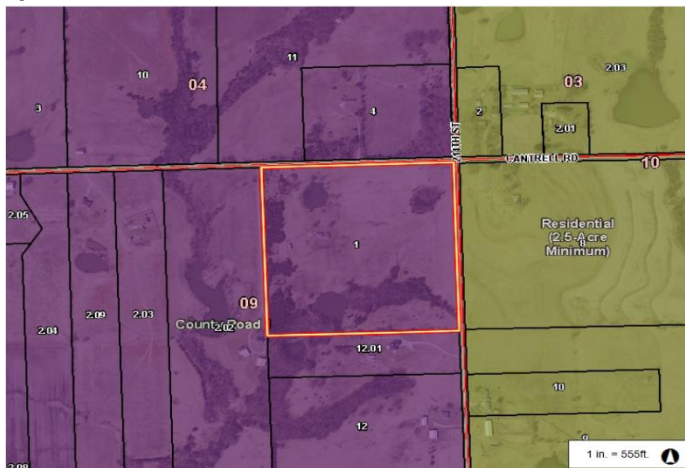
PROJECT SUMMARY:

Request for a final plat approval to subdivide property located at 21521 Cantrell Road (222-09-0-00-00-001) as Lots 01 through 05 of Tranquil Acres.

ACCESS/STREET:

214th Street & Cantrell Road - Local,
Gravel, ± 22'

Location Map: FUTURE LAND USE DESIGNATION



UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: FD# 2

WATER: RWD 10

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW:

8/6/2024

NEWSPAPER NOTIFICATION:

N/A

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**

N/A

STANDARDS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</i>			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	N/A	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards	X	
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing to divide a 39.10 +- acre parcel into five (5) lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots range in size from 5 to 20 acres. All lots meet the requirements for the RR-5 zoning district.

PROPOSED CONDITIONS:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary, infrastructure is available.
5. The developer must comply with the following memorandums:
 - Memo – RWD 10, dated June 13, 2024
 - Memo – Emergency Management, dated August 6, 2024

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Maps
- C: Memorandums

FINAL PLAT APPLICATION
Leavenworth County Planning and Zoning Department,
300 Walnut St., County Courthouse
Leavenworth, Kansas
913-684-0465
913-684-0398 Fax

430

CAMA No.: <u>222-09</u>	Office Use Only	Date Received: <u>06.13.2024</u>
Township: <u>Reed</u>		
Planning Commission Meeting Date: _____		
Project No.: <u>DEV-24-</u>		Date Paid: _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME _____	NAME <u>LINDSAY FAMILY TRUST</u>
ADDRESS _____	ADDRESS <u>22511 GOLDEN ROAD</u>
CITY/ST/ZIP _____	CITY/ST/ZIP <u>LINWOOD, KS. 66052</u>
PHONE _____ EMAIL _____	PHONE <u>913-238-2473</u> EMAIL _____
CONTACT PERSON _____	CONTACT PERSON <u>TOM LINDSAY</u>

GENERAL INFORMATION

Subdivision Name: TRANQUIL ACRES

Legal Description (S-T-R 1/4 Section): NE 1/4 OF NE 1/4 OF SECTION 9-T12S-R21E

Zoning: RR- 5.00

Surveyor and/or Engineer Firm: HAHN SURVEYING

Contact Person: LARRY HAHN

Address: PO BOX 186 BASEHOR, KANSAS 66007

Phone : 913-547-3405 Fax : _____ Email : hahnsurvey@gmail.com

SUBDIVISION INFORMATION		
Gross Acreage: <u>40.00 ACRES</u>	Number of Lots: <u>5</u>	Minimum Lot Size: <u>5.00 ACRES</u>
Maximum Lot Size: <u>20.00 ACRES</u>	Zoning: <u>RR - 5.0</u>	Density: _____
Open Space Acreage: _____	Water District: <u>RWD #10</u>	Proposed Sewage: <u>ON SITE</u>
Fire District: <u>#2</u>	Electric Provider: <u>EVERGY</u>	Natural Gas Provider: <u>PROPANE</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Phase Number: _____	
Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what is the panel number: _____		

I, the undersigned am the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for Final Plat approval as indicated above.

Signature: Karen S. Lindsay Date: 6/13/24

ATTACHMENT A-2

Issuing Agent: McCaffree-Short Title Company, Inc.
Issuing Office: 4701 W 110th, Overland Park, KS 66211
Issuing Office's ALTA® Registry ID: 001200
Issuing Office File No.: 24-0409
Property Address: 21521 Cantrell Road, Linwood, KS 66052

OWNERS POLICY

Policy No.: OYDA08128527

Premium: \$1,308.00

1. The Insured is:

2. The estate or interest in the Land insured by this policy is:

3. The Title is vested in:

4. The Land is described as follows:

ORT Form 4765KS A
Schedule A - ALTA Owners Policy 2021 v 01.00
07/01/2021

24-0409

SCHEDULE B
OWNERS POLICY

Policy No.: OYDA08128527

EXCEPTIONS FROM COVERAGE

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This policy treats any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document are excepted from coverage.

This policy does not insure against loss or damage and the Company will not pay costs, attorneys' fees, or expenses resulting from the terms and conditions of any lease or easement identified in Schedule A, and the following matters:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the effective date of this policy.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law, unless such lien is shown by the Public Records at Date of Policy.
6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.

NOTE: Exception(s) numbered NONE above is/are hereby deleted.

7. This policy will not insure against the possibility that the property in question may be included in a benefit or other improvement district, contemplated or existing, but for which no assessments have as yet been shown on the tax rolls.
8. The lien of the General, State, County and City Taxes for the year 2024 and all subsequent years.
9. Easements, Reservations, Homes Association Declaration, Restrictions, Building Set-back Lines, if any, of record.
10. Oil and Gas Lease to T. A. Goff recorded May 16, 1928, in O&G Book 272 at Page 217.
11. Reservation of oil, gas, and other minerals and mineral rights in favor of The Federal Land Bank of Wichita as set out in Corporation Special Warranty Deed recorded in Deed Book 329 at Page 449; Declaration of Expiration of Mineral Reservation recorded in Misc. Book 468 at Page 32.
12. Judgments, pending suits, state and federal tax liens, if any, against the insured parties.
13. Tenancy rights, either as month to month, or by virtue of written leases of persons in possession of any part of the subject property.

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 05/02/2024

Janet Klammer
COUNTY CLERK

Doc #: 2024R03017
TERRILLOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
05/02/2024 10:07:53 AM
RECORDING FEE: 38.00
PAGES: 2

GENERAL WARRANTY DEED

McCaffree-Short Title Company, Inc. - File No. 24-0409
4701 W 110th
Overland Park, KS 66211

THIS INDENTURE, made this 26 day of April, 2024, by and between Daniel S. Hill and Vicki E. Hill, a Married Couple, as GRANTOR, and Lindsay Family Trust dated September 21, 2023, as GRANTEE, whose mailing address is 22511 Golden Rd., Linwood, KS 66052.

WITNESSETH: THAT SAID GRANTOR, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency which is hereby acknowledged by GRANTOR, does hereby grant, bargain and sell, convey and confirm, unto the said GRANTEE, and unto Grantee's heirs and assigns forever, the following described real property situated in the County of Leavenworth, State of Kansas to-wit:

The Northeast Quarter of the Northeast Quarter of Section 9, Township 12 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas, except any part taken or used for streets, roads and/or public rights of way.

Subject to all easements, restrictions and reservations, if any, now of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

TO HAVE AND TO HOLD, the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said GRANTEE and unto Grantee's heirs and assigns forever, the said GRANTOR hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by it or those under whom it claims; except as stated above and except for all taxes and assessments, general and special, not now due and payable; and that it will warrant and defend the title of the said premises unto the said GRANTEE, and unto Grantee's heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

If two or more persons constitute either GRANTOR or GRANTEE, the words GRANTOR and GRANTEE shall be construed to read GRANTORS or GRANTEES, whenever the sense of this Deed requires.

OWNER AUTHORIZATION

I/WE TOM LINDSAY & KAREN LINDSAY, hereby referred to as the
"Undersigned", being of lawful age, do hereby on this ____ day of _____, 20____, make the following
statements, to wit:

1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property

See Exhibit A attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize LARRY HAHN
HAHN SURVEYING (Hereinafter referred to as "Applicant"), to act on my/our behalf
for the purpose of making application with the Planning Department of Leavenworth County, Kansas, ____
21521 CANTRELL ROAD (common address) the subject real property, or
portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever
necessarily required of Applicant in the application process.
3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County
Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter
collectively referred to as the 'County'), free and harmless from and against any and all claims, losses,
penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether
false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any
and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and
character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly our of
this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the
Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any
such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all
other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
4. It is understood that in the event the Undersigned is a corporation or partnership then the individual
whose signature appears below for and on behalf of the corporation or partnership has in fact the
authority to so bind the corporation or partnership to the terms and statements contained within this
instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand below.

STATE OF KANSAS
COUNTY OF LEAVENWORTH

x Karen S. Lindsay
KAREN LINDSAY

x Tom Lindsay
TOM LINDSAY

The foregoing instrument was acknowledged before me on this 13 day of JUNE, 2024,
by Tom & Karen Lindsay

My Commission Expires: 12/07/26

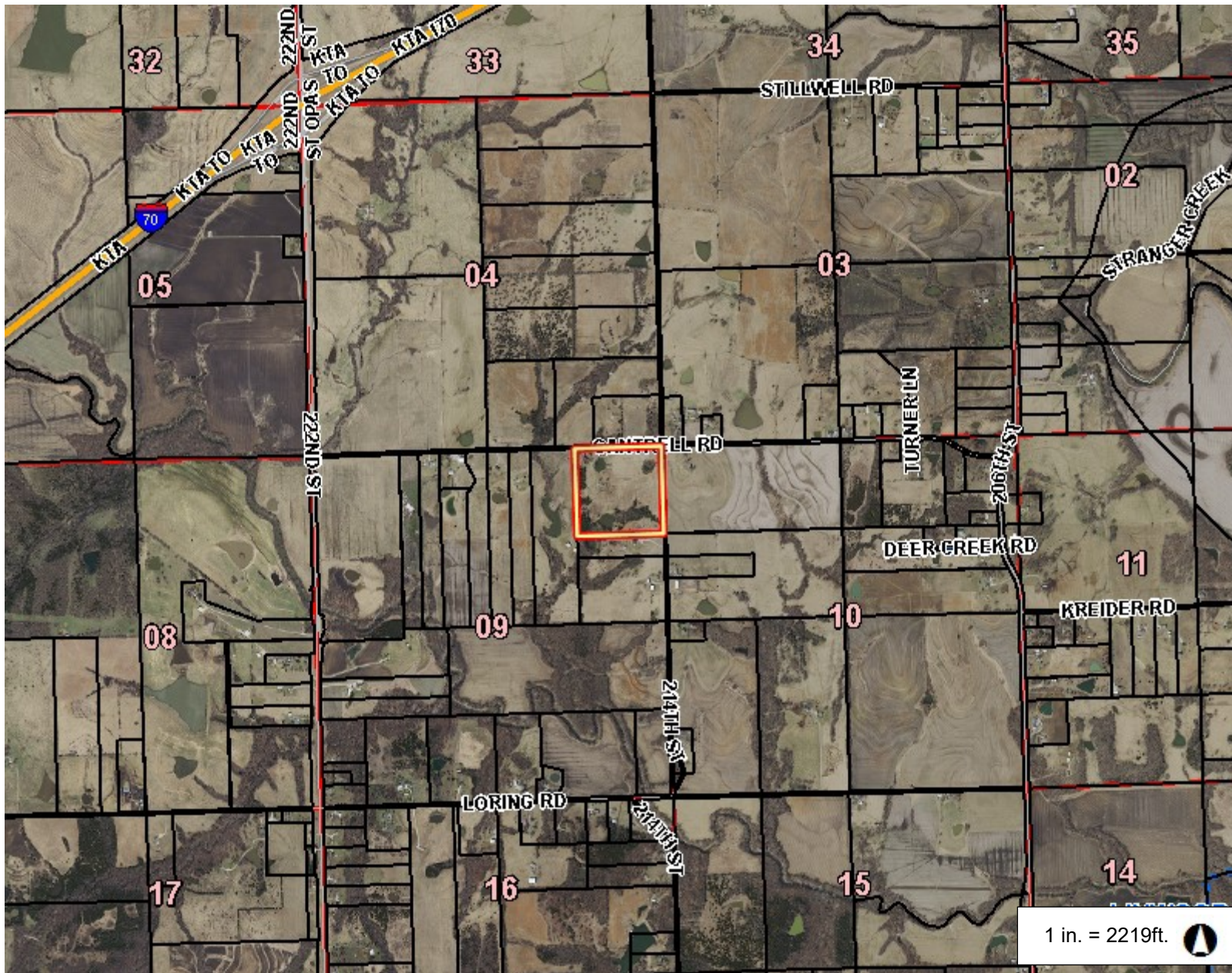
Notary Public

Stephanie Her

ATTACHMENT B

STEPHANIE HER
Notary Public-State of Kansas
My Appt. Expires 12/07/26

Leavenworth County, KS



Legend

- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- Railroad
- Section
 - Section Boundaries
 - County Boundary

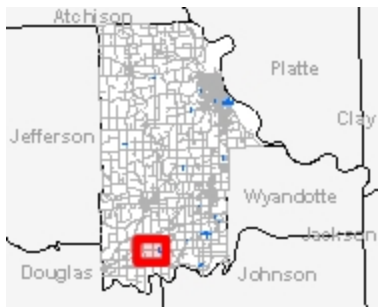
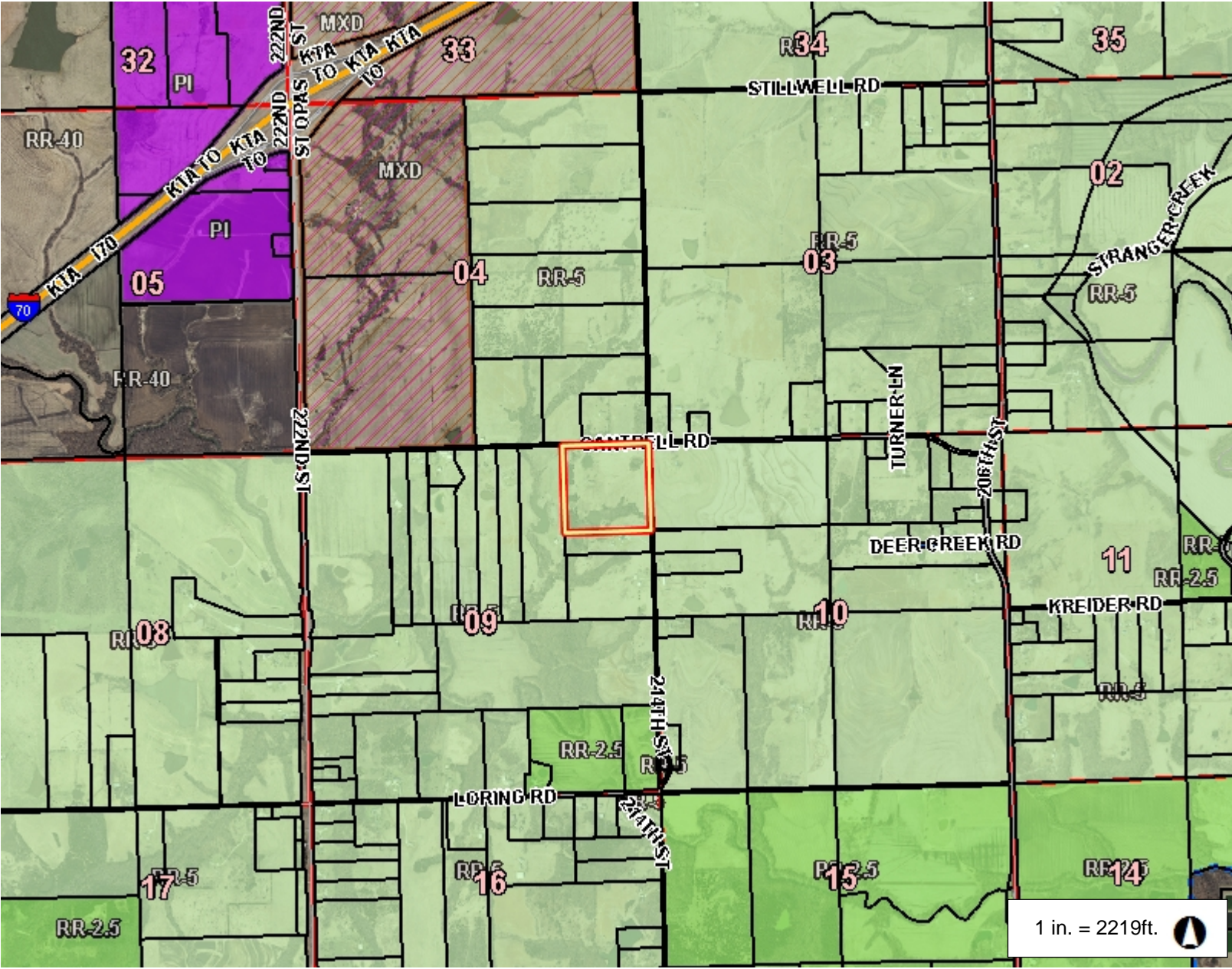
Notes

4,437.6 0 2,218.78 4,437.6 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

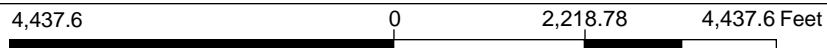
Leavenworth County, KS



Legend

- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- Railroad
- Section
 - Section Boundaries
 - County Boundary
- Zoning
 - B-1
 - B-2
 - B-3
 - I-1
 - I-2
 - I-3
 - MXD
 - PC
 - PI
 - PR-1
 - PR-2
 - PR-3
 - PUD

Notes



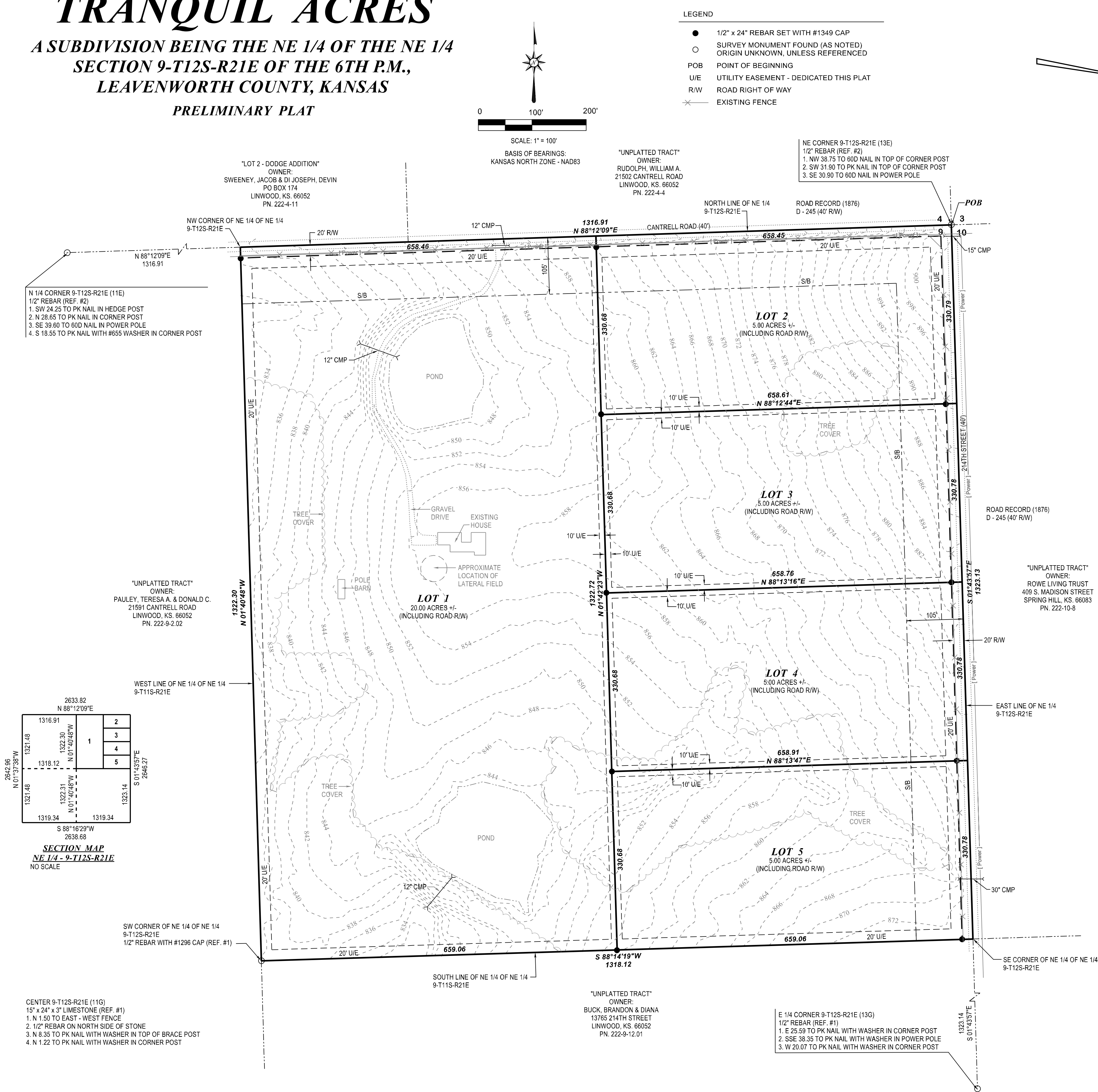
This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

TRANQUIL ACRES

A SUBDIVISION BEING THE NE 1/4 OF THE NE 1/4
SECTION 9-T12S-R21E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

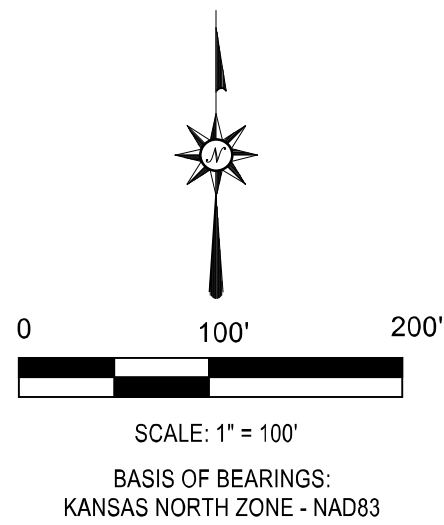
PRELIMINARY PLAT



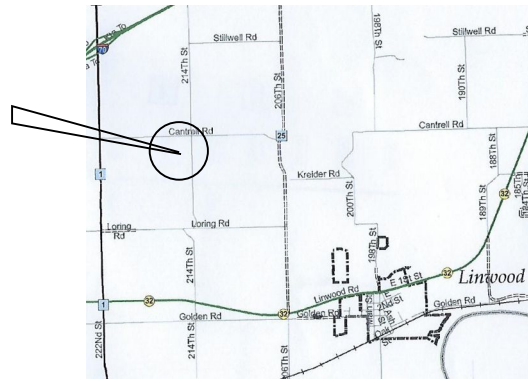
TRANQUIL ACRES

A SUBDIVISION BEING THE NE 1/4 OF THE NE 1/4
SECTION 9-T12S-R21E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

FINAL PLAT



- LEGEND
- 1/2" x 24" REBAR SET WITH #1349 CAP
 - SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
 - POB POINT OF BEGINNING
 - U/E UTILITY EASEMENT - DEDICATED THIS PLAT
 - R/W ROAD RIGHT OF WAY
 - (M) MEASURED
 - (CM) CALCULATED FROM MEASUREMENT



LOCATION MAP
NO SCALE

DEED DESCRIPTION - DOC. #2024R03017

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 21 EAST OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, EXCEPT ANY PART TAKEN OR USED FOR STREETS, ROADS AND/OR PUBLIC RIGHTS OF WAY.

SURVEYORS DESCRIPTION

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9-T12S-R21E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, PS #1349, MAY, 2024, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 9; THENCE, S 01°43'57"E, 1323.13 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE, S 88°14'19"W, 1318.12 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE, N 01°40'48"W, 1322.30 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE, N 88°12'09"E, 1316.91 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 TO THE POINT OF BEGINNING. CONTAINS 40.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY. RELATIVE: 1:3,512,539

CERTIFICATION AND DEDICATION

THE UNDERSIGNED PROPRIETORS STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT THEY HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "TRANQUIL ACRES".

EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED FOR PUBLIC USE. THE RIGHTS OF WAY WHICH ARE SHOWN WITH DASHED LINES ON THE ACCOMPANYING PLAT AND SAID EASEMENTS MAY BE EMPLOYED TO LOCATE AND MAINTAIN SEWERS, WATER LINES, GAS LINES, POLES AND WIRES AND ANY OTHER FORM OF PUBLIC UTILITY NOW AND HEREAFTER USED BY THE PUBLIC, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENTS" OR "U/E".

BUILDING LINES OR SETBACK LINES (S/B) ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT OR CONSTRUCTED BETWEEN THIS LINE AND THE STREET LINE.

IN TESTIMONY WHEREOF:
WE, THE UNDERSIGNED OWNERS OF "TRANQUIL ACRES" HAVE SET OUR HAND THIS _____ DAY OF _____, 2024.

LINDSAY FAMILY TRUST
TOM LINDSAY

LINDSAY FAMILY TRUST
KAREN LINDSAY

STATE OF KANSAS / COUNTY OF LEAVENWORTH

ON THIS _____ DAY OF _____, 2024, BEFORE ME APPEARED TOM LINDSAY AND KAREN LINDSAY, KNOWN TO ME TO BE THE SAME PERSONS DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS THEIR FREE ACT AND DEED. IN WITNESS THEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVAL

WE, THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "TRANQUIL ACRES" THIS _____ DAY OF _____, 2024.

CHAIRPERSON / MARCUS MAJURE

SECRETARY / JOHN JACOBSON

THE LEAVENWORTH COUNTY ENGINEERS PLAT REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH THE SUBDIVISION REGULATIONS AS ADOPTED BY LEAVENWORTH COUNTY. THE COUNTY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSIONS, ELEVATIONS AND QUANTITIES.

COUNTY ENGINEER / MITCH PLEAK, PE

WE THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, DO HEREBY APPROVE THE FOREGOING PLAT OF "TRANQUIL ACRES" THIS _____ DAY OF _____, 2024.

CHAIRPERSON / JEFF CULBERTSON

COUNTY CLERK / JANET KLASINSKI (ATTEST)

COUNTY SURVEYOR CERTIFICATION

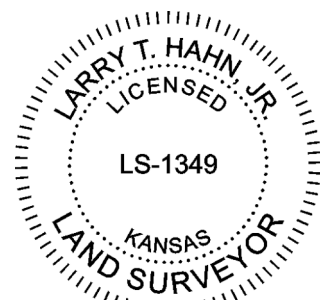
I HEREBY CERTIFY THIS SURVEY PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS SURVEY PLAT WAS REVIEWED FOR COMPLIANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

COUNTY SURVEYOR / DANIEL BAUMCHEN, PS #1363

STATE OF KANSAS / COUNTY OF LEAVENWORTH

FILED FOR RECORD AS DOCUMENT # _____ ON THIS _____ DAY OF _____, 2024
AT _____ O'CLOCK, _____ IN THE OFFICE OF THE REGISTER OF DEEDS OF LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / TERRILOIS G. MASHBURN



LARRY T. HAHN, PS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF MAY, 2024, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com



07-25-24
Olsson Review
No Further
Comment

Tranquil Acres
Leavenworth County Kansas

Drainage Report

June 8, 2024

Revised July 21, 2024





June 13, 2024

Hahn Surveying
PO Box 186
Basehor, KS 66007

RE: Preliminary and Final Plat for a 5-lot subdivision at 214th and Cantrell

Dear Mr. Hahn.,

This letter is in response to your request for comments for the preliminary and final plot for a 5-lot subdivision at 214th and Cantrell.

RWD10 has an existing main that currently services water to Lot 1, at 21521 Cantrell.

For the other 4 lots, along 214th St., we would need for our engineer to run a hydraulic analysis, at the cost of \$300 to the owner/developer. This check should be made payable to RWD10.

If you have any additional questions, please do not hesitate to contact us.

Regards,

Steve Conley
RWD10 | District Manager

Schweitzer, Joshua

From: larry hahn <hahnsurvey@gmail.com>
Sent: Friday, June 28, 2024 9:11 AM
To: Schweitzer, Joshua
Subject: Fwd: Tranquil Acres

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Larry Hahn, PS
Hahn Surveying
PO Box 186
Basehor, Ks. 66007
(913) 547-3405

----- Forwarded message -----

From: **Dylan Ritter** <dritter@lvcofd2.com>
Date: Fri, Jun 21, 2024 at 2:25 PM
Subject: Re: Tranquil Acres
To: larry hahn <hahnsurvey@gmail.com>
Cc: <designgroupleavenworth@evergy.com>, <designgrouplawrenceservicecenter@evergy.com>, Kevin Ritter <kritter@lvcofd2.com>

Leavenworth County Fire District #2 has no concerns, however preference would be for at least one fire hydrant to be located on the South side of Cantrell Rd for fire suppression services to the additional lots.

Thanks.

On Thu, Jun 13, 2024 at 2:12 PM larry hahn <hahnsurvey@gmail.com> wrote:

To all-

I have submitted a preliminary and final plat to Leavenworth County Planning And Zoning.

The Planning Staff would appreciate your written input for the proposed plat.

Please review the attached information and forward any comments to AAlisson@leavenworthcounty.gov

Thank You -

Larry Hahn, PS
Hahn Surveying
PO Box 186
Basehor, Ks. 66007
(913) 547-3405

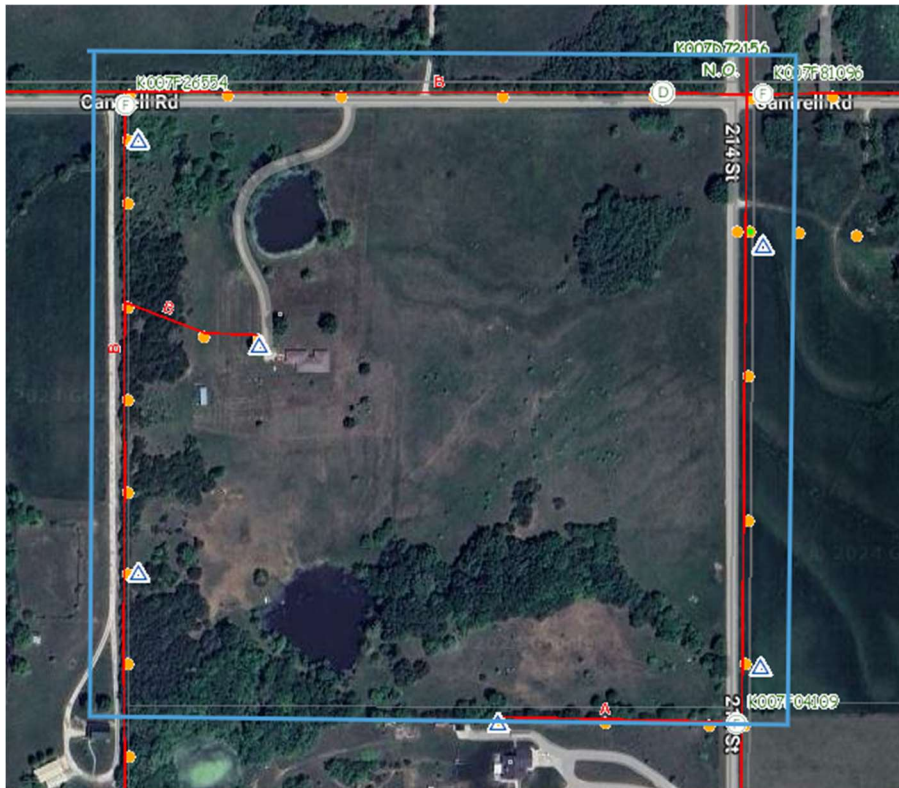


June 13, 2024

To Whom It May Concern:

This letter is to Inform you that Evergy will provide electrical power to the area pictured below per request of Larry Hahn.

Without knowing required load this letter does not guarantee we currently have capacity and additional build may be needed.



SW corner of 214th St and Cantrell Rd Linwood, KS Tranquil Acres Plat

Steven Heath

Evergy

TD Designer I

steven.heath@evergy.com

☎ 785-865-4857

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Friday, June 28, 2024 10:32 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-082 & 083 Preliminary & Final Plat Tranquil Acres - Hahn

We have not received any complaints on this property and the septic system appears to remain on the same property as the home it services.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, June 28, 2024 9:42 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-082 & 083 Preliminary & Final Plat Tranquil Acres - Hahn

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary & Final Plat for a 5-lot subdivision at 21521 Cantrell Rd. (222-09-0-00-00-001)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us July 15, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov.

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Tranquil Acres Subdivision
Date: August 6, 2024

Amy, I have reviewed the preliminary plat of the tranquil Acres Subdivision presented by Lindsey Family Trust Trust. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, a fire hydrant should be placed along the right-a-way between Lot 4 and Lot 3 along the right-of-way, and this will meet the requirements for this subdivision. Lot 1 should be covered with the hydrant on 222nd and Golden Rd.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-051 & 052 Metro Estates

August 14, 2024

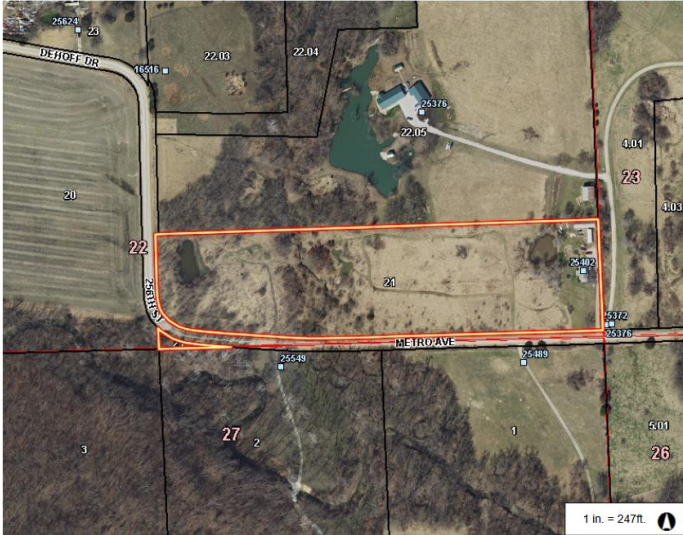
REQUEST: *Regular Agenda*

☒ Preliminary Plat ☒ Final Plat

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 25402 Metro Ave.



APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING
315 N. 5th Street
Leavenworth, KS 66048

PROPERTY OWNER:

Robert & Joy Cooper
25402 Metro Ave.
Tonganoxie, KS 66086

CONCURRENT APPLICATIONS:

NONE

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:

RR-2.5

LEGAL DESCRIPTION:

A tract of land in the East 1/2 of the Southeast 1/4 of Section 22, Township 11 South, Range 20 East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: Zone A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-051 & 052, Preliminary & Final Plat for Metro Estates, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-051 & 052, Preliminary & Final Plat for Metro Estates to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 9.90 +- ACRES

PARCEL ID NO:

205-22-0-00-00-021

BUILDINGS:

Existing Home & Building

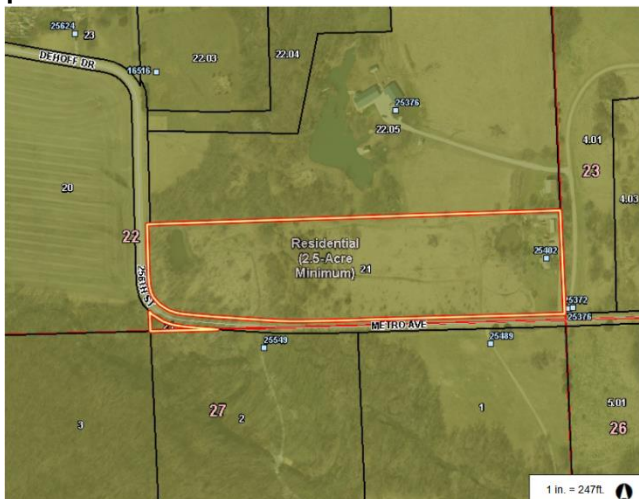
PROJECT SUMMARY:

Request for a final plat approval to subdivide property located 25402 Metro Ave (205-22-0-00-00-021) as Lots 01 through 03 of Metro Estates.

ACCESS/STREET:

Metro Ave & 256th St. - Local, Gravel,
± 24' wide

Location Map: FUTURE LAND USE DESIGNATION



UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: Tonganoxie

WATER: RWD 13

ELECTRIC: FREESTATE

NOTICE & REVIEW:

STAFF REVIEW:

8/5/2024

NEWSPAPER NOTIFICATION:

N/A

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**

N/A

STANDARDS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</i>			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	N/A	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards		X
	Exception needed from Article 50, Section 40.3.i. Lot-Depth to Lot-Width		
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing to divide a 9.90 +- acre parcel into three (3) lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). The proposed lots range in size from 3.02 to 4 acres. An exception for Lot-Depth to Lot-Width is needed as the lots exceed the 1:1 ratio. All lots meet the requirements for the R-2.5 zoning district. Staff is generally in support

EXCEPTIONS:

The applicant has requested an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width. The criteria for the acceptance of an exception is as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

Motion: The Planning Commission hereby (approves/denies) an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width conformance with the Zoning & Subdivision Regulations for the Metro Estates subdivision, as submitted by the application, based on a finding that all three criteria for an exception has been met.

PROPOSED CONDITIONS:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary, infrastructure is available.
5. An exception from Article 50, Section 40.3.i – Lot-Depth to Lot- Width has been approved.
6. The developer must comply with the following memorandums:
 - Memo – RWD 13, dated January 23, 2024
 - Memo – Emergency Management, dated August 5, 2024

ATTACHMENTS:

A: Application & Narrative

B: Zoning Maps

C: Memorandums

* have big

FINAL

~~PRELIMINARY~~ PLAT APPLICATION

Leavenworth County Planning and Zoning Department
300 Walnut St., Suite 212
Leavenworth, Kansas
913-684-0465

464
205-22

021.00

9.9

CK 97 22 825.00

Office Use Only	
Township: <u>Tonganoxie</u>	Planning Commission Meeting Date: _____
Case No. <u>DEV-24</u>	Date Received/Paid: <u>05.20.2024</u>
Zoning District <u>R</u>	Comprehensive Plan Land Use Designation: _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>COOPER, ROBERT D JR & JOY D</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>25402 METRO AVE</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP: <u>Tonganoxie, KS 66086</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL: <u>herringsurveying@outlook.com</u>	EMAIL: <u>N/A</u>

GENERAL INFORMATION

Proposed Subdivision Name: METRO ESTATES

Address of Property: 25402 METRO AVE

PID: 205-22-0-00-00-021 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>11 ACRES</u>	Number of Lots: <u>3</u>	Minimum Lot Size: <u>3 AC</u>
Maximum Lot Size: <u>4 AC</u>	Proposed Zoning: <u>RR 2.5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 13</u>	Proposed Sewage: <u>SEPTIC</u>
Fire District: <u>Tonganoxie</u>	Electric Provider: <u>FREE STATE</u>	Natural Gas Provider: <u>PROPANE</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning & Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

Is any part of the site designated as Floodplain? ☒ Yes ☐ No if yes, what is the panel number: 20103C0300G

I, the undersigned, am the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - Digitally signed May 7, 2024

Date: 5/7/24

ATTACHMENT A

ARTICLE 56 – EXCEPTIONS

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted conditions; or that these conditions would result in inhibiting the achievement of the objectives of these regulations; the Planning Commission may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations or interfering with carrying out the Comprehensive Plan.

In recommending such variance or exception, the Planning Commission shall find the following:

1. That there are special circumstances or conditions affecting the property.
Flood Hazard area and topography affect the property creating the need for an exception to Article 50, Section 40.3.i. Lot-Depth to Lot-Width. Existing tract is non-compliant.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
Yes - would allow for the additional Lots and reducing the current width to depth ratio.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.

No

STATE OF KANSAS
COUNTY OF LEAVENWORTH
FILED FOR RECORD

1995 MAY 17

DORA L. PARMER
REGISTER OF DEEDS

WARRANTY DEED
JOINT TENANCY

Coy L. Drinnon and Jane E. Drinnon, husband and wife

of Leavenworth County, Kansas, convey^s and warrant^s to
Robert D. Cooper, Jr. and Joy D. Cooper, husband and wife

of Leavenworth County, Kansas, as joint tenants with rights of survivorship and not as tenants in common.

Beginning at the Southwest corner of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section 22, Township 11, Range 20; thence East along said South Section line One Thousand Three Hundred Sixty-two and seventten one-hundreths (1362.17) feet to a point just East of the Southwest corner of the Section 23; thence North Three Hundred Fifty-one and eleven one-hundreths (351.11) feet to a point; thence West parallel to the South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundreths (1362.17) feet to the West line of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section 22, thence South Three Hundred Fifty-one and eleven one-hundreths (351.11) feet to the place of beginning, all in Leavenworth County, Kansas, according to survey made by R.E. Bacon on November 8, 1964.

Subject to easements, restrictions, reservations and covenants, now of record, all taxes, both general and special, not now due and payable.

said property situated in Leavenworth County, Kansas,
for the sum of One dollar and other good and valuable considerations--NO/100-- Dollars,
this 12th day of May, 19 95.

Coy L. Drinnon

Jane E. Drinnon

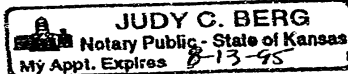
STATE OF KANSAS, Douglas County, ss.

BE IT REMEMBERED, That on this 12th day of May, A. D. 19 95

before me, a Notary Public in and for said County and State, came
Coy L. Drinnon and Jane E. Drinnon, husband and wife

to me personally known to be the same person who executed the foregoing instrument, and they duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last above written.



Judy C. Berg

Notary Public

My notarial commission expires August 13 19 95

OWNER AUTHORIZATION

I/WE _____, hereby referred to as the
"Undersigned", being of lawful age, do hereby on this 20 day of November, 2023 make the following
statements, to wit:

1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of
the following described real property

See Exhibit A attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize HERRING Subdividing
_____ (Hereinafter referred to as "Applicant"), to act on my/our behalf
for the purpose of making application with the Planning Office of Leavenworth County, Kansas, _____
25402 MISSO A.W. TOWNSEND (common address) the subject real property, or portion
thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily
required of Applicant in the application process.
3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County
Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter
collectively referred to as the "County"), free and harmless from and against any and all claims, losses,
penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether
false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any
and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and
character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of
this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the
Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any
such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all
other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
4. It is understood that in the event the Undersigned is a corporation or partnership then the individual
whose signature appears below for and on behalf of the corporation or partnership has in fact the
authority to so bind the corporation or partnership to the terms and statements contained within this
instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Owner

Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

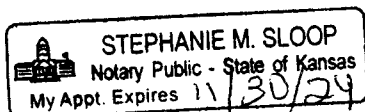
The foregoing instrument was acknowledge before me on this 20 day of Nov, 2023,

by Robert Cooper

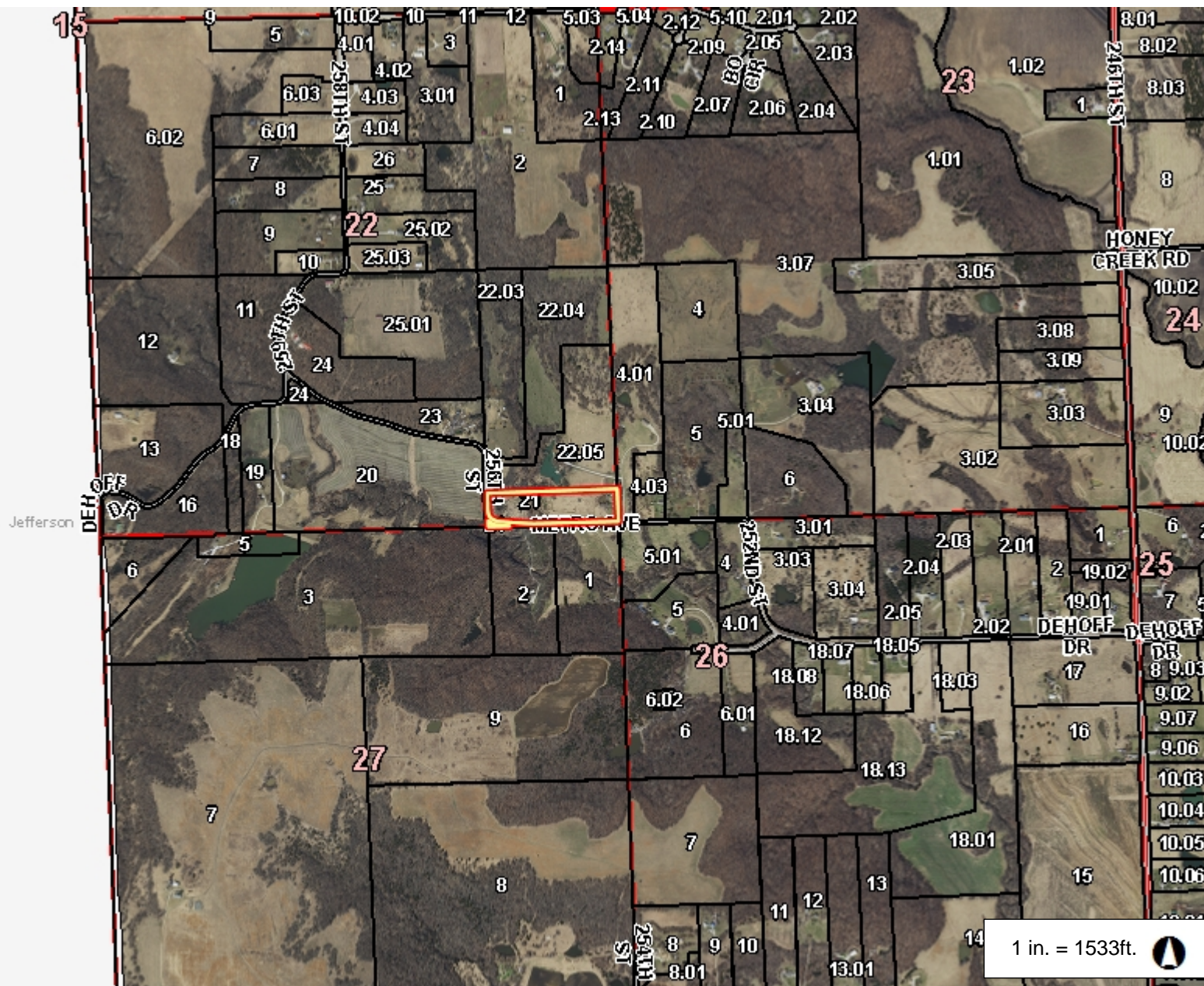
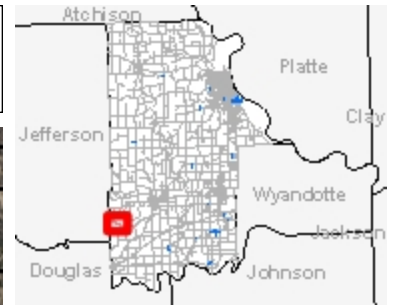
My Commission Expires:

Stephanie M Sloop

Notary Public



Leavenworth County, KS



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- <all other values>
- PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary

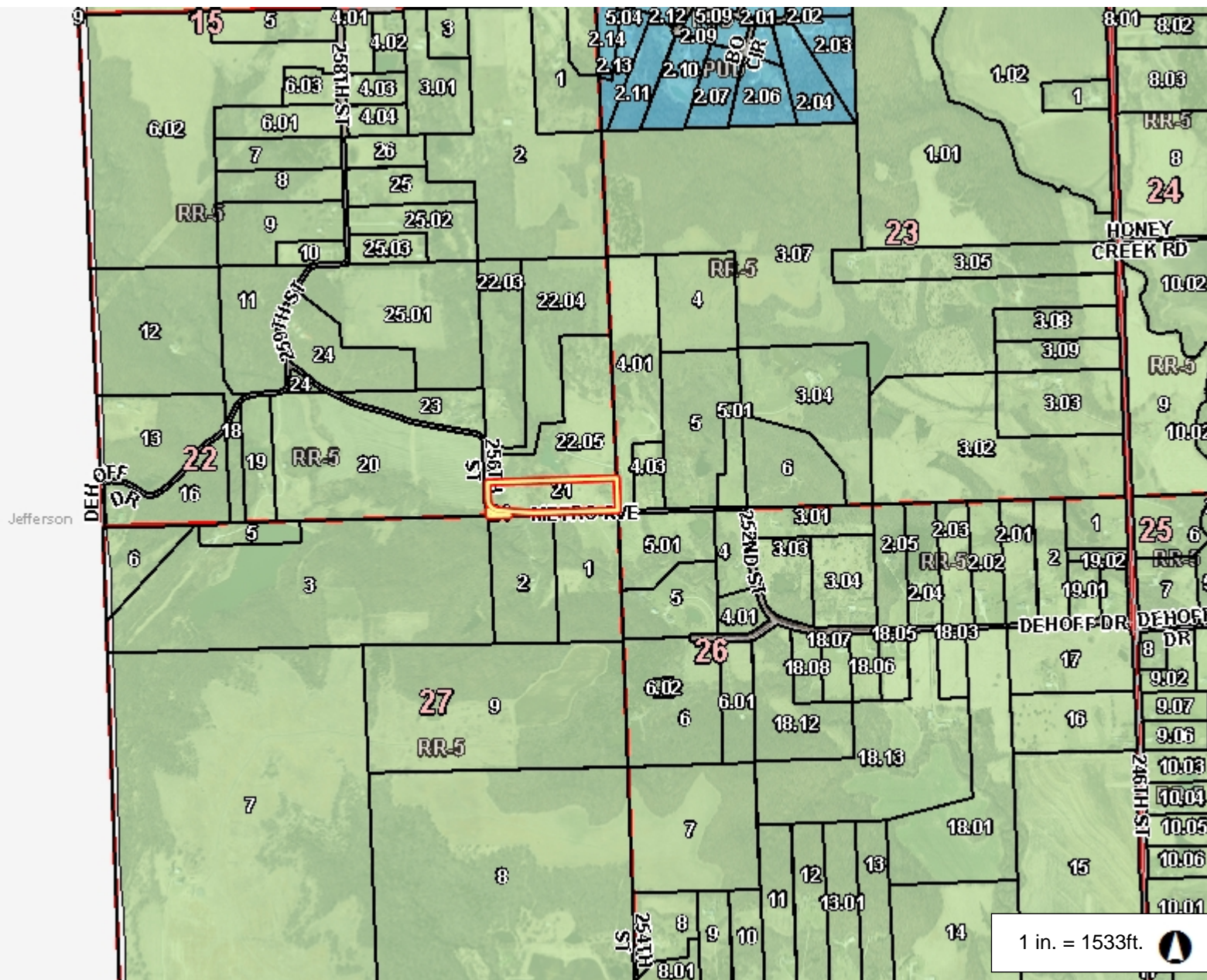
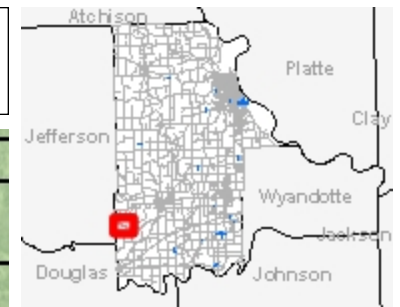
Notes

3,066.7 0 1,533.35 3,066.7 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Leavenworth County, KS



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- <all other values>
- PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3

Notes

3,066.7 0 1,533.35 3,066.7 Feet

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METRO ESTATES

A Minor Subdivision in the Southeast Quarter of Section 22, Township 11 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
COOPER, ROBERT D JR & JOY D
25402 METRO AVE
TONGANOXIE, KS 66086
PID # 205-22-0-00-00-021

RECORD DESCRIPTION: Per Title Commitment
Beginning at the Southwest corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22, Township 11, Range 20; thence East along said South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to a point just East of the South west corner of the Section 23; thence North Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to a point; thence West parallel to the South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22; thence South Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to the place of beginning, all in Leavenworth County, Kansas, according to survey made by R.E. Bacon on November 8, 1964.
ALSO DESCRIBED AS:
A tract of land in the East 1/2 of the Southeast 1/4 of Section 22, Township 11 South, Range 20 East of the 6th P.M., AND ALSO The West 1/2 of the Southwest 1/4 of Section 23, Township 11 South, Range 20 East of the 6th P.M., more fully described as follows:
Beginning at the Southwest corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22, Township 11, Range 20; thence East along said South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to a point just East of the South west corner of the Section 23; thence North Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to a point; thence West parallel to the South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22; thence South Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to the place of beginning, all in Leavenworth County, Kansas, according to survey made by R.E. Bacon on November 8, 1964; to survey made by R.E. Bacon on November 8, 1964.

SURVEYOR'S DESCRIPTION:
A tract of land in the Southeast Quarter of Section 22, Township 11 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring on July 18, 2024, more fully described as follows: Beginning at the Southwest corner of said Southeast Quarter; thence South 88 degrees 49'11" West for a distance 1362.05 feet along the South line of said Southeast Quarter to the Southwest corner of the Southeast Quarter of said Southeast Quarter; thence North 01 degrees 55'34" West for a distance of 351.11 feet to the Southwest corner of DRINNONS ESTATES; thence North 87 degrees 58'43" East for a distance of 1362.40 feet along the South line of said DRINNONS ESTATES to the Southeast corner of said DRINNONS ESTATES; thence South 01 degrees 51'16" East for a distance of 371.11 feet to the point of beginning, together with and subject to covenants, easement and restriction of record.
Said property contain 11.29 acres, more or less, including road right of way.

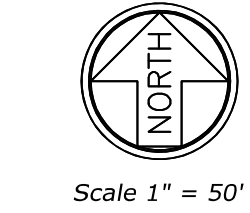
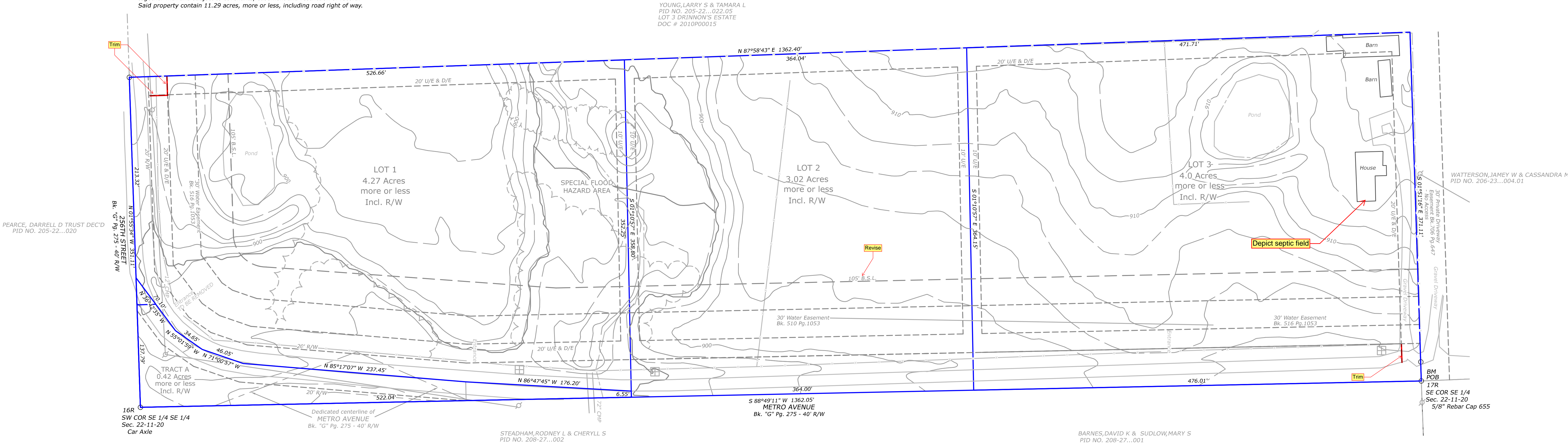
ZONING:
RR 2.5 - Rural Residential 2.5

RESTRICTIONS:
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
2) An Engineered Waste Disposal System may be required due to poor soil conditions.
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
4) Lots are subject to the current Access Management Policy
Additional access limits as shown hereon.
5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
6) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks
7) Any building to be constructed in or near the Special Flood Hazard shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit along with any other applicable Federal, State or Local permit.
8) Lots 1 and 2 are impacted by Special Flood Zones and are depicted heron graphically.
9) An exception to Article 50, Section 40.3.i. Lot-Depth to Lot-Width has been granted for Lots
10) Driveway construction within special flood zones will require a local floodplain fill and DWR floodplain Fill Permit. Other DWR permits may be required per driveway location and engineering.
11) No off-plat restrictions.

NOTES:
1) This survey does not show ownership.
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
3) All recorded and measured distances are the same, unless otherwise noted.
4) Error of Closure - 1 : 974549, 39.95 Acres, more or less, Incl. R/W
5) Basis of Bearing - KS SPC North Zone 1501
6) Monument Origin Unknown, unless otherwise noted.
7) Proposed & Existing Lots for Agriculture & Residential Use.
8) Road Record - See Survey
9) Benchmark - NAVD88
Project Benchmark (BM) - SW COR SE 1/4 - Elev - 896.2'
10) Easements, if any, are created hereon or listed in referenced title commitment.
11) Reference Recorded Deed Book 706 Page 541
12) Utility Companies -
Water - RWD 13
Electric - Freestate
Sewer - Septic / Lagoon
Gas - Propane / Natural Gas
13) Reference Lawyer's Title File Number dated May 7, 2024.
14) Property is in a Special Flood Hazard Area per FEMA FIRM Map 20103C0300G dated July 16, 2015
15) Building Setback Lines as shown hereon or noted below
All side yard setbacks - 15' (Accessory - 15')
All rear yard setbacks - 40' (Accessory - 15')
16) Existing Structures, if any, not shown hereon.
17) Easements as per referenced Title Commitment are shown hereon, if any.
- Right of Way Agreement for Socony-Vacuum Oil Company, Book 319 Page 49. Assignment to Magnolia Pipe Line Company Book 429 Page 20. Assignment to Williams Pipe Line Company Book 570 Page 404. Blanket in nature, not shown hereon.
- Agreement granted to Socony-Vacuum Oil Company, Incorporated, Book 375 Page 239. Assignment to Magnolia Pipe Line Company Book 429 Page 20. Assignment to Williams Pipe Line Company Book 570 Page 404. Blanket in nature, not shown hereon.
- Right of Way Easement granted to Jefferson County Rural Water District #13, Book 516 Page 1053 - shown hereon.
- Easement granted to Coy L. Drinnon, permanent and perpetual easement for ingress, egress, maintenance, repair, relocation or removal of a private roadway with the right of ingress and egress, Book 706 Page 647 - shown hereon.
18) Fence Lines do not necessarily denote the boundary line for the property.
19) Reference Surveys:
DRINNONS ESTATE Doc # 2010P00015
REB - R.E.Bacon Survey 1964 NKA 1964S092

LEGEND:
● - 1/2" Rebar Set with Cap No.1296
○ - 1/2" Rebar Found, unless otherwise noted.
□ - Concrete Base around Point
△ - PK Nail Found in Place
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
BM - Benchmark
NS - Not Set this survey per agreement with client
POB - Point of Beginning
POC - Point of Commencing
///// - No Vehicle Entrance Access
A - Arc Distance
R - Radius Length
B - Chord Bearing
C - Chord Distance
○ - Power Pole
X - Fence Line
OHP - Overhead Power Lines
T - Underground Telephone/Fiber Optic Line
◇ - Gas Valve
⊞ - Water Meter/Valve
⊞ - Telephone Pedestal
W - 6" Water Line - location as per district

08-01-2024
Combined
Comments



Job # K-24-1761
May 19, 2024 Rev. 7-18-24
J. Herring, Inc. (dba)
J. HERRING
SURVEYING
COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@leamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of February through May 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

METRO ESTATES

A Minor Subdivision in the Southeast Quarter of Section 22, Township 11 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
COOPER, ROBERT D JR & JOY D
25402 METRO AVE
TONGANOXIE, KS 66086
PID # 205-22-0-00-00-021

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Beginning at the Southwest corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22, Township 11, Range 20; thence East along said South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to a point just East of the South west corner of the Section 23; thence North Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to a point; thence West parallel to the South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22; thence South Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to the place of beginning, all in Leavenworth County, Kansas, according to survey made by R.E. Bacon on November 8, 1964.to survey made by R.E. Bacon on November 8, 1964.

SURVEYOR'S DESCRIPTION:
A tract of land in the Southeast Quarter of Section 22, Township 11 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring on July 18, 2024, more fully described as follows: Beginning at the Southwest corner of said Southeast Quarter; thence South 88 degrees 49'11" West for a distance 1362.05 feet along the South line of said Southeast Quarter to the Southwest corner of the Southeast Quarter of said Southeast Quarter; thence North 01 degrees 55'34" West for a distance of 351.11 feet to the Southwest corner of DRINNON ESTATES; thence North 87 degrees 58'43" East for a distance of 1362.40 feet along the South line of said DRINNON ESTATES to the Southeast corner of said DRINNON ESTATES; thence South 01 degrees 51'16" East for a distance of 371.11 feet to the point of beginning, together with and subject to covenants, easement and restriction of record.
Said property contain 11.29 acres, more or less, including road right of way.

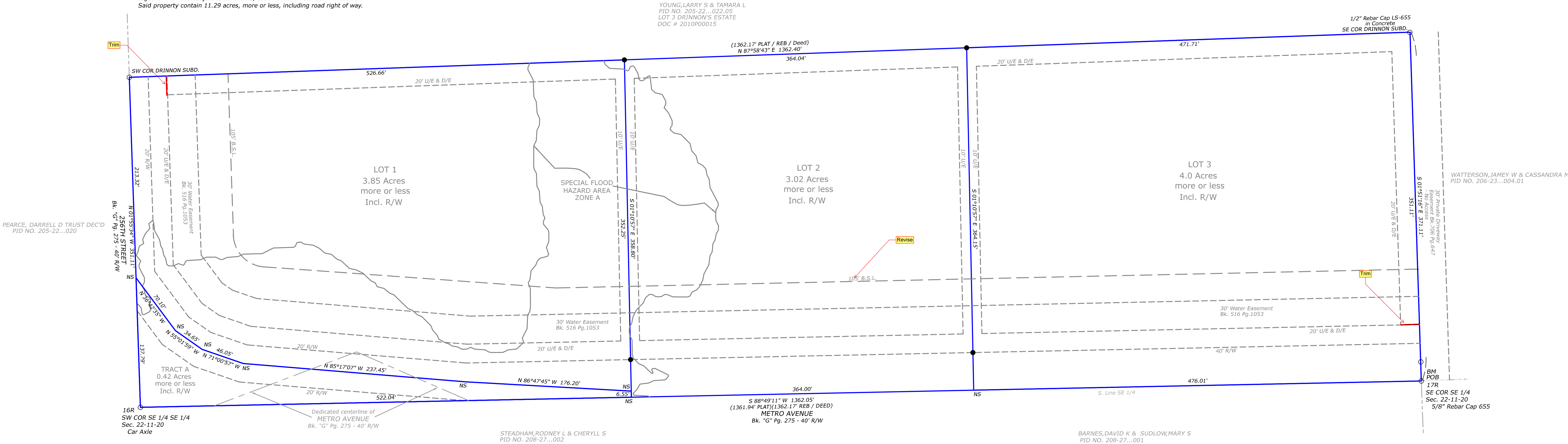
ZONING:
RR 2.5 - Rural Residential 2.5

RESTRICTIONS:
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation Jurisdiction.
2) An Engineered Waste Disposal System may be required due to poor soil conditions.
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
4) Lots are subject to the current Access Management Policy
Additional access limits as shown hereon.
5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
6) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks
7) Any building to be constructed in or near the Special Flood Hazard shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit along with any other applicable Federal, State or Local permit.
8) Lots 1 and 2 are impacted by Special Flood Zones and are depicted heron graphically.
9) An exception to Article 50, Section 40.3.i, Lot-Depth to Lot-Width has been granted for Lots
10) Driveway construction within special flood zones will require a local floodplain fill and DWR floodplain Fill Permit. Other DWR permits may be required per driveway location and engineering.
11) No off-plat restrictions.

NOTES:
1) This survey does not show ownership.
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
3) All recorded and measured distances are the same, unless otherwise noted.
4) Error of Closure - 1 : 754122, 39.9511.29 Acres, more or less, Incl. R/W
5) Basis of Bearing - KS SPC North Zone 1501
6) Monument Origin Unknown, unless otherwise noted.
7) Proposed & Existing Lots for Agriculture & Residential Use.
8) Road Record - See Survey
9) Benchmark - NAVD88
Project Benchmark (BM) - SE COR SE 1/4 - Elev - 899'
10) Easements, if any, are created hereon or listed in referenced title commitment.
11) Reference Recorded Deed Book 706 Page 541
12) Utility Companies -
- Water - RWD 13
- Electric - Freestate
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
13) Reference Lawyer's Title File Number dated May 7, 2024.
14) Property is in a Special Flood Hazard Area Zone A per FEMA FIRM Map 20103C0300G dated July 16, 2015
15) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 15' (Accessory - 10')
- All rear yard setbacks - 40' (Accessory - 15')
16) Existing Structures, if any, not shown hereon.
17) Easements as per referenced Title Commitment are shown hereon, if any.
- Right of Way Agreement for Socony-Vacuum Oil Company, Book 319 Page 49. Assignment to Magnolia Pipe Line Company Book 429 Page 20. Assignment to Williams Pipe Line Company Book 570 Page 404. Blanket in nature, not shown hereon.
- Agreement granted to Socony-Vacuum Oil Company, Incorporated, Book 375 Page 239. Assignment to Magnolia Pipe Line Company Book 429 Page 20. Assignment to Williams Pipe Line Company Book 570 Page 404. Blanket in nature, not shown hereon.
- Right of Way Easement granted to Jefferson County Rural Water District #13, Book 516 Page 1053 - shown hereon.
- Easement granted to Coy L. Drinnon, permanent and perpetual easement for ingress, egress, maintenance, repair, relocation or removal of a private roadway with the right of ingress and egress, Book 706 Page 647 - shown hereon.
18) Fence Lines do not necessarily denote the boundary line for the property.
19) Reference Surveys:
DRINNONS ESTATE Doc # 2010P00015
REB - R.E.Bacon Survey Book S-7 Page 92, 1964 NKA 1964S0092

LEGEND:
● - 1/2" Rebar Set with Cap No.1296
○ - 1/2" Rebar Found, unless otherwise noted.
□ - Concrete Base around Point
△ - PK Nail Found in Place
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
BM - Benchmark
NS - Not Set this survey per agreement with client
POB - Point of Beginning
POC - Point of Commencing
///// - No Vehicle Entrance Access

08-01-2024
Combined
Comments



CERTIFICATION AND DEDICATION
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: METRO ESTATES

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,
We, the undersigned owners of METRO ESTATES, have set our hands this _____ day of _____, 2024.

Robert D. Cooper Jr. Joy D. Cooper

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Robert D. Cooper Jr. and Joy D. Cooper, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of METRO ESTATES this _____ day of _____, 2024.

Secretary John Jacobson Chairman Marcus Majure

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

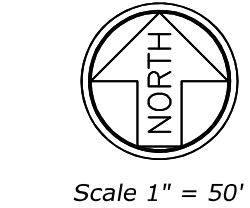
COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of METRO ESTATES this _____ day of _____, 2024.

Chairman Jeff Culbertson County Clerk Attest: Janet Klasinski

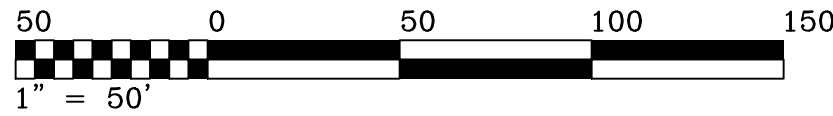


I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of February through May 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



Job # K-24-1761
May 19, 2024 Rev. 7-18-24
J. Herring, Inc. (dba)
J. HERRING
SURVEYING
& COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@jeamcash.com



Schweitzer, Joshua

From: Joe Herring <herringsurveying@outlook.com>
Sent: Friday, August 2, 2024 8:33 AM
To: Schweitzer, Joshua
Cc: Allison, Amy; Anderson, Kyle; Jacobson, John; Johnson, Melissa
Subject: Re: DEV-24-051 & 052 Preliminary & Final Plat Metro Estates
Attachments: K-24-1761 METRO ESTATES FINAL Rev 8-2-24.pdf; K-24-1761 METRO ESTATES PRELIM Rev 8-2-24.pdf

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

PW Comments

105' Building Setback Line

- there was a line in error on the PP - centerline of Metro at this location is dedicated along the section line - 105' BSL should be correct as shown

Dan - did show existing 20 r/w and then an additional 20 r/w to be dedicated - line will match the subdivision from the East and is dedicated from the existing dedicated centerline and sectionline.

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Thursday, August 1, 2024 1:16 PM
To: 'Joe Herring' <herringsurveying@outlook.com>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Jacobson, John <JJacobson@leavenworthcounty.gov>; Johnson, Melissa <MJohnson@leavenworthcounty.gov>; Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Subject: DEV-24-051 & 052 Preliminary & Final Plat Metro Estates

Good Afternoon Joe,

Attached are the Review Comments for the above mentioned case.

Please let me know if you have any questions

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212

A Minor Subdivision in the Southeast Quarter of Section 22, Township 11 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

PREPARED FOR:
COOPER, ROBERT D JR & JOY D
25402 METRO AVE
TONGANOXIE, KS 66086
PID # 205-22-0-00-00-021

Beginning at the Southwest corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22, Township 11, Range 20; thence East along said South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to a point just East of the South west corner of the Section 23; thence North Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to a point; thence West parallel to the South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22; thence South Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to the place of beginning, all in Leavenworth County, Kansas, according to survey made by R.E. Bacon on November 8, 1964.

A tract of land in the East 1/2 of the Southeast 1/4 of Section 22, Township 11 South, Range 20 East of the 6th P.M., AND ALSO The West 1/2 of the Southwest 1/4 of Section 23, Township 11 South, Range 20 East of the 6th P.M., more fully described as follows:

Beginning at the Southwest corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22, Township 11, Range 20; thence East along said South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to a point just East of the South west corner of the Section 23; thence North Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to a point; thence West parallel to the South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22; thence South Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to the place of beginning, all in Leavenworth County, Kansas, according to survey made by R.E. Bacon on November 8, 1964.

A tract of land in the Southeast Quarter of Section 22, Township 18 North, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring on July 18, 2024, more fully described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence South 88 degrees 49'11" West for a distance 1362.05 feet along the South line of said Southeast Quarter to the Southwest corner of the Southeast Quarter of said Southeast Quarter; thence North 01 degrees 55'34" East for a distance of 351.1 feet to the Southeast corner of DRINNOWN'S ESTATES; thence South 84°43' East for a distance of 1362.40 feet along the South line of said DRINNOWN'S ESTATES to the West corner of said DRINNOWN'S ESTATES; thence South 01 degrees 55'16" East for a distance of 371.11 feet to the point of beginning, together with and subject to covenants, easement and restriction of record.

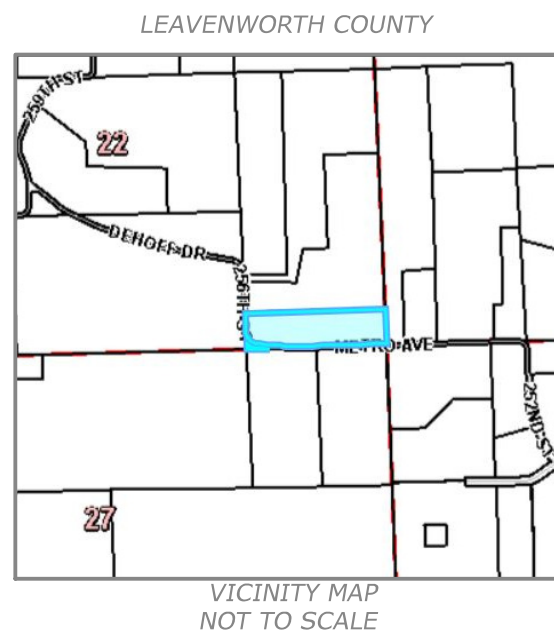
Said property contain 11.29 acres, more or less, including road right of way.

RR 2.5 - Rural Residential 2.5

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
Additional access limits as shown herein.
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be repaired or replaced. All existing structures must meet all setbacks.
- 7) Any building to be constructed in or near the Special Flood Hazard shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit along with any other applicable Federal, State or Local permit.
- 8) Lots 1 and 2 are impacted by Special Flood Zones and are depicted hereon graphically.
- 9) An exception to Article 50, Section 403.1. Lot-Depth to Lot-Width has been granted for Lots
- 10) Driveway construction within special flood zones will require a local floodplain fill and DWR floodplain fill permit. All structures within the flood zone will require a permit for driveway location and engineering.
- 11) Tract A is not entitled to a building permit.
- 12) No off-plat restrictions.

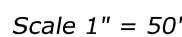
- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure = 1" 254122, 11.29 Acres, more or less, Incl. R/W
- 5) Basis of Bearing - K-S SPC North Zone 1501.
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Proposed & Existing Lots for Agriculture & Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (B81) - SW COR SE 1/4 - Elev - 896.2'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Book 706 Page 541
- 13) Utility Companies -
 - Water - RWD 13
 - Electric - Freestate
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title File Number dated May 7, 2024.
- 14) Property is in a Special Flood Hazard Area per FEMA FIR Map 131030300C dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
- 16) Existing Structures, if any, not shown hereon.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
 - Right of Way Agreement for Socony-Vacuum Oil Company, Book 319 Page 45.
 - Pipe Line Company Book 429 Page 20. Assignment to Williams Pipe Line Company Blanket in nature, not shown hereon.
 - Agreement granted to Socony-Vacuum Oil Company, Incorporated, Book 375 Magnolia Pipe Line Company Book 429 Page 20. Assignment to Williams Pipe Line Company Book 404. Blanket in nature, not shown hereon.
 - Right of Way Easement granted to Jefferson County Rural Water District #13, shown hereon.
 - Easement granted to Coy L. Drinnon, permanent and perpetual easement for maintenance, repair, relocation or removal of a private roadway with the right to Book 706 Page 647 - shown hereon.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
 - DRINNON'S ESTATE Doc # 2010P00015
 - REB - R.E.Bacon Survey 1964 NKA 1964S092

- 1/2" Rebar Set with Cap No. 1296
- 1/2" Rebar Found, unless otherwise noted.
- Concrete Base around Point
- PK Nail Found in Place
- () Record / Dredge Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - No Survey, per agreement with client
- P - Point of Beginning
- POC - Point of Commencing
- //// - No Vehicle Entrance Access
- A - Arc Distance
- R - Radius Length
- B - Chord Bearing
- C - Chord Distance
- ☉ - Power Pole
- - Fence Line
- - Overhead Power Lines
- - Underground Telephone/Fiber Optic Line
- ⬠ - Gas Valve
- ⬠ - Water Meter/Valve
- ⬠ - Telephone Pedestal
- - 6" Water Line - location as per district

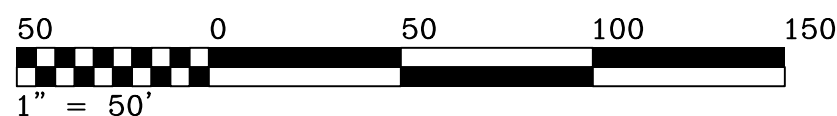


I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of February through May 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



Job # K-24-1761
May 19, 2024 Rev. 8-8-24



METRO ESTATES

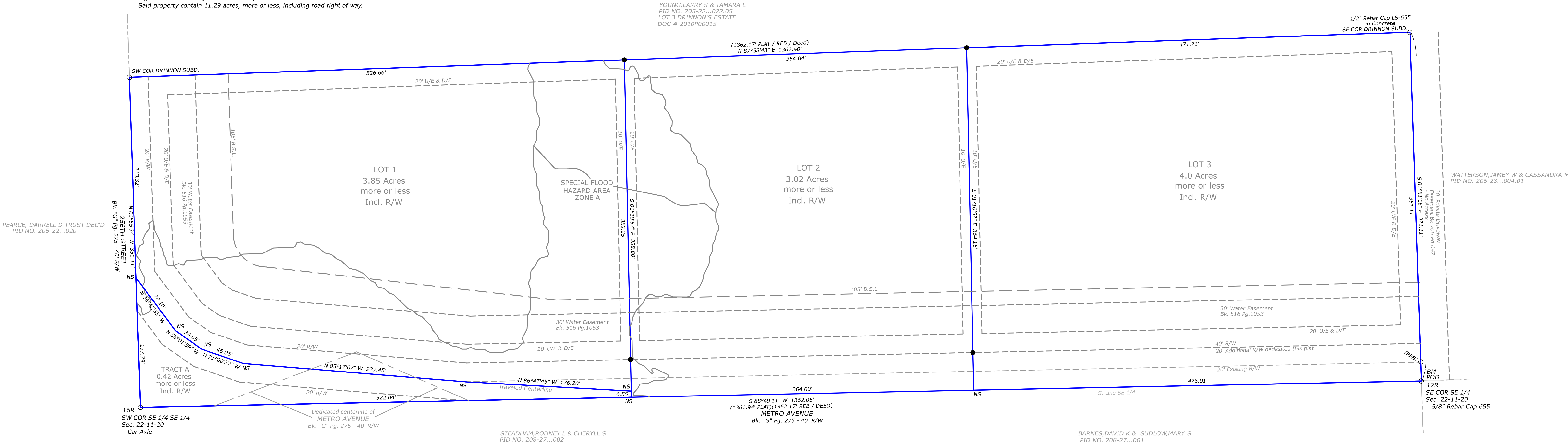
A Minor Subdivision in the Southeast Quarter of Section 22, Township 11 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
COOPER, ROBERT D JR & JOY D
25402 METRO AVE
TONGANOXIE, KS 66086
PID # 205-22-0-00-00-021

RECORD DESCRIPTION: Per Title Commitment
Beginning at the Southwest corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22, Township 11, Range 20; thence East along said South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to a point just East of the South west corner of the Section 23; thence North Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to a point; thence West parallel to the South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22; thence South Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to the place of beginning, all in Leavenworth County, Kansas, according to survey made by R.E. Bacon on November 8, 1964.
ALSO DESCRIBED AS:
A tract of land in the East 1/2 of the Southeast 1/4 of Section 22, Township 11 South, Range 20 East of the 6th P.M., AND ALSO The West 1/2 of the Southwest 1/4 of Section 23, Township 11 South, Range 20 East of the 6th P.M., more fully described as follows:
Beginning at the Southwest corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22, Township 11, Range 20; thence East along said South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to a point just East of the South west corner of the Section 23; thence North Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to a point; thence West parallel to the South Section line One Thousand Three Hundred Sixty-two and seventeen one-hundredths (1362.17) feet to the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 22; thence South Three Hundred Fifty-one and eleven one-hundredths (351.11) feet to the place of beginning, all in Leavenworth County, Kansas, according to survey made by R.E. Bacon on November 8, 1964.

SURVEYOR'S DESCRIPTION:
A tract of land in the Southeast Quarter of Section 22, Township 11 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring on July 18, 2024, more fully described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence South 88 degrees 49'11" West for a distance 1362.05 feet along the South line of said Southeast Quarter to the Southwest corner of the Southeast Quarter of said Southeast Quarter; thence North 01 degrees 55'34" West for a distance of 351.11 feet to the Southwest corner of DRINNONS ESTATES; thence North 87 degrees 58'43" East for a distance of 1362.40 feet along the South line of said DRINNONS ESTATES to the Southeast corner of said DRINNONS ESTATES; thence South 01 degrees 51'16" East for a distance of 371.11 feet to the point of beginning, together with and subject to covenants, easement and restriction of record.
Said property contain 11.29 acres, more or less, including road right of way.



PEARCE, DARRELL D TRUST DEC'D
PID NO. 205-22...020

YOUNG, LARRY S & TAMARA L
PID NO. 205-22...022.05
LOT 3 DRINNONS ESTATE
DOC # 2010P00015

WATTERSON, JAMEY W & CASSANDRA M
PID NO. 206-23...004.01

STEADHAM, RODNEY L & CHERYLL S
PID NO. 208-27...002

BARNES, DAVID K & SUDLOW, MARY S
PID NO. 208-27...001

CERTIFICATION AND DEDICATION
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: METRO ESTATES
Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated by easement.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF
We, the undersigned owners of METRO ESTATES, have set our hands this _____ day of _____, 2024.

Robert D. Cooper Jr. Joy D. Cooper

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Robert D. Cooper Jr. and Joy D. Cooper, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC: _____
My Commission Expires: _____ (seal)

- NOTES:
- 1) This survey does not show ownership.
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All recorded and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - 1 : 754122, 11.29 Acres, more or less, Incl. R/W
 - 5) Basis of Bearing - KS SPC North Zone 1501
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Proposed & Existing Lots for Agriculture & Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88
 - 10) Project Benchmark (BM) - SE COR SE 1/4 - Elev - 899'
 - 11) Easements, if any, are created hereon or listed in referenced title commitment.
 - 12) Reference Recorded Deed Book 706 Page 541
 - 13) Utility Companies -
 - Water - RWD 13
 - Electric - Freestate
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
 - 14) Reference Lawyer's Title File Number dated May 7, 2024.
 - 15) Property is in a Special Flood Hazard Area Zone A per FEMA FIRM Map 20103C0300G dated July 16, 2015
 - 16) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 10')
 - All rear yard setbacks - 40' (Accessory - 15')
 - 17) Existing Structures, if any, not shown hereon.
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 - Right of Way Agreement for Socony-Vacuum Oil Company, Book 319 Page 49. Assignment to Magnolia Pipe Line Company Book 429 Page 20. Assignment to Williams Pipe Line Company Book 570 Page 404. Blanket in nature, not shown hereon.
 - Agreement granted to Socony-Vacuum Oil Company, Incorporated, Book 375 Page 239. Assignment to Magnolia Pipe Line Company Book 429 Page 20. Assignment to Williams Pipe Line Company Book 570 Page 404. Blanket in nature, not shown hereon.
 - Right of Way Easement granted to Jefferson County Rural Water District #13, Book 516 Page 1053 - shown hereon.
 - Easement granted to Coy L. Drinnon, permanent and perpetual easement for ingress, egress, maintenance, repair, relocation or removal of a private roadway with the right of ingress and egress, Book 706 Page 647 - shown hereon.
 - 19) Fence Lines do not necessarily denote the boundary line for the property.
 - 20) Reference Surveys:
 - DRINNONS ESTATE Doc # 2010P00015
 - R.E.Bacon Survey Book S-7 Page 92, 1964 NKA 1964S092

- LEGEND:
- - 1/2" Rebar Set with Cap No.1296
 - - 1/2" Rebar Found, unless otherwise noted.
 - - Concrete Base around Point
 - △ - PK Nail Found in Place
 - () - Record / Deeded Distance
 - U/E - Utility Easement
 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement
 - BM - Benchmark
 - NS - Not Set this survey per agreement with client
 - POB - Point of Beginning
 - POC - Point of Commencing
 - ///// - No Vehicle Entrance Access

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of METRO ESTATES this _____ day of _____, 2024.

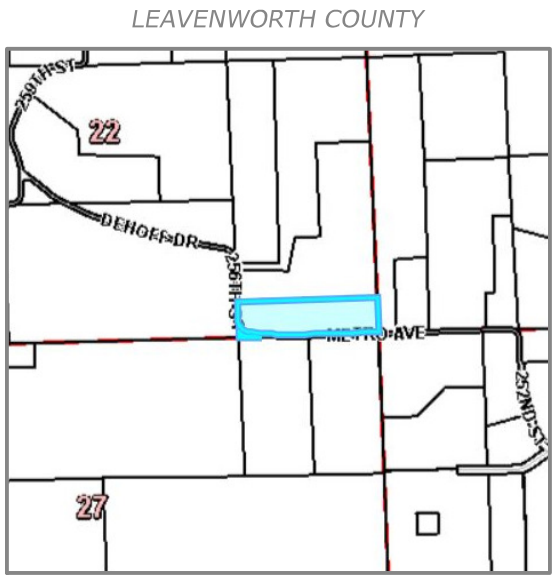
Secretary John Jacobson Chairman Marcus Majure

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of METRO ESTATES this _____ day of _____, 2024.

Chairman Jeff Culbertson County Clerk Attest: Janet Klasinski



VICINITY MAP NOT TO SCALE

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of February through May 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

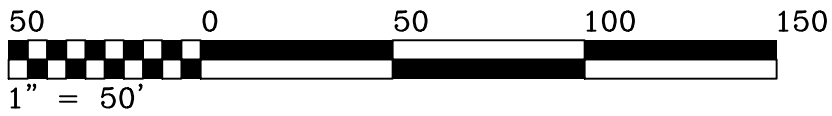


Scale 1" = 50'

Job # K-24-1761
May 19, 2024 Rev. 8-8-24
J. Herring, Inc. (dba)
HERRING SURVEYING & COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@leamcash.com

Daniel Baumbach, PS#1363
County Surveyor

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.



08-01-24
Combined Review
No Further
Comment

Metro Estates
Leavenworth County Kansas

Drainage Report

May 6, 2024

Revised July 14, 2024



JEFFERSON COUNTY RURAL WATER DISTRICT #13

**1951 Wellman Road
Lawrence, KS 66044**

(785) 842-1502
www.jfrwd13.com

January 23, 2024

Robert Cooper
25402 Metro Avenue
Tonganoxie, KS 66086

Project Location: Metro Ave.

Dear Mr. & Mrs. Cooper,

The Board of Directors of Rural Water District #13, Jefferson County, Kansas has approved your application for Benefit Unit (water service) for three residential (standard 3/4" x 5/8") meters. The cost of a Benefit Unit has fixed costs and possibly some variable costs associated with the installation of your meters. You will be responsible to pay for the fixed costs prior to installation. Any additional variable costs must be paid before service to a meter may begin.

Fixed Costs (paid prior to installation)

- | | | |
|---------------------------|-----------------------------|---------------------|
| 1. Standard Benefit Unit | \$7,000.00 x3 = \$21,000.00 | REQUIRED |
| 2. Standard Road Crossing | \$1,000.00 | NOT REQUIRED |
| 3. Line Extension | | NOT REQUIRED |

Note: Meters are set within 15 feet of the water main.

Variable Costs (paid after installation if required):

These costs could be for rock excavation and/or any other unforeseen additional expenses, etc. The rate charged is set by the annual service agreement between the District and the District's installation contractor. You would only be billed for the actual expenses charged by the contractor.

Please complete and return the attached Benefit Unit Application and Water User's Agreement along with payment in full for all fixed costs totaling to \$21,000.00.

If payment is not received or arrangements made within **120** days from the date of the Service Review, the Board will consider your application withdrawn. In the event you should want water service in the future, it will be necessary for you to file a new application.

Sincerely,

Niki Fincham
Office Operations Manager

Encl.: B.U. Application and Water User's Agreement/ Bylaws/ Rules & Regulations

Schweitzer, Joshua

From: Timothy Smith <chief1860@ttrfd.com>
Sent: Monday, August 5, 2024 1:43 PM
To: Schweitzer, Joshua
Subject: Re: FW: DEV-24-051 & 052 Preliminary & Final Plat Metro Estates - Herring

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Thank you,
No, I do not have any additional questions or concerns at this time.

On Mon, Aug 5, 2024 at 9:31 AM Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov> wrote:

Good Morning Sir,

I was wanting to follow-up with you to see if you wanted to provide any comment for the above mentioned case.

Please let me know if you have any questions.

v / r

Joshua J. Schweitzer

Development Planner

Leavenworth County Planning & Zoning

300 Walnut St, Suite 212

Leavenworth County, Kansas 66048

(913) 684-0465

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>

Sent: Thursday, June 27, 2024 1:55 PM

To: Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill

Schweitzer, Joshua

From: Shauna Snyder <shauna.snyder@freestate.coop>
Sent: Tuesday, May 7, 2024 7:15 AM
To: PZ
Cc: Joe Herring
Subject: SERVICE VERIFICATION - Parcel - R28310

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

FreeState Electrical Cooperative will provide power to a new home/development being built on/at Metro Ave, parcel R28310, for Robert and Joy Cooper (Metro Estates). FreeState will provide power for three separate lots here.

Thank you,

Shauna Snyder
Member Account Coordinator



1-800-794-1989 | www.freestate.coop

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Metro Estates Subdivision
Date: August 5, 2024

Amy, I have reviewed the preliminary plat of the Metro Estates Subdivision presented by Robert and Joy Cooper. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, a fire hydrant should be placed along the right-a-way on the Lot 2 along the right-of-way, and this will meet the requirements for this subdivision. Lot 1 being in the special Flood Hazard may lead to existing concerns in the future for building, I have seen this are during flood but not for sure where the actual property line was located at the time.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Friday, June 28, 2024 8:19 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-051 & 052 Preliminary & Final Plat Metro Estates - Herring

We have not received any complaints on this property, and the septic system appears to remain on the same property as the home it services.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Thursday, June 27, 2024 1:55 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-051 & 052 Preliminary & Final Plat Metro Estates - Herring

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary & Final Plat for a 3-lot subdivision at 25402 Metro Ave. (205-22-0-00-00-021)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us July 12, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at pz@leavenworthcounty.gov.

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048

LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT

CASE NO: DEV-24-071 & 072 Serenity Acres

August 14, 2024

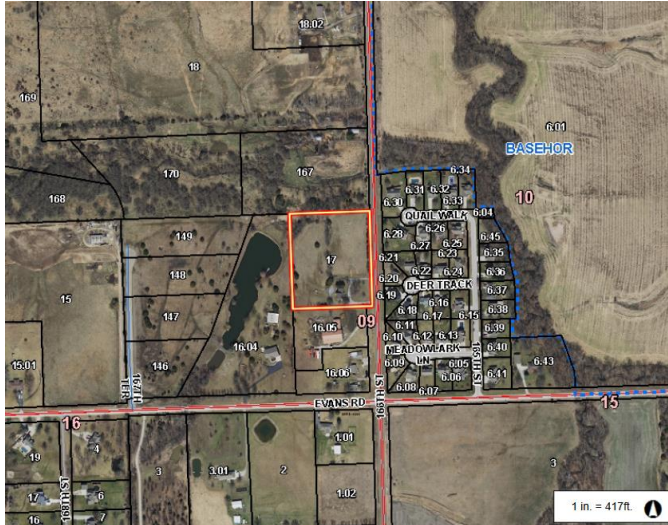
REQUEST: **Regular Agenda**

☒ Preliminary Plat ☒ Final Plat

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 18081 166th Street



APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING
315 N. 5th Street
Leavenworth, KS 66048

PROPERTY OWNER:

Daryl & Tamara Potts
18081 166th St.
Basehor, KS 66007

CONCURRENT APPLICATIONS:

DEV-24-096 BZA on Access
Management

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:

Mixed Residential

LEGAL DESCRIPTION:

A tract of land in the Southeast Quarter of the Southeast Quarter of Section 09, Township 11 South, Range 22, East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL (Dependent upon Disposition of BZA)

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-071 & 072, Preliminary & Final Plat for Serenity Acres, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-071 & 072, Preliminary & Final Plat for Serenity Acres to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 4.70 +- ACRES

PARCEL ID NO:

182-09-0-00-00-017

BUILDINGS:

Existing House

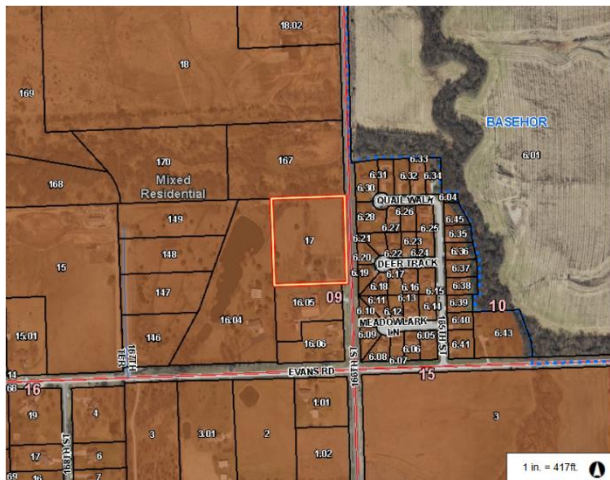
PROJECT SUMMARY:

Request for a final plat approval to subdivide property located at 18081 166th Street (182-09-0-00-00-017) as Lots 01 through 02 of Serenity Acres.

ACCESS/STREET:

166th St., Collector $\pm 30'$ WIDE, Paved

Location Map: FUTURE LAND USE DESIGNATION



UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: Fairmount

WATER: Suburban

ELECTRIC: Everygy

NOTICE & REVIEW:

STAFF REVIEW:

8/6/2024

NEWSPAPER NOTIFICATION:

N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:

N/A

STANDARDS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</i>			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management		X
	Dependent upon the BZA disposition of Case DEV-24-096		
41-6.B.a-c.	Entrance Spacing		X
	Dependent upon the BZA disposition of Case DEV-24-096		
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	N/A	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards	X	
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

Staff's comment's listed below are contingent upon the disposition of case DEV-24-096. If case DEV-24-096 is denied, then staff's recommendation is to table this case to allow for the applicant agent to make the necessary design adjustments.

The applicant is proposing to divide a 4.70 acre parcel into two (2) lots. The Subdivision is classified as a Class A with all lots lying within the Urban Growth Area of the City of Basehor. Staff is supportive of a waiver of the requirement to not connect to public sanitary sewer system as the City of Basehor had no requirements/comments to provide. This subdivision is within 660' of Sewer District 5, however it is currently at capacity and can not support anymore connections (see condition 3). Both lots are approximately 2.5 acres in size. All lots meet the requirements for the RR-2.5 zoning district.

PROPOSED CONDITIONS:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. The developer must comply with the following memorandums:
 - Memo – RWD 8, dated March 11, 2024
 - Memo - Emergency Management, dated July 9, 2024

ATTACHMENTS:

- A: Application & Narrative
- B: Location Map
- B: Zoning Map
- C: Memorandums

FINAL &
~~PRELIMINARY~~ PLAT APPLICATION

Leavenworth County Planning and Zoning Department
300 Walnut St., Suite 212
Leavenworth, Kansas
913-684-0465

Energy Suburban
5.0 458 09 11 22

182-09 017.00
CK 9745
#525.00

Office Use Only	
Township: <u>Fairmount</u>	Planning Commission Meeting Date: _____
Case No. <u>DEV-24-012</u>	Date Received/Paid: <u>06.06.2024</u>
Zoning District <u>RR 2.5</u>	Comprehensive Plan Land Use Designation: <u>Mixed Use</u>

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>POTTS, DARYL L & WILSON-POTTS, TAMARA D</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>18081 166th Street</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP: <u>Basehor, KS 66007</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL: <u>herringsurveying@outlook.com</u>	EMAIL: <u>N/A</u>

GENERAL INFORMATION

Proposed Subdivision Name: SERENITY ACRES

Address of Property: 18081 166th Street

PID: 182-09-0-00-00-017 Urban Growth Management Area: Basehor

SUBDIVISION INFORMATION		
Gross Acreage: <u>5 Ac</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>2.5 Ac</u>
Maximum Lot Size: <u>2.5 Ac</u>	Proposed Zoning: <u>RR-2.5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>Suburban</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>Fairmount</u>	Electric Provider: <u>Evergy</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local - Collector</u> - Arterial - State - Federal	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning & Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

Is any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number: _____

I, the undersigned, am the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 6-6-24 Date: 6-6-24

ATTACHMENT A

WARRANTY DEED
JOINT TENANCY

Lyle B. Lewis and Jean M. Lewis, husband and wife

of Leavenworth County, Kansas, convey and warrant to

Daryl L. Potts and Tamara D. Wilson-Potts, husband and wife

of Leavenworth County, Kansas, as joint tenants with rights of survivorship and not as tenants in common.

A tract in the Southeast Quarter of the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, described as: Beginning 494.32 feet North 00° East from the Southeast corner of said Southeast Quarter; thence South 89° 40' 58" West 440.0 feet; thence North 00° East 495.0 feet; thence North 89° 40' 58" East 440.0 feet to the east line of said Southeast Quarter; thence South 00° West 495.0 feet to the beginning. EXCEPT part taken or used for road.

Said property situated in Leavenworth County, Kansas, for the sum of One dollar and other good and valuable considerations Dollars, this 24th day of October, 1991

Lyle B. Lewis
Jean M. Lewis
Jean H. Lewis

STATE OF KANSAS, Leavenworth County, ss.

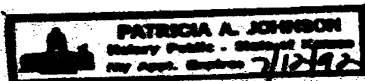
BE IT REMEMBERED, That on this 24th day of October, A. D. 1991

before me, a Notary Public in and for said County and State, came

Lyle B. Lewis and Jean M. Lewis, husband and wife

to me personally known to be the same person who executed the foregoing instrument, and he duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last above written.



Patricia A. Johnson
Patricia A. Johnson Notary Public

My notarial commission expires

7-12

1992

BOOK 658 PAGE 896

STATE OF KANSAS, _____ County, ss.

BE IT REMEMBERED, That on this _____ day of _____, A. D. 19____
before me, a Notary Public in and for said County and State, came _____

to me personally known to be the same person____ who executed the foregoing
instrument, and _____he____ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and
affixed my official seal, on the day and year last above written.

Notary Public

My notarial commission expires _____ 19____

STATE OF KANSAS, _____ County, ss.

BE IT REMEMBERED, That on this _____ day of _____, A. D. 19____
before me, a Notary Public in and for said County and State, came _____

to me personally known to be the same person____ who executed the foregoing
instrument, and _____he____ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and
affixed my official seal, on the day and year last above written.

Notary Public

My notarial commission expires _____ 19____

STATE OF KANSAS
COUNTY OF LEAVENWORTH } SS
FILED FOR RECORD

1991 OCT 24 P 4: 01

DORA J. PARMER
REGISTER OF DEEDS

Justin N. Elliott DEP.

Address:
1801 16th St.
Bonner Springs KS 66012
James: 606

THIS DEED MUST BE RECORDED

No. _____

WARRANTY DEED

JOINT TENANCY

FROM

TO

Entered in Transfer Record _____ in my
office, this 25 day of Oct

A. D. 1991

Linda A. Schen
County Clerk.

STATE OF KANSAS,

County, } ss.

This instrument was filed for record on

the _____ day of _____ A. D.

19____, at _____ o'clock _____ M., and

duly recorded in Book _____ of Deeds,

at page _____

Register of Deeds.

By _____ Deputy.

FEES.

Register of Deeds, for recording, \$ _____

County Clerk, for transfer, \$ _____

Total, \$ _____

Midwest Short Title Company, Inc.

FOURTH AND DELAWARE STREETS

LEAVENWORTH, KANSAS 66048

600

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I

Daryl L. Potts and Tamara D. Wilson Potts

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
18081 166th St. Bascher, KS 66007 and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring - Herring Surveying Company 315 N. 5th Street, Leavenworth, KS 66048, 913-651-3858

2)

Signed and entered this 20th day of May, 2024

Daryl L. Potts 18081 166th St. Bascher KS 66007

Print Name, Address, Telephone

913 416 2345

Signature

STATE OF KANSAS)

) SS

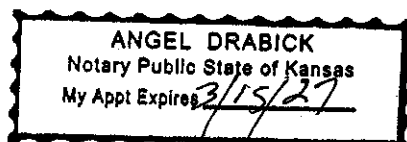
COUNTY OF LEAVENWORTH)

Be it remember that on this 20th day of May, 2024, before me, a notary public in and for said County and State came Daryl & Tamara Potts to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

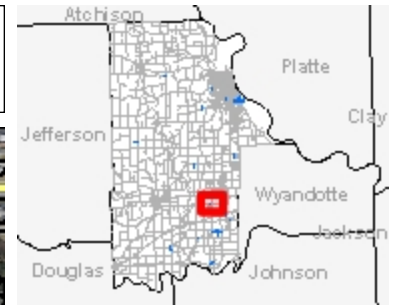
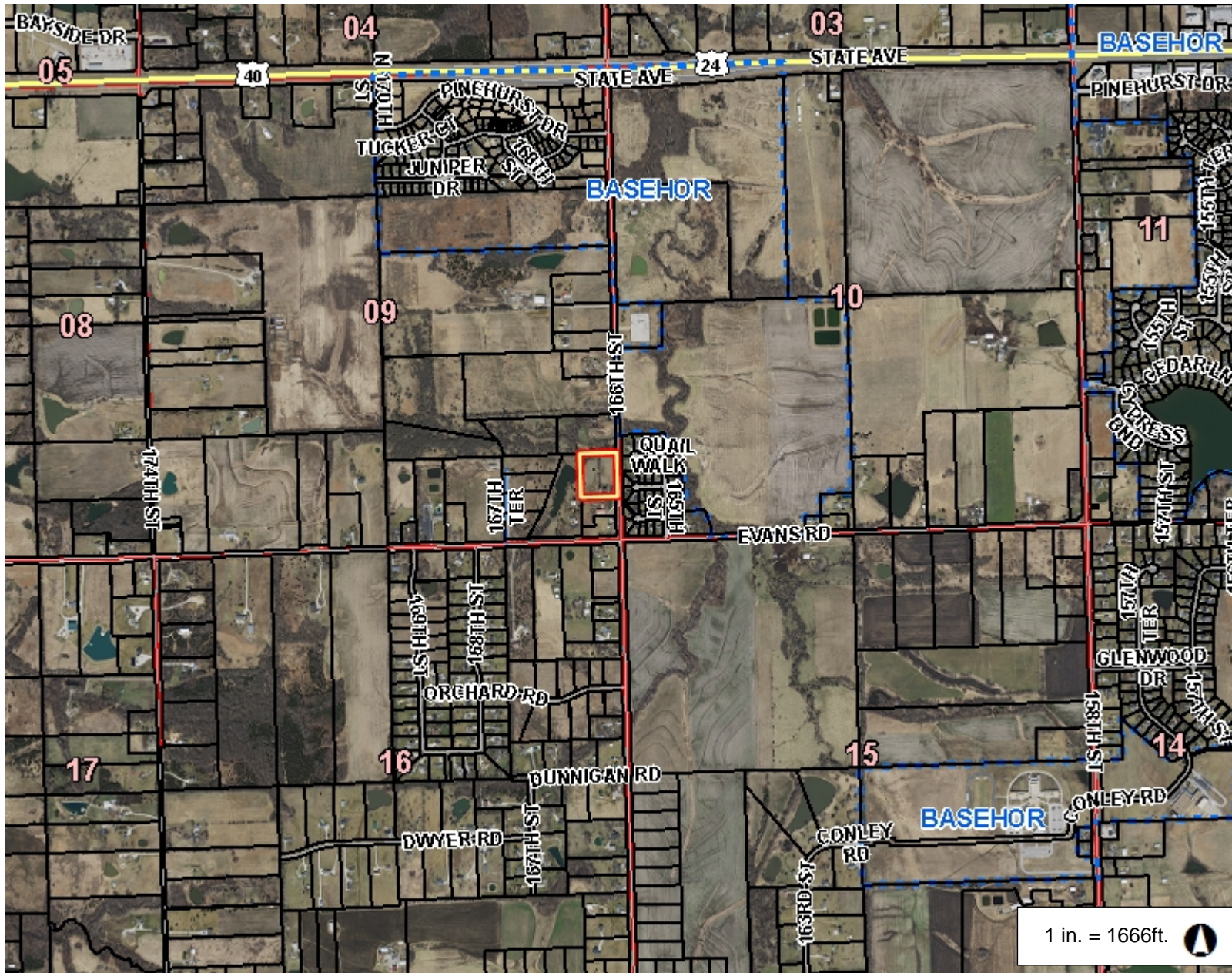
NOTARY PUBLIC

My Commission Expires: 3/15/2027

(seal)



Leavenworth County, KS



Legend

- Parcel
- City Limit Line
- Major Road**
 - <all other values>
 - 70
- Road**
 - <all other values>
 - PRIVATE
- Railroad
- Section**
 - Section Boundaries
 - County Boundary

1 in. = 1666ft.



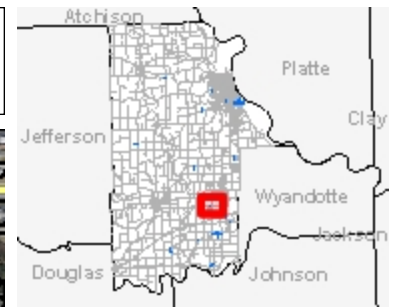
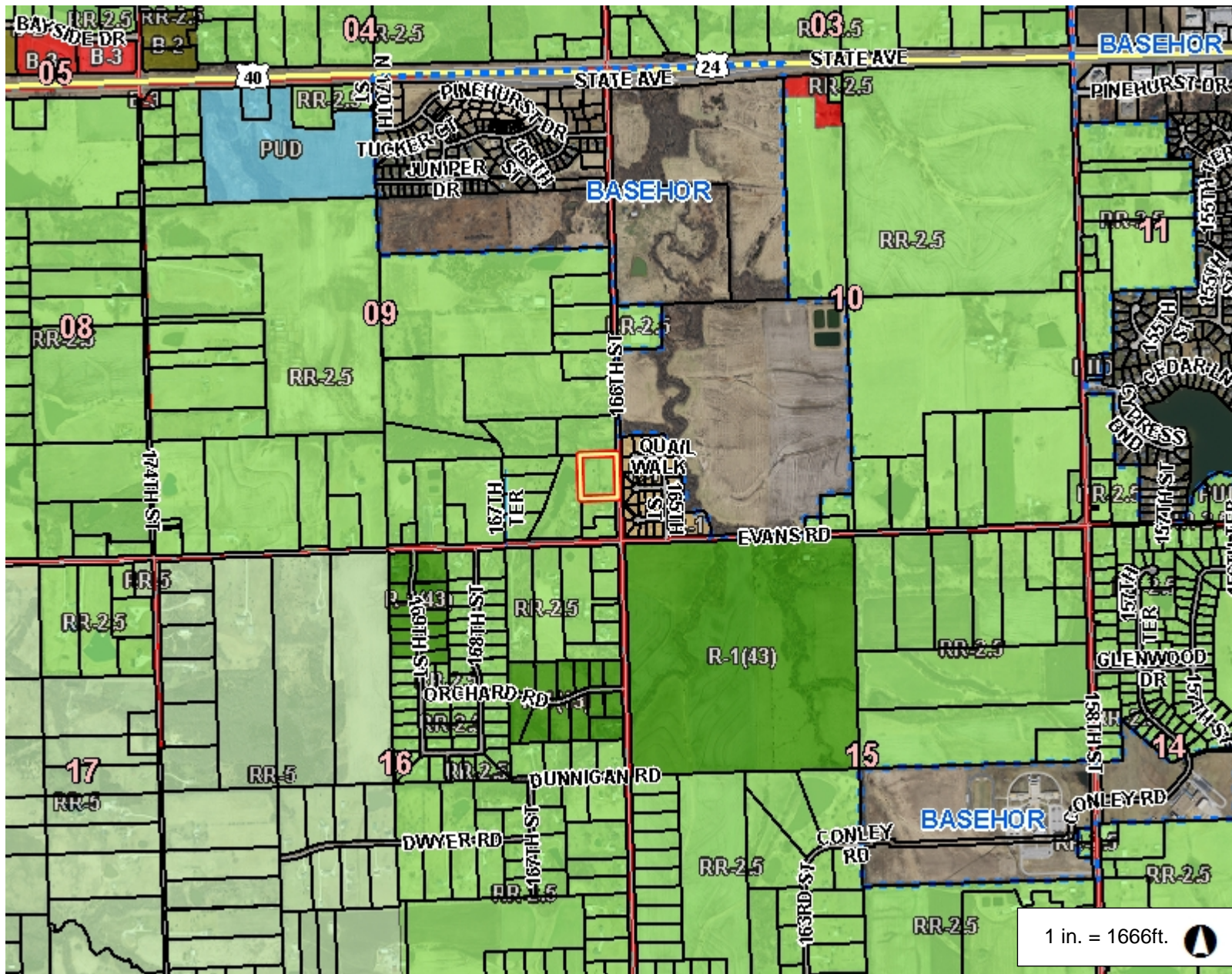
3,332.1 0 1,666.04 3,332.1 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Leavenworth County, KS



Legend

- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
 - B-1
 - B-2
 - B-3
 - I-1
 - I-2
 - I-3
 - MXD
 - PC
 - PI
 - PR-1
 - PR-2
 - PR-3
 - PUD

Notes

3,332.1 0 1,666.04 3,332.1 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

SERENITY ACRES

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
POTTS,DARYL L & WILSON-POTTS,TAMARA D
18081 166TH ST
BASEHOR, KS 66007
PID NO. 182-09-0-00-00-017

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) No off-plat restrictions.

NOTE:

- On August 14, 2024, The Board of Zoning Appeals granted a variance from Ariclle 41 - Access Manangement Policy

Two variances are required.
Remove note if BZA does not approve the two drives on lot that is 2.5-acre and not meeting minimum offset distance requirement for High Volume Collector.

Repeat Comment:
Show gas line.
Provide setback for residential structures from Gas Line.

This is the pin that Joe Herring set for Pioneer Acres plat. It shold have Cap # 1296. Verify on site and annotate correctly.

07-31-2024
Combined
Comments

- LEGEND:
- - 1/2" Rebar Set with Cap No. 1296
 - - 1/2" Rebar Found, unless otherwise noted.
 - - Concrete Base around Point
 - △ - PK Nail Found in Place
 - () - Record / Deeded Distance
 - U/E - Utility Easement
 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement
 - BM - Benchmark
 - NS - Not Set this survey per agreement with client
 - A - Arc Distance
 - R - Arc Radius
 - B - Chord Bearing
 - C - Chord Distance
 - //// - No Vehicle Entrance Access
 - NS - Not Set this survey per agreement with client
 - - DIRECTION OF WATER FLOW
 - - Power Pole
 - X - Fence Line
 - OHP - Overhead Power Lines
 - T - Underground Telephone/Fiber Optic Line
 - ◇ - Gas Valve
 - ⬮ - Water Meter/Valve
 - ⊞ - Telephone Pedestal
 - W - 6" Water Line - location as per district
 - POB - Point of Beginning
 - POC - Point of Commencing
 - ~ - Tree/Brush Line

ZONING:
RR 2.5 - Rural Residential 2.5

STORK,ALLAN F & MARION SUE
PID NO. 182-09...016.04
LOT 1B
HEART LAND ESTATES
Doc # 2020S026

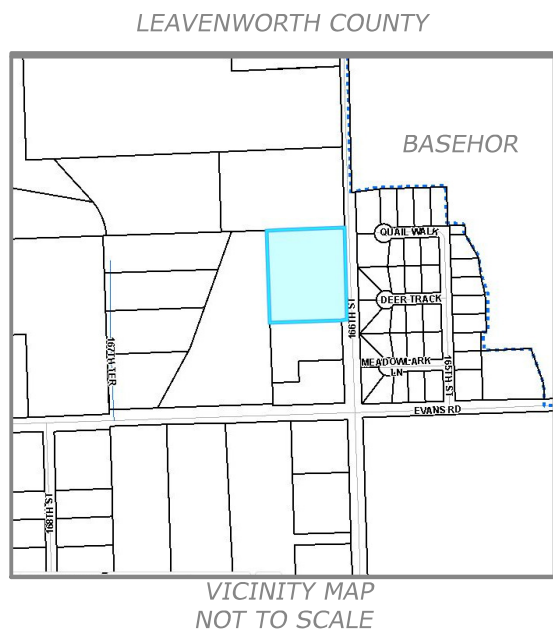
TALLGRASS BUILDING COMPANY LLC
PID No. 182-09-0-00-00-167
PIONEER ACRES
LOT 1
Doc # 2023P00040

166TH STREET
(Bk. "B" Pg. 230 - Court Case #0110CV351)
(Right of way width varies)
S 01°42'58" E 405.09' (495')
S 01°42'58" E 405.09' (495')

Missing:
Existing/proposed use, legal, restrictions,
and notes typically provided in the PP.

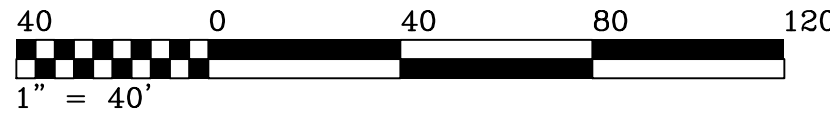
If access easement remains need
restriction regarding the responsibility of
maintenance and ownership towards the
access easement. Whom gets to use
the access easement.

Applicant has requested a BZA to allow for both driveways to remain on Lot 2
with the north lot being a shared access drive for Lot 1. Public Works has
submitted there comments not supporting the Potts BZA. Once the BZA has
ruled please revise the plat accordingly if necessary.



Scale 1" = 40'

Job # K-24-1792
June 6, 2024 Rev. 7-14-24
J. Herring, Inc. (dba)
SURVEYING
& COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@leamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of June 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Schweitzer, Joshua

From: Joe Herring <herringsurveying@outlook.com>
Sent: Sunday, August 4, 2024 6:24 AM
To: Schweitzer, Joshua
Cc: PZ
Subject: Re: DEV-24-071 & 072 Preliminary & Final Plat Serenity Acres
Attachments: K-24-1792 Potts Serenity Acres PRELIM Rev 8-3-24.pdf; K-24-1792 Potts Serenity Acres FINAL Rev 8-3-24.pdf

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

See attached revisions:
PW Comments

- Setback lines - see correspondence with the Gas Company that does not require or request an additional setback line and one was not a part of Sunny Side or Heartland. There was one place on the North side (Sunny Side 2) of the property but that was placed at the request of PZ and the email from the Gas Company was delivered after the plat was approved.

- Per meeting and email with previous revision - plat will have all adjustments placed on it depending on BZA results

- Repeating Pin comment - PIONEER ACRES shows this pin as being found on that and the previous survey.

Cape, Tonya<Tonya.Cape@oneok.com>



To:You

Cc:Faherty, Jess

Thu 10/26/2023 3:44 PM

Joe,

What I am seeing easement wise is what was recorded in Book 400 at Page 369. It's the north 50' of the following described land:

The South 30 acres of the SE/4 SE/4

AND

The E/2 of the South 30 acres of the SW/4 SE/4

All in Section 9, Township 11 South, Range 22 East.

We can not ask for an additional setback beyond our easement limits. I'm not sure why you would be told that in this case. When we have a blanket easement and we are asked to define it down...those are currently defined to 100'....50' on each side of the pipeline. However, that is not what we have here at this location.



Tonya Cape

Senior Real Estate Representative

4022 SW 35th | Topeka, KS 66614

www.oneok.com

Phone: 913-310-7740 | Mobile: 816-896-0584

Email: tonya.cape@magellanlp.com

From: Joe Herring <herringsurveying@outlook.com>

Sent: Thursday, October 5, 2023 7:57 AM

To: Cape, Tonya <Tonya.Cape@magellanlp.com>

Cc: Faherty, Jess <Jessica.Faherty@magellanlp.com>

Subject: Re: [External] Re: Sunny Side Road Plans

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Please see the attached recorded plat of Sunny Side 2.

The county made us place a 50 foot setback line from the existing gas line. This 50 foot line was not placed on Lot 4 Sunny Side Phase 1 (also attached). We only showed the 50' gas line easement. Is this a high pressure line with a 50 foot building setback on each line??

If so then we need to make a statement on the first phase and add a 17' additional restriction, if not then a house could be built up to the easement line??

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

PREPARED FOR:
POTTS,DARYL L & WILSON-POTTS,TAMARA D
18081 166TH ST
BASEHOR, KS 66007
PID NO. 182-09-0-00-00-017

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Erosion and Sediment Control Plan shall be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing ditches and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy.
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) No off-plat restrictions.

- On August 14, 2024, The Board of Zoning Appeals granted a variance from Article 41 - Access Management Policy driveway spacing (Sec 6(B)(1)(a)) & one entrance per Lot under 3 Acres (Sec 6(B)(b)(III))

TALLGRASS BUILDING COMPANY LLC
PID No. 182-09-0-00-00-167
PIONEER ACRES
LOT 1
Doc #2023P00040

STORK, ALLAN F & MARION SUE
PID NO. 182-09...016.04
LOT 1B
HEART LAND ESTATES
Doc # 2020S026

166TH STREET
(Bk. "B" pg. 230 - Court Case #0110CV351)
(Right of way width varies)
S 01°42'58" E 2664.93'
S 01°42'58" E 495.09' (495')

LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base around Point
- △ - PK Nail Found in Place
- () - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement

B.S.L. - Building Setback Line

R/W - Permanent Dedicated Roadway Easement

BM - Benchmark

NS - Not Set this survey per agreement with client

- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance

//// - No Vehicle Entrance Access

NS - Not Set this survey per agreement with client

➡ - DIRECTION OF WATER FLOW

⊙ - Power Pole

X ——— - Fence Line

OHP ——— - Overhead Power Lines

T ——— - Underground Telephone/Fiber Optic Line

⊕ - Gas Valve

⊕ - Water Meter/Valve

⊕ - Telephone Pedestal

W ——— - 6" Water Line - location as per district

POB - Point of Beginning

POC - Point of Commencing

~~~~~ - Tree/Brush Line

**ZONING:**  
*RR 2.5 - Rural Residential 2.5*

- NOTES:
- 1) This Survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - Plat - 1 : 1367002, 5.0087 Acres, more or less
- 5) Basis of Bearing - S35°SC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture & Residential Use.
- 8) Read Record - See Survey
- 9) Benchmark - NAVD88
- 10) Profile Benchmarks - ELEVATION COR SE 1/4 Section 9 - Elev = 932.27'
- 11) Easements, if any, are created here or listed in referenced title commitment.
- 12) Reference Recorded Deed Book 658 Page 896
- 13) Utility Companies -
  - Water - Suburban
  - Electric - Energy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 14) Updated Security First Title File No. 3079723  
updated June 3, 2024
- 15) Property is not in a Special Flood Hazard Area per FEMA Firm Map 130103C03276 dated July 16, 2015
- 16) Building Setback Lines as shown herein or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 17) Distances to and of structures, if any, are + or - 1'.
- 18) Easements as per referenced Title Commitment are shown herein, if any.
- 19) Fence Lines do not necessarily denote the boundary line for the property.
- 20) Reference Surveys:
  - WITT SUBDIVISION Survey Book 15 #92, 2005 - NKA2005P00092
  - HEART LAND ESTATES Doc #2011P00006
  - SUNNY SIDE ESTATES Doc #201P00031
  - PIONEER ACRES Doc #2023P000040
  - PAH - I.A. Harting Survey Doc #2022S0516 & 2023S0509
  - Heart Land Estates Lot Split Doc #2020S026

LEAVENWORTH COUNTY

BASEHOR

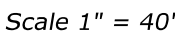
TOPEKA

LEAVENWORTH

0 10 MILES

VICINITY MAP  
NOT TO SCALE

MC KENNA, GLEN J & ANGIE; CARROLL, FRANK JR & LISA MARIE  
PID NO. 182-09-0-00-00-016.05  
LOT 2  
HEART LAND ESTATES  
Doc # 2011P00006



Job # K-24-1792  
June 6, 2024 Rev. 8-5-24



40 0 40 80 120

1" = 40'

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of June 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# SERENITY ACRES

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
POTTS,DARYL L & WILSON-POTTS,TAMARA D  
18081 166TH ST  
BASEHOR, KS 66007  
PID NO. 182-09-0-00-00-017

### RECORD DESCRIPTION:

A tract in the Southeast Quarter of the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, described as: Beginning 494.32 feet North 00° East from the Southeast corner of said Southeast Quarter; thence South 89° 40' 58" West 440.0 feet; thence North 00° East 495.0 feet; thence North 89° 40' 58" East 440.0 feet to the east line of said Southeast Quarter; thence South 00° West 495.0 feet to the beginning. EXCEPT part taken or used for road.

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) No off-plat restrictions.

### NOTE:

- On August 14, 2024, The Board of Zoning Appeals granted a variance from Article 41 - Access Manangement Policy driveway spacing (Sec 6(B)(1)(a)) & one entrance per Lot under 3 Acres (Sec 6(B)(b)(III))

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: SERENITY ACRES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

### IN TESTIMONY WHEREOF,

We, the undersigned owners of SERENITY ACRES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

DARYL L. POTTS

TAMARA D. WILSON-POTTS

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, a notary public in and for said County and State came Daryl L. Potts and Tamara D. Wilson-Potts, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_ (seal)

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SERENITY ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Secretary

John Jacobson

Chairperson

Marcus Majure

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of SERENITY ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Chairperson

Jeff Culbertson

County Clerk

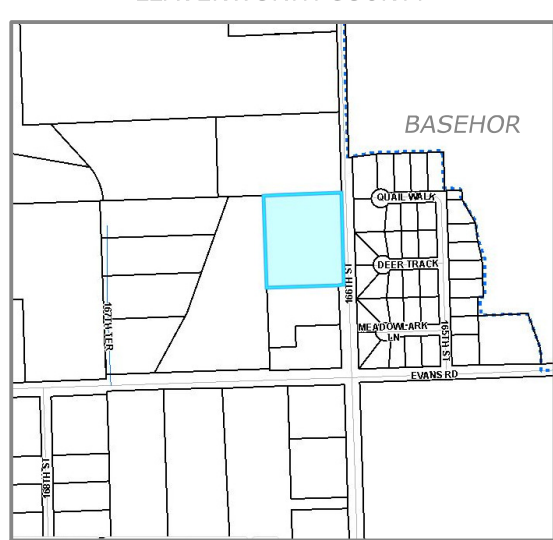
Attest: Janet Klasinski

### REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2024 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

### LEAVENWORTH COUNTY



VICINITY MAP  
NOT TO SCALE

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Reviewed 2024.08.05 No Comments

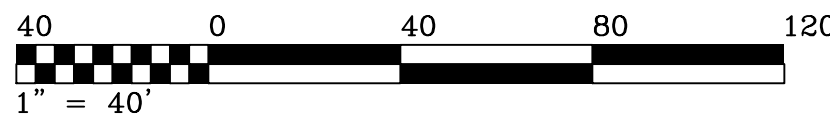
Daniel Baumchen, PS#1363  
County Surveyor



Scale 1" = 40'

Job # K-24-1792

June 6, 2024 Rev. 8-3-24



1" = 40'

### LEGEND:

- - 1/2" Rebar Set with Cap No. 1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base around Point
- △ - PK Nail Found in Place

( ) - Record / Deeded Distance

U/E - Utility Easement

D/E - Drainage Easement

B.S.L. - Building Setback Line

R/W - Permanent Dedicated Roadway Easement

BM - Benchmark

NS - Not Set this survey per agreement with client

A - Arc Distance

R - Arc Radius

B - Chord Bearing

C - Chord Distance

//// - No Vehicle Entrance Access

NS - Not Set this survey per agreement with client

### ZONING:

RR 2.5 - Rural Residential 2.5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - Plat - 1 : 1367002 - 5.0087 Acres, more or less
- 5) Basis of Bearing - KS SPC North Zone 1301
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture & Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD83 Project Benchmark (BM) - NE COR SE 1/4 Section 9 - Elev - 932.27'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Book 658 Page 896
- 12) Utility Companies -
  - Water - Suburban
  - Electric - Evergy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 13) Reference Security First Title File No. 3079723 updated June 3, 2024
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRN Map 20103C0327G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - WITT SUBDIVISION Survey Book 15 #82, 2005 - NKA2005P00092
  - HEART LAND ESTATES Doc # 2011P00006
  - SUNNY SIDE ESTATES Doc # 2021P00031
  - PIONEER ACRES Doc # 2023P00040
  - JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009
  - Heart Land Estates Lot Split Doc #2020S026

7-31-24 Comments:

If BZA does not approve two variance requests amend the drainage report to concur with removal of a driveway on Lot 2. Otherwise, the DR is approved.

Serenity Acres  
Leavenworth County Kansas

Drainage Report

June 5, 2024

Revised July 17, 2024



## Schweitzer, Joshua

---

**From:** Krystal A. Voth <kvoth@cityofbasehor.org>  
**Sent:** Friday, June 7, 2024 3:16 PM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-24-071 & 072 Preliminary & Final Plat Serenity Acres - Herring

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Mr. Schweitzer,

Thank you for sending this over. The City of Basehor has no comment.

Respectfully,

**Krystal A. Voth, CFM**  
Planning & Zoning Director  
City of Basehor, KS  
1600 N 158<sup>th</sup> Street  
913-724-1370  
CityofBasehor.org



---

**From:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Friday, June 7, 2024 3:00 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Krystal A. Voth <kvoth@cityofbasehor.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-071 & 072 Preliminary & Final Plat Serenity Acres - Herring

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 18081 166th St. (182-09-0-00-00-017)

## Allison, Amy

---

**From:** Yoakam, Aaron  
**Sent:** Monday, March 27, 2023 3:18 PM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

No the future capacity is completed, and it is also not in the original agreement.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Monday, March 27, 2023 2:55 PM  
**To:** Yoakam, Aaron <AYoakam@leavenworthcounty.gov>  
**Subject:** FW: RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

Good Afternoon Aaron,

The attached subdivision is within 660' of the Giger Creek Subdivision/sewer district. Is there capacity at this sewer district at this time?

Sincerely,  
Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

---

**From:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>  
**Sent:** Friday, March 17, 2023 3:29 PM  
**To:** Magaha, Chuck <[cmagaha@lvsheriff.org](mailto:cmagaha@lvsheriff.org)>; Miller, Jamie <[JMiller@leavenworthcounty.gov](mailto:JMiller@leavenworthcounty.gov)>; Patzwald, Joshua <[jpatzwald@lvsheriff.org](mailto:jpatzwald@lvsheriff.org)>; Van Parys, David <[DVanParys@leavenworthcounty.gov](mailto:DVanParys@leavenworthcounty.gov)>; 'butchbollin@yahoo.com' <[butchbollin@yahoo.com](mailto:butchbollin@yahoo.com)>; 'DesignGroupShawnee@evergy.com' <[DesignGroupShawnee@evergy.com](mailto:DesignGroupShawnee@evergy.com)>; 'Travis@suburbanwaterinc.com' <[Travis@suburbanwaterinc.com](mailto:Travis@suburbanwaterinc.com)>; 'Krystal A. Voth' <[kvoth@cityofbasehor.org](mailto:kvoth@cityofbasehor.org)>  
**Cc:** PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
**Subject:** RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a one-lot subdivision at 18209 166th St (PID 182-09-0-00-00-018.07).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Friday, March 25, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [AAllison@LeavenworthCounty.org](mailto:AAllison@LeavenworthCounty.org).

Thank you,

## Schweitzer, Joshua

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Thursday, June 6, 2024 2:30 PM  
**To:** PZ  
**Subject:** Fw: Serenity Acres

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

See below

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Travis Miles <Travis@suburbanwaterinc.com>  
**Sent:** Thursday, June 6, 2024 2:28 PM  
**To:** Joe Herring <herringsurveying@outlook.com>  
**Subject:** Re: Serenity Acres

Joe,

Suburban Water will provide water service to Serenity Acres.

**Travis J Miles**  
*CEO/President*  
Suburban Water, Inc.  
1216 N 155<sup>th</sup> Street, PO BOX 588  
Basehor, KS 66007  
Office: (913) 724-1800  
Fax: (913) 724-1505  
Cell: (913) 238-0040  
[travis@suburbanwaterinc.com](mailto:travis@suburbanwaterinc.com)

This email and any files transmitted with it may be confidential and/or contain Suburban Water, Inc. proprietary information intended solely for the use of only the individual to which it is addressed. If you are not the intended recipient, please be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email and any attachments is strictly prohibited. If you

## Schweitzer, Joshua

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Thursday, June 6, 2024 2:14 PM  
**To:** PZ  
**Subject:** Fw: Serenity Acres

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

See below

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Mike Lingenfelter <lingenfelterm@fairmountfd.org>  
**Sent:** Tuesday, June 4, 2024 11:36 AM  
**To:** Joe Herring <herringsurveying@outlook.com>  
**Subject:** Re: Serenity Acres

Joe  
Fairmount Township can provide fire protection to the split.  
*Mike Lingenfelter, Fire Chief*  
*Fairmount Township Fire Department*  
2624 N 155th St  
Basehor, Kansas 66007  
Work-[913-724-4911](tel:913-724-4911)  
Cell [913-306-0258](tel:913-306-0258)

On Tue, Jun 4, 2024 at 11:28 AM Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)> wrote:  
Please provide the standard service letters for this proposed division of land.  
Provided document is preliminary.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

## Schweitzer, Joshua

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Thursday, June 6, 2024 2:14 PM  
**To:** PZ  
**Subject:** Fw: [EXTERNAL]Serenity Acres

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

See below

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Boone Heston <Boone.Heston@evergy.com>  
**Sent:** Wednesday, June 5, 2024 7:37 AM  
**To:** Joe Herring <herringsurveying@outlook.com>; Travis Miles <Travis@suburbanwaterinc.com>; Mike Lingenfelser <lingenfelserm@fairmountfd.org>  
**Subject:** Re: [EXTERNAL]Serenity Acres

Internal Use Only

Evergy will serve power to the proposed land development.

FYI this property falls within the service territory out of Shawnee so as someone gets closer to needing power they will need to work through that team.

Thanks,

**Boone Heston**

TD Designer  
Leavenworth, KS

**Evergy**

[Boone.Heston@evergy.com](mailto:Boone.Heston@evergy.com)

O 913-758-2724

---

## Schweitzer, Joshua

---

**From:** Anderson, Kyle  
**Sent:** Friday, June 21, 2024 9:23 AM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-24-071 & 072 Preliminary & Final Plat Serenity Acres - Herring

We have not received any complaints on this property, and it appears the septic system will remain on the same lot at the home it services.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

*Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Friday, June 7, 2024 3:00 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; 'kvoth@cityofbasehor.org' <kvoth@cityofbasehor.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-071 & 072 Preliminary & Final Plat Serenity Acres - Herring

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 18081 166th St. (182-09-0-00-00-017)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us June 21st.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov).

v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212

# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Serenity Acres Subdivision  
**Date:** July 09, 2024

Amy, I have reviewed the preliminary plat of the Serenity Acres Subdivision presented by Daryl and Tamara Potts. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, fire hydrant should be placed along the right-a-way of 166<sup>th</sup> Street along the right away between Lot 1 and Lot 2. This will meet the requirement for the subdivision.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-24-079 E&R Rolling Meadows South

August 14, 2024

**REQUEST:** *Regular Agenda*

☒ Preliminary Plat      ☐ Final Plat

**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

**SUBJECT PROPERTY:** 00000 Stillwell Road

**FUTURE LAND USE:** Residential (2.5 Acre Min)

**APPLICANT/APPLICANT AGENT:**

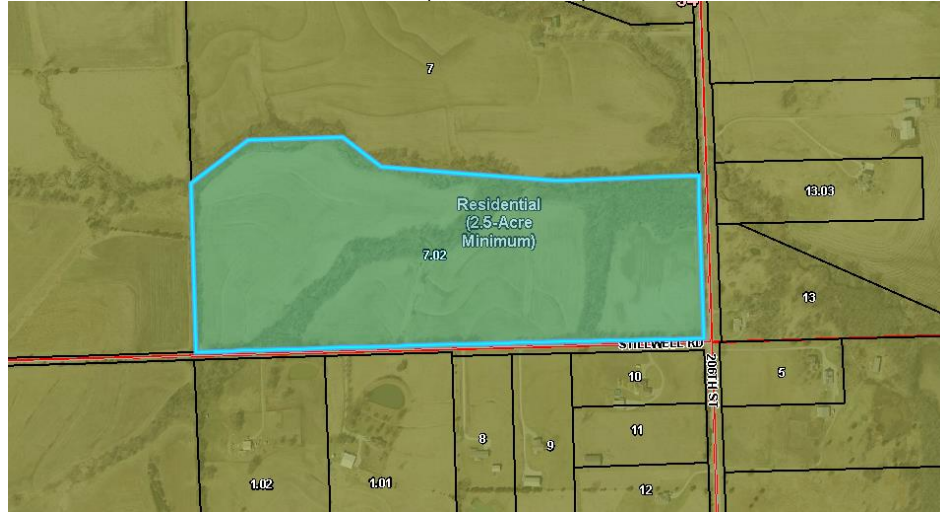
JOE HERRING  
HERRING SURVEYING  
315 N. 5th Street  
Leavenworth, KS 66048

**PROPERTY OWNER:**

David & Carrie Barth  
17113 W 84<sup>th</sup> Street  
Lenexa, KS 66219

**CONCURRENT APPLICATIONS:**

NONE



**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

Residential (2.5 Acre Min)

**LEGAL DESCRIPTION:**

A tract of land in the Southeast Quarter of Section 34, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

**SUBDIVISION:** N/A

**FLOODPLAIN:** Zone A

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-24-079, Preliminary Plat for E&R Rolling Meadows South, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-079, Preliminary Plat for E&R Rolling Meadows South, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 54.9 ACRES

**PARCEL ID NO:**

198-34-0-00-00-007.02

**BUILDINGS:**

N/A

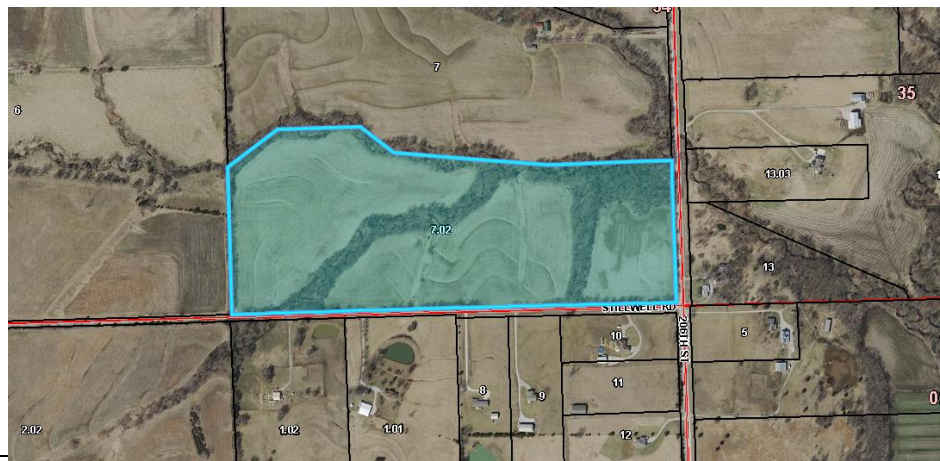
**PROJECT SUMMARY:**

Request for a final plat approval to subdivide property located at 00000 183rd Street (109-31-0-00-00-003.01) as Lots 01 through 04 of Boling Crossing.

**ACCESS/STREET:**

206<sup>th</sup> Street – County Arterial, Paved ± 30'  
Stillwell Road – County Local, Gravel ± 24'

**Location Map:**



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** Fire District #2

**WATER:** RWD #10

**ELECTRIC:** Evergy

**NOTICE & REVIEW:**

**STAFF REVIEW:**

8/6/2024

**NEWSPAPER NOTIFICATION:**

N/A

**NOTICE TO SURROUNDING  
PROPERTY OWNERS:**

N/A

| <b>STANDARDS TO BE CONSIDERED:</b>                                             |                                                                         |            |                |
|--------------------------------------------------------------------------------|-------------------------------------------------------------------------|------------|----------------|
| <b>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</b> |                                                                         | <b>Met</b> | <b>Not Met</b> |
| 35-40                                                                          | <b>Preliminary Plat Content</b>                                         | X          |                |
| 40-20                                                                          | <b>Final Plat Content</b>                                               | X          |                |
| 41-6                                                                           | <b>Access Management</b>                                                | X          |                |
| 41-6.B.<br>a-c.                                                                | <b>Entrance Spacing</b>                                                 | X          |                |
| 41-6.C.                                                                        | <b>Public Road Access Management Standards</b>                          | N/A        |                |
| 43                                                                             | <b>Cross Access Easements</b>                                           | N/A        |                |
| 50-20                                                                          | <b>Utility Requirements</b>                                             | X          |                |
| 50-30                                                                          | <b>Other Requirements</b>                                               | X          |                |
| 50-40                                                                          | <b>Minimum Design Standards</b>                                         |            | X              |
|                                                                                | Art. 50, Sec. 40.3.i. Lot-Width to Lot-Depth Exception needed for Lot 2 |            |                |
| 50-50                                                                          | <b>Sensitive Land Development</b>                                       | N/A        |                |
| 50-60.                                                                         | <b>Dedication of Reservation of Public Sites and Open Spaces</b>        | N/A        |                |

#### **STAFF COMMENTS:**

The applicant is proposing to divide an approximate 54-acre parcel into 9 lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots vary in size from 5.23 acres to 7.5 acres. Lot 2 will need a lot-width to lot-depth exception otherwise the remaining lots meet the requirements for the RR-5 zoning district. Lot 9 will be required to access from Stillwell Road with the access easement benefitting Lot 8 only. All remaining lots shall access from Stillwell Road. A portion of Lots 6, 7 & 8 are located in the floodplain but enough developable area is included in the lots to make them buildable. RWD 10 has capacity to support water meters on Lots 5-9, the remaining lots will need a line extension. Lots 1-4 are all 5 acres or greater and will be entitled to well permits.

#### **EXCEPTIONS:**

The applicant has requested an exception from Article 50, Section 40.3.i. – Lot-Width to Lot-Depth for Lot 2. The criteria for the acceptance of an exception are as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

*Motion: The Planning Commission hereby (approves/denies) an exception from Article 50, Section 40.3.i. – Lot-Width to Lot-Depth for Lot 2 in conformance with the Zoning & Subdivision Regulations for the E&R Rolling Meadows South subdivision, as submitted by the application, based on a finding that all three criteria for an exception has been met.*

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required if necessary infrastructure is available.
5. An exception from Article 50, Section 40.3.i – Lot-Depth to Lot- Width for Lot 2 has been approved.
6. Amend Restriction #8 to state “Lot 9 must be addressed and access/egress from Stillwell Road. The Access Easement and entrance in the northeast corner of Lot 9 shall serve only Lot 8. Lot 8 Owner shall be responsible for maintenance of the entrance.”
7. The developer must comply with the following memorandums:
  - Memo – Steven Heath, Evergy, dated June 13, 2024
  - Memo – Steve Conley, RWD 10, dated June 13, 2024
  - Memo – Public Works, dated August 6, 2024

**ATTACHMENTS:**

- A: Application & Narrative
- B: Zoning Map
- C: Location Map
- C: Memorandums

PRELIMINARY PLAT APPLICATION

Leavenworth County Planning and Zoning Department  
300 Walnut St., Suite 212  
Leavenworth, Kansas  
913-684-0465

464

flood - not build site

|                             |                                                     |
|-----------------------------|-----------------------------------------------------|
| Office Use Only             |                                                     |
| Township: <u>Sherman</u>    | Planning Commission Meeting Date: _____             |
| Case No. <u>DEV-24-079</u>  | Date Received/Paid: _____                           |
| Zoning District <u>RR 5</u> | Comprehensive Plan Land Use Designation: <u>2.5</u> |

| APPLICANT/AGENT INFORMATION                  | OWNER INFORMATION                          |
|----------------------------------------------|--------------------------------------------|
| NAME: <u>Herring Surveying Company</u>       | NAME: <u>BARTH, DAVID M &amp; CARRIE J</u> |
| MAILING ADDRESS: <u>315 North 5th Street</u> | MAILING ADDRESS: <u>17113 W 84TH ST</u>    |
| CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>    | CITY/ST/ZIP: <u>LENEXA, KS 66219</u>       |
| PHONE: <u>913-651-3858</u>                   | PHONE: <u>N/A</u>                          |
| EMAIL: <u>herringsurveying@outlook.com</u>   | EMAIL: <u>N/A</u>                          |

GENERAL INFORMATION

Proposed Subdivision Name: E&R ROLLING MEADOWS SOUTH

Address of Property: 00000 Stillwell Road

PID: 198-34-0-00-00-007.02 Urban Growth Management Area: N/A

| SUBDIVISION INFORMATION                                                                                                                                  |                                                                                                      |                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------|
| Gross Acreage: <u>53 AC</u>                                                                                                                              | Number of Lots: <u>9</u>                                                                             | Minimum Lot Size: <u>5.2 AC</u>      |
| Maximum Lot Size: <u>7.5 Ac</u>                                                                                                                          | Proposed Zoning: <u>RR-2.5</u>                                                                       | Density: <u>N/A</u>                  |
| Open Space Acreage: <u>N/A</u>                                                                                                                           | Water District: <u>RWD 10</u>                                                                        | Proposed Sewage: <u>Septic</u>       |
| Fire District: <u>District 2</u>                                                                                                                         | Electric Provider: <u>Evergy</u>                                                                     | Natural Gas Provider: <u>Propane</u> |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                           | Road Classification: <u>Local - Collector - Arterial - State - Federal</u>                           |                                      |
|                                                                                                                                                          | Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                      |
| List of all Requested Exceptions:<br><i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i> | 1. _____                                                                                             |                                      |
|                                                                                                                                                          | 2. _____                                                                                             |                                      |
|                                                                                                                                                          | 3. _____                                                                                             |                                      |
|                                                                                                                                                          | 4. _____                                                                                             |                                      |
|                                                                                                                                                          | 5. _____                                                                                             |                                      |

Is any part of the site designated as Floodplain? ☒ Yes ☐ No if yes, what is the panel number: 20103C0325G

I, the undersigned, am the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 6-11-24 Date: 6/11/24

ATTACHMENT A

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner  
COUNTY OF LEAVENWORTH  
STATE OF KANSAS

We/I Carrie Barth and \_\_\_\_\_

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
15031 20th St., Linwood, KS 66052, and that we authorize the  
following people or firms to act in our interest with the Leavenworth County Planning  
and Zoning Department for a period of one calendar year. Additionally, all statements  
herein contained in the information herewith submitted are in all respects true and correct  
to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth,  
KS 66048, 913-651-3858

2)

Signed and entered this 5th day of March, 2024

Carrie Barth - 17113 W. 8th St., Lenexa, KS 66219  
Print Name, Address, Telephone 913-787-1632

Carrie Barth  
Signature

STATE OF KANSAS )  
 ) SS  
COUNTY OF LEAVENWORTH )

Be it remember that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, before me, a notary public in and  
for said County and State came \_\_\_\_\_ to me  
personally known to be the same persons who executed the forgoing instrument of writing, and  
duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand  
and affixed my notary seal the day and year above written.

NOTARY PUBLIC \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(seal)

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner  
COUNTY OF LEAVENWORTH  
STATE OF KANSAS

We/I David Barth and Carrie Barth

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
15031 206th Street Linwood, KS 66052, and that we authorize the  
following people or firms to act in our interest with the Leavenworth County Planning  
and Zoning Department for a period of one calendar year. Additionally, all statements  
herein contained in the information herewith submitted are in all respects true and correct  
to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth,  
KS 66048, 913-651-3858

2)

Signed and entered this 5<sup>th</sup> day of March, 2024

David Barth 17113 W. 84th St. Lenexa, KS 66219  
Print Name, Address, Telephone 913-553-7012

  
Signature

STATE OF KANSAS )  
 ) SS  
COUNTY OF LEAVENWORTH )

Be it remember that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_, before me, a notary public in and  
for said County and State came \_\_\_\_\_ to me  
personally known to be the same persons who executed the forgoing instrument of writing, and  
duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand  
and affixed my notary seal the day and year above written.

NOTARY PUBLIC \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(seal)

## Article 50, Section 40.3.i. Lot-Depth to Lot-Width for Lot 2

### ARTICLE 56 – EXCEPTIONS

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted conditions; or that these conditions would result in inhibiting the achievement of the objectives of these regulations; the Planning Commission may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations or interfering with carrying out the Comprehensive Plan.

In recommending such variance or exception, the Planning Commission shall find the following:

1. That there are special circumstances or conditions affecting the property.  
**Lot has a creek and waste area that would like to remain on the south side.**
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.  
**Yes due to creek statement and not create wasted ground - distance is less than 50 feet**
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.  
**It will not**

E & R ROLLING MEADOWS SOUTH  
A Subdivision of land in the Southeast Quarter of Section 34, Township 11  
South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:  
David M. Barth and Carrie J. Barth  
17113 W 84TH ST  
LENEXA, KS 66219  
PID NO. 198-34-0-00-00-007.02

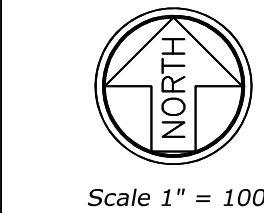
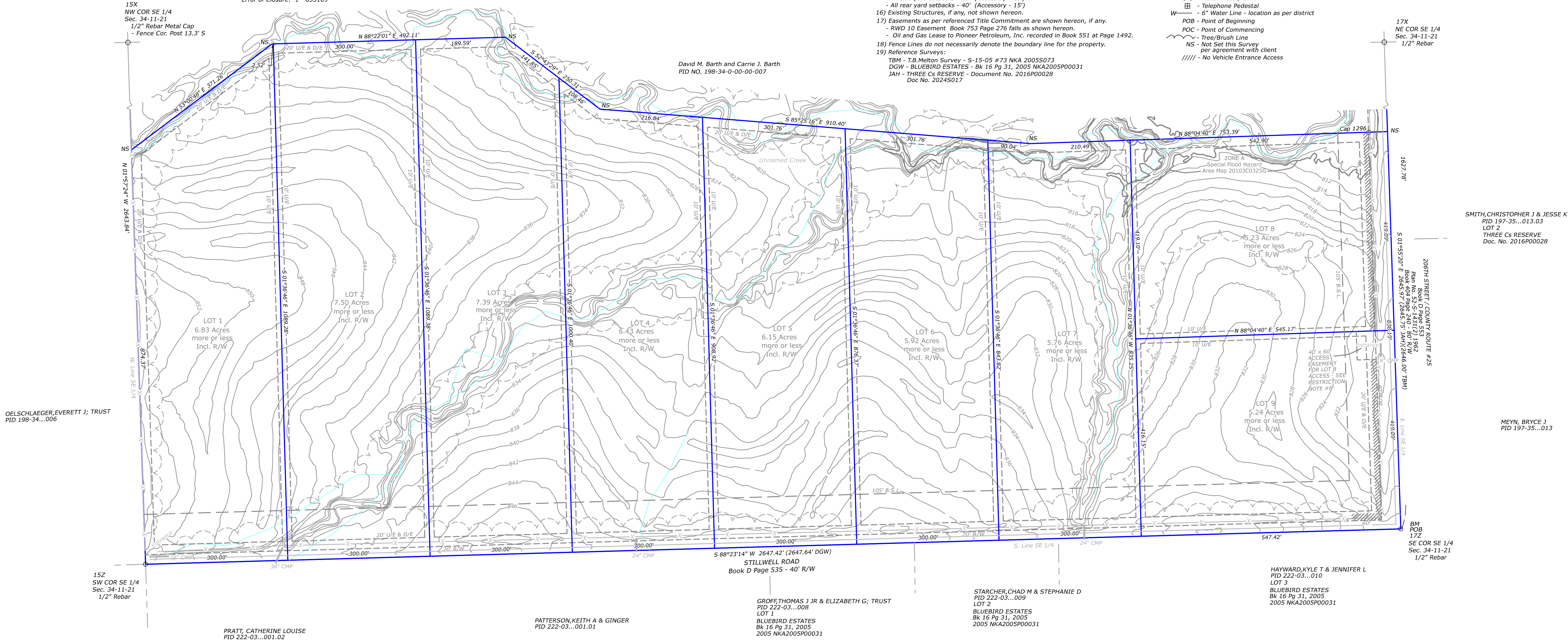
RECORD DESCRIPTION:  
Tract of land in the Southeast Quarter of Section 34, Township 11 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written  
by Joseph A. Herring PS-1296 on March 9, 2024, and more fully described  
as follows: Beginning at the Southeast corner of said Southeast Quarter;  
thence South 88 degrees 23'14" West for a distance of 2647.42 along the  
South line of said Southeast Quarter to the Southwest corner of said  
Southeast Quarter; thence North 01 degrees 57'24" West for a distance  
of 874.37 feet along the West line of said Southeast Quarter; thence  
North 53 degrees 00'48" East for a distance of 371.26 feet; thence North  
88 degrees 22'01" East for a distance of 492.11 feet; thence South 52  
degrees 43'29" East for a distance of 250.31 feet; thence South 85  
degrees 04'40" East for a distance of 753.39 feet to the East line of said  
Southeast Quarter; thence South 01 degrees 55'20" East for a distance of  
838.19 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of  
record.  
Said property contains 56.45 acres, more or less, including road right of  
way.  
Error of Closure: 1 - 635109

- RESTRICTIONS:
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
  - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
  - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
  - 4) Lots are subject to the current Access Management Policy
  - 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
  - 6) Any building to be constructed on Lots 6, 7, or 8 in or near the Special Flood Hazard shall provide elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit along with any other applicable Federal, State or Local permit.
  - 7) An exception to Article 50, Section 40.3.i. Lot-Depth to Lot-Width has been granted for Lot 2
  - 8) Lot 9 must be addressed and accessed from Stillwell Road.
  - 9) No off-plat restrictions.

ZONING:  
R-5 - 5 Acre Rural Residential

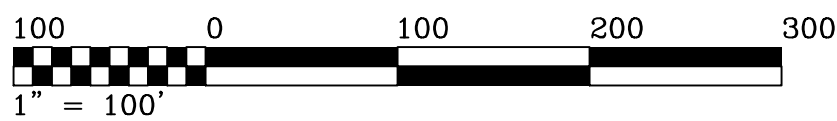
- NOTES:
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Record Description
  - 5) Basis of Bearing - KS SPC North Zone 1501
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Existing Use - Agriculture; Proposed Lots for Agriculture and Residential Use.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD88  
Project Benchmark (BM) - SE Cor - 1/2" Rebar - 827.5'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2024R0
  - 12) Utility Companies -
    - Water - RWD 10
    - Electric - Evergy
    - Sewer - Septic / Lagoon
    - Gas - Propane / Natural Gas
  - 13) Reference Continental Land Title File Number 24464121 dated May 31, 2024.
  - 14) Property is in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015
  - 15) Building Setback Lines as shown hereon or noted below
    - All side yard setbacks - 15' (Accessory - 15')
    - All rear yard setbacks - 40' (Accessory - 15')
  - 16) Existing Structures, if any, not shown hereon.
  - 17) Easements as per referenced Title Commitment are shown hereon, if any.
    - RWD 10 Easement Book 753 Page 276 falls as shown hereon.
    - Oil and Gas Lease to Pioneer Petroleum, Inc. recorded in Book 551 at Page 1492.
  - 18) Fence Lines do not necessarily denote the boundary line for the property.
  - 19) Reference Surveys:
    - TBM - T.B. Melton Survey - S-15-05 #73 NKA 20055073
    - DGW - BLUEBIRD ESTATES - Bk 16 Pg 31, 2005 NKA2005P00031
    - JAH - THREE Cs RESERVE - Document No. 2016P00028 Doc No. 2024S017

- LEGEND:
- - 1/2" Bar Set with Cap No. 1296
  - - 1/2" Bar Found, unless otherwise noted.
  - - Concrete Base to be Set around Point
  - △ - PK Nail Found in Place
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement dedicated this plat
  - Centerline
  - Section Line
  - BM - Benchmark
  - DIRECTION OF WATER FLOW
  - Power Pole
  - X - Fence Line
  - OHP - Overhead Power Lines
  - T - Underground Telephone/Fiber Optic Line
  - ◇ - Gas Valve
  - Water Meter/Valve
  - Telephone Pedestal
  - W - 6" Water Line - location as per district
  - POB - Point of Beginning
  - POC - Point of Commencing
  - Tree/Brush Line
  - NS - Not Set this Survey per agreement with client
  - ///// - No Vehicle Entrance Access



Job # K-24-1769 South  
June 11, 2024 Rev. 8-5-24

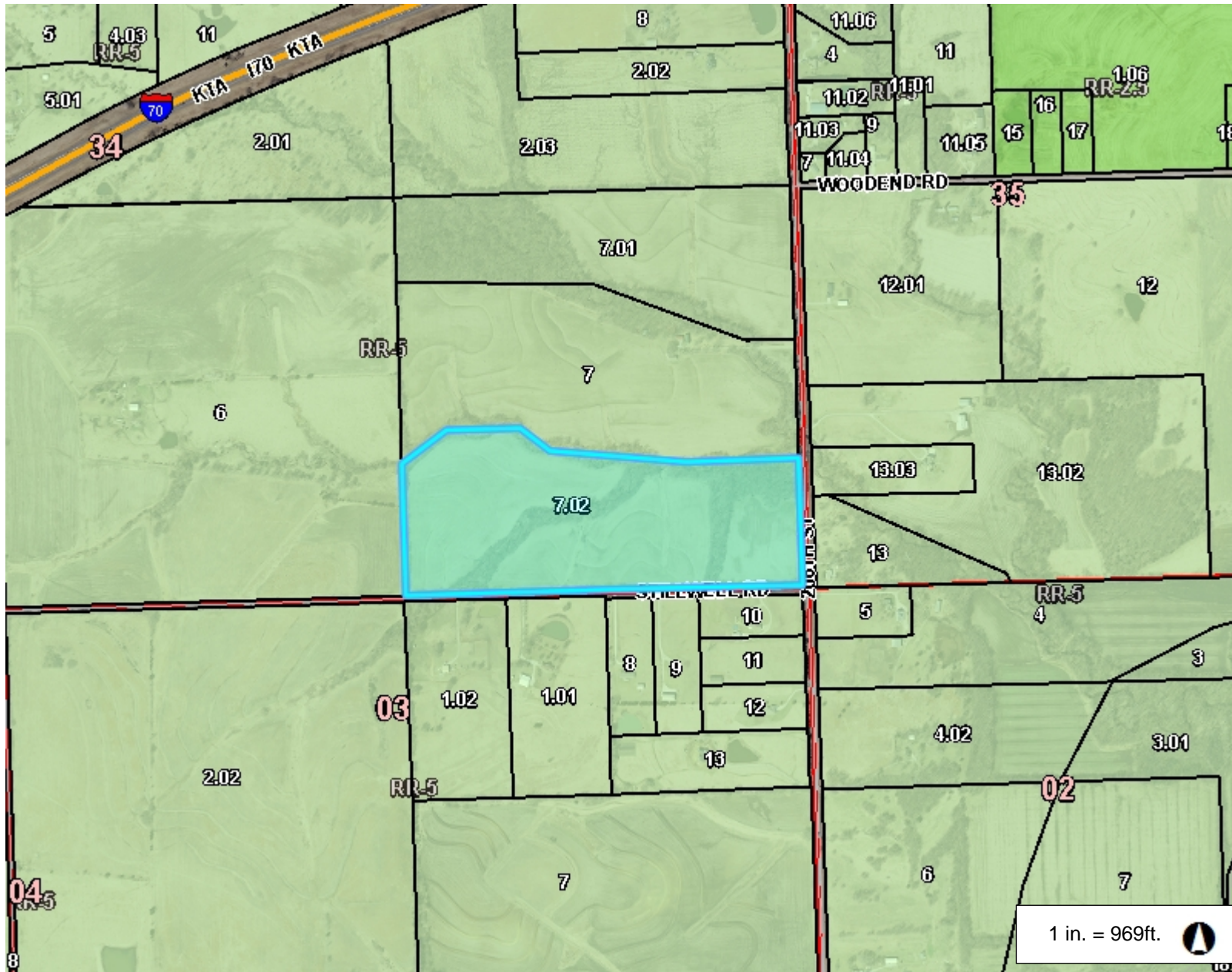
J. Herring, Inc. (dba)  
HERRING SURVEYING & COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@eamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through June 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# DEV-24-079 E&R Rolling Meadows South



## Legend

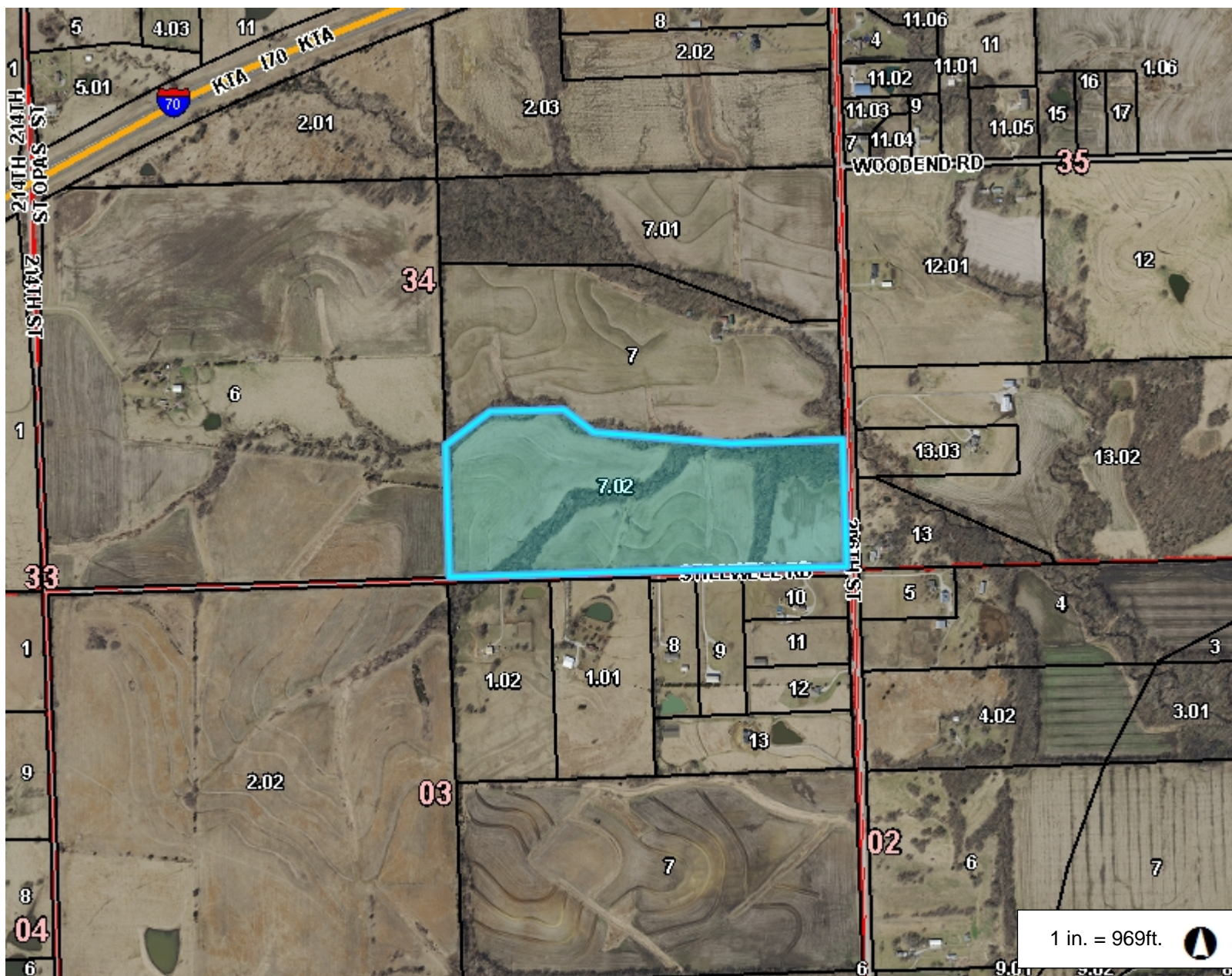
- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- +
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
  - B-1
  - B-2
  - B-3
  - I-1
  - I-2
  - I-3
  - MXD
  - PC
  - PI
  - PR-1
  - PR-2
  - PR-3

## Notes














This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

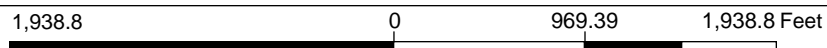
# DEV-24-079 E&R Rolling Meadows South



### Legend

-  Parcel Number
-  Parcel
-  City Limit Line
-  Major Road
  -  <all other values>
  -  70
-  Road
  -  <all other values>
  -  PRIVATE
-  Railroad
-  Section
-  Section Boundaries
-  County Boundary

## Notes



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



June 13, 2024

To Whom It May Concern:

This letter is to Inform you that Evergy will provide electrical power to the area pictured below per request of Joe Herring.

Without knowing required load this letter does not guarantee we currently have capacity and additional build may be needed.



E & R Rolling Meadows South Plat

**Steven Heath**

Evergy

TD Designer I

[steven.heath@evergy.com](mailto:steven.heath@evergy.com)

☎ 785-865-4857

**Allison, Amy**

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Friday, June 21, 2024 3:56 PM  
**To:** PZ  
**Subject:** Fw: E & R Rolling Meadows NORTH - Fire Response

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

See below

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Dylan Ritter <dritter@lvcofd2.com>  
**Sent:** Friday, June 21, 2024 2:33 PM  
**To:** Joe Herring <herringsurveying@outlook.com>  
**Subject:** Re: E & R Rolling Meadows NORTH

Fire District #2 has no comments or concerns.

Thank you

On Thu, Jun 13, 2024 at 7:14 AM Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)> wrote:  
Here is the second plat for this area.  
Please provide the standard service letter for Leavenworth County.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Joe Herring  
**Sent:** Tuesday, June 11, 2024 2:05 PM

**To:** [rwd10@conleysandu.com](mailto:rwd10@conleysandu.com) <[rwd10@conleysandu.com](mailto:rwd10@conleysandu.com)>; '[kritter@shermanfire.net](mailto:kritter@shermanfire.net)' <[kritter@shermanfire.net](mailto:kritter@shermanfire.net)>;

Boone Heston <[Boone.Heston@evergy.com](mailto:Boone.Heston@evergy.com)>

**Subject:** E & R Rolling Meadows South

Please see the attached project and provide the standard service letter for Leavenworth County.

RWD 10 - do not believe there is a line along Stillwell - Lots are purposefully above 5 acres for allowance of wells.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

--

Dylan Ritter  
Assistant Chief  
Leavenworth County Fire District #2  
100 Main Street  
P.O. Box 270  
Linwood, KS, 66052  
(913) 339-8973



June 13, 2024

Herring Surveying Company  
315 North 5<sup>th</sup> Street  
Leavenworth, KS 66048

Re: Preliminary and Final Plat for a 9-lot subdivision at 206<sup>th</sup> and Stillwell (E&R Rolling Meadows South)

Dear Joe Herring:

This letter is in response to your request for comments for the preliminary and final plat for a 9-lot subdivision at 206<sup>th</sup> and Stillwell.

Rural Water District 10 has an existing main on the south side of Stillwell Road, and can provide water using this line to service Lot 5, Lot 6, Lot 7, Lot 8, and Lot 9.

Lot 1, Lot 2, Lot 3, and Lot 4 would require a line extension.

If you have any additional questions or concerns, please do not hesitate to contact us.

Regards,

Steve Conley  
RWD10 | Water District Manager

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Monday, July 8, 2024 10:18 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-24-079 Preliminary Plat – E&R Rolling Meadows South

We have not received any complaints on this property, and we are not aware of any septic systems currently installed on it.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

*Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Monday, July 8, 2024 9:45 AM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-079 Preliminary Plat – E&R Rolling Meadows South

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary Plat for a 9-lot subdivision at 00000 Stillwell Road (PID 198-34-0-00-00-007.02).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, July 22<sup>nd</sup>.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov).

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

**Disclaimer**

## Allison, Amy

---

**From:** Baumchen, Daniel  
**Sent:** Tuesday, July 16, 2024 9:37 AM  
**To:** Allison, Amy; Noll, Bill; McAfee, Joe; 'Mitch Pleak'  
**Subject:** RE: RE: DEV-24-079 Preliminary Plat – E&R Rolling Meadows South

I have no comments for preliminary plat.

**Dan Baumchen, PS**  
County Surveyor  
Leavenworth County Department of Public Works  
913-684-0472

---

**From:** Allison, Amy  
**Sent:** Monday, July 8, 2024 9:46 AM  
**To:** Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>  
**Subject:** FW: RE: DEV-24-079 Preliminary Plat – E&R Rolling Meadows South

---

**From:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>  
**Sent:** Monday, July 8, 2024 9:45 AM  
**To:** Magaha, Chuck <[cmagaha@lvsheriff.org](mailto:cmagaha@lvsheriff.org)>; Miller, Jamie <[JMiller@leavenworthcounty.gov](mailto:JMiller@leavenworthcounty.gov)>; Patzwald, Joshua <[jpatzwald@lvsheriff.org](mailto:jpatzwald@lvsheriff.org)>; Brown, Misty <[MBrown@leavenworthcounty.gov](mailto:MBrown@leavenworthcounty.gov)>  
**Cc:** PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
**Subject:** RE: DEV-24-079 Preliminary Plat – E&R Rolling Meadows South

Good Morning,

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, July 22<sup>nd</sup>.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov).

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

**08-06-24**  
**Approved**  
**No Further**  
**Comment**

E & R Rolling Meadows South

Leavenworth County Kansas

Drainage Report

June 9, 2024

Revised July 24, 2024



# E & R ROLLING MEADOWS SOUTH

A Subdivision of land in the Southeast Quarter of Section 34, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

### PREPARED FOR:

David M. Barth and Carrie J. Barth  
17113 W 84TH ST  
LENEXA, KS 66219  
PID NO. 198-34-0-00-00-007.02

### RECORD DESCRIPTION:

Tract of land in the Southeast Quarter of Section 34, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 9, 2024, and more fully described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence South 88 degrees 23'14" West for a distance of 2647.42 along the South line of said Southeast Quarter to the Southwest corner of said Southeast Quarter; thence North 01 degrees 57'24" West for a distance of 874.37 feet along the West line of said Southeast Quarter; thence North 53 degrees 00'48" East for a distance of 371.26 feet; thence North 88 degrees 22'01" East for a distance of 492.11 feet; thence South 52 degrees 43'29" East for a distance of 250.31 feet; thence North 85 degrees 25'16" East for a distance of 910.40 feet; thence North 88 degrees 04'40" East for a distance of 753.39 feet to the East line of said Southeast Quarter; thence South 01 degrees 55'20" East for a distance of 838.19 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 56.45 acres, more or less, including road right of way. Error or

Replace Note #8 with following, " Lot 9 must be addressed and access/egress from Stillwell Road. The Access Easement and entrance in the northeast corner of Lot 9 shall serve only Lot 8. Lot 8 Owner shall be responsible for maintenance of the entrance."

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) Any building to be constructed on Lots 6, 7, or 8 in or near the Special Flood Hazard shall provide elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit along with any other applicable Federal, State or Local permit.
- 7) An exception to Article 50, Section 40.3.i. Lot-Depth to Lot-Width has been granted for Lot 2
- 8) Lot 9 must be addressed and accessed from Stillwell Road.
- 9) No off-plat restrictions.

### ZONING:

R-5 - 5 Acre Rural Residential

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Record Description
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing Use - Agriculture; Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88  
Project Benchmark (BM) - SE Cor - 1/2" Rebar - 827.5'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2024R0
- 12) Utility Companies -
  - Water - RWD 10
  - Electric - Evergy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 13) Reference Continental Land Title File Number 24464121 dated May 31, 2024.
- 14) Property is in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Existing Structures, if any, not shown hereon.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
  - RWD 10 Easement Book 753 Page 276 falls as shown hereon.
  - Oil and Gas Lease to Pioneer Petroleum, Inc. recorded in Book 551 at Page 1492.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - TBM - T.B. Melton Survey - S-15-05 #73 NKA 20055073
  - DGW - BLUEBIRD ESTATES - Bk 16 Pg 31, 2005 NKA2005P00031
  - JAH - THREE Cs RESERVE - Document No. 2016P00028 Doc No. 2024S017

### LEGEND:

- - 1/2" Bar Set with Cap No. 1296
- - 1/2" Bar Found, unless otherwise noted.
- - Concrete Base to be Set around Point
- △ - PK Nail Found in Place
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement dedicated this plat
- Centerline
- Section Line
- BM - Benchmark
- DIRECTION OF WATER FLOW
- Power Pole
- X - Fence Line
- OHP - Overhead Power Lines
- T - Underground Telephone/Fiber Optic Line
- ◇ - Gas Valve
- Water Meter/Valve
- Telephone Pedestal
- W - 6" Water Line - location as per district
- POB - Point of Beginning
- POC - Point of Commencing
- Tree/Brush Line
- NS - Not Set this Survey per agreement with client
- //// - No Vehicle Entrance Access

08-06-2024  
Combined  
Comments

Text mask  
issue(1yp)

SMITH, CHRISTOPHER J & JESSE K  
PID 197-35...013.03  
LOT 2  
THREE Cs RESERVE  
Doc. No. 2016P00028

MEYN, BRYCE J  
PID 197-35...013

HAYWARD, KYLE T & JENNIFER L  
PID 222-03...010  
LOT 3  
BLUEBIRD ESTATES  
Bk 16 Pg 31, 2005  
2005 NKA2005P00031

STARCHER, CHAD M & STEPHANIE D  
PID 222-03...009  
LOT 2  
BLUEBIRD ESTATES  
Bk 16 Pg 31, 2005  
2005 NKA2005P00031

GROFF, THOMAS J JR & ELIZABETH G; TRUST  
PID 222-03...008  
LOT 1  
BLUEBIRD ESTATES  
Bk 16 Pg 31, 2005  
2005 NKA2005P00031

PATTERSON, KEITH A & GINGER  
PID 222-03...001.01

PRATT, CATHERINE LOUISE  
PID 222-03...001.02

OELSCHLAGER, EVERETT J; TRUST  
PID 198-34...006

152  
SW COR SE 1/4  
Sec. 34-11-21  
1/2" Rebar

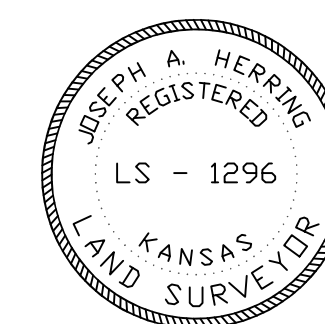
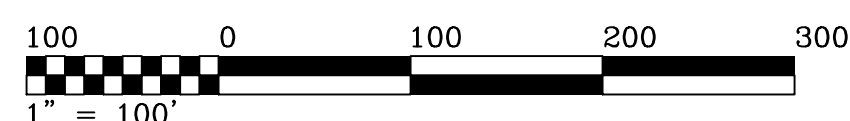
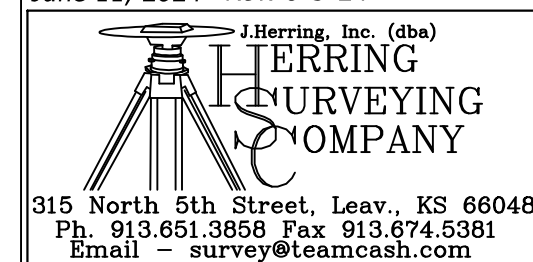
BM  
POB  
172  
SE COR SE 1/4  
Sec. 34-11-21  
1/2" Rebar

### LEAVENWORTH COUNTY



Scale 1" = 100'

Job # K-24-1769 South  
June 11, 2024 Rev. 8-5-24



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through June 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-24-084 Cook-Richter Boundary Line Adjustment Exception

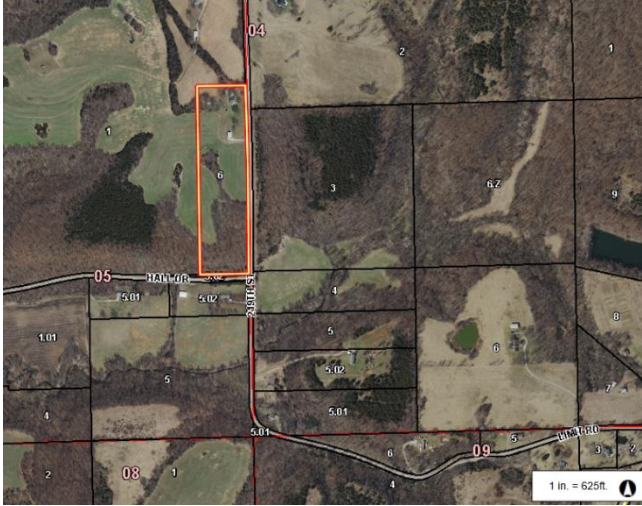
August 14, 2024

**REQUEST:** Exception from Zoning and Subdivision Regulation Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio)

**STAFF REPRESENTATIVE:**

JOSH SCHWEITZER  
Development Planner

**SUBJECT PROPERTY:** 28813 219th St.



**APPLICANT/APPLICANT AGENT:**

Austin Thompson  
Atlas Land Consulting  
14500 Parallel Rd Unit R  
Basehor, KS 66007

**PROPERTY OWNER:**

Charles & Barbara Richter  
28813 219th St.  
Easton, KS 66020

**CONCURRENT APPLICATIONS:**

N/A

**LAND USE**

ZONING: RR-5

FUTURE LAND USE DESIGNATION:

RR-5

**LEGAL DESCRIPTION:**

A tract of land in the East 1/2 of Section 5, Township 9 South, Range 21, East of the 6th p.m., Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Approve Case DEV-24-084, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or
2. Deny Case No.DEV-24-084, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or
3. Modify Case No DEV-24-084, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)

**PARCEL SIZE:** 13.80 Acres

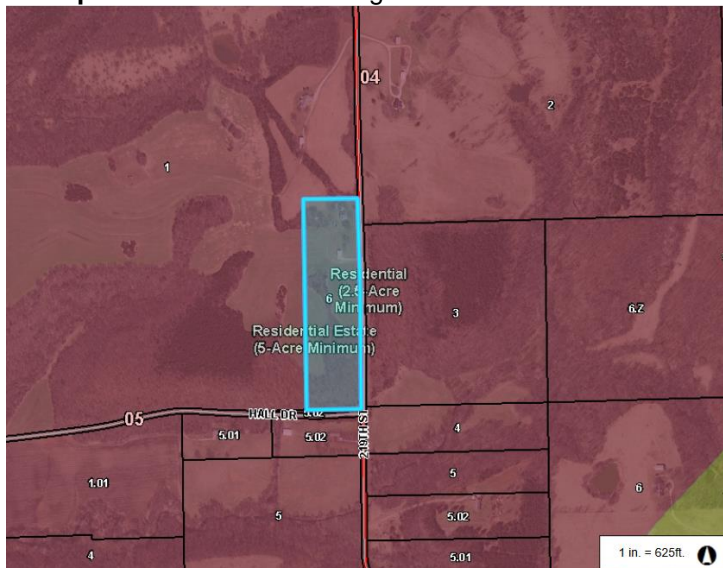
**PARCEL ID NO:**

113-05-0-00-00-006

**BUILDINGS:**

Existing House and Outbuildings

**Location Map:** Future Land Use Designation



**ACCESS/STREET:**

219th St.: Local, ±20' to ±42' Wide, Gravel;

**UTILITIES**

SEWER: SEPTIC

FIRE: ALEXANDRIA

WATER: RWD#5

ELECTRIC: FREESTATE

**NOTICE & REVIEW:**

STAFF REVIEW: 08/06/2024

NEWSPAPER NOTIFICATION:  
N/A

NOTICE TO SURROUNDING  
PROPERTY OWNERS:  
N/A

|                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FACTORS TO BE CONSIDERED:</b> Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b><i>Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulation would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted condition; or that these conditions would result in inhibiting the achievement of the objectives of these regulations.</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1.                                                                                                                                                                                                                                                                                                                                                                                               | <b><i>That there are special circumstances or conditions affecting the property;</i></b> <ul style="list-style-type: none"> <li>• Prior to the application for exception the subject property was not in compliance with regulations. By allowing the adjustment of the north property line will allow for a noncompliant accessory structure to be brought into compliance.</li> </ul>                           |
| 2.                                                                                                                                                                                                                                                                                                                                                                                               | <b><i>That the exception is necessary for the reasonable and acceptable development of the property in question;</i></b> <ul style="list-style-type: none"> <li>• It is reasonable to believe that the proposed drawing brings a nonconforming accessory structure into compliance.</li> </ul>                                                                                                                    |
| 3.                                                                                                                                                                                                                                                                                                                                                                                               | <b><i>That the granting of the exception will not be detrimental to the public welfare or injurious to adjacent property.</i></b> <ul style="list-style-type: none"> <li>• Granting of the exception does not appear to cause any issues with public welfare or is injurious to adjacent properties. The tract to the north of the subject property would still remain in compliance with regulations.</li> </ul> |

**STAFF COMMENTS:**

The requested lot-depth to lot-width ratio is to allow an existing accessory structure to come into compliance with regulations. The proposed adjusted property line will place the structure approximately 18 feet away from the side property line, which is in compliance with regulations. Adjustment of the property line does not adversely affect the neighboring property to the north.

**ATTACHMENTS:**

- A: Application & Narrative
- B: Zoning Map
- C: Memorandums

**EXCEPTION APPLICATION**  
Leavenworth County Planning and Zoning Department  
300 Walnut St., Suite 212  
Leavenworth, Kansas  
913-684-0465

Office Use Only

Case No. \_\_\_\_\_  
PID: \_\_\_\_\_  
Township \_\_\_\_\_  
PC Hearing Date \_\_\_\_\_  
ACTION \_\_\_\_\_ Date Received \_\_\_\_\_ Date Paid \_\_\_\_\_  
Zoning District \_\_\_\_\_  
Comprehensive Plan land use designation \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

NAME Austin Thompson - Atlas Land Consulting  
ADDRESS 14500 Parallel Rd Unit R  
CITY/ST/ZIP Basehor, KS 66007  
PHONE 913-702-8916  
EMAIL austin@alconsult-llc.com

**OWNER INFORMATION (If different)**

NAME Charles & Barbara Richter  
ADDRESS 28813 219th St  
CITY/ST/ZIP Eaton, KS 66020  
PHONE 913-702-5091  
EMAIL N/A

**GENERAL INFORMATION**

Regulation pertaining to Exception Request:

Property does not mean the 1:1 ratio required.

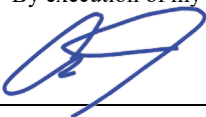
Attach narrative addressing the Factors to be Considered for an Exception (last page of application packet).

**PROPERTY INFORMATION**

Address of Property 28813 219th St Eaton, KS 66020  
Tract/Lot Sizes 14.21 Acres  
Present improvements or structures All buildings and structures are existing  
Current use of the property? Residential

I, the undersigned, am the *(circle one)* owner/authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for an appeal/variance as indicated above.

Signature \_\_\_\_\_



Date \_\_\_\_\_

06/11/2024

**Exception Responses:**

1. The current layout of the property is out of compliance. The property does not meet the required 1:1 ratio due to the property facing East toward 219th Street. The objective is to move a property line North to encompass a building built over the property line. Allowing this exception will give us the ability to fix that issue.
2. The exception is necessary because an existing structure is over an existing property line. We need to move the property line North past the building to get the building in compliance.
3. The granting of this exception will not directly affect the public. The property line is moving 35 feet North. No new parcel or properties are being created.

**Doc #: 2020R04018**  
**STACY R. DRISCOLL**  
**REGISTER OF DEEDS**  
**LEAVENWORTH COUNTY, KANSAS**  
**RECORDED ON:**  
**05/12/2020 10:48:40 AM**  
**RECORDING FEE: 28.00**  
**PAGES: 3**

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Space Above This Line For Recording Data

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## **RELEASE OF MORTGAGE**

---

**DATE AND PARTIES.** The date of this Release of Real Estate Security Instrument is **May 1, 2020**. The parties and their addresses are:

**GRANTOR:**

**COUNTRY CLUB BANK FKA MID AMERICAN BANK & TRUST COMPANY, N.A.**

Organized and existing under the laws of Missouri

P.O. Box 410889

Kansas City, MO 64141

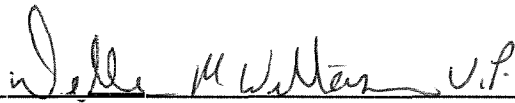
**GRANTEE:**

**Charles C. Richter and Barbara J. Richter, Husband and Wife**

**COUNTRY CLUB BANK**, which is organized and existing under the laws of Missouri and holder of that certain Mortgage made and executed by **Charles C. Richter and Barbara J. Richter** as Mortgagee on **June 3, 2005** certifies that the Mortgage has been fully paid, satisfied or otherwise discharged. The Mortgage was recorded **June 8, 2005 in Book 952 at Page 1704**. The Mortgage having been complied with, the undersigned releases the Mortgage and all of its right, title and interest in the Property located in **Leavenworth County at 28813 219th Street, Leavenworth, Kansas 66048** legally described as: **See "Exhibit A" attached hereto and made a part hereof.**

LENDER:

COUNTRY CLUB BANK

By:   
Della M Wilkerson, Vice-President

**ACKNOWLEDGMENT.**

**(Lender Acknowledgment)**

STATE OF KANSAS, COUNTY OF LEAVENWORTH ss.

On this **1st** day of **May, 2020**, before me appeared **Della M Wilkerson**, to me personally known, who, being by me duly sworn or affirmed did say that he/she is the **Vice-President** of **COUNTRY CLUB BANK** and that no seal has been procured by said corporation and that said instrument was signed in behalf of said corporation by authority of its board of directors, and said **Vice-President** acknowledged said instrument to be the free act and deed of said corporation.

My commission expires:

  
(Notary Public)

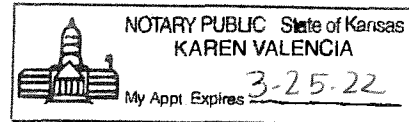


Exhibit A

TRACT I:

A tract of land in the Southeast 1/4 and the Northeast 1/4 of Section 5, Township 9 South, Range 21 East, Leavenworth County, Kansas, described as follows:

Beginning at the Southeast corner of the Northeast 1/4 of Section 5, Township 9 South, Range 21 East; thence South 239.25 feet to a point along the East section line; thence West 198.00 feet to a point parallel to the South line of the Northeast 1/4 section; thence North 437.25 feet to a point parallel to the East section line; thence East 198.00 feet to a point parallel to the South line of the Northeast 1/4 section; thence South 198.00 feet along the East section line to the point of beginning, less any part thereof taken or used for road purposes.

TRACT II:

A tract of land in the Southeast 1/4 of Section 5, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, described as follows:

Commencing at the Northeast corner of the Southeast 1/4 of Section 5, Township 9 South, Range 21; thence South 00° West, 239.25 feet to the point of beginning of this tract; thence South 00° W, 1,061.28 feet, along the section line; thence South 89° 44' 22" West, 396.00 feet; thence North 00° East, 1,062.03 feet; thence North 89° 50' 54" East 396.00 feet, to point of beginning, less any part thereof taken or used for road purposes.

# OWNER AUTHORIZATION

I/WE Charles Richter and Richard Cook, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 28<sup>th</sup> day of June, 2024, make the following statements, to wit:

1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property  
See Exhibit A attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize an exception (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, 28013 219<sup>th</sup> St Eaton, KS (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Charles Richter  
Owner

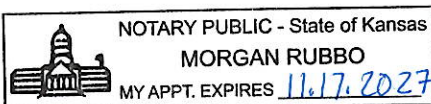
Richard Cook  
Owner

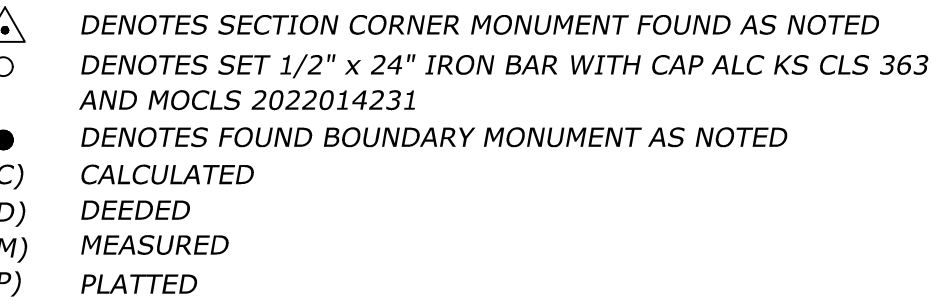
STATE OF KANSAS  
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 28<sup>th</sup> day of June, 2024,  
by Charles Richter and Richard Cook.

My Commission Expires:

Morgan Rubbo  
Notary Public



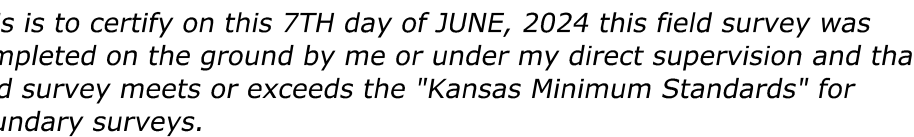


## LEGEND

### GENERAL NOTE:

- SURVEYOR SYNOPSIS: PER DECDD 20215033 & DEED BOOK 21 PAGE 4966, THE CENTERLINE OF HALF DEED IS THE APPARENT PROPERTY LINE. IT GIVES A BEARING AND DISTANCE THAT DO NOT FOLLOW THE CENTERLINE OF THE ROAD THEREFORE WE ARE HOLDING THE CENTERLINE OF THE ROAD, AS IT IS A CONTROLLING CALL IN THE LEGAL DESCRIPTION OF THE DEED, AND AS IT EXISTS
- ON AUGUST 14, 2024, The Leavenworth County Planning Commission approved the request for an exception from Article 50, Section 40.3.1 (Lot-Depth to Lot-Width) of the Leavenworth County Zoning & Subdivision Regulations.

## VICINITY MAP



---

ROGER B. DILL
LS 1408

JOB NO: 24-095

SCALE

A horizontal scale bar with a black and white alternating pattern. Above the bar, the numbers 200, 100, 0, and 200 are marked from left to right. Below the bar, the text "SCALE IN FEET" is written.

SEC-TWN-RNG

05-09-21

PREPARED FOR

PID-113050000006000

PID-113050000001000

RICHARD J JR  
& CONSTANCE E COOK  
CHARLES RICHTER

ADDRESS:  
28813 219TH ST  
EASTON, KS 66020

DATE \_\_\_\_\_

AUGUST 6, 2024

## Schweitzer, Joshua

---

**From:** McAfee, Joe  
**Sent:** Thursday, June 27, 2024 10:51 AM  
**To:** Schweitzer, Joshua; Noll, Bill  
**Cc:** PZ  
**Subject:** RE: DEV-24-084 BLA for Cook-Richter - Atlas

Joshua,  
PW Engineering has no comment on the BLA.

---

**From:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Wednesday, June 26, 2024 2:31 PM  
**To:** Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-084 BLA for Cook-Richter - Atlas

The Department of Planning & Zoning has received a request for a Boundary Line Adjustment for Cook-Richter – Atlas.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by July 11, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov).

v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212  
Leavenworth County, Kansas 66048  
(913) 684-0465

## Schweitzer, Joshua

---

**From:** Anderson, Kyle  
**Sent:** Friday, June 28, 2024 8:13 AM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-24-084 BLA for Cook-Richter - Atlas

We have not received any complaints on this property and the septic systems appear to remain on the same property as the home it services. This BLA will correct a non-compliant accessory building that was constructed over the property line.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

*Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Wednesday, June 26, 2024 2:31 PM  
**To:** Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-084 BLA for Cook-Richter - Atlas

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by July 11, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov).

v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212  
Leavenworth County, Kansas 66048  
(913) 684-0465

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-24-094 BARAGARY REZONE

AUGUST 14, 2024

**REQUEST: *Public Hearing Required***

☒ ZONING AMENDMENT                      ☐ SPECIAL USE PERMIT  
☐ TEMPORARY SPECIAL USE PERMIT

**STAFF REPRESENTATIVE:**

AMY ALLISON  
DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 20995 HONEY CREEK RD, 00000 HONEY CREEK RD & 16625 206<sup>TH</sup> ST

**APPLICANT/APPLICANT AGENT:**  
JOE HERRING  
HERRING SURVEYING COMPANY

**FUTURE LAND USE MAP:** RESIDENTIAL 3 UNITS PER ACRE

**PROPERTY OWNER:**

WILLIAM & KATHLEEN  
BARAGARY  
19966 TONGANOXIE DR  
TONGANIXE KS 66086  
WAYNE & JENNICE BARAGARY  
20995 HONEY CREEK RD  
TONGANOXIE KS 66086

**CONCURRENT APPLICATIONS:**

N/A



**LAND USE**

ZONING: RR-5 to R-2.5

SUBDIVISION: N/A

**LEGAL DESCRIPTION:**

Three tracts of land in Southeast Quarter of Section 22, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

FLOODPLAIN: N/A

**PROPERTY INFORMATION**

**STAFF RECOMMENDATION: APPROVAL**

PARCEL SIZE: 160 ACRES

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-24-094, Rezone for Baragary, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-094, Rezone for Baragary, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL ID NO:  
195-22-0-00-00-005.00, -005.01. & -005.02

BUILDINGS:  
TWO SINGLE FAMILY RESIDENCES  
AND ACCESSORY STRUCTURES

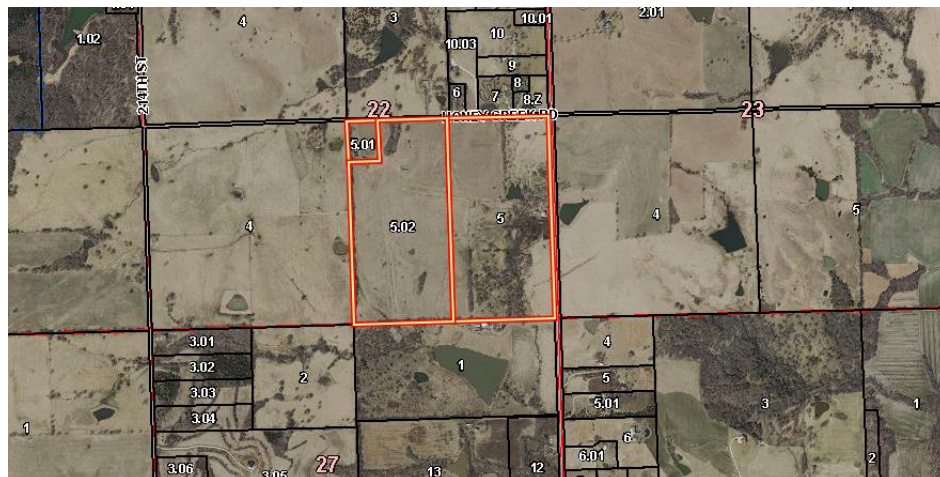
ACCESS/STREET:  
HONEY CREEK ROAD  
LOCAL, GRAVEL, ±18' WIDE  
206<sup>TH</sup> STREET  
ARTERIAL, PAVED, ±32' WIDE

**PROJECT SUMMARY:**

Request to rezone three parcels at 20995 HONEY CREEK RD, 00000 HONEY CREEK RD & 16625 206<sup>TH</sup> ST  
(PID: 195-22-0-00-00-005.00, -005.01. & -005.02).

**UTILITIES**

**Location Map:**



SEWER: SEPTIC

FIRE: STRANGER

WATER: SUBURBAN WATER

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW: 7/25/2024

NEWSPAPER NOTIFICATION:  
7/23/2024

NOTICE TO SURROUNDING  
PROPERTY OWNERS:  
7/23/2024

NOTICE TO SURROUNDING  
PROPERTY OWNERS:  
7/23/2024

| <b>FACTORS TO BE CONSIDERED:</b>                                                                                                                                                                                                                                                                                                                                 |            |                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------|
| <i><b>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Rezone request:</b></i>                                                                                                                                                                                    | <b>Met</b> | <b>Not Met</b> |
| <b>1. Character of the Neighborhood:</b><br><i>Density:</i> Surrounding parcels range in size from 1.1 acres to more than 150 acres. The area is not densely populated.<br><br><i>Nearby City Limits:</i> Tonganoxie is ¾ mile to the west.<br><br><i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.                   | X          |                |
| <b>2. Zoning and uses of nearby property:</b><br><i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature.<br><br><i>Adjacent Zoning:</i> Most adjoining parcels are zoned RR-5 however the parcel to the northwest is zoned RR-2.5.                                                                                        | X          |                |
| <b>3. Suitability of the Property for the uses to which it has been restricted:</b><br>The property is suitable for rural residences and agricultural uses.                                                                                                                                                                                                      | X          |                |
| <b>4. Extent to which removal of the restrictions will detrimentally affect nearby property:</b><br><i>Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains rural residential.</i>                                                                                                                                          | X          |                |
| <b>5. Length of time the property has been vacant as zoned:</b><br><input checked="" type="checkbox"/> <i>Vacant: 00000 Honey Creek Road</i><br><input checked="" type="checkbox"/> <i>Not Vacant: 20995 Honey Creek Road &amp; 16625 206<sup>th</sup> Street</i>                                                                                                | X          |                |
| <b>6. Relative gain to economic development, public health, safety and welfare:</b><br>The rezoning does not impact economic development, public health, safety or welfare. In the event the parcels were to be developed as a rural subdivision, twice as many homes could potentially be constructed which may have a positive impact on economic development. | X          |                |
| <b>7. Conformance to the Comprehensive Plan:</b><br><i>Future Land Use Map: Residential (3 units per acre)</i><br><i>Section 4 Land Use and Development Plan Strategies: The proposed use is compatible with the future land use designation.</i>                                                                                                                | X          | X              |

#### **STAFF COMMENTS:**

The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of this area as *Residential 3 units per acre*. While Staff would typically recommend denial of a request that does not conform to the future land use, Staff recommends approval for the following reasons:

1. The requested use is less dense than the future land use designation.
2. The nearest city is located almost one mile to the west with multiple county properties in between, therefore making extension of sanitary sewer (necessary for 3 units/acre) unlikely.

#### **ATTACHMENTS:**

- A: Application & Narrative
- B: Zoning Map
- C: Location map
- D: Memorandums

Handy

160  
Everyday Suburban  
22 " 21 464

**REZONING APPLICATION**  
Leavenworth County Planning Department  
300 Walnut, St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

|                             |                                                             |
|-----------------------------|-------------------------------------------------------------|
| Office Use Only             |                                                             |
| Township: <u>Stranger</u>   | Date Received: <u>07.12.2024</u>                            |
| Planning Commission Date    |                                                             |
| Case No. <u>DEV-24-094</u>  | Date Paid <u>07.11.2024</u>                                 |
| Zoning District <u>RR 5</u> | Comprehensive Plan Land Use Designation <u>3 acre units</u> |

| APPLICANT/AGENT INFORMATION               | OWNER INFORMATION (If different)                                                             |
|-------------------------------------------|----------------------------------------------------------------------------------------------|
| NAME <u>Joe Herring</u>                   | NAME <u>BARAGARY, WILLIAM J &amp; KATHLEEN A</u><br><u>BARAGARY, WAYNE E &amp; JENNICE M</u> |
| ADDRESS <u>315 North 5th Street</u>       | ADDRESS <u>19966 TONGANOXIE DR</u><br><u>20995 HONEY CREEK RD</u>                            |
| CITY/ST/ZIP <u>Leavenworth, KS 66048</u>  | CITY/ST/ZIP <u>Tonganoxie, KS 66086</u>                                                      |
| PHONE <u>913-651-3858</u>                 | PHONE <u>N/A</u>                                                                             |
| EMAIL <u>herringsurveying@outlook.com</u> | EMAIL <u>N/A</u>                                                                             |
| CONTACT PERSON <u>Joe</u>                 | CONTACT PERSON <u>N/A</u>                                                                    |

| PROPOSED USE INFORMATION                                                       |                                |
|--------------------------------------------------------------------------------|--------------------------------|
| Proposed Land Use <u>Agriculture and Rural Residential</u>                     |                                |
| Current Zoning <u>RR-5</u>                                                     | Requested Zoning <u>RR 2.5</u> |
| Reason for Requesting Rezoning <u>Estate Planning to match Future Land Use</u> |                                |

| PROPERTY INFORMATION               |                                                      |                              |                              |
|------------------------------------|------------------------------------------------------|------------------------------|------------------------------|
| Address of Property                | <u>16625 206TH ST, TONGANOXIE KS 66086</u>           | <u>20995 HONEY CREEK RD</u>  | <u>00000 HONEY CREEK RD</u>  |
| Parcel Size                        | <u>80 Acres</u>                                      | <u>5 Acres</u>               | <u>75 Acres</u>              |
| Current use of the property        | <u>Agriculture and Rural Residential Development</u> |                              |                              |
| Present Improvements or structures | <u>House and Agriculture Structures</u>              |                              |                              |
| PID                                | <u>195-22-0-00-00-005</u>                            | <u>195-22-0-00-00-005.01</u> | <u>195-22-0-00-00-005.02</u> |

I, the undersigned am the (owner), (duly authorized agent), (Circle One) of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for rezoning as indicated above.

Signature Joe Herring - Digitally signed 7-12-24 Date 7-12-24

ATTACHMENT A

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner  
COUNTY OF LEAVENWORTH  
STATE OF KANSAS

We/I Kathleen A Baragary and William J Baragary

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - \_\_\_\_\_, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth, KS 66048, 913-651-3858

2)  
Signed and entered this 25<sup>th</sup> day of June, 2024

William J & Kathleen A Baragary, 19966 Tonganoxie Dr, Tonganoxie Ks 66066  
Print Name, Address, Telephone

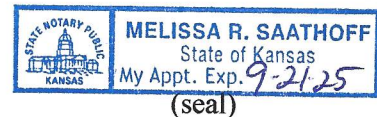
William J Baragary Kathleen A Baragary  
Signature

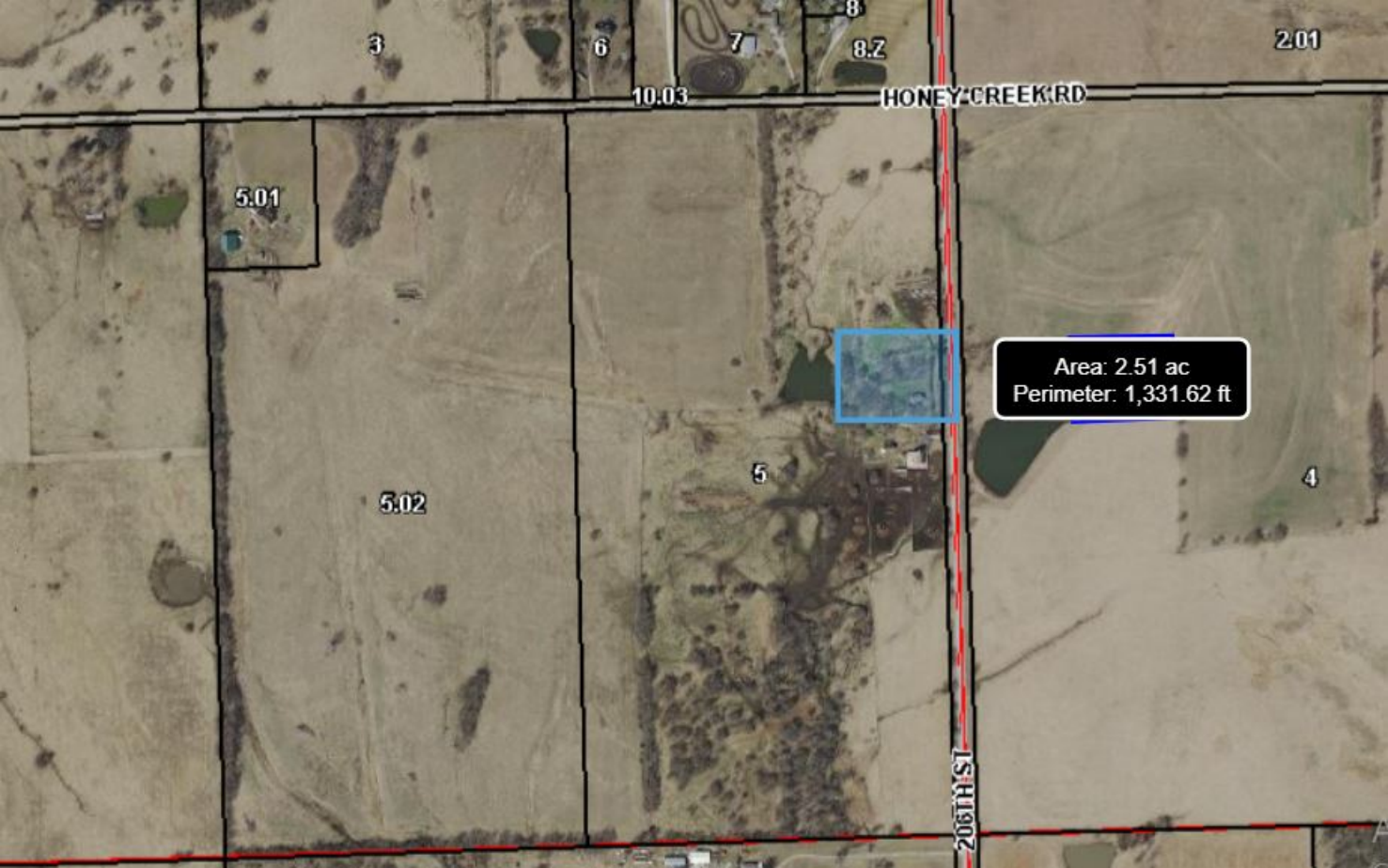
STATE OF KANSAS )  
 ) SS  
COUNTY OF LEAVENWORTH )

Be it remember that on this 25 day of June 2024, before me, a notary public in and for said County and State came William J Baragary, Kathleen A Baragary to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC Melissa R Saathoff

My Commission Expires: 9-21-25





3

6

7

8.2

2.01

10.03

HONEY CREEK RD

5.01

5.02

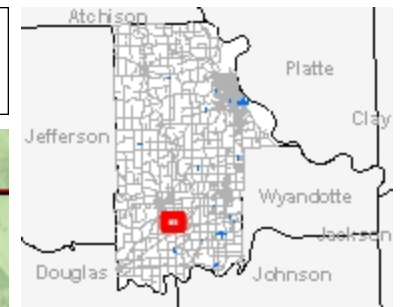
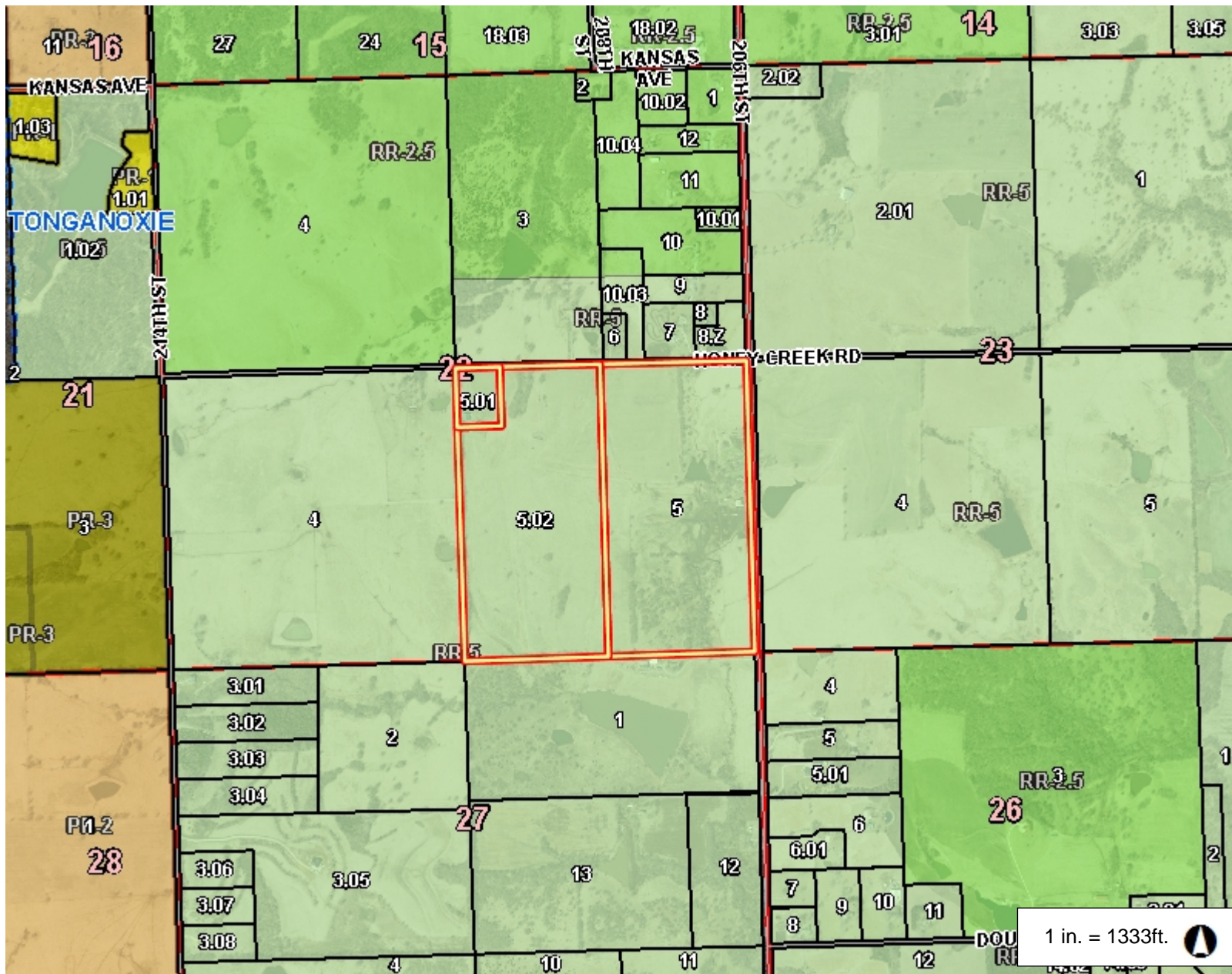
5

4

Area: 2.51 ac  
Perimeter: 1,331.62 ft

206TH ST

# DEV-24-094 Baragary Rezone



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
  - B-1
  - B-2
  - B-3
  - I-1
  - I-2
  - I-3
  - MXD
  - PC
  - PI
  - PR-1
  - PR-2
  - PR-3

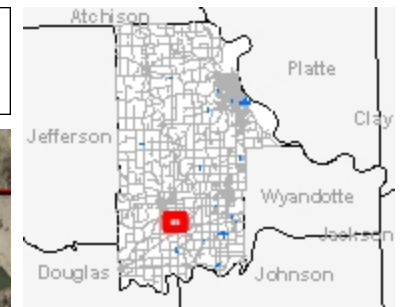
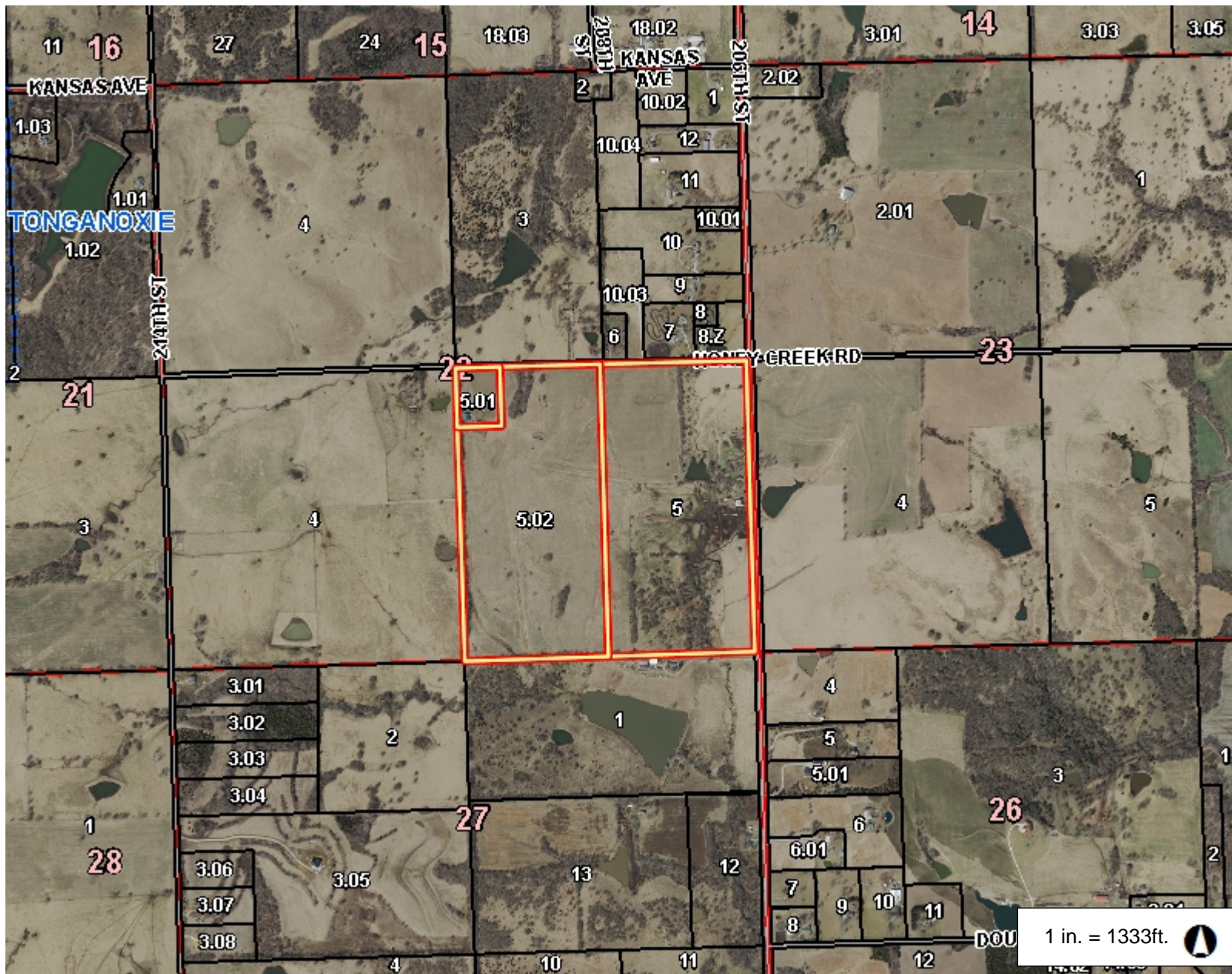
## Notes

2,666.7 0 1,333.33 2,666.7 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

# DEV-24-094 Baragary Rezone



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary

## Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Allison, Amy

---

**From:** Steven Heath <Steven.Heath@evergy.com>  
**Sent:** Wednesday, July 17, 2024 4:06 PM  
**To:** Allison, Amy  
**Subject:** Re: DEV-24-094 Baragary Rezone

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Internal Use Only

Thank you. In that case Evergy has no conflict. At the point of re-platting we may require easement be granted for existing lines that are currently running through the property.

### Steven Heath

Evergy  
TD Designer II  
[Steven.Heath@evergy.com](mailto:Steven.Heath@evergy.com)  
O: 785-865-4857  
C: 785-508-2550

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, July 17, 2024 9:50 AM  
**To:** Steven Heath <Steven.Heath@evergy.com>  
**Subject:** RE: DEV-24-094 Baragary Rezone

Internal Use Only

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good Morning Steven,

Attached is a concept plan the applicant has provided. They indicated that they are rezoning for estate planning purposes. They could choose to further subdivide in the future which would likely require platting. At that time you would be notified of the plat.

Sincerely,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

**Disclaimer**

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---

**From:** Steven Heath <Steven.Heath@evergy.com>  
**Sent:** Wednesday, July 17, 2024 8:21 AM  
**To:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Subject:** Re: DEV-24-094 Baragary Rezone

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Internal Use Only

Is this property being divided into separate parcels or are they just wishing to change the zoning of the existing property?

Thank you,

**Steven Heath**

Evergy

TD Designer II

[Steven.Heath@evergy.com](mailto:Steven.Heath@evergy.com)

O: 785-865-4857

C: 785-508-2550

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, July 16, 2024 4:41 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; Design Group Lawrence Service Center <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-094 Baragary Rezone

---

**This Message Is From an External Sender**

This message came from outside your organization.

Report Suspicious

Good Afternoon,

The Department of Planning and Zoning has received a rezoning application for the property located at 16625 206<sup>th</sup> St (RR-5 to RR-2.5).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by July 30, 2024.

## Allison, Amy

---

**From:** Mark B <stfdchief1760@gmail.com>  
**Sent:** Thursday, July 18, 2024 8:09 AM  
**To:** Allison, Amy  
**Cc:** Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Noll, Bill; McAfee, Joe; Brown, Misty; Travis@suburbanwaterinc.com; designgrouplawrencesservicecenter@evergy.com; PZ  
**Subject:** Re: DEV-24-094 Baragary Rezone

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,

Stranger Fire Department has reviewed the application for the re-zoning of the property located at 16625 206<sup>th</sup> Street, Tonganoxie KS 66086 and has NO objection to the re-zoning. Since there is an existing 12" Water Main located on the east side of 206<sup>th</sup> Street, we would recommend the placement of a fire hydrant within 1000 feet of the property.

Let me know if you have any questions or concerns.

Mark Billquist  
Stranger Fire Chief

On Tue, Jul 16, 2024 at 4:41 PM Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)> wrote:

Good Afternoon,

The Department of Planning and Zoning has received a rezoning application for the property located at 16625 206<sup>th</sup> St (RR-5 to RR-2.5).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by July 30, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

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--

**Mark Billquist**

Stranger Township Fire Chief

10-33 Foundation National Treasurer

[913-369-0510](tel:913-369-0510) mobile

[stfdchief1760@gmail.com](mailto:stfdchief1760@gmail.com)

**"Sometimes darkness can show you the light"**

## Allison, Amy

---

**From:** Travis Miles <Travis@suburbanwaterinc.com>  
**Sent:** Thursday, July 18, 2024 7:20 AM  
**To:** Allison, Amy; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Noll, Bill; McAfee, Joe; Brown, Misty; 'stfdchief1760@gmail.com'; 'designgrouplawrenceservicecenter@evergy.com'  
**Cc:** PZ  
**Subject:** Re: DEV-24-094 Baragary Rezone

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Amy,

Suburban Water has reviewed the application for the re-zoning of the property located at 16625 206<sup>th</sup> Street, Tonganoxie KS 66086 and has NO objection to the re-zoning. Suburban Water has an existing 12" Water Main located on the east side of 206<sup>th</sup> Street for the full road front of the property.

Thanks

**Travis J Miles**  
*CEO/President*  
Suburban Water, Inc.  
1216 N 155<sup>th</sup> Street, PO BOX 588  
Basehor, KS 66007  
Office: (913) 724-1800  
Fax: (913) 724-1505  
Cell: (913) 238-0040  
[travis@suburbanwaterinc.com](mailto:travis@suburbanwaterinc.com)

This email and any files transmitted with it may be confidential and/or contain Suburban Water, Inc. proprietary information intended solely for the use of only the individual to which it is addressed. If you are not the intended recipient, please be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email and any attachments is strictly prohibited. If you have received this email in error, please immediately delete the email and any attachments from your system and notify the sender. Any other use of this email is prohibited. Thank you for your compliance.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, July 16, 2024 4:41 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>; Travis Miles <Travis@suburbanwaterinc.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-094 Baragary Rezone

Good Afternoon,

## Allison, Amy

---

**From:** Travis Miles <Travis@suburbanwaterinc.com>  
**Sent:** Thursday, July 18, 2024 8:19 AM  
**To:** Mark B; Allison, Amy  
**Subject:** Re: DEV-24-094 Baragary Rezone

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy and Mark,

There is an existing fire hydrant located at Honey Creek and 206<sup>th</sup> Street at the NE corner of the intersection.

### Travis J Miles

*CEO/President*

Suburban Water, Inc.

1216 N 155<sup>th</sup> Street, PO BOX 588

Basehor, KS 66007

Office: (913) 724-1800

Fax: (913) 724-1505

Cell: (913) 238-0040

[travis@suburbanwaterinc.com](mailto:travis@suburbanwaterinc.com)

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---

**From:** Mark B <stfdchief1760@gmail.com>  
**Sent:** Thursday, July 18, 2024 8:08 AM  
**To:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Cc:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Travis Miles <Travis@suburbanwaterinc.com>; designgrouplawrenceservicecenter@evergy.com <designgrouplawrenceservicecenter@evergy.com>; PZ <PZ@leavenworthcounty.gov>  
**Subject:** Re: DEV-24-094 Baragary Rezone

Amy,

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Let me know if you have any questions or concerns.

Mark Billquist  
Stranger Fire Chief

On Tue, Jul 16, 2024 at 4:41 PM Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)> wrote:

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by July 30, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

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--

**Mark Billquist**  
Stranger Township Fire Chief  
10-33 Foundation National Treasurer  
[913-369-0510](tel:913-369-0510) mobile  
[stfdchief1760@gmail.com](mailto:stfdchief1760@gmail.com)

**"Sometimes darkness can show you the light"**

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Friday, July 19, 2024 8:57 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-24-094 Baragary Rezone

We have not received any complaints on this property.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

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---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, July 16, 2024 4:42 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-094 Baragary Rezone

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Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

## Allison, Amy

---

**From:** McAfee, Joe  
**Sent:** Wednesday, July 31, 2024 8:53 AM  
**To:** Allison, Amy; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Noll, Bill; Brown, Misty; 'stfdchief1760@gmail.com'; 'Travis@suburbanwaterinc.com'; 'designgrouplawrenceservicecenter@evergy.com'  
**Cc:** PZ  
**Subject:** RE: RE: DEV-24-094 Baragary Rezone

Amy,  
PW Engineering has no comment on the Rezone.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, July 16, 2024 4:42 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-094 Baragary Rezone

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If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

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| <div> <div> <div>LEAVENWORTH COUNTY</div> <div>PLANNING COMMISSION</div> <div>STAFF REPORT</div> </div> </div>                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <div> <div>CASE NO: DEV-24-095 Lamb/Trent Rezone</div> <div>August 14, 2024</div> </div>                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                          |
| <div> <div>REQUEST: <b>Public Hearing Required</b></div> <div> <input checked="" type="checkbox"/> ZONING AMENDMENT <input type="checkbox"/> SPECIAL USE PERMIT </div> <div> <input type="checkbox"/> TEMPORARY SPECIAL USE PERMIT </div> </div>                                                                                                                                                                          | <div> <div>STAFF REPRESENTATIVE:</div> <div>AMY ALLISON</div> <div>DEPUTY DIRECTOR</div> </div>                                                                                          |
| <div> <div>SUBJECT PROPERTY: 13963 206<sup>TH</sup> STREET</div> <div>FUTURE LAND USE MAP: RESIDENTIAL (2.5 ACRE MIN)</div> </div>                                                                                                                                                                                                                                                                                        | <div> <div>APPLICANT/APPLICANT AGENT:</div> <div>JOE HERRING</div> <div>HERRING SURVEYING COMPANY</div> </div>                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                           | <div> <div>PROPERTY OWNER:</div> <div>PUAL JEROLD LAMB &amp; MELISSA JOY TRENT</div> <div>17101 206<sup>TH</sup> STREET</div> <div>TONGANOXIE, KS 66086</div> </div>                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                           | <div> <div>CONCURRENT APPLICATIONS:</div> <div>N/A</div> </div>                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                           | <div> <div>LAND USE</div> </div>                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                           | <div> <div>ZONING: RR-5</div> <div>FUTURE LAND USE DESIGNATION: RESIDENTIAL (2.5 ACRE MIN)</div> </div>                                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                           | <div> <div>SUBDIVISION: N/A</div> <div>FLOODPLAIN: N/A</div> </div>                                                                                                                      |
| <div> <div>LEGAL DESCRIPTION:</div> <div>Two tracts of land in the Northeast ¼ of Section 10, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.</div> </div>                                                                                                                                                                                                                                  |                                                                                                                                                                                          |
| <div> <div>STAFF RECOMMENDATION: APPROVAL</div> </div>                                                                                                                                                                                                                                                                                                                                                                    | <div> <div>PROPERTY INFORMATION</div> </div>                                                                                                                                             |
| <div> <div>ACTION OPTIONS:</div> <div> <div>1. Recommend approval of Case No. DEV-24-095, Rezone for Lamb/Trent, to the Board of County Commission, with or without conditions; or</div> <div>2. Recommend denial of Case No. DEV-24-095, Rezone for Lamb/Trent, to the Board of County Commission for the following reasons; or</div> <div>3. Continue the hearing to another date, time, and place.</div> </div> </div> | <div> <div>PARCEL SIZE: 5.02 ACRES (per application)</div> <div>PARCEL ID NO: 222-10-0-00-00-002.00</div> <div>BUILDINGS: SINGLE FAMILY RESIDENCE, ACCESSORY STRUCTURE</div> </div>      |
| <div> <div>PROJECT SUMMARY:</div> <div>Request to rezone one parcel at 13963 206<sup>th</sup> Street (PID: 222-10-0-00-00-002.00) from RR-5 to RR-2.5.</div> </div>                                                                                                                                                                                                                                                       | <div> <div>ACCESS/STREET:</div> <div>206<sup>TH</sup> STREET</div> <div>ARTERIAL, PAVED, ±30' WIDE</div> <div>CANTRELL ROAD</div> <div>LOCAL, GRAVEL, ±20' WIDE</div> </div>             |
| <div> <div>Location Map:</div> </div>                                                                                                                                                                                                                                                                                                                                                                                     | <div> <div>UTILITIES</div> <div>SEWER: SEPTIC</div> <div>FIRE: FIRE DISTRICT #2</div> <div>WATER: RWD #10</div> <div>ELECTRIC: EVERGY</div> </div>                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                           | <div> <div>NOTICE &amp; REVIEW:</div> <div>STAFF REVIEW: 7/29/2024</div> <div>NEWSPAPER NOTIFICATION: 7/23/2024</div> <div>NOTICE TO SURROUNDING PROPERTY OWNERS: 7/23/2024</div> </div> |

| FACTORS TO BE CONSIDERED:                                                                                                                                                                                                                                                                                                                                       |     |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------|
| <i>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Rezone request:</i>                                                                                                                                                                                          | Met | Not Met |
| <b>1. Character of the Neighborhood:</b><br><i>Density:</i> Surrounding parcels range in size from 2.10 acres to more than 140 acres. The area is not densely populated.<br><br><i>Nearby City Limits:</i> Linwood is more than a mile to the southeast.<br><br><i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.     | X   |         |
| <b>2. Zoning and uses of nearby property:</b><br><i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature.<br><br><i>Adjacent Zoning:</i> All adjacent properties are zoned RR-5.                                                                                                                                          | X   |         |
| <b>3. Suitability of the Property for the uses to which it has been restricted:</b><br>The property is suitable for rural residences and agricultural uses.                                                                                                                                                                                                     | X   |         |
| <b>4. Extent to which removal of the restrictions will detrimentally affect nearby property:</b><br><i>Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains rural residential.</i>                                                                                                                                         | X   |         |
| <b>5. Length of time the property has been vacant as zoned:</b><br><input type="checkbox"/> Vacant:<br><input checked="" type="checkbox"/> Not Vacant:                                                                                                                                                                                                          | X   |         |
| <b>6. Relative gain to economic development, public health, safety and welfare:</b><br>The rezoning does not impact economic development, public health, safety or welfare. In the event the parcel were to be developed as a rural subdivision, twice as many homes could potentially be constructed which may have a positive impact on economic development. | X   |         |
| <b>7. Conformance to the Comprehensive Plan:</b><br><i>Future Land Use Map:</i> Residential (2.5 acre min)<br><i>Section 4 Land Use and Development Plan Strategies:</i> The proposed use is compatible with the future land use designation.                                                                                                                   | X   |         |

#### STAFF COMMENTS:

The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of this area as *Residential (2.5 acre min)*. The property is made up of two tracts of land. In order to bring one tract of land into compliance, the applicant must rezone the property to allow two 2.5 acre parcels. The applicant has provided a concept drawing showing the proposed boundary line adjustment. Staff recommends approval.

#### ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Location Map
- D: Memorandums

9.24  
4.03 Energy  
458 RWD 10

**REZONING APPLICATION**  
Leavenworth County Planning Department  
300 Walnut, St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

SCANNED

222-10 002.00

|                            |                                                              |
|----------------------------|--------------------------------------------------------------|
| Office Use Only            |                                                              |
| Township: <u>Sherman</u>   | Date Received: <u>07.15.2024</u>                             |
| Planning Commission Date   |                                                              |
| Case No. <u>DEV-24-</u>    | Date Paid <u>07.15.2024</u>                                  |
| Zoning District <u>AR5</u> | Comprehensive Plan Land Use Designation <u>2.5 acre min.</u> |

| APPLICANT/AGENT INFORMATION               | OWNER INFORMATION (If different)                       |
|-------------------------------------------|--------------------------------------------------------|
| NAME <u>Joe Herring</u>                   | NAME <u>LAMB, PAUL JEROLD &amp; TRENT, MELISSA JOY</u> |
| ADDRESS <u>315 North 5th Street</u>       | ADDRESS <u>17101 206TH ST</u>                          |
| CITY/ST/ZIP <u>Leavenworth, KS 66048</u>  | CITY/ST/ZIP <u>TONGANOXIE, KS 66086</u>                |
| PHONE <u>913-651-3858</u>                 | PHONE <u>N/A</u>                                       |
| EMAIL <u>herringsurveying@outlook.com</u> | EMAIL <u>N/A</u>                                       |
| CONTACT PERSON <u>Joe</u>                 | CONTACT PERSON <u>N/A</u>                              |

| PROPOSED USE INFORMATION                                         |                                |
|------------------------------------------------------------------|--------------------------------|
| Proposed Land Use <u>AG &amp; RURAL RESIDENTIAL</u>              |                                |
| Current Zoning <u>RR-5</u>                                       | Requested Zoning <u>RR-2.5</u> |
| Reason for Requesting Rezoning <u>Match future land use plan</u> |                                |

| PROPERTY INFORMATION                                          |
|---------------------------------------------------------------|
| Address of Property <u>13963 206TH ST, Linwood, KS 66052</u>  |
| Parcel Size <u>5.02 Acres</u>                                 |
| Current use of the property <u>AG &amp; RURAL RESIDENTIAL</u> |
| Present Improvements or structures <u>House</u>               |
| PID <u>222-10-0-00-002</u>                                    |

I, the undersigned am the (owner), (duly authorized agent), (Circle One) of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for rezoning as indicated above.

Signature Joe Herring - digitally signed July 15, 2024

Date 7-15-24

ATTACHMENT A

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I Paul Lamb and Melissa Trent

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
13963 206th ST Linwood KS, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

- 1) Joseph A. Herring - Herring Surveying Company 315 N. 5th Street, Leavenworth, KS 66048, 913-651-3858

2)

Signed and entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Paul Lamb 17101 206th Tonganoxie 913 207-2172  
Print Name, Address, Telephone

Paul Lamb Melissa Trent  
Signature

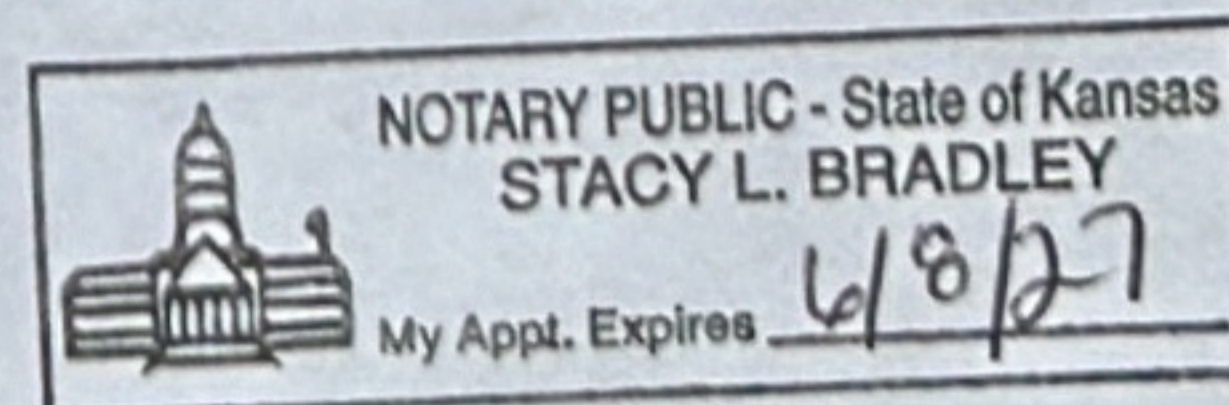
STATE OF KANSAS )

) SS

COUNTY OF LEAVENWORTH )

Be it remember that on this 3rd day of May 2021 before me, a notary public in and for said County and State came Paul Lamb & Melissa Trent to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

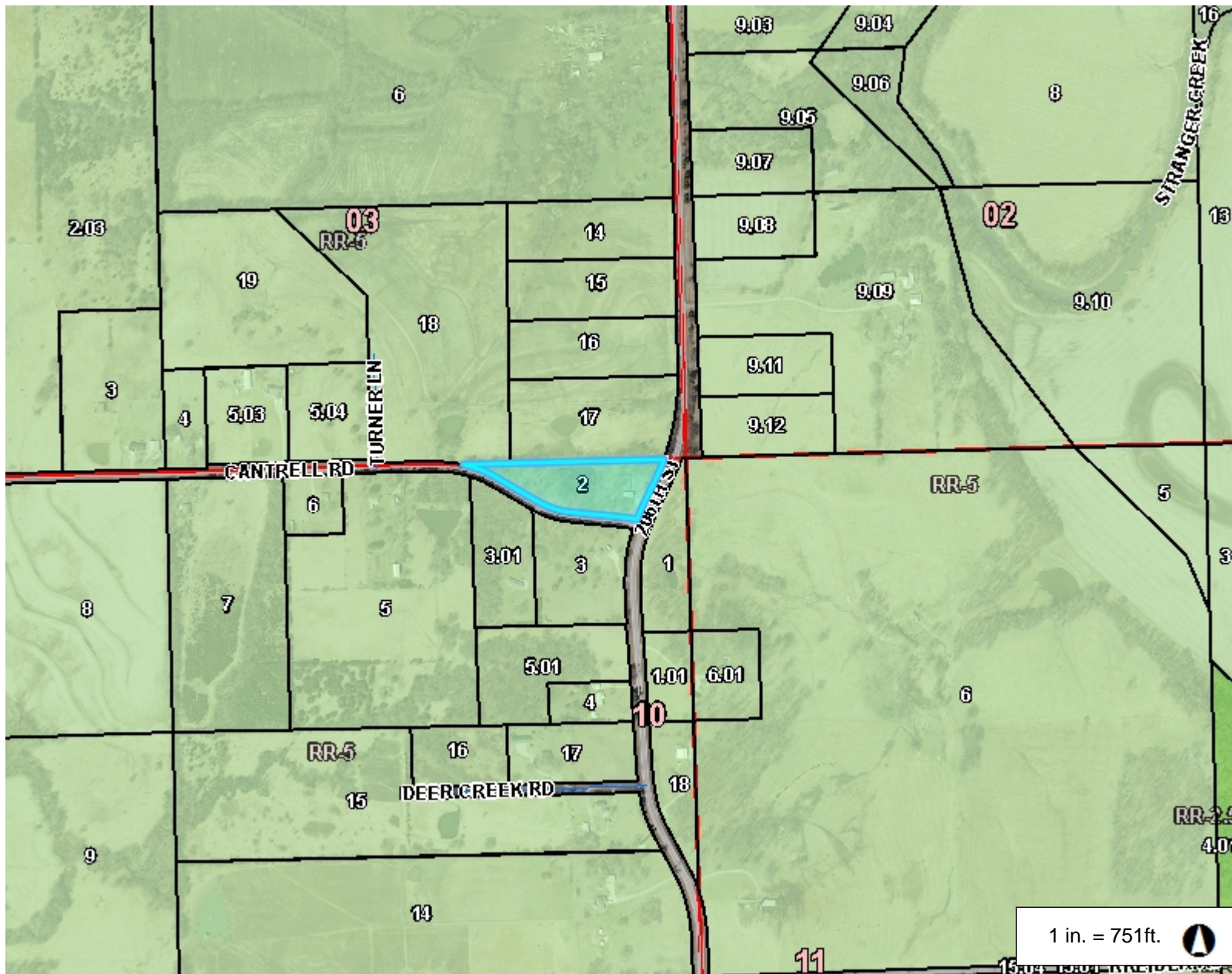
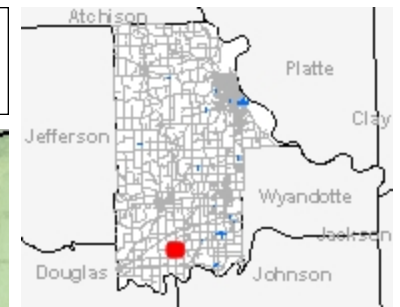
NOTARY PUBLIC Stacy L Bradley  
My Commission Expires: 6/8/27



(seal)



# DEV-24-095 Lamb/Trent Rezone



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
  - B-1
  - B-2
  - B-3
  - I-1
  - I-2
  - I-3
  - MXD
  - PC
  - PI
  - PR-1
  - PR-2
  - PR-3

## Notes

1,501.7 0 750.83 1,501.7 Feet

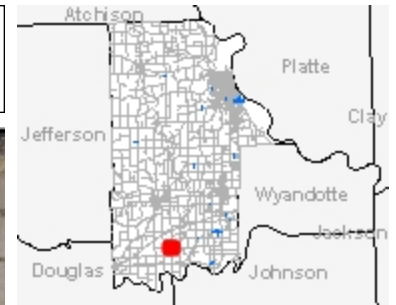
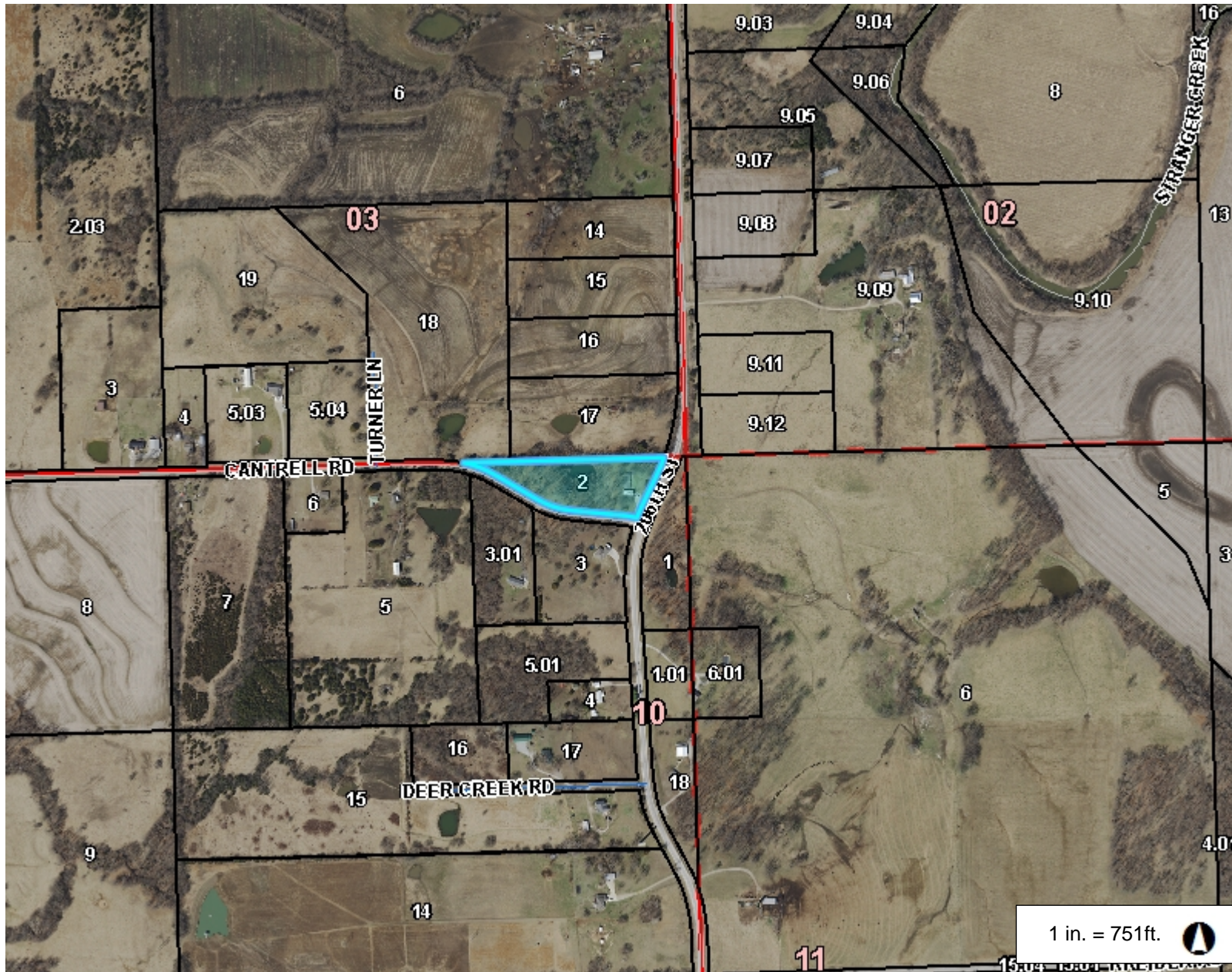
1 in. = 751ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

# DEV-24-095 Lamb/Trent Rezone



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary

## Notes

1,501.7 0 750.83 1,501.7 Feet

1 in. = 751ft.



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Allison, Amy

---

**From:** Steven Heath <Steven.Heath@evergy.com>  
**Sent:** Wednesday, July 17, 2024 8:13 AM  
**To:** Allison, Amy; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Noll, Bill; McAfee, Joe; Design Group Lawrence Service Center; 'LVCO RWD10'; 'kritter@lvcofd2.com'; 'dritter@lvcofd2.com'; Brown, Misty  
**Cc:** PZ  
**Subject:** Re: DEV-24-095 Lamb Rezone

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Internal Use Only

No conflict on behalf of Evergy.

Thank you,

**Steven Heath**

Evergy

TD Designer II

[Steven.Heath@evergy.com](mailto:Steven.Heath@evergy.com)

O: 785-865-4857

C: 785-508-2550

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, July 16, 2024 4:37 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Design Group Lawrence Service Center <designgrouponlawrenceservicecenter@evergy.com>; 'LVCO RWD10' <RWD10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>; Brown, Misty <MBrown@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-095 Lamb Rezone

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good Afternoon,

The Department of Planning and Zoning has received a rezoning application for the property located at 13963 206<sup>th</sup> Street (RR-5 to RR-2.5).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by July 30, 2024.



July 17, 2024

Amy Allison  
Leavenworth County Planning Development  
300 Walnut St., Suite 212  
Leavenworth, KS 66048

Re: Rezoning Application for 13963 206<sup>th</sup> St., Linwood, KS 66052

Dear Ms. Allison:

This letter is in response to your request for comments regarding water service with the rezoning application at 13963 206<sup>th</sup> St.

Rural Water District 10 has an existing main and can provide water if the property is split. Property address currently has a water meter and is on our service.

If you have any additional questions or concerns, please do not hesitate to contact us.

Regards,

Steve Conley  
RWD10 | Water District Manager

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Friday, July 19, 2024 8:56 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-24-095 Lamb Rezone

We have not received any complaints on this property.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

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---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, July 16, 2024 4:37 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>; 'LVCO RWD10' <RWD10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>; Brown, Misty <MBrown@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-095 Lamb Rezone

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by July 30, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

## Allison, Amy

---

**From:** McAfee, Joe  
**Sent:** Wednesday, July 31, 2024 8:57 AM  
**To:** Allison, Amy; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Noll, Bill; 'designgrouplawrenceservicecenter@evergy.com'; 'LVCO RWD10'; 'kritter@lvcofd2.com'; 'dritter@lvcofd2.com'; Brown, Misty  
**Cc:** PZ  
**Subject:** RE: RE: DEV-24-095 Lamb Rezone

Amy,  
Public Works Engineering has no comment on the rezone.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, July 16, 2024 4:37 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>; 'LVCO RWD10' <RWD10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>; Brown, Misty <MBrown@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-095 Lamb Rezone

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by July 30, 2024.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

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Thank you - Joe Herring

This application has been noticed for the August 14<sup>th</sup> Planning Commission meeting. Attached are the comments we have received thus far.

Sincerely,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

**Disclaimer**

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[RWD10+unsubscribe@conleysandu.com](mailto:RWD10+unsubscribe@conleysandu.com).

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