

LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, December 11, 2024
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048

www.leavenworthcounty.gov

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

4. **Approval of Minutes**

5. **Secretary's Report**

6. **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

7. **Approval of Agenda**

8. **Consent Agenda**

A. Case DEV-24-139 Replat Sunny Side Estates 2nd

Consideration of a Replat of Lot 2 of the Sunny Side Estates 2 subdivision in Leavenworth County, Kansas.

Also known as: 00000 167th Terrace

PID: 182-09-0-00-00-169.00

B. Case DEV-24-141 Replat Lee Chiles 3rd Plat

Consideration of a Replat of Lots 9 & 10 of the Lee Chiles 3rd Plat subdivision in Leavenworth County, Kansas.

Also known as: 00000 & 17885 179th Street

PID: 185-16-0-00-00-076.00 & 185-16-0-00-00-077.00

C. Case DEV-24-142/143 Preliminary & Final Plat Reno Estates

Consideration of a Preliminary and Final Plat for a minor subdivision in Section 32, Township 11, Range 21, in Leavenworth County, Kansas.

Also known as: 22856 Woodend Road

PID: 199-32-0-00-00-003.02

9. **Regular Agenda**

A. Case DEV-24-135 Boundary Line Adjustment Exception - Lamb

Consideration of a Boundary Line Adjustment Exception in the Northeast Quarter of Section 10, Township 12 South, Range 21, East of the 6th P.M., in Leavenworth County, Kansas.

Also known as: 13963 206th Street

PID: 222-10-0-00-00-002.00

B. Case DEV-24-145 Tract Split Exception - Owen

Consideration of a Tract Split Exception in the Northwest Quarter of Section 16, Township 12 South, Range 21, East of the 6th P.M., in Leavenworth County, Kansas.

Also known as: 21995 Loring Road

PID: 225-16-0-00-00-007.00

C. Case DEV-24-134 Valenzuela/Altenhofen Rezone

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 the Northwest Quarter of Section 35, Township 11 south, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

Also known as: 20500, 20426 & 00000 Woodend Road

PID: 197-35-0-00-00-011.00, 197-35-0-00-00-011.01 & 197-35-0-00-00-011.05

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

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

Adjournment of Planning Commission

Board of Zoning Appeals

1. Roll Call

2. Regular Agenda

A. Case DEV-24-144 Variance CityScape Road Frontage and Lot-Width to Lot-Depth

Consideration of a Variance request from Article 5, Section 4 and Article 50, Section 40.3.i. of the Leavenworth County Zoning & Subdivision Regulations on the following described property: A tract of land in the Southwest Quarter of Section 11, Township 12, Range 22 East of the 6th p.m., in Leavenworth County, Kansas.

Also known as: 15514 Loring Road

PID: 231-11-0-00-00-028.00

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

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

B. Case DEV-24-146 Variance Thomas Farm Entrance Spacing

Consideration of a Variance request from Article 41, Section 6, Exhibit B of the Leavenworth County Zoning & Subdivision Regulations on the following described property: Lot 3, Thomas Farm Subdivision, except the South 671.03 feet thereof, a subdivision in Leavenworth County, Kansas.

Also known as: 00000 147th Street

PID: 157-26-0-00-00-001.04

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

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

Adjournment of the Board of Zoning Appeals

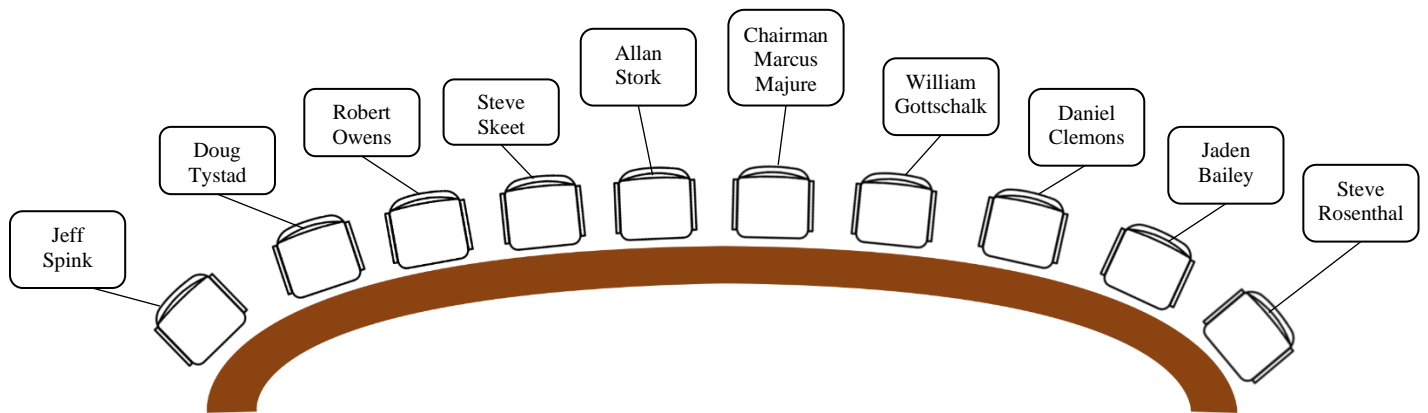
Upcoming meeting dates:

Wednesday, January 8, 2025, 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 PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
October 30, 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.

Pledge of Allegiance

Members present: Jeff Spink, Doug Tystad, Allan Stork, Dan Clemons, and Steve Rosenthal.

Staff present: John Jacobson-Director, Amy Allison-Deputy Director, Dawn Chamberlain-Planning Coordinator, Misty Brown-County Counselor

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

ROLL CALL VOTE – Motion to the approve passed, 4/0

Secretary's Report: Amy Allison outlined the one item on the agenda.

Declarations: None

Approval of Agenda: Commissioner Tystad made a motion to approve the Agenda and Commissioner Clemons seconded the motion.

ROLL CALL VOTE: Motion to approve the agenda passed. 9/0

A. Case DEV-24-123 Variance – Watson/McCoppin

Consideration of a Variance request from Article 5, Section 4 of the Leavenworth County Zoning & Subdivision Regulations on the following described property: A tract of land in the Northeast Quarter (NE ¼) of Section Twenty-Four (24), Township Nine (9) South, Range Twenty-One (21) East of the 6th p.m., Leavenworth County, Kansas.

Also known as 26567 187th Street

Amy Allison gave the staff report for the above-listed case, outlining the details of the request. The applicant is requesting a variance. Ms. Allison mentioned the parcel in question is approximately 2.2 acres in size and the parcel was split off via deed about ten years ago. The current owner was not the owner when the parcel was split. The current owners encountered a house fire in June, 2024. When property owner applied for a permit to rebuild, it was discovered the parcel is not compliant.

In order to bring the parcel into compliance, a variance must be granted. Ms. Allison also mentioned staff has provided an analysis outlining the five factors to consider when reviewing a variance request that is included in the staff report.

Commissioner Rosenthal asked about the lot/depth ratio. Ms. Allison confirmed the parcel is in compliance with that requirement. Commissioner Clemons asked if the owners decided to build another structure in the future, if another variance would be required. Ms. Allison confirmed an additional variance would not be required.

Property owner Matthew Watson appeared and stated they were not aware the parcel was non-compliant when they purchased the property. Mr. Watson mentioned they are working with the neighbor who sold them the property and are working with them to possibly purchase an additional 2.88 acres of property from them, which would meet the five-acre minimum.

Chairman Stork asked if there were any comments or questions by the Commissioners. With no response, Chairman Stork closed the public hearing portion of the meeting.

Commissioner Rosenthal motioned to approve the variance based upon the Five Factors. Commissioner Tystad seconded.

ROLL CALL VOTE: Motion to approve variance passed. 5/0

Adjournment of the Board of Zoning Appeals was called at 5:39 PM.

Upcoming meeting dates:

**Wednesday, November 13, 2024, 5:30 PM
Regular Planning Commission Meeting**

DRAFT

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
November 13, 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.

Pledge of Allegiance

Members present: Jeff Spink, Doug Tystad, Allan Stork, Chairman Marcus Majure, William Gottschalk, Dan Clemons, Jaden Bailey and Steve Rosenthal. (Absent: Steve Skeet and Robert Owens)

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

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

Amendment to Minutes: Commissioner Rosenthal made a motion to correct errors in the Minutes. Commissioner Tystad seconded that Motion.

ROLL CALL VOTE – Motion to the approve amendment to minutes passed, 7/0 (2 absent).

Counselor's Report: Misty Brown addressed the Commission and those in attendance that there is a full agenda and because they are all land use matters, they are quasi-judicial matters. To clarify, Ms. Brown stated all due processes to make sure decisions are made with the Golden Factors in mind and articulate reasons for decisions while voting.

Secretary's Report: Amy Allison outlined two items on the consent agenda. There are nine items on the regular agenda, of which five are Public Hearing items. Ms. Allison reminded the audience that if they plan to speak, they need to be sure to add their name and address to the sign-in sheet. There were also handouts given to the public.

Declarations: None

Approval of Agenda: Commissioner Stork made a motion to approve the Agenda and Commissioner Tystad seconded the motion.

ROLL CALL VOTE: Motion to approve the agenda passed. 7/0 (2 absent).

Regular Agenda

A. Case DEV-24-120 Creten Tract Split Exceptions

Consideration of an Exception for a tract of land in the Southwest Quarter of Section 27, Township 11 South, Range 21, East of the 6th P.M., in Leavenworth County, Kansas.

Also known as: 15812 214th Street

Amy Allison gave the staff report, outlining the details of the request. The applicants are requesting to split approximately 15 acres of land. Because of the lot depth to width requirement cannot be met and the irregular shape of the proposed tract, Ms. Allison mentioned Planning Commission would be approve the request with exceptions.

Commissioner Tystad motioned to approve and Commissioner Clemons seconded for Exception 1: Lot-depth to lot-width

ROLL CALL VOTE: Motion to approve passed 7/0 (2 absent).

Commissioner Clemons motioned to approve and Commissioner Tystad second for Exception 2: Irregular shaped lot.

ROLL CALL VOTE: Motion to approve passed 7/0 (2 absent).

B. Case DEV-24-122 Lansing Boundary Line Adjustment Exception

Consideration of an Exception for tracts of land in the West Half of the East Half of the Northeast Quarter of Section 15, Township 8 South, Range 21, East of the 6th P.M., in Leavenworth County, Kansas.

Also known as: 20453 & 20437 Seven Sisters Rd

Josh Schweitzer gave the staff report, outlining the applicants are requesting an exception from the zoning regulation. Commissioner Tystad confirmed the lot depth of the property in question.

Commissioner Bailey motioned to approve the Exception and Commissioner Tystad seconded.

ROLL CALL VOTE: Motion to approve passed 7/0 (2 absent).

C. Case DEV-24-132/133 Thomas Farms Preliminary and Final Plat

Consideration of a Preliminary & Final Plat for a Minor Subdivision in the Northeast Quarter of Section 26, Township 10 South, Range 22, East of the 6th P.M. in Leavenworth County, Kansas.

Also known as: 00000 147th St.; 20807 147th St.

Amy Allison gave the staff report for the above-listed case, outlining the no access off of Donahoo Road and that the applicant is proposing a shared access from 147th St. for Lots 1 & 2. Exceptions are needed for a non-conforming structure on Lot 3 and the lot-depth to lot-width of Lot 4.

Commissioner Rosenthal motioned to approve Exception 1: Non-confirming structure and Commissioner Bailey seconded.

ROLL CALL VOTE: Motion to approve passed 7/0 (2 absent).

Commissioner Bailey motioned to approve Exception 2: Lot-depth to lot-width and Commissioner Clemons seconded.

Commissioner

ROLL CALL VOTE: Motion to approve passed 7/0 (2 absent).

Commissioner Tystad motioned to approve Preliminary and Final Plat with amendment and Commissioner Bailey seconded.

ROLL CALL VOTE: Motion to approve passed 7/0 (2 absent).

D. Case DEV-24-118 Gilbert Rezone

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning district on the following described property: A tract in the Southeast Quarter of Section 18, Township 9, Range 22, in Leavenworth County, Kansas; AND A tract of land in the Northeast Quarter of Section 19, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

Also known as: 18289 & 00000 Eisenhower Rd

Amy Allison gave the staff report for the above-listed case, outlining the applicant's request.

Chairman Majure opened Public Hearing.

Surveyor Joe Herring and property owner provided further details. Several surrounding property owners stated opposition to the rezone request.

Chairman Majure closed the Public Hearing.

Commissioner Stork motioned to approve request and Commissioner Tystad seconded.

ROLL CALL VOTE: Motion failed 4/3 (2 absent).

Commissioner Bailey voted no because Factors 1 was not met.

Commissioner Stork voted yes.

Commissioner Gottschalk voted no due to Factor 1 and Factor 3 not being met.

Commissioner Spink voted no, Factor 1.

Commissioner Tystad voted yes.

Commissioner Clemons voted no, Factor 1 and 3. Also, opposition to the request.

Commissioner Rosenthal voted yes.

E. Case DEV-24-126 Kooser Family Living Trust Rezone

Consideration of a rezoning request from RR-5 zoning district to R-1 (43) zoning district on the following described property: The Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Seventeen (17) Township Eleven (11) South Range Twenty-Two (22) East of the Sixth P.M., Less Right-of-Way, in Leavenworth County, Kansas.

Also known as: 17675 Evans Rd

Amy Allison gave the staff report for the above-listed case, outlining the applicant's rezone proposal.

Chairman Majure opened Public Hearing.

Joe Herring further outlined applicant's request. Several surrounding property owners spoke in opposition of the rezone request.

Chairman Majure closed Public Hearing.

Commissioner Stork motioned for the approval of the request. Commissioner Spink seconded.

ROLL CALL VOTE: Motion passed 5/2 (2 absent).

Commissioner Bailey voted no, Factors 1, 2 and 6.

Commissioner Stork voted yes.

Commissioner Gottschalk voted yes.

Commissioner Spink voted yes.

Commissioner Tystad voted yes.

Commissioner Clemons voted yes.

Commissioner Rosenthal voted no. Too far away from the City or public sewers.

Break with readjourn at 7:50pm

F. Case DEV-24-127 Ditty Rezone

Consideration of a rezoning request from PR-2 zoning district to RR-5 zoning district on the following described property: The South ½ of the East ½ of the West ½ of the Northwest ¼ of Section 32, Township 11, Range 21, in Leavenworth County, Kansas

Also known as: 22856 Woodend Rd

Amy Allison gave the staff report for the above-listed case, outlining the applicant's rezone proposal.

Chairman Majure opened Public Hearing.

Surveyor Joe Herring further outlined sanitary and utility options. One surrounding property owner raised concerns regarding the rezone.

Director John Jacobson explained the history of the property (to the best of his knowledge), stating the anticipated uses have not yet surfaced. The current state of density and utility connections that would be necessary was further explained.

Chairman Majure closed the Public Hearing.

Commissioner Stork motioned to approve request and Commissioner Clemons seconded the motion.

ROLL CALL VOTE: Motion passed 7/0 (2 absent).

G. Case DEV-24-128 GM Investment Rezone

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning district on the following described property: Lot 1, Smith's Corner, a subdivision in Leavenworth County, Kansas.

Also known as: 19575 Mitchell Rd

Josh Schweitzer gave the staff report mentioning Staff recommends approval of the request.

Chairman Majure opened the Public Hearing.

Surveyor Joe Herring outlining that his client (the property owner) is aware of access requirements in the rezone.

Several property owners spoke in opposition; one stating the concern of safety with the intersection and bicycle lane nearby. Having two driveways vs. one was raised as a concern. Josh Schweitzer and John Jacobson clarified the difference in lot size in question.

Chairman Majure closed the Public Hearing.

Commissioner Stork motioned to approve rezone request and Commissioner Clemons seconded.

ROLL CALL VOTE: Motion passed 4/3 (2 absent).

Commissioner Bailey voted no. Factors 1 and 2.

Commissioner Stork voted yes.

Commissioner Gottschalk voted no. Factors 1 and 2.

Commissioner Spink voted yes.

Commissioner Tystad voted no. Factors 1 and 6.

Commissioner Clemons voted yes.

Commissioner Rosenthal voted yes.

H. Case DEV-24-131 T&R Investments Rezone

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 Northwest 1/4 of Section 15, Township 8 South, Range 21 East of the 6th PM, in Leavenworth County, Kansas.

Also known as: 00000 Easton Rd

Josh Schweitzer gave the staff report of the rezone request, outlining the concept plan. KDOT and Public Works have concerns about access to the relevant roads adjacent to the property in question, particularly on 207th Street. Staff has reviewed the request while considering the Golden Factors and Staff is recommending approval of the rezone request.

Chairman Majure opened the Public Hearing.

Surveyor Joe Herring added further details including future boundary line adjustments and KDOT and Public Works would be involved.

Several surrounding property owners spoke in opposition raising concerns about safety and the need of new schools. A school district employee raised the issue of fatalities near Easton and K7. Another property owner raised concern about water contamination if the rezone is approved.

Chairman Majure closed the Public Hearing.

Commissioner Stork motioned approval of the request in consideration of the Golden Factors. Commissioner Tystad seconded.

ROLL CALL VOTE: Motion passed 6/1 (2 absent).

Commissioner Bailey voted no. Factors 1, 2 and 7.

Commissioner Stork voted yes.

Commissioner Gottschalk voted yes.

Commissioner Spink voted yes.

Commissioner Tystad voted yes.

Commissioner Clemons voted yes.

Commissioner Rosenthal voted yes.

I. Case DEV-24-116 Kaaz Rezone – Returned from BOCC

Reconsideration 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 the Northwest ¼ of Section 19, Range 22 East of the 6th P.M., in Leavenworth County, Kansas & The North ½ of the North ½ of the Southwest ¼ of Section 19, Township 9, Range 22 East of the 6th P.M., in Leavenworth County, Kansas.

Also known as: 18415 Eisenhower Rd.

Amy Alison gave the staff report of the rezone request, mentioning the matter has been addressed at the Board of County Commissioner's meeting, and the matter was remanded to the Planning Commission with a specific directive; to consider Golden Factor One (parcel sizes in the surrounding area).

Counsel Misty Brown expressed that State statute governs due process when an item is remanded back to the Planning Commission. In doing so, a statement is required as to what is requested of the Commission. Counselor Brown also referred to clarification to the issue of the parcel in question did not meet the character of the neighborhood; specifically because other surrounding properties were of smaller acreage. Discussion ensued.

Commissioner Rosenthal motioned to approve the request and Stork seconded.

ROLL CALL VOTE: Motion passed 4/3.

Commissioner Bailey voted no.

Commissioner Stork voted yes.

Commissioner Gottschalk voted no.

Commissioner Spink voted yes.

Commissioner Tystad voted yes.

Commissioner Clemons voted no.

Commissioner Rosenthal voted yes.

Adjournment of Planning Commission at 9:06pm.

LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT

CASE NO: DEV-24-139 Sunny Side Estates 2

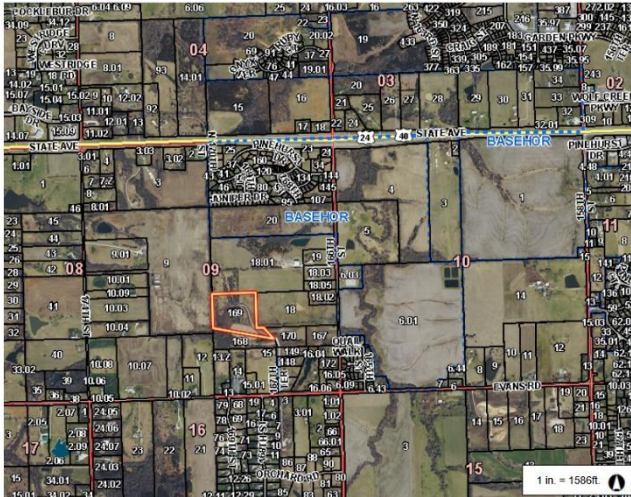
December 11, 2024

REQUEST: **Consent Agenda**

☐ Preliminary Plat ☐ Final Plat

☒ Replat Plat

SUBJECT PROPERTY: 19150 178th Street



LEGAL DESCRIPTION:

Lot 2, Sunny Side Estates 2, a Cross Access Easement Subdivision in Leavenworth County, Kansas.

STAFF RECOMMENDATION: APPROVAL

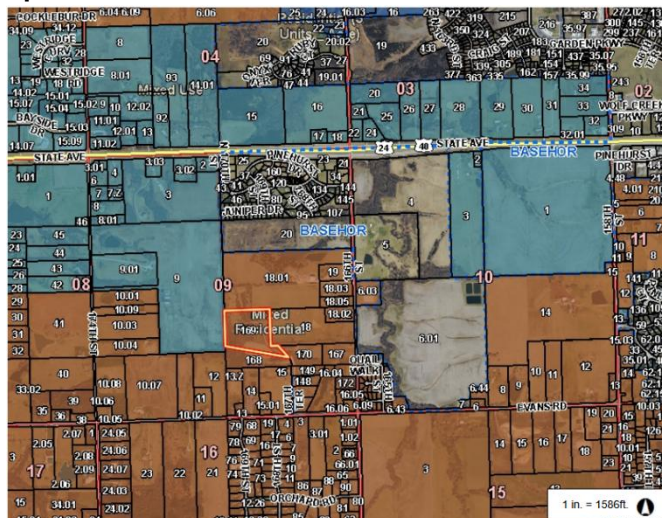
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-139, Replat for Sunny Side Estates 2, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-139, Replat for Sunny Side Estates 2 to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PROJECT SUMMARY:

Request for Replat approval to subdivide property located at 00000 167th Ter (182-09-0-00-00-169) as Lots 2A through 2B of Sunny Side Estates 2 Replat.

Location Map: FUTURE LAND USE DESIGNATION



PROPERTY INFORMATION	
PARCEL SIZE: 18 ACRES	
PARCEL ID NO: 182-09-0-00-00-169	
BUILDINGS: N/A	
ACCESS/STREET: 167 th Terrace, Local, + 22'	
UTILITIES	
SEWER: PRIVATE SEPTIC	
FIRE: Fairmount	
WATER: Suburban	
ELECTRIC: Evergy	
NOTICE & REVIEW:	
STAFF REVIEW: 12/4/2024	
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: Final Review		Met	Not Met
35-40	Preliminary Plat Content	N/A	
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 to split Lot 2 of Sunny Side Estates into 2 lots. Lot 2A will approximately be 12.8 acres and lot 2B will approximately be 5.8 acres. 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). 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. Any modifications to the pond may require changes to state or federal permit, the applicant must verify that no additional permits is required from those entities.
6. The developer must comply with the following memorandums:
 - Memo – Everygy, Jordan Mesmer, dated November 5, 2024
 - Memo – Suburban Water, Travis Miles, dated November 5, 2024
 - Memo – Fairmount Fire District, Mike Lingenfelter, dated November 13, 2024
 - Memo – Emergency Management, Chuck Magaha, dated November 8, 2024
 - Email – Public Works, Joe McAfee, dated December 3, 2024

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Road Map (A minimum of 1/4 mile)
- D: Memorandums

• Big Copy
• utility lines
• digital

FINAL PLAT APPLICATION

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

Office Use Only

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

APPLICANT/AGENT INFORMATION

NAME: Herring Surveying Company

MAILING ADDRESS: 315 North 5th Street

CITY/ST/ZIP: Leavenworth, KS 66048

PHONE: 913-651-3858

EMAIL: herringsurveying@outlook.com

OWNER INFORMATION

NAME: Allan F & Marion Sue Stork

MAILING ADDRESS: 16678 Evans Road

CITY/ST/ZIP: Basehor, KS 66007

PHONE: N/A

EMAIL: N/A

GENERAL INFORMATION

Proposed Subdivision Name: SUNNY SIDE ESTATES 2 REPLAT

Address of Property: 00000 167th Street *Turn*

PID: 182-09-0-00-00-169

Urban Growth Management Area: N/A

SUBDIVISION INFORMATION

Gross Acreage: 18 AC	Number of Lots: 2	Minimum Lot Size: 5 AC
Maximum Lot Size: 13 AC	Proposed Zoning: RR - 2.5	Density: N/A
Open Space Acreage: N/A	Water District: Suburban	Proposed Sewage: Septic
Fire District: Fairmount	Electric Provider: Evergy	Natural Gas Provider: Atmos/Propane
Covenants: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: <i>Local – Collector – Arterial – State – Federal</i>	
	Cross-Access Easement Requested: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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 10-20-2024

Date: 10/20/24

ATTACHMENT A

Janet Klasmer
COUNTY CLERK

DOC #: 2024R08972
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
12/04/2024 01:53:56 PM
RECORDING FEE: 21.00
PAGES: 1

KANSAS QUIT-CLAIM DEED

THIS INDENTURE; Made on the 4 day of Dec., 2024 AD, by and between, Allan F. Stork and Marion Sue Stork, a married couple,, Grantor of the County of Leavenworth, State of Kansas, party of the first part, and Allan F. Stork and Marion Sue Stork, a married couple, Grantees of the County of Leavenworth, State of Kansas, parties of the second part.

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, and the survivor of them, and as tenants in common, the following described lots, tracts or parcels of land, lying, being and situate in the County of Leavenworth and State of Kansas, to-wit:

Lot 2, SUNNY SIDE ESTATES 2, a Cross Access Easement Subdivision in Leavenworth County, Kansas.

Pursuant to K.S.A.79-1437(e), a real estate validation questionnaire is not required due to Exemption 3

TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privileges 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

Allan F. Stork
Allan F. Stork

Marion Sue Stork
Marion Sue Stork

Acknowledgement
STATE OF Kansas

COUNTY OF Leavenworth

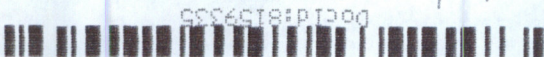
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BE IT REMEMBERED, That on this 4th day of December, A.D. 2024, before me, the undersigned, a Notary Public, in and for said County and State, came Allan F. Stork and Marion Sue Stork, a married couple,, who are personally known to me known to be the 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.

My commission expires: 11/30/28

Stephanie M. Sloop
NOTARY PUBLIC
Stephanie M Sloop



From: [sue stork](#)
Sent: Wednesday, July 19, 2023 11:29 AM
To: [Johnson, Melissa](#)
Subject: Sunny Side Estates 2

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.

July 19,2023

I Marion Sue Stork, give my authorization to Joe Herring to survey the property Sunny Side Estates 2.

AFFIDAVIT

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

We/I Allan F. Stork and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
18209 146th St Basehor 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 23 day of January, 2023

Allan F. Stork 14678 Evans Rd Basehor KS 66007 217-519-1987
Print Name, Address, Telephone

Allan F. Stork
Signature

STATE OF KANSAS)

) SS

COUNTY OF LEAVENWORTH)

Be it remember that on this 23rd day of January, 2023 before me, a notary public in and
for said County and State came Allan F. Stork 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.

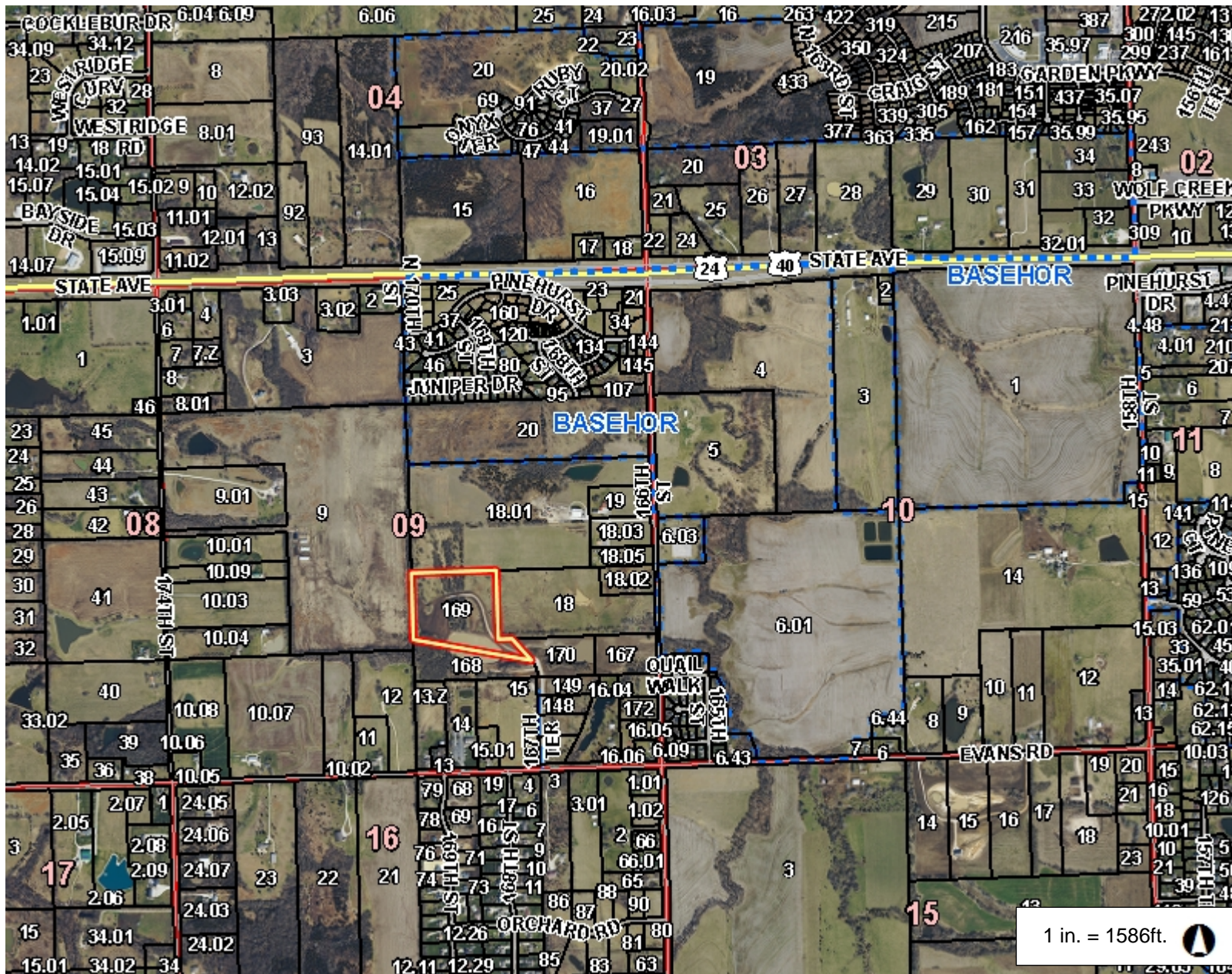
NOTARY PUBLIC Katy Torneden

My Commission Expires: 01-27-2025

(seal)



Leavenworth County, KS



Legend

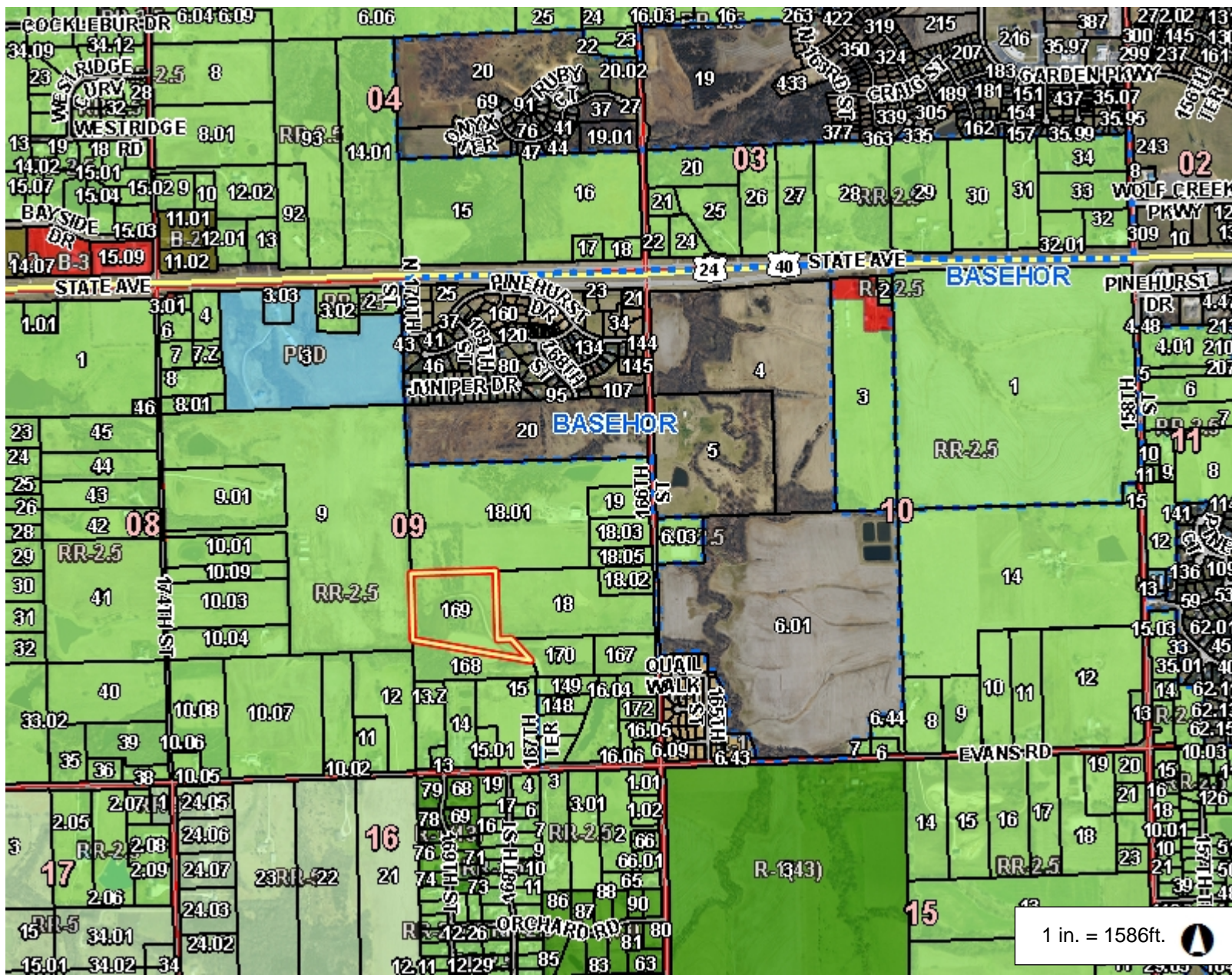
- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- +
- Railroad
- Section
- Section Boundaries
- County Boundary

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

SUNNY SIDE ESTATES 2 REPLAT

A Cross Access Easement and Replat of Lot 2, SUNNY SIDE ESTATES 2, Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:

STORK, ALLAN F & MARION SUE
16678 EVANS ROAD
BASEHOR, KS 66007
PID NO. 182-09-0-00-00-018.07

RECORD DESCRIPTION:

Lot 2, SUNNY SIDE ESTATES 2, a subdivision in Leavenworth County, Kansas.

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: **SUNNY SIDE ESTATES 2 REPLAT**.

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 1, Lot 2, and Lot 3** for the benefit of **Lot 1, Lot 2, and Lot 3**, along with Lots 1 through 4, SUNNY SIDE ESTATES. Maintenance as defined in the Home Owner's Association (H.O.A.), recorded at the Leavenworth County Register of Deeds Office Doc # 2023R

IN TESTIMONY WHEREOF,

We, the undersigned owners of SUNNY SIDE ESTATES 2 REPLAT, have set our hands this _____ day of _____, 2024.

Allan F. Stork

Marion Sue Stork

NOTARY CERTIFICATE:

Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Allan F. Stork and Marion Sue Stork, a married couple, 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)

APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SUNNY SIDE ESTATES 2 REPLAT 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 SUNNY SIDE ESTATES 2 REPLAT this _____ day of _____, 2024.

Chairman

Jeff Culbertson

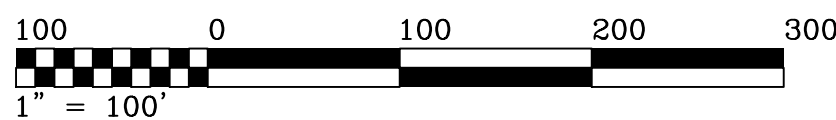
County Clerk

Attest: Janet Klasinski



Scale 1" = 100'

Job # K-24-1356
October 18, 2024



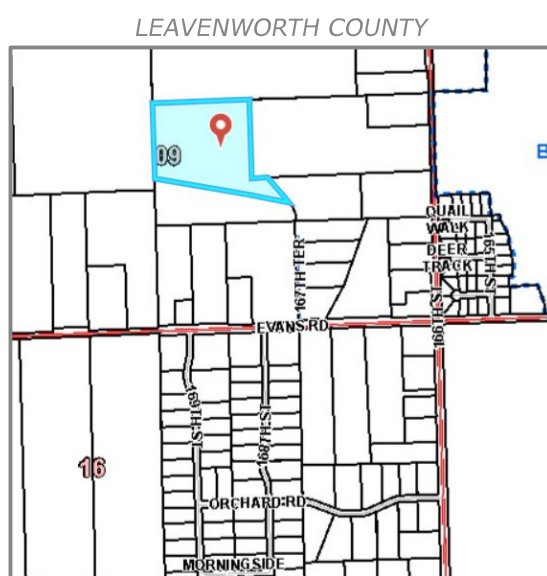
REGISTER OF DEED CERTIFICATE:

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 Baunchen, PS#1363
County Surveyor



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 Evans 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. Home Owner's Association to include both phases. Recorded in the Office of the Leavenworth County Register of Deed Doc #2023R
- 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.
- 8) **Lots 1 and 2, SUNNY SIDE ESTATES 2**, equally share the maintenance of the shared pond, unless otherwise agreed to or included in the Home Owner's Association.
- 9) Emergency Overflow Spillway for ponds can not be impeded by a structure or driveway.
- 10) Culvert designs for drives to **Lot 1 and 2**, if any, to be provided with building permit application.

Revise

PID NO. 182-09...018

Reviewer Statement: At the time of Sunny Side Estates 2 plat approval by the County, ponds were proposed within the development. Pond permitting and design was not reviewed by Public Works.

The review of the replat does not include impacts or considerations from the ponds. Applicant shall confirm with previous jurisdictional pond permit holders on any requirements for the proposed replat.

11-14-24
PW Combined
Comments

LOT 1 - PIONEER ACRES
Approved by County - not recorded

ZONING:

RR-2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

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 Error of Closure Calculations
- 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) - 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 Doc # 2023R01014
- 12) Utility Companies -
 - Water - Suburban
 - Electric - Evergy
 - Sewer - Septic
 - Gas - Propane / Natural Gas
- 13) Reference Continental Title File Number 23445915 updated June 12, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0327G & 0350G 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.
Gas Line Easement Book 325 Page 321, Blanket over South 20 acres of Tract Existing Gas Line South of surveyed property.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
 - WITT SUBDIVISION Survey Book 15 #92, 2005
 - HEART LAND ESTATES Doc #2011P00006
 - SUNNY SIDE ESTATES Doc #2021P00031
 - SUNNY SIDE ESTATES 2 Doc #2023P00047
 - JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009
 - Heart Land Estates Lot Split Doc #2020S026

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
- CL - Centerline
- SL - Section Line
- BM - Benchmark
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- C.A.E. - Cross Access Easement



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

Joseph A. Herring
PS # 1296

SUNNY SIDE ESTATES 2 REPLAT

A Cross Access Easement and Replat of Lot 2, SUNNY SIDE ESTATES 2, Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:

STORK, ALLAN F & MARION SUE
16678 EVANS ROAD
BASEHOR, KS 66007
PID NO. 182-09-0-00-00-169

RECORD DESCRIPTION:

Lot 2, SUNNY SIDE ESTATES 2, a subdivision in Leavenworth County, Kansas.

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: SUNNY SIDE ESTATES 2 REPLAT.

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.

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IN TESTIMONY WHEREOF,

We, the undersigned owners of SUNNY SIDE ESTATES 2 REPLAT, have set our hands this _____ day of _____, 2024.

Allan F. Stork

Marion Sue Stork

NOTARY CERTIFICATE:

Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Allan F. Stork and Marion Sue Stork, a married couple, 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)

APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SUNNY SIDE ESTATES 2 REPLAT 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.

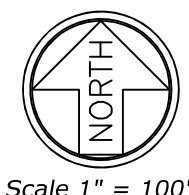
County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of SUNNY SIDE ESTATES 2 REPLAT this _____ day of _____, 2024.

Chairman
Jeff Culbertson

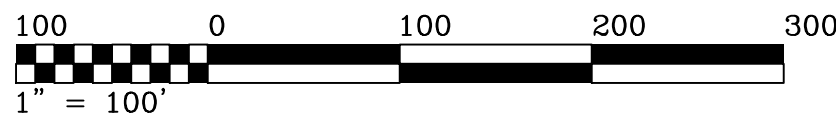
County Clerk
Attest: Janet Klasinski



Scale 1" = 100'

Job # K-24-1356

October 16, 2024 Rev 12-2-24



REGISTER OF DEED CERTIFICATE:

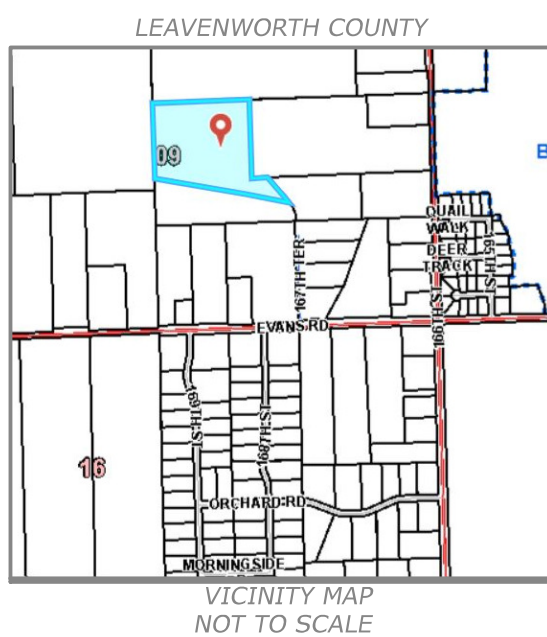
Filed for Record as Document No. _____ on this _____ day of _____, 2024 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

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.

Reviewed 2024.12.04 No Comments

Daniel Baunchen, PS#1363
County Surveyor



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 Evans 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. Home Owner's Association to include both phases. Recorded in the Office of the Leavenworth County Register of Deed Doc #2023R
- 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.
- 8) Lot 1, SUNNY SIDE ESTATES 2, and Lots 2A & 2B, SUNNY SIDE ESTATES 2 REPLAT equally share the maintenance of the shared pond, unless otherwise agreed to or included in the Home Owner's Association.
- 9) Emergency Overflow Spillway for ponds can not be impeded by a structure or driveway.
- 10) Culvert designs for drives to Lot 2A and 2B, if any, to be provided with building permit application.

PID NO. 182-09...018

SUNNY SIDE ESTATES
LOTS 1 - 4
DOC #2021P00031

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
- CL - Centerline
- SL - Section Line
- BM - Benchmark
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- C.A.E. - Cross Access Easement



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of October 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: Tuesday, December 3, 2024 4:01 PM
To: Allison, Amy; Baumchen, Daniel
Cc: Jacobson, John; Schweitzer, Joshua
Subject: RE: Cases for the December PC Meeting

Amy,
[Comments below.](#)

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, December 2, 2024 9:26 AM
To: McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: Jacobson, John <JJacobson@leavenworthcounty.gov>; Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Subject: Cases for the December PC Meeting

Joe and Dan,

Please let us know which cases are not ready for Public works:

- DEV-24-135 Lamb BLA Exception (Good)
- DEV-24-139 Sunny Side Replat (Can go with any remaining conditions from next review.)
- DEV-24-141 Lee Chiles 3rd Replat (Can go with any remaining conditions from next review.)
- DEV-24-142/143 Reno Estates Plat (Can go with any remaining conditions from next review.)
- DEV-24-145 Owens TS Exception (Good)

If there are any other cases you are tracking, let us know but this is the list we have as potential cases ready for the meeting.

Thanks!

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

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.



November 5th, 2024

Joe Herring
Herring Surveying Company
315 N 5th Street
Leavenworth, KS 66048

**Re: Sunny Side 2 Replat
Basehor, KS**

Dear Joe:

At your request, Evergy is providing this acknowledgement that the above-mentioned property is within Evergy's service territory and, consequently, Evergy will serve the project consistent with its General Rules and Regulations. This correspondence is not a guarantee of service on any specific timeline. Changes, delays, or additions to the project's design, timeline, and installation may result in delays or additional equipment necessary to ensure service upon completion of the project. Additionally, Evergy is subject to the availability of distribution equipment and any supply chain disruptions may affect Evergy's ability to provide service.

All projects must conform to Evergy's Electrical Service Standards and service is dependent upon a timely application for electrical service and supporting information. Upon submission of updated project information, Evergy will work with you to provide information regarding our timeline for provision of service.

Sincerely,

Jordan Mesmer
TD Designer
Evergy
913-667-5122

Attachment: Commercial Application



FAIRMOUNT TOWNSHIP FIRE DEPARTMENT
2624 N 155th St.
BASEHOR, KS 66007



November 13, 2024

Leavenworth County Planning and Zoning Department
Leavenworth County Courthouse
300 Walnut Suite 212
Leavenworth, Kansas 66048

RE: Sunny Side Estates 2 Replat

To whom it may concern:

After reviewing the application and conducting an on-site survey for Sunny Side Estates 2 Replat, the Fairmount Township Fire Department has no issues with their plans. However, the Knox lock that was to be installed on the gate for the private road still has not been installed. This was addressed in an email from me on June 28, 2023. The email stated "In reference to Sunny Side Estates 2, the Fairmount Township Fire Department is requesting that there be a fire hydrant installed at the end of the road at the cul de sac. We would also like to address the gate installation on the private road. This gate should not have been allowed per 503.6 of the 2006 Fire Code. Our Fire Department uses the Knox Rapid Access System for emergency access to buildings and properties. I will not support this project going forward until the gate is either taken off or a Knox system is installed with our department Knox key for emergency access".

This letter serves to confirm that the Fairmount Township Fire Department will provide service as needed when called upon. If you have any further questions or require additional information, please feel free to contact us.

Sincerely,

Mike Lingenfelser, Fire Chief
Fairmount Township Fire Department
PO Box 136
Basehor, KS 66007



November 5th, 2024

Leavenworth County Planning and Zoning Department
Leavenworth County Courthouse
300 Walnut Suite 212
Leavenworth, Kansas 66048

RE:Sunny Side Estates 2 Replat

Suburban Water, Inc. (SWC) has received the proposed preliminary plat for Sunny Side Estates Replat Phase II, Leavenworth County, KS. Suburban has completed an initial review of the proposed development. SWC has existing infrastructure located along 167th Terrace and Evans Road. SWC will provide water service to the proposed development. System improvements necessary to provide service to the proposed development will be provided by SWC to the developer upon approval of the final plat approval by LVCO.

Sincerely,

Travis J Miles

Travis J Miles

President

MEMO

To: Krystal Voth
From: Chuck Magaha
Subject: Sunny Side Estates
Date: November 8, 2024

Krystal, I have reviewed the preliminary plat of the Sunny Side Estates Subdivision presented by Allan and Sue Stork. 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 along Evans Road, a hydrant to be placed between Lot 1 and Lot 2. A note of interest once this becomes a private road any Municipal Government cannot assist with Storm removal and other needs during a disaster since this will be considered private property. Emergency Services will continue to respond however in a disaster such as Bear Lake in 2019 the County will not be able to assist. Citizens that purchase property in this subdivision should be aware of this FEMA clause of private property. I have no further recommendation for this subdivision.

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

Note: Joshua from my original notes nothing to change.

Thanks
Chuck

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Tuesday, November 19, 2024 9:52 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-139 Replat of Sunny Side Estates 2

We have not received any complaints on these properties, and are not aware of any septic systems currently installed on them.

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, November 5, 2024 2:03 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-139 Replat of Sunny Side Estates 2

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a RePlat of Sunny Side Estates 2, Lot 2 at 00000 167th Ter (182-09-0-00-00-169).

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 November 20, 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-24-141 Lee Chiles 3rd Plat

December 11, 2024

REQUEST: **Consent Agenda**

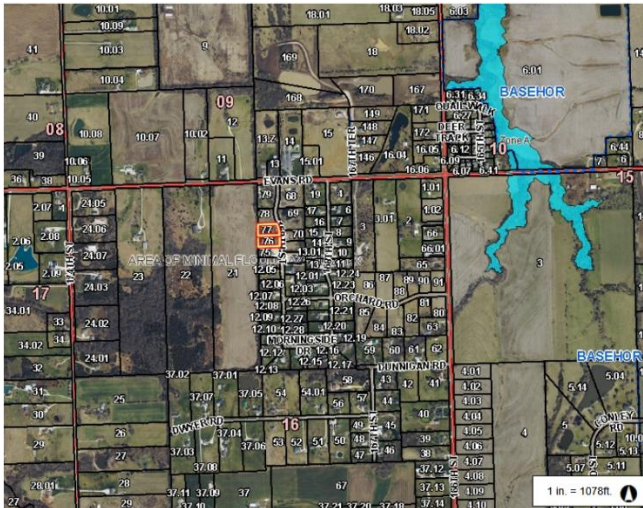
☐ Preliminary Plat ☐ Final Plat

☒ RePlat

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 00000 & 17885 169th Street



APPLICANT/APPLICANT AGENT:

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

PROPERTY OWNER:

PCDI | Drennon, Michael & Erin
19150 178th St. | 17885 169th St.
Tonganoxie, KS 66086 | Basehor, KS 66007

CONCURRENT APPLICATIONS:
NONE

LAND USE

ZONING: R-1(43)

FUTURE LAND USE DESIGNATION:
Mixed Residential

LEGAL DESCRIPTION:

Lots 9 & 10, Lee Chiles 3rd PLAT, a subdivision in Leavenworth County KS.

SUBDIVISION: Lee Chiles 3rd Plat

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-141, Replat of Lee Chiles 3rd Plat, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-141, Replat of Lee Chiles 3rd Plat to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 1.0 & 1.10 ACRES

PARCEL ID NO:

185-16-0-00-00-076; 077

BUILDINGS:

Existing House | Vacant Lot

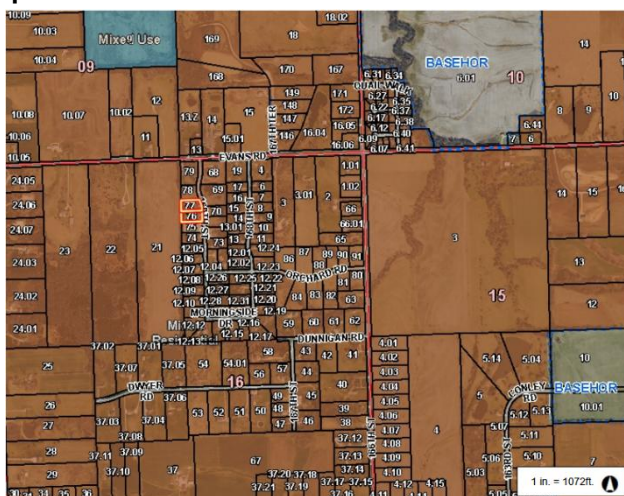
PROJECT SUMMARY:

Request for a replat approval of Lots 9 & 10 of Lee Chiles 3rd Plat to readjust property lines located at 00000 & 17885 169th Street (185-16-0-00-00-076; 077).

ACCESS/STREET:

169th Street - Local, paved \pm 24'

Location Map: FUTURE LAND USE DESIGNATION



UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: Fairmount

WATER: Suburban

ELECTRIC: Evergy

NOTICE & REVIEW:

STAFF REVIEW:

12/4/2024

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: Final Review		Met	Not Met
35-40	Preliminary Plat Content	N/A	
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 applicants are wanting to readjust their property lines to ensure that improvements that was made to Lot 10 (Lot 1) remains on their lot. Both lots still remain in compliance with R-1(43) zoning requirements.

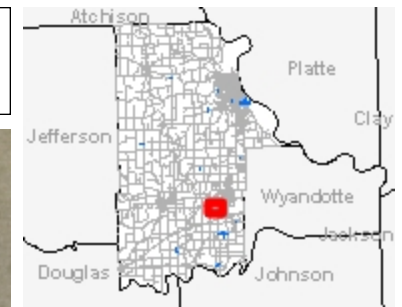
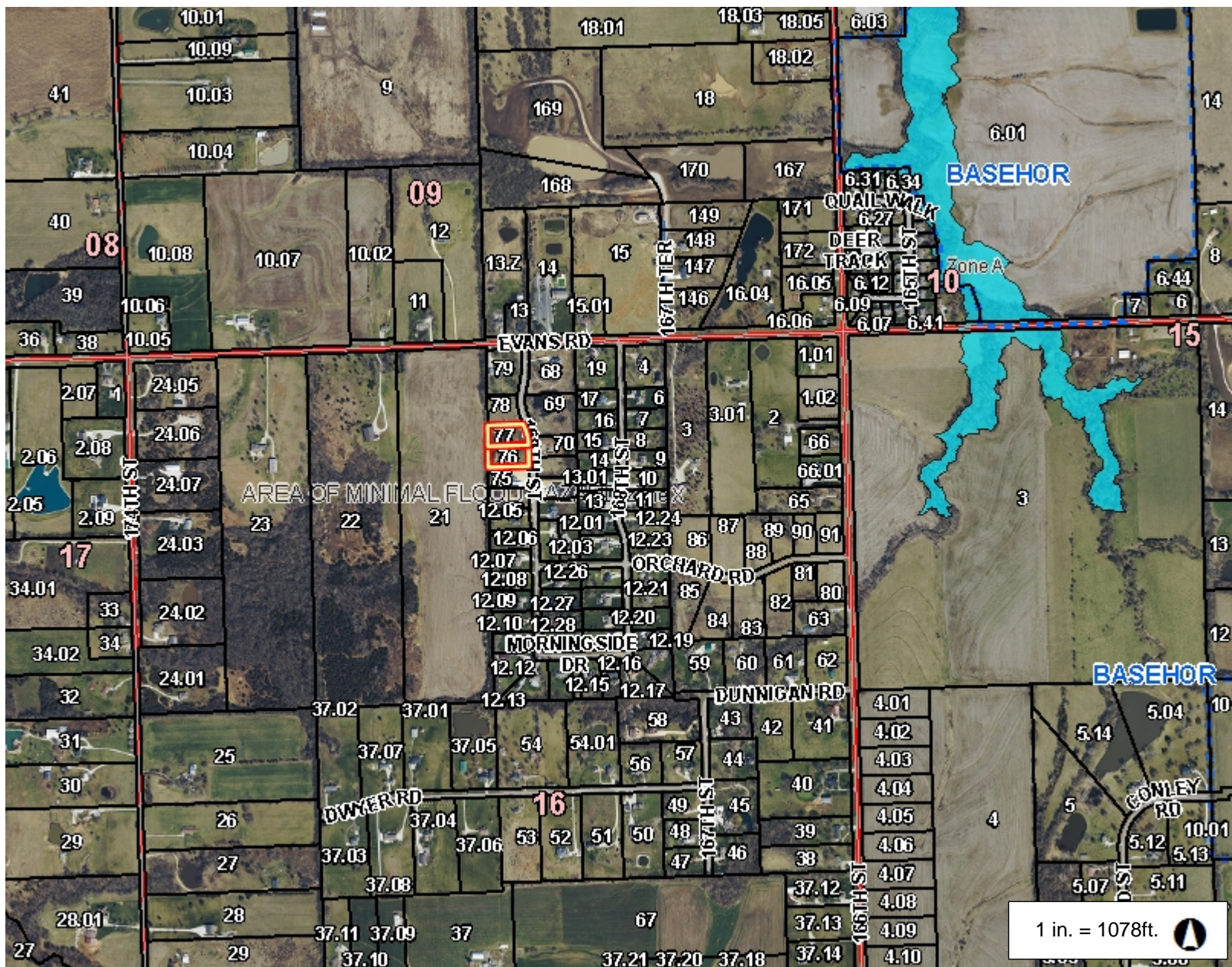
PROPOSED CONDITIONS:

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 – Emergency Management, Chuck Magaha, dated November 8, 2024
Email – Public Works – Joe McAfee, dated December 4, 2024


























ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Road Map (A minimum of 1/4 mile)
- D: Memorandums

Leavenworth County, KS



Legend

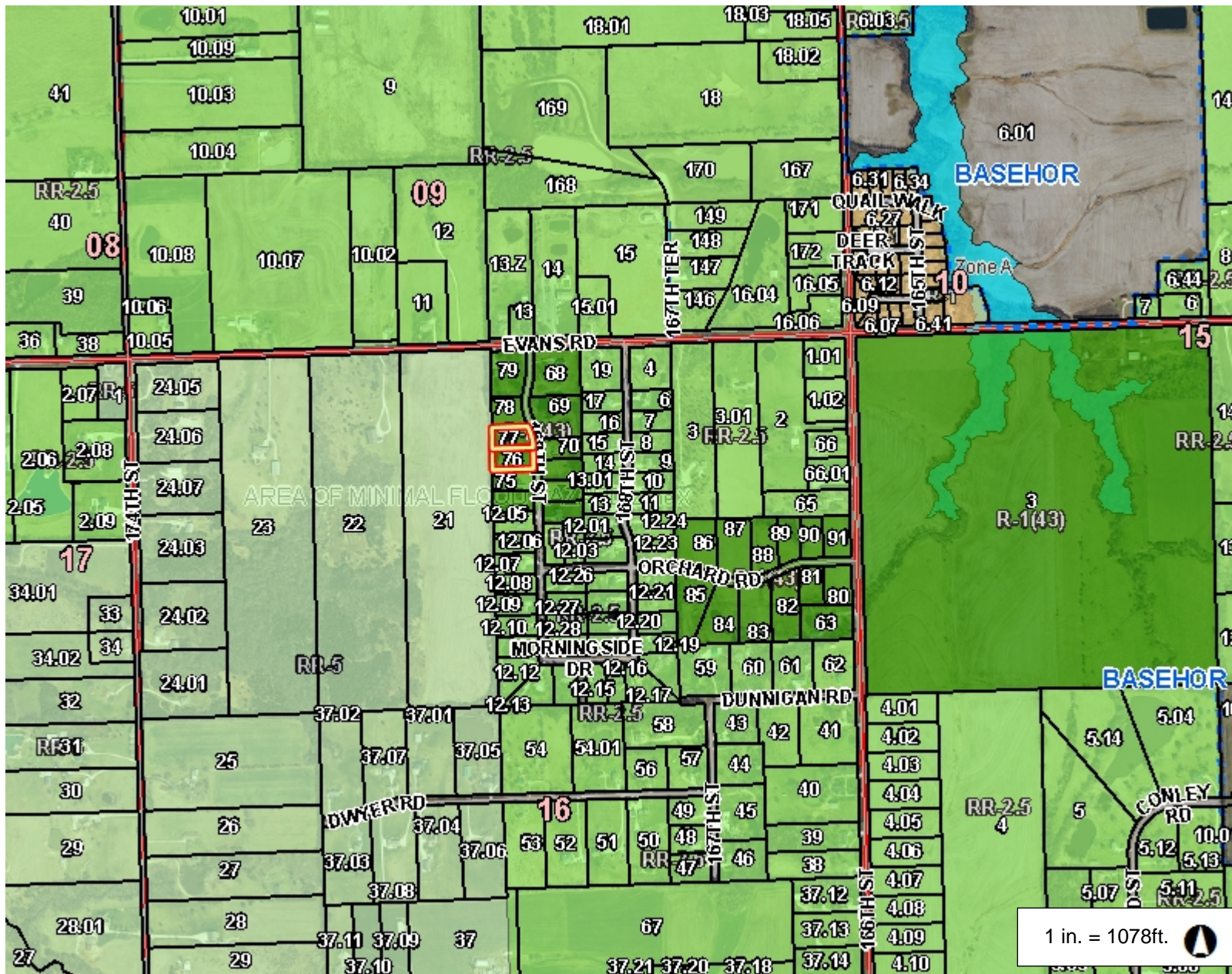
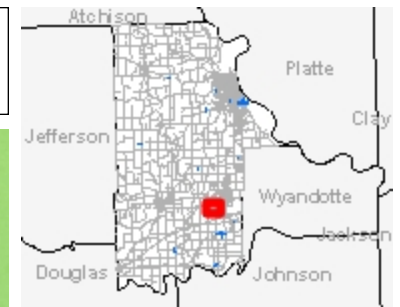
-  Parcel
-  City Limit Line
-  Major Road
-  <all other values>
-  70
-  Road
-  <all other values>
-  PRIVATE
-  Railroad
-  Section
-  Section Boundaries
-  County Boundary
-  LOMRs
-  River Mile Markers
-  Cross-Sections
-  Base Flood Elevations
-  Levees
-  Flood Hazard Zones
-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  Special Floodway
-  Area of Undetermined Flood Hazard
-  0.2% Annual Chance Flood Hazard
-  Future Conditions 1% Annual Chance Flood Hazard
-  Area with Reduced Risk Due to Levees

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

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

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>PCDI</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>15395 Briar Road Suite A</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: LEE CHILES 3RD REPLAT

Address of Property: 00000 169th Street

PID: _____ Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>2.07 Ac</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>1.01 Ac</u>
Maximum Lot Size: <u>1.06 Ac</u>	Proposed Zoning: <u>R1-43</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>Atmos/Propane</u>
Covenants: <input checked="" type="checkbox"/> Yes <input 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, <u>duly authorized agent</u> , 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 October 18, 2024</u>	Date: <u>10/18/24</u>

ATTACHMENT A

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 10/23/2024

Janet Klasmer
COUNTY CLERK

DOC #: 2024R07863
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
10/23/2024 11:25:42 AM
RECORDING FEE: 38.00
PAGES: 2

MAIL TO:
Michael Drennon and Erin Drennon
17885 169TH ST
Basehor, KS 66007

STATUTORY WARRANTY DEED

(Joint tenants with right of survivorship)

Precision Contracting and Development Inc., a Kansas corporation, Grantor, conveys and warrants to

Michael Drennon aka Michael B. Drennon and Erin Drennon aka Erin E. Drennon, a married couple
Grantee, as joint tenants with the rights of survivorship, and not as tenants in common, the following described premises, to-wit:

Lot 10, LEE CHILES 3RD PLAT, Leavenworth County, Kansas.

For the sum of One Dollar and other good and valuable consideration.

Subject to: easements and restrictions of record, if any.

"Grantor" and "Grantee" are used for the singular or plural as context requires.

Executed to be effective as of October 21, 2024.



OWNER AUTHORIZATION

I/WE Michael & Erin Drennon, hereby referred to as the
"Undersigned", being of lawful age, do hereby on this 22 day of November, 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 PCDI Homes and on
Joe Herring/Herriz Survey (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, _____
17885169th St Bascherks (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.

[Signature]
Owner

[Signature]
Owner

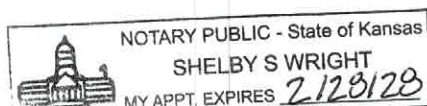
STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 22 day of November, 2024,

by Shelby S Wright

My Commission Expires:

[Signature]
Notary Public



Janet Klasmaker
17 COUNTY CLERK

Doc #: 2022R07026
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
07/21/2022 02:32:43 PM
RECORDING FEE: 21.00
PAGES: 1

KANSAS QUIT-CLAIM DEED

THIS INDENTURE: Made on the 13/ day of July, 2022 AD, by and between, Precision Contracting & Development Inc., of the County of Leavenworth, State of Kansas, Grantors, party of the first part, and Precision Contracting & Development Inc., Grantee, party of the second part.

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

Lot 1, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 2, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 3, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 4, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 5, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 6, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 7, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 8, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 9, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 10, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 11, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.
AND
Lot 12, LEE CHILES 3rd PLAT, a subdivision in Leavenworth County, Kansas.

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

TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privileges and appurtenances thereto belonging, unto the said party of the second part and unto their heirs and assign forever; so that neither the said party 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.

Gerald St. Peter
Gerald St. Peter, President
Precision Contracting & Development Inc

Acknowledgement
STATE OF Kansas

)
)ss.

COUNTY OF Leavenworth

BE IT REMEMBERED, That on this 24th day of July, A.D. 2022 before me, the undersigned, a Notary Public, in and for said County and State, came Gerald St. Peter, President of Precision Contracting & Development Inc., who are 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.

My commission expires:
5-8-26

Candace L. Merrick
NOTARY PUBLIC
CANDACE L. Merrick



OWNER AUTHORIZATION

I/WE Precision Contracting & Development Inc, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 15th day of October, 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 Joe Henry / Henry
Survey (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, Lots 9 & 10 of Chile address (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.

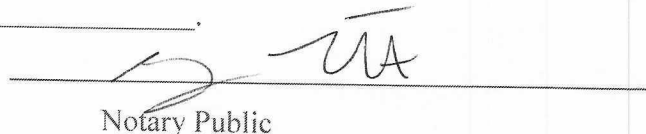
IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

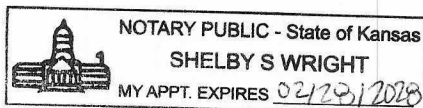

Owner

Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 15th day of October, 2024,
by Shelby S Wright
My Commission Expires:


Notary Public



LEE CHILES 3RD REPLAT

A Replat of Lots 9 and 10, LEE CHILES 3RD SUBDIVISION, Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
Precision Contracting & Development Inc.
15395 Briar Road Suite A
Basehor, Kansas 66007
PID #185-16-0-00-00-076 (Lot 9)

Michael B. Drennon and Erin E. Drennon
17885 169th Street
Basehor, Kansas 66007
PID #185-16-0-00-00-077 (Lot 10)

RECORD DESCRIPTION:

Lot 9, LEE CHILES 3RD PLAT, a subdivision in Leavenworth County, Kansas.

Lot 10, LEE CHILES 3RD PLAT, a subdivision in Leavenworth County, Kansas.

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: LEE CHILES 3RD REPLAT.

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.

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 LEE CHILES 3RD REPLAT, have set our hands this _____ day of _____, 2024.

Gerald St. Peter, President
PRECISION CONTRACTING & DEVELOPMENT INC

Michael B. Drennon Erin E. Drennon

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Gerald St. Peter, President Precision Contracting & Development Inc., 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) PID NO. 185-16...021

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Michael B. Drennon and Erin E. Drennon, a married couple, 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)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of LEE CHILES 3RD REPLAT this _____ day of _____, 2024.

Secretary Chairman
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 LEE CHILES 3RD REPLAT, this _____ day of _____, 2024.

Chairman County Clerk
Jeff Culbertson Attest: Janet Klasinski

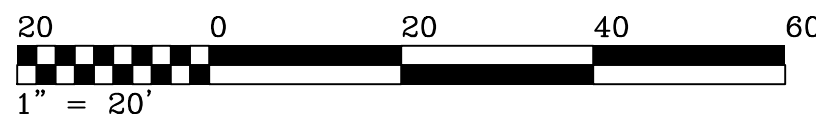
REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2024 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



Scale 1" = 20'

Job # K-24-20-1388
October 18, 2024 Rev. 12-2-24
J. HERRING, Inc. (dba)
HERRING SURVEYING & COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@leavencash.com

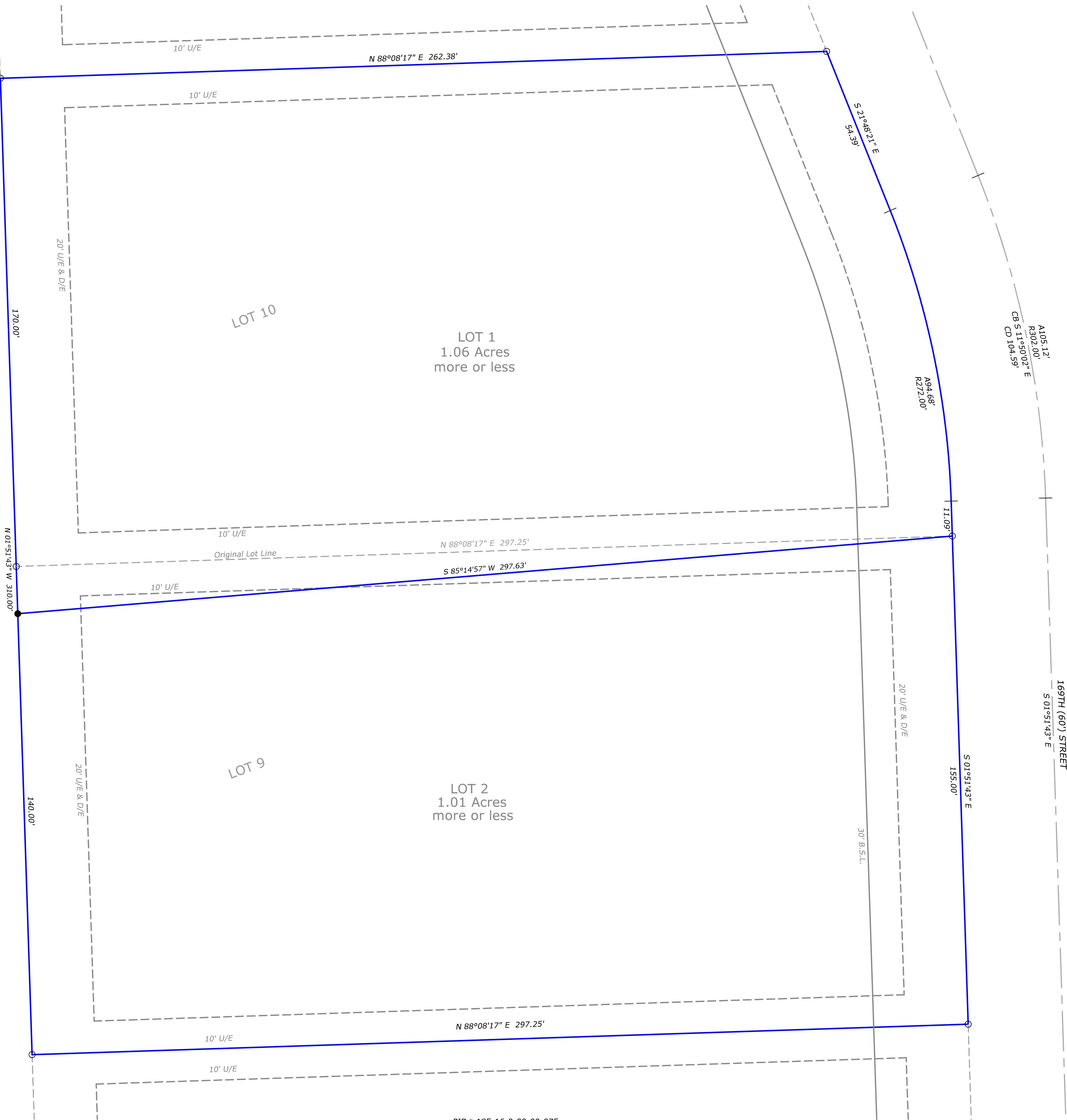


I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363
County Surveyor

Reviewed 2024.12.04 No comments

PID# 185-16-0-00-00-078
LOT 11
LEE CHILES PH. 3
Doc # 2022P00007



PID# 185-16-0-00-00-075
LOT 8
LEE CHILES PH. 3
Doc # 2022P00007

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 will be required per Sanitary Sewer Codes.
- 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) No off-plat restrictions.

ZONING:

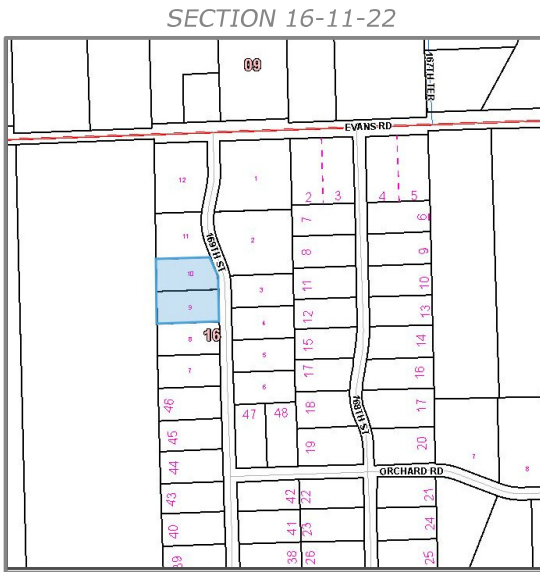
R1-43, One-Family Dwelling District

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 Error of Closure Calculations
- 5) Basis of Bearing - KS SPC NORTH Zone 1501 North Line of the Northeast Quarter
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Proposed Lots for Residential Use.
- 8) Road Record - LEE CHILES 3RD PLAT
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - NW COR NE 1/4- 1/2" Bar - 840'
- 11) Reference Recorded Deed Document No. 2022R07026, 2024R07863
- 12) Utility Companies -
 - Water - Suburban
 - Electric - Evergy
 - Sewer - Septic
 - Gas - Propane / Natural Gas
- 13) Reference Security 1st Title Report No: 2478273 Effective Date October 1, 2021
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0350G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 10'
 - All rear yard setbacks - 30' (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:
 - Recorded Plat of LEE CHILES SUBDIVISIONS
 - Phase 1 - Book 11 Page 18 dated 1987, NKA1987P00018
 - Phase 2 - Book 12 Page 14 dated 1990, NKA1990P00014
 - Phase 3 - Doc #2022P00007

LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, Cap No.1296
- () - 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



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of October 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: Tuesday, December 3, 2024 4:01 PM
To: Allison, Amy; Baumchen, Daniel
Cc: Jacobson, John; Schweitzer, Joshua
Subject: RE: Cases for the December PC Meeting

Amy,
[Comments below.](#)

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, December 2, 2024 9:26 AM
To: McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: Jacobson, John <JJacobson@leavenworthcounty.gov>; Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Subject: Cases for the December PC Meeting

Joe and Dan,

Please let us know which cases are not ready for Public works:

- DEV-24-135 Lamb BLA Exception ([Good](#))
- DEV-24-139 Sunny Side Replat ([Can go with any remaining conditions from next review.](#))
- DEV-24-141 Lee Chiles 3rd Replat ([Can go with any remaining conditions from next review.](#))
- DEV-24-142/143 Reno Estates Plat ([Can go with any remaining conditions from next review.](#))
- DEV-24-145 Owens TS Exception ([Good](#))

If there are any other cases you are tracking, let us know but this is the list we have as potential cases ready for the meeting.

Thanks!

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

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.

MEMO

To: Krystal Voth
From: Chuck Magaha
Subject: Chiles 3rd Plat
Date: November 8, 2024

Krystal, I have reviewed the request for the preliminary plat for the Chiles 3rd Plat submitted by PCDI builders. The area shown plated would need to meet subdivision guidelines, with the water supply line upgraded to a least a 6" water line and fire hydrants along the property's roadway placed every 500 feet starting from the corner of Evans Road and proposed 169th Street then proceed South through the proposed site, placing a hydrant between Lots 3 and 4, then South 500 feet to Lot 6.

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

Note: Joshua, From the original plat nothing has changed.

Thanks
Chuck

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Tuesday, November 19, 2024 9:57 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-141 Replat of Lee Chiles 3rd Plat

We have not received any complaints on these properties. The engineered septic design for lot 10 shows the septic system north of the home so it should remain on the property. The septic system has not been designed for lot 9.

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: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, November 8, 2024 7:50 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-141 Replat of Lee Chiles 3rd Plat

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a RePlat of Lee Chilies 3rd Plat, Lots 9 & 10 (185-16-0-00-00-076; 077).

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 November 25, 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-24-142/143 Reno Estates Pre & Final Plat

December 11, 2024

REQUEST: Consent Agenda

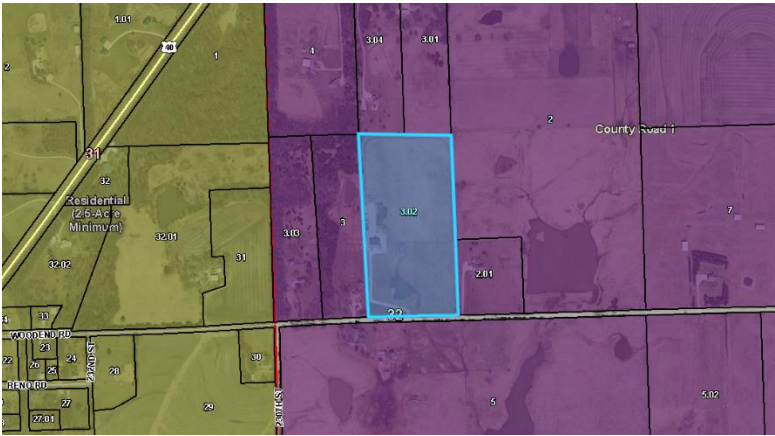
☒ Preliminary Plat

☒ Final Plat

STAFF REPRESENTATIVE:

Amy Allison
Deputy Director

SUBJECT PROPERTY: 22856 Woodend Road
FUTURE LAND USE MAP: County Road 1



APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING
COMPANY

PROPERTY OWNER:

Matthew Ditty
22856 Woodend Road
Tonganoxie, KS 66086

CONCURRENT APPLICATIONS:

n/a

LAND USE

ZONING: RR-5

FUTURE LAND USE
DESIGNATION: County Road 1

SUBDIVISION: N/A

FLOODPLAIN: N/A

LEGAL DESCRIPTION:

The South ½ of the East ½ of the West ½ of the Northwest ¼ of Section 32, Township 11, Range 21, in Leavenworth County, Kansas

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-142 & 143, Preliminary & Final Plat for Reno Estates, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-142 & 143, Preliminary & Final Plat for Reno Estates to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PROPERTY INFORMATION

PARCEL SIZE: 19.5 ACRES

PARCEL ID NO:
199-32-0-00-00-003.02

BUILDINGS:
Single-family residence,
accessory structures

PROJECT SUMMARY:

Request for preliminary and final plat approval to subdivide property located at 22856 Woodend Road as Lots 1 and 2 of Reno Estates.

ACCESS/STREET:

Woodend Rd - Local, Gravel, ±22'
WIDE

Location Map:



UTILITIES

SEWER: SEPTIC

FIRE: Fire District 2

WATER: n/a

ELECTRIC: Evergy

NOTICE & REVIEW:

STAFF REVIEW: 12/5/2024

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	
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 19.5 acre parcel into two 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). Lot 1 will be 14.85 acres in size. Lot 2 will be approximately 5 acres in size. 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 – Public Works, dated November 25, 2024
Memo – Dan Baumchen, Survey, dated December 4, 2024

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Road Map (A minimum of 1/4 mile)
- D: Memorandums

FINAL ~~8~~
~~PRELIMINARY~~ PLAT APPLICATION
Leavenworth County Planning and Zoning Department
300 Walnut St., Suite 212
Leavenworth, Kansas
913-684-0465

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>Matthew Ditty</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>22856 Woodend 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: RENO ESTATES

Address of Property: Tonganoxie, KS 66086

PID: Tonganoxie, KS 66086 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>19 AC</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>5 AC</u>
Maximum Lot Size: <u>14 AC</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>N/A</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>#2</u>	Electric Provider: <u>Evergy</u>	Natural Gas Provider: _____
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, <u>duly authorized agent</u> , 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 October 11, 2024</u>	Date: <u>10-11-24</u>

ATTACHMENT A

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

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>Matthew Ditty</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS <u>22856 Woodend 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: RENO ESTATES

Address of Property: Tonganoxie, KS 66086

PID: Tonganoxie, KS 66086 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>19 AC</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>5 AC</u>
Maximum Lot Size: <u>14 AC</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>N/A</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>#2</u>	Electric Provider: <u>Evergy</u>	Natural Gas Provider:
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, <u>duly authorized agent</u> , 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 October 11, 2024</u>	Date: <u>10-11-24</u>

ATTACHMENT A

AFFIDAVIT

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

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I Matt Ditty and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 22856 Woodend 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 26th day of June, 204.

Matt Ditty, 22856 Woodend rd Tonganoxie KS 913-620-6518

Print Name, Address, Telephone

Matt Ditty

Signature

STATE OF KANSAS)

) SS

COUNTY OF LEAVENWORTH)

.

Be it remember that on this 26th day of June 2024 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)

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 03/27/2024

Janet Klasmink
COUNTY CLERK

Doc #: 2024R01983
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
03/27/2024 08:06:35 AM
RECORDING FEE: 38.00
PAGES: 2

PREPARED BY:
EMW Law, LLC
13571 S. Mur-Len Rd.
Olathe, KS 66062

QUIT CLAIM DEED

CTC#24461142 - Accom

THIS QUIT CLAIM DEED, is made and entered into this 22 day of March, 2024, by and between **EMILY I. DITTY**, a single person, and **MATTHEW M. DITTY**, a single person, with a mailing address of 22856 Woodend Rd, Tonganoxie, KS 66086, the GRANTORS, and **MATTHEW M. DITTY**, a single person, with a mailing address of 22856 Woodend Rd, Tonganoxie, KS 66086, the GRANTEE.

WITNESSETH, that the GRANTOR, by way of gift, donation or contribution stated in the Deed or other instrument, paid by the GRANTEE the receipt and sufficiency of which is hereby acknowledged, does by these presents REMISE, RELEASE AND FOREVER QUIT CLAIM unto the GRANTEE, the Real Estate situated in the County of Leavenworth and State of Kansas, and described as follows:

The South 1/2 of the East 1/2 of the West 1/2 of the Northwest 1/4 of Section 32, Township 11, Range 21, in Leavenworth County, Kansas, less and except any part thereof used or taken for road purposes and also less 25% mineral rights.

Subject to restrictions, reservations, covenants and easements of record, if any.

Property Address: 22856 Woodend Rd, Tonganoxie, KS 66086

Pursuant to K.S.A. 79-1437e(a)(8), a real estate validation questionnaire is not required because this transfer is resulting from a divorce settlement where one party transfers interest in property to the other.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the GRANTEE, and to their successors and assigns forever. So that neither the said GRANTOR, nor GRANTOR'S successors or assigns, nor any other person or persons for GRANTOR or in GRANTOR'S 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 every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, the said GRANTOR has executed these presents to be effective as of the day and year first above written.

WITNESS the hand of said GRANTOR:

Emily Ditty
EMILY I. DITTY
Matthew M Ditty
MATTHEW M. DITTY

STATE OF Kansas)
COUNTY OF Leavenworth) ss.

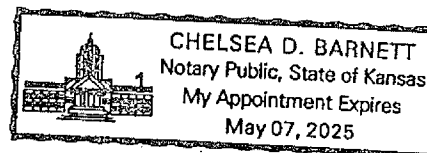
On this 22 day of March, 2024, before me the undersigned notary, personally appeared EMILY I. DITTY, a single person who proved to me through identification documents which was a Passport / Driver's License/ State ID or, to me personally known to me to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed.

*Matthew M. Ditty, a single person

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Chelsea D. Barnett
Chelsea D. Barnett - Notary Public

My term expires: May 7, 2025





Continental
TITLE COMPANY

SCHEDULE A

CTC File No.: 24470195

INFORMATIONAL REPORT

1. Effective Date: September 20, 2024 at 8:00 A.M.
2. Fee Simple interest in the Land described in this Report is owned, at the Report Date, by:

Matthew M. Ditty

3. The land referred to in this Commitment is described as follows:

The South 1/2 of the East 1/2 of the West 1/2 of the Northwest 1/4 of Section 32, Township 11, Range 21, in Leavenworth County, Kansas, less and except any part thereof used or taken for road purposes and also less 25% mineral rights

By: *Janet Bishop*

Title Officer: Janet Bishop

SCHEDULE BI - REQUIREMENTS

CTC File No.: 24470195

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.: 24470195

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 2024, 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. Mortgage executed by Matthew M Ditty, an unmarried individual to First Security Bank dated August 27, 2024 and recorded August 30, 2024, as Document No. 2024R06523, securing \$295,000.00. (Future Advances)
11. Child Support, including Arrears, if any, or any other judgments derived from the Decree of Divorce, Separation Agreement and/or Administrative Order, against Matthew M. Ditty, filed March 22, 2024, under Case/Cause No. 2022-DM-000620, and any amendments thereto.
12. Unrecorded leases or liens, if any, on crops growing on the land, if any.

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 Emily I. Ditty, a single person and Matthew M. Ditty, a single person to Matthew M. Ditty, a single person recorded March 27, 2024 as Document No. 2024R01983.

Quit Claim Deed from Matthew M. Ditty and Emily I. Ditty, husband and wife to Matthew M. Ditty and Emily I. Ditty, husband and wife, as joint tenants with rights of survivorship and not as tenants in common recorded September 14, 2017 as Document No. 2017R07642. (Includes other lands)

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: 22856 Woodend Rd, Tonganoxie, KS 66086

Tax Year: 2023

Tax ID No.: 27048

Assessed Value: \$31,011

Tax Amount: \$3,617.22 PAID

Includes the following Special Assessments, if any: NONE

Delinquent Taxes, if any: NONE

NOTE: First Half of Taxes are due on or before December 20th; Second Half of Taxes are due on or before May 10th.

Johnson, Melissa

From: Joe Herring <herringsurveying@outlook.com>
Sent: Tuesday, October 8, 2024 10:50 AM
To: PZ
Subject: Authorization Affidavit - RENO ESTATES - Ditty Property
Attachments: AuthorizationAFFIDAVIT (2).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: Matt Ditty <mdditty@yahoo.com>
Sent: Wednesday, June 26, 2024 3:50 PM
To: Joe Herring <herringsurveying@outlook.com>
Subject: Re: Authorization Affidavit

I Matt Ditty authorize Joe Herring to represent me in this process.

See attached form. Sign and return stating you authorize me to represent you in this process.

Thank you - Joe Herring

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

<AuthorizationAFFIDAVIT (2).pdf>

RENO ESTATES

A Minor Subdivision in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
Matthew Ditty
22856 WOODEND RD
TONGANOXIE, KS 66086
PID NO. 199-32-0-00-00-003.02

SURVEYOR'S DESCRIPTION:
Tract of land in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring PS-1296 on October 8, 2024, more fully described as follows: Commencing at the Southeast corner of said Northwest Quarter; thence South 88 degrees 15'16" West for a distance of 1351.63 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 15'16" West for a distance of 640.80 feet along said South line; thence North 02 degrees 48'55" West for a distance of 1341.80 feet along an existing fence line; thence South 89 degrees 48'16" East for a distance of 660.25 feet along an existing fence line; thence South 02 degrees 00'21" East for a distance of 1319.25 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 19.86 acres, more or less, including road right of way. Error of Closure: 1 - 106735

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.
- 8) No off-plat restrictions.

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 - See Surveyor's Description
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR NW 1/4 Section 32 - 5/8" Rebar - Elev - 922.9'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Doc # 2024R01983
- 12) Utility Companies -
 - Water - Not Applicable
 - Electric - Evergy
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Reference Continental Title File Number 24470195 dated September 20, 2024.
- 14) Property is not 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, shown in approximate location.
- 17) Fence Lines do not necessarily denote the boundary line for the property.
- 18) Reference Surveys:
 - DGW - D.G.White - Survey S-15-05 #26, NKA 2005S026

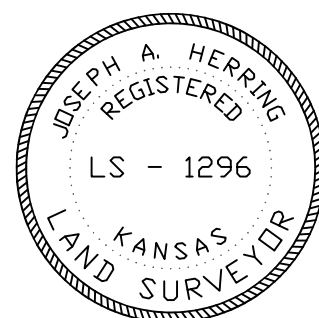
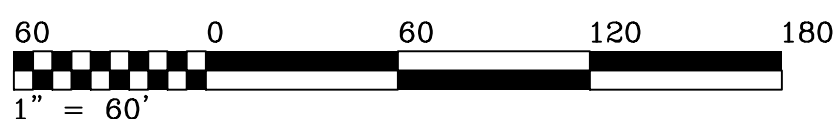
LEGEND:

- - 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
- CL - Centerline
- SL - Section Line
- BM - Benchmark
- 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



Scale 1" = 60'

Job # K-24-1914
October 8, 2024 Rev. 11-27-24



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

Joseph A. Herring
PS # 1296

RENO ESTATES

A Minor Subdivision in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
Matthew Ditty
22856 WOODEND RD
TONGANOXIE, KS 66086
PID NO. 199-32-0-00-00-003.02

SURVEYOR'S DESCRIPTION:
Tract of land in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring PS-1296 on October 8, 2024, more fully described as follows: Commencing at the Southeast corner of said Northwest Quarter; thence South 88 degrees 15'16" West for a distance of 1351.63 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 15'16" West for a distance of 640.80 feet along said South line; thence North 02 degrees 48'55" West for a distance of 1341.80 feet along an existing fence line; thence South 89 degrees 48'16" East for a distance of 660.25 feet along an existing fence line; thence South 02 degrees 00'21" East for a distance of 1319.25 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 19.86 acres, more or less, including road right of way. Error of Closure: 1 - 106735

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: RENO 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 RENO ESTATES, have set our hands this _____ day of _____, 2024.

Matthew Ditty

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Matthew Ditty, a single person, 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 RENO ESTATES this _____ day of _____, 2024.

Secretary Chairman
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 RENO ESTATES this _____ day of _____, 2024.

Chairman County Clerk
Jeff Culbertson Attest: Janet Klasinski

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.

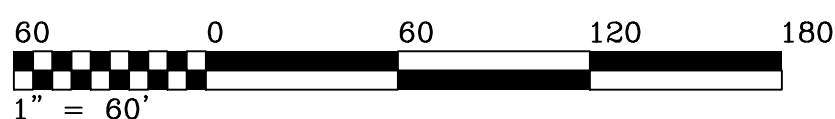
ZONING:
RR-5 - Rural Residential 5

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 - See Surveyor's Description
5) Basis of Bearing - KS SPC North Zone 1501
6) Monument Origin Unknown, unless otherwise noted.
7) Existing and Proposed Lots for Agriculture and Residential Use.
8) Road Record - See Survey
9) Benchmark - NAVD88
10) Project Benchmark (BM) - SE COR NW 1/4 Section 32 - 5/8" Rebar - Elev - 922.9'
11) Easements, if any, are created hereon or listed in referenced title commitment.
12) Reference Recorded Deed Doc # 2024R01983
13) Utility Companies -
- Water - Not Applicable
- Electric - Evergy
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
14) Reference Continental Title File Number 24470195 dated September 20, 2024.
15) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015
16) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 15' (Accessory - 15')
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17) Existing Structures, if any, shown in approximate location.
18) Fence Lines do not necessarily denote the boundary line for the property.
19) Reference Surveys:
DGW - D.G.White - Survey S-15-05 #26, NKA 2005S026

LEGEND:
● - 1/2" Bar Set with Cap No.1296
○ - 1/2" Bar Found, unless otherwise noted.
() - Record / Deeded Distance
U/E - Utility Easement
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CL - Centerline
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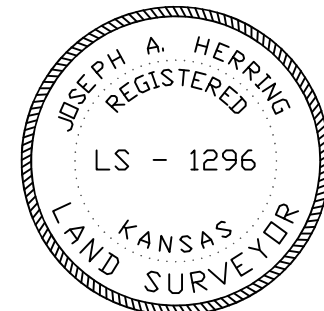
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumen, PS#1363
County Surveyor

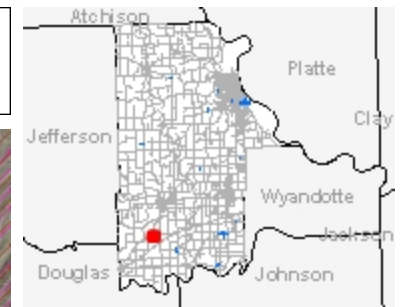
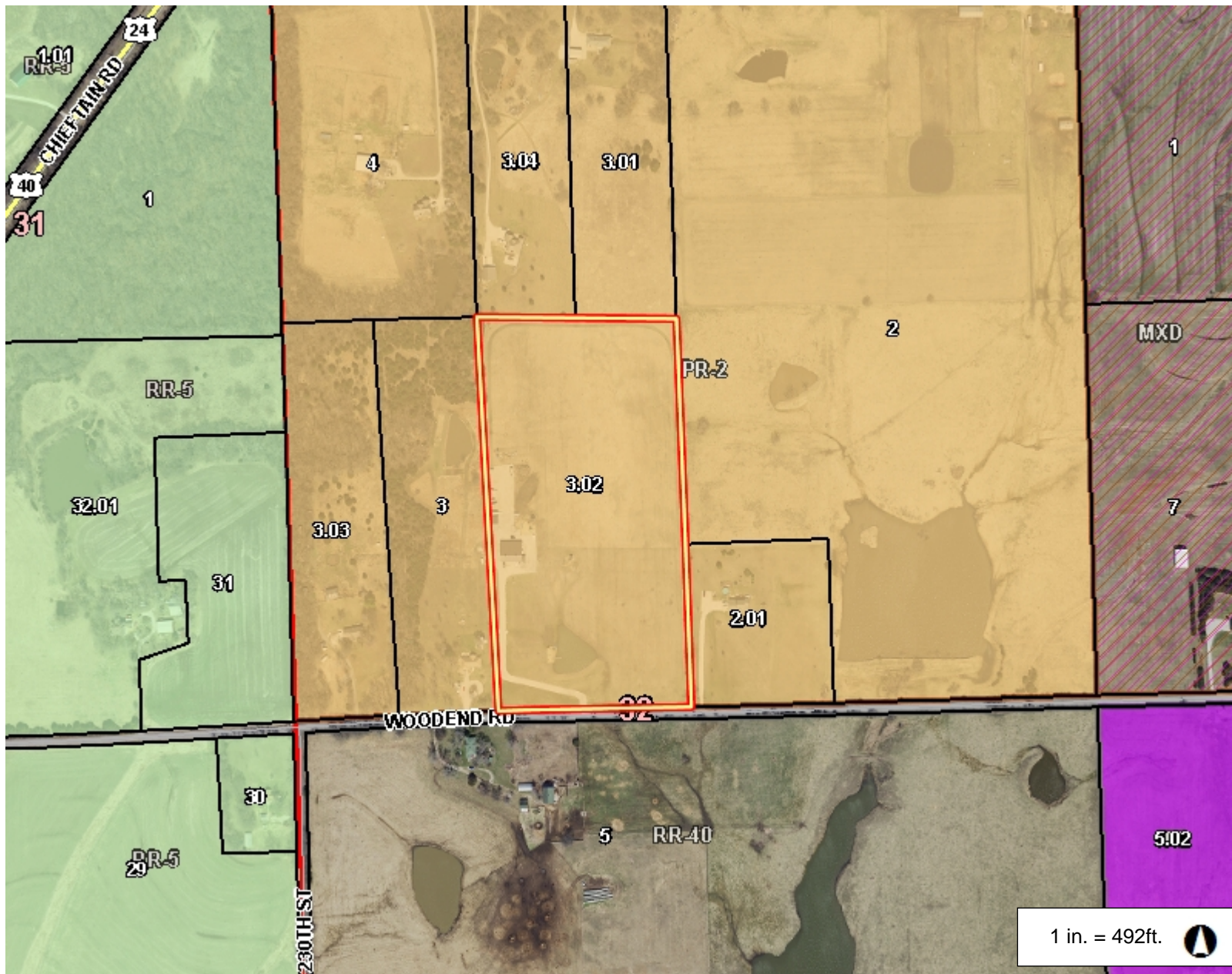


I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through August 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



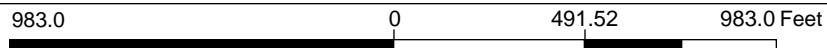
<p>DEV-24-127 Ditty Rezone</p>



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

RESOLUTION 2024-28

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from PR-2 to RR-5 as defined by the Zoning and Subdivision Regulations of Leavenworth County, Kansas on the following described property:

The South ½ of the East ½ of the West ½ of the Northwest ¼ of Section 32, Township 11, Range 21, in Leavenworth County, Kansas, less and except any part thereof used or taken for road purposes and also less 25% mineral rights.

WHEREAS, it is hereby found and determined that a request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 10th day of October, 2024, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing for Case DEV-24-127 upon the granting of such request for a Rezoning on the 13th day of November, 2024; and

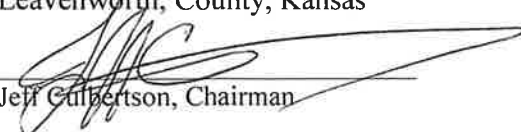
WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Rezoning be approved; and

WHEREAS, the Board of County Commissioners considered, in session on the 4th day of December, 2024, the recommendation of the Leavenworth County Planning Commission.

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

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission and the findings of fact adopted by the Board of County Commissioners in regular session on the 4th day of December, 2024, and incorporated herein by reference, it is hereby resolved that request for rezoning as described above, also known as 22856 Woodend Road, Parcel Identification Number 199-32-0-00-00-003.02, is hereby granted.
2. The Planning and Zoning Department of Leavenworth County, Kansas is hereby ordered to and directed to cause such designations to be made on the official District Map of said County in its custody and to show property herein described to be now zoned RR-5. Said District Map previously incorporated by reference by Section 4 of the Zoning and Subdivision Regulations of the Leavenworth County, Kansas is hereby incorporated as part of the Zoning Resolution as amended.
3. This Resolution shall be in full force and effect from and after its adoption and publication in the Leavenworth Times.

Adopted this 4th day of December, 2024
Board of County Commission
Leavenworth, County, Kansas



Jeff Culbertson, Chairman

ATTEST:


Janet Klasinski, Leavenworth County Clerk



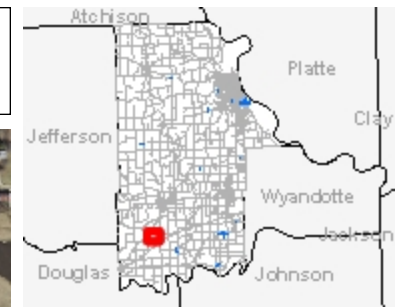
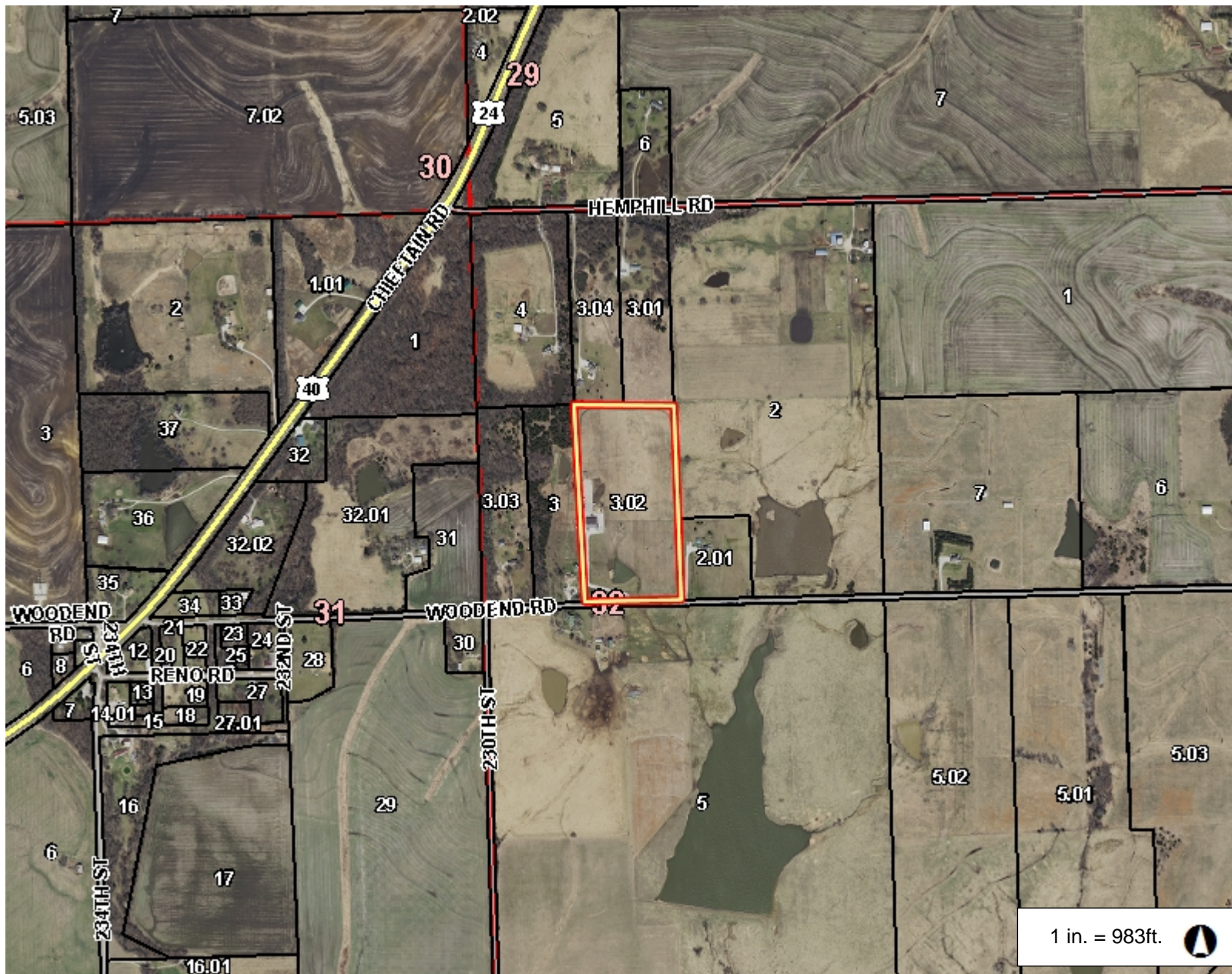

Vicky Kaaz, Member


Doug Smith, Member

Absent
Mike Smith, Member

Absent
Mike Stieben, Member

<p>DEV-24-127 Ditty Rezone</p>



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. = 983ft.



Notes

1,966.1	0	983.03	1,966.1 Feet
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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: Joe Herring <herringsurveying@outlook.com>
Sent: Thursday, November 7, 2024 9:32 AM
To: PZ
Subject: Fw: Fw: Reno Estates - Ditty Property - FIRE

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: Dylan Ritter <dritter@lvcofd2.com>
Sent: Thursday, November 7, 2024 9:26 AM
To: Joe Herring <herringsurveying@outlook.com>
Cc: Steven Heath <Steven.Heath@evergy.com>
Subject: Re: Fw: Reno Estates - Ditty Property

Leavenworth County Fire District #2 will continue to provide services to the proposed area and has no additional comments or concerns.

Thank you.

Dylan Ritter
Assistant Chief
Leavenworth County Fire District #2
100 Main Street
P.O. Box 270
Linwood, KS, 66052
(913) 339-8973

On Thu, Nov 7, 2024 at 08:57 Joe Herring <herringsurveying@outlook.com> wrote:
Please provide your letters stating you can provide service to the area.
Original emails send October 8th.

Thank you - Joe Herring

Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, November 19, 2024 10:32 AM
To: Allison, Amy
Subject: RE: RE: DEV-24-142/143 Reno Acres Plat

We have not received any complaints on this property, and the septic system currently installed 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: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Thursday, November 14, 2024 4:44 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-142/143 Reno Acres Plat

Good Afternoon,

The Department of Planning and Zoning has received an application for a 2-lot preliminary and final plat for the property located at 22856 Woodend Rd.

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 Wednesday, November 27, 2024.

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

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

RENO ESTATES

A Minor Subdivision in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
Matthew Ditty
22856 WOODEND RD
TONGANOXIE, KS 66086
PID NO. 199-32-0-00-00-003.02

SURVEYOR'S DESCRIPTION:
Tract of land in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring PS-1296 on October 8, 2024, more fully described as follows: Commencing at the Southeast corner of said Northwest Quarter; thence South 88 degrees 15'16" West for a distance of 1351.63 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 15'16" West for a distance of 640.80 feet along said South line; thence North 02 degrees 48'55" West for a distance of 1341.80 feet along an existing fence line; thence South 89 degrees 48'16" East for a distance of 660.25 feet along an existing fence line; thence South 02 degrees 00'21" East for a distance of 1319.25 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 19.86 acres, more or less, including road right of way. Error of Closure: 1 - 106735

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: RENO 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 RENO ESTATES, have set our hands this _____ day of _____, 2024.

Matthew Ditty

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____ 2024, before me, a notary public in and for said County and State came Matthew Ditty, a single person, 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 RENO ESTATES this _____ day of _____, 2024.

Secretary Chairman
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 RENO ESTATES this _____ day of _____, 2024.

Chairman County Clerk
Jeff Culbertson Attest: Janet Klasinski

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) An exception to Article 50, Section 40.3.i. Lot-Depth to Lot-Width has been granted for Lot 5
7) An exception to Article 4, Section 6.7.c. Accessory structure for storage of equipment has been granted for Lot 4
8) No off-plat restrictions.

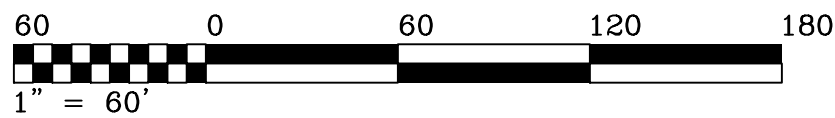
ZONING:
RR 2.5 - Rural Residential 2.5

NOTES:
1) This survey does not show ownership.
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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) Existing and Proposed Lots for Agriculture and Residential Use.
8) Road Record - See Survey
9) Benchmark - NAVD88
Project Benchmark (BM) - SE COR NW 1/4 Section 12, 5/8" Rebar - Elev - 922.9'
10) Easements, if any, are created hereon or listed in referenced title commitment.
11) Reference Recorded Deed Doc # 2024R01983
12) Utility Companies -
- Water - Not Applicable
- Electric - Every
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
13) Reference Continental Title File Number 24470195 dated September 20, 2024.
14) Property is not 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')
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16) Existing Structures, if any, shown in approximate location.
17) Fence Lines do not necessarily denote the boundary line for the property.
18) Reference Surveys:
DGW - D.G.White - Survey S-15-05 #26, NKA 2005S026

LEGEND:
● - 1/2" Bar Set with Cap No.1296
○ - 1/2" Bar Found, unless otherwise noted.
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U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
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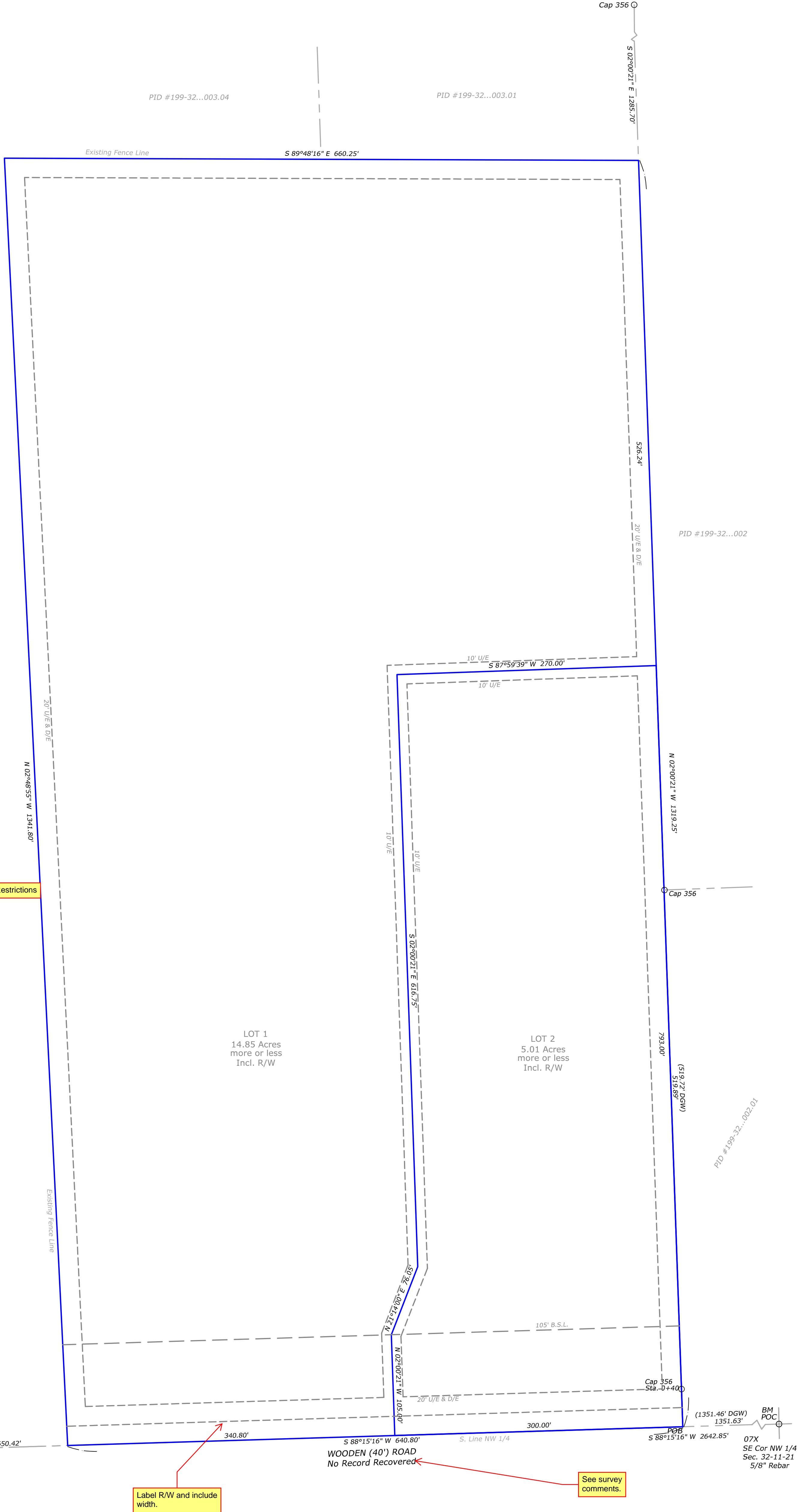
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Daniel Baumenchen, PS#1363
County Surveyor



VICINITY MAP
NOT TO SCALE

11-25-24
Combined PW
Comments



RENO ESTATES

A Minor Subdivision in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
Matthew Ditty
22856 WOODEND RD
TONGANOXIE, KS 66086
PID NO. 199-32-0-00-00-003.02

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 - DGW - D.G.White - Survey S-15-05 #26, NKA 2005S026

LEGEND:

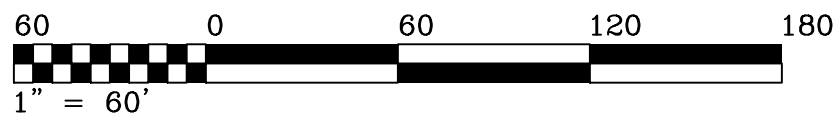
- - 1/2" Bar Set with Cap No.1296
- - 1/2" Bar Found, unless otherwise noted.
- () - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement dedicated this plat
- - Centerline
- - Section Line
- BM - Benchmark
- 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

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



Scale 1" = 60'



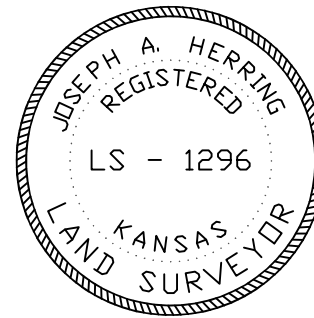
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumen, PS# 1363
County Surveyor



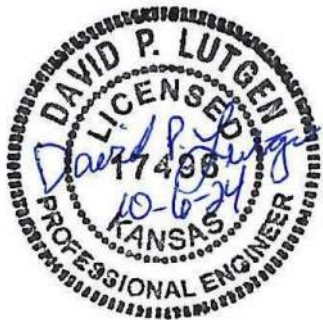
I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through August 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



11-25-24
Combined PW
Review
No Comment

Reno Estates
Leavenworth County Kansas
Drainage Report
October 6, 2024



Allison, Amy

From: Ryan McCallister <Ryan.McCallister@evergy.com>
Sent: Wednesday, December 4, 2024 3:37 PM
To: Allison, Amy; Design Group Lawrence Service Center
Subject: RE: RE: DEV-24-142/143 Reno Acres Plat

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

Hey Amy,

evergy has no conflict with this area. Let me know if there is anything else that I can help with.

Thanks!

Ryan McCallister

Evergy
Distribution Designer
ryan.mccallister@Evergy.com
O (785) 865-4844

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, December 4, 2024 3:30 PM
To: Design Group Lawrence Service Center <designgrouplawrenceservicecenter@evergy.com>
Subject: FW: RE: DEV-24-142/143 Reno Acres Plat

This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good Afternoon,

Do you have any comments for the attached application?

Thank you,
Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

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.

RENO ESTATES

A Minor Subdivision in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:

Matthew Ditty
22856 WOODEND RD
TONGANOXIE, KS 66686
PID NO. 199-32-003.02

SURVEYOR'S DESCRIPTION:

Tract of land in the Northwest Quarter of Section 32, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring PS 1296 on October 8, 2024, more fully described as follows: Commencing at the Southeast corner of said Northwest Quarter; thence South 88 degrees 15'16" West for a distance of 1351.63 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 15'16" West for a distance of 640.00 feet along said South line; thence North 02 degrees 48'52" West for a distance of 1341.00 feet along an existing fence line; thence South 89 degrees 48'16" East for a distance of 660.25 feet along an existing fence line; thence South 02 degrees 02'11" East for a distance of 1119.25 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 19.86 acres, more or less, including road right of way. Error of Closure: 1 - 1.06725

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: RENO 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 RENO ESTATES, have set our hands this _____ day of _____, 2024.

Matthew Ditty

NOTARY CERTIFICATE:

Be it remembered that on this _____ day of _____, 2024, before me, a notary public in and for said County and State came Matthew Ditty, a single person, 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)

APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of RENO 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 RENO ESTATES this _____ day of _____, 2024.

Chairman
Jeff Culbertson

County Clerk
Attest: Janet Klasinski

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.

ZONING:

RR-5 - Rural Residential 5

NOTES:

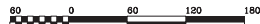
- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Surveyor's Description
- 5) Basis of Bearing - NGS SPK North Zone 1503
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD83
Project Benchmark (BM) - SE COR NW 1/4 Section 32 - 5/8" Rebar - Elev - 922.9'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 02046010803
- 12) Utility Companies -
 - Water - Not Applicable
 - Electric - Every
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Reference Continental Title File Number 24470105 dated September 20, 2024.
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2013020502S 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, shown in approximate location.
- 17) Fence Lines do not necessarily denote the boundary line for the property.
- 18) Reference Surveys:
 - DGW - D.G. White - Survey 9-15-05 #26, NKA 20059026

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 - Contourline
- S - Section Line
- BM - Benchmark
- POB - Point of Beginning
- POC - Point of Commencing
- NS - Not Set this survey per agreement with client



Scale 1" = 60'



1" = 60'

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 Baunman, PS# 1363
County Surveyor



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 April through August 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



Provide LSRR

1

Verify, DGW survey shows 2605.31

2

Cap 356
26+04.93

PID #199-32-003.04

PID #199-32-003.01

Existing Fence Line (red)

S 89°48'16" E 660.25'

Field Wood Fence Corner Post

LOT 1
14.85 Acres
more or less
Incl. R/W

LOT 2
5.01 Acres
more or less
Incl. R/W

Verify, DGW survey shows 559.72

3

Move South leader to Cap 356

4

remove circle

5

Summary of Comments on K-24-1814 RENO ESTATES FINAL 24x36Port

Page: 1

☰	Number: 1	Author: dbaumchen	Subject: Text Box	Date: 12/4/2024 9:26:26 AM
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Provide LSRR

☰	Number: 2	Author: dbaumchen	Subject: Callout	Date: 12/4/2024 9:18:46 AM
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Verify, DGW survey shows 2605.31

☰	Number: 3	Author: dbaumchen	Subject: Callout	Date: 12/4/2024 9:15:50 AM
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Verify, DGW survey shows 559.72

☰	Number: 4	Author: dbaumchen	Subject: Callout	Date: 12/4/2024 9:17:08 AM
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Move South leader to Cap 356

☰	Number: 5	Author: dbaumchen	Subject: Callout	Date: 12/4/2024 9:22:12 AM
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remove circle

LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT

CASE NO: DEV-24-135 Lamb Boundary Line Adjustment Exception

December 11, 2024

REQUEST: Exception from Zoning and Subdivision Regulation Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio)

STAFF REPRESENTATIVE:

Amy Allison
Deputy Director

SUBJECT PROPERTY: 13963 206th Street

APPLICANT/APPLICANT AGENT:

Joe Herring
Herring Surveying
315 N 5th Street
Leavenworth KS 66048

PROPERTY OWNER:

Paul Lamb & Melissa Trent
13963 206th Street
Tonganoxie, KS 66086

CONCURRENT APPLICATIONS:

N/A

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:

Residential (2.5-acre min)

LEGAL DESCRIPTION:

Tracts of land in the Northeast Quarter of Section 10, township 12 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-24-135, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio); or
2. Deny Case No.DEV-24-135, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio); or
3. Modify Case No DEV-24-135, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio).

PARCEL SIZE: 5.05 Acres

PARCEL ID NO:

222-10-0-00-002.00

BUILDINGS:

Single-family residence, accessory structures

Future Land Use Designation

ACCESS/STREET:

206th Street, Arterial, ±28' Wide, Paved; Cantrell Rd, Local, ±20' Wide, Gravel

UTILITIES

SEWER: SEPTIC

FIRE: Fire District 2

WATER: RWD 10

ELECTRIC: Evergy

NOTICE & REVIEW:

STAFF REVIEW: 12/5/2024

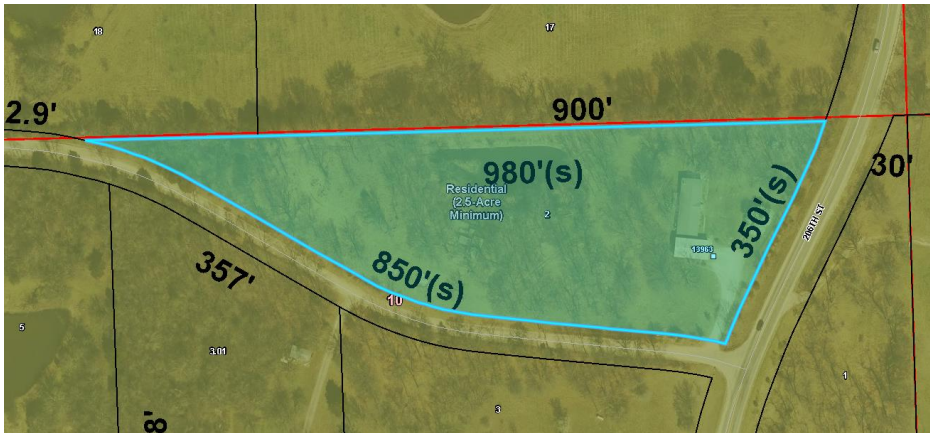
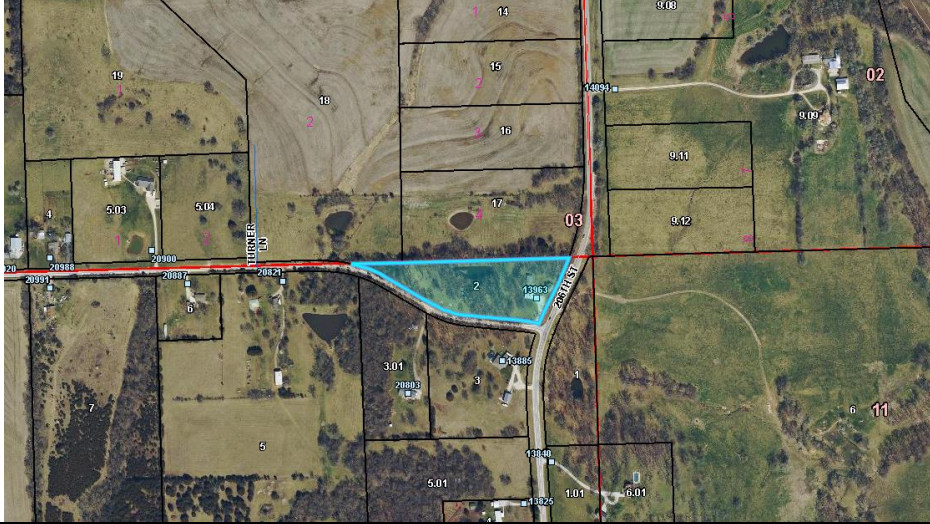
NEWSPAPER NOTIFICATION:

N/A

NOTICE TO SURROUNDING

PROPERTY OWNERS:

N/A



FACTORS TO BE CONSIDERED: Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)

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.

1. *That there are special circumstances or conditions affecting the property;*

- In order to bring Tract 2 into compliance with zoning designation and make both parcels buildable, the applicant has created a lot that does not meet the lot-width to lot-depth requirement. The original tract 1 did not meet the lot-width to lot-depth standards either. The location of a pond also compounds the issue due to its location.

2. *That the exception is necessary for the reasonable and acceptable development of the property in question;*

- As stated above, there are some physical attributes about this parcel that would make meeting this requirement difficult. The proposed layout meets the minimum road frontage and acreage standard and also ensures that the pond is not split by a property line.

3. *That the granting of the exception will not be detrimental to the public welfare or injurious to adjacent property.*

- Granting of the exception does not appear to cause any issues with public welfare or is injurious to adjacent properties.

STAFF COMMENTS:

The lot-depth to lot-width ratio exception is being requested to adjust the boundaries of two tracts in order to make them buildable and in compliance with the zoning district standards (frontage and acreage). Additionally there is a pond that the applicant avoided splitting which staff supports.

ATTACHMENTS:

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

Department of Planning and Zoning
Leavenworth County Kansas

BOUNDARY LINE ADJUSTMENT APPLICATION

OWNERSHIP INFORMATION

TRACT 1

Name Joe Herring / Herring Surveying Company

Address 315 North 5th Street

City/St/Zip Leavenworth, KS 66048

Phone 913-651-3858

Email herringsurveying@outlook.com

Book/Page Existing Deed _____

Applicant/Agent Contact Email herringsurveying@outlook.com

TRACT 2 (Add separate sheet for additional parcels)

Name LAMB, PAUL JEROLD & TRENT, MELISSA JOY

Address 17101 206th Street

City/St/Zip TONGANOXIE, KS 66086

Phone N/A

Email N/A

Book/Page Existing Deed See Survey

EXISTING TRACT INFORMATION

Parcel Numbers 222-10-0-00-00-002

Tract 1

222-10-0-00-00-002

Tract 2

I, the undersigned, am the owner or **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 boundary line approval as indicated above.

Signature: Joe Herring - digitally signed October 17, 2024 Date: 10-17-24

Signature _____ Date _____

Owner/Agent, Tract 1

Signature _____ Date _____

Owner/Agent, Tract 2

Received by Planning and Zoning Office

Case No. _____

Existing Zoning _____

Office Staff: _____ Date Received: _____

GLT 21845

John W. Brand, Jr. #05595
STEVENS & BRAND, LLP
PO Box 189
Lawrence KS 66044
(785) 843-0811 (telephone)
(785) 843-0341 (fax)



of Leavenworth, Inc.
400 Delaware
Leavenworth, Kansas 66048

IN THE DISTRICT COURT OF DOUGLAS COUNTY, KANSAS

In the Matter of the Estate of)
) Case No. 98 P 26
WARD A. THOMPSON, deceased)
)
Pursuant To K.S.A. Chapter 59

ADMINISTRATOR'S DEED

THIS INDENTURE made this June 9TH, 1998, by and between DONNA M. THOMPSON, Administrator With the Will Annexed of the estate of Ward A. Thompson, deceased as Grantor and CHRISTOPHER P. McMAHON, as Grantee. Grantor, by virtue of an Order of Sale issued out of the District Court of Douglas County, Kansas dated June 9, 1998, after notice given as provided by law and Order of the District Court, sold the real estate hereinafter described in conformity with the Order. The sale was confirmed as provided by law by the Order of the District Court dated June 9, 1998, in consideration of the sum of Forty Thousand Dollars (\$40,000), the receipt of which is acknowledged. Grantor by these presents grants, bargains, sells and conveys unto Christopher P. McMahon, his heirs and assigns, all right, title and interest of Ward A. Thompson, deceased, discharged from liability for his debts, in and to all of the following described real estate:

PARCEL I:

A tract of land in the Northeast 1/4 of Section 10, Township 12 South, Range 21 East of the 6th P.M., more fully described as follows: Commencing at the Northeast corner of said Section 10; thence West along the North line of said Section 10, a distance of 73.72 feet to the center of County Highway 25 for a point of beginning; thence 353.0 feet Southwesterly along the center line of Highway 25; thence 240.0 feet on a bearing of North 83 degrees 20' West along the Township road; thence North 00 degrees 00' East, a distance of 289.87 feet to the North line of said Section 10; thence East along the North line of said Section 10, a distance of 394.12 feet to the point of beginning, less any part thereof taken or used for road purposes,

AND

PARCEL II:

A tract of land in the Northeast 1/4 of Section 10, Township 12 South, Range 21 East of the 6th P.M., more fully described as follows: Commencing at the Northeast corner of Section 10; thence West along the North line of said Section 10, a distance of 467.84 feet for a point of beginning; thence South 00' 00" West, a distance of 289.87 feet; thence 200.0 feet on a bearing of

North 83 degrees 20' West along the Township road; thence 553.70 feet on a bearing of North 61 degrees 01' West along the Township Road to the intersection with the North line of said Section 10; thence East along the North line of said Section 10, a distance of 683.0 feet to the point of beginning, less any part thereof taken or used for road purposes,

in LEAVENWORTH COUNTY, KANSAS

TO HAVE AND TO HOLD the above granted premises, together with the appurtenances and hereditaments and every part thereof, unto the Grantee, his heirs and assigns.

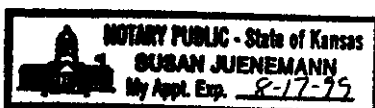
IN WITNESS WHEREOF, Grantor has signed this instrument this 2nd day of June, 1998.

Donna M. Thompson
DONNA M. THOMPSON, Administrator With the Will
Annexed of the Estate of Ward A. Thompson, deceased

STATE OF KANSAS, COUNTY OF DOUGLAS) ss:

BE IT REMEMBERED, that on this 2nd day of June, 1998, before me the undersigned, a Notary Public, came DONNA M. THOMPSON, who is personally known to me to be the same person who executed the foregoing instrument of writing and such person duly acknowledged the execution of the same.

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



Susan Juennemann
NOTARY PUBLIC

STATE OF KANSAS
COUNTY OF LEAVENWORTH
FILED FOR RECORD
1998 JUN 15 P 3:41
DORA I. PARMER
REGISTER OF DEEDS

My appointment expires:
8-17-99

The foregoing deed is hereby approved by the District Court of Douglas County, Kansas this June 9, 1998.

Entered in the transfer record in my office this

15th day of June, 1998
Linda A. Scherer by Carolyn Donald Robert P. Murphy
County Clerk District Judge

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)

CERTIFICATE OF SURVEY
Tracts of land in the Northeast Quarter of Section 10, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.
BOUNDARY LINE ADJUSTMENT

RECORD DESCRIPTION: Doc # 2019R03957

Parcel I

A tract of land in the Northeast 1/4 of Section 10, Township 12 South, Range 21 East of the 6th P.M., more fully described as follows: Commencing at the Northeast corner of the said Section 10; thence West along the North line of said Section 10, a distance of 73.72 feet to the center of County Highway 25 for a point of beginning; thence 353.0 feet Southwesterly along the center line of Highway 25; thence 240.0 feet on a bearing of North 83 degrees 20' West along the Township road; thence North 00 degrees 00' East, a distance of 289.87 feet to the North line of said Section 10; thence East along the North line of said Section 10, a distance of 394.12 feet to the point of beginning, less any part thereof taken or used for road purposes, AND Parcel II A tract of land in the Northeast 1/4 of Section 10, Township 12 South, Range 21 East of the 6th P.M., more fully described as follows: Commencing at the Northeast corner of Section 10; thence West along the North line of said Section 10, a distance of 467.84 feet for a point of beginning; thence South 00'00" West, a distance of 289.87 feet; thence 200.00 feet on a bearing of North 83 degrees 20' West along the Township road; thence 553.70 feet on a bearing of North 61 degrees 01' West along the Township Road to the intersection with the North line of said Section 10; thence East along the North line of Section 10, a distance of 683.0 feet to the point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

Subject to all assessments, restrictions and/or reservations, if any, affecting the above described property.
All in Leavenworth County, Kansas

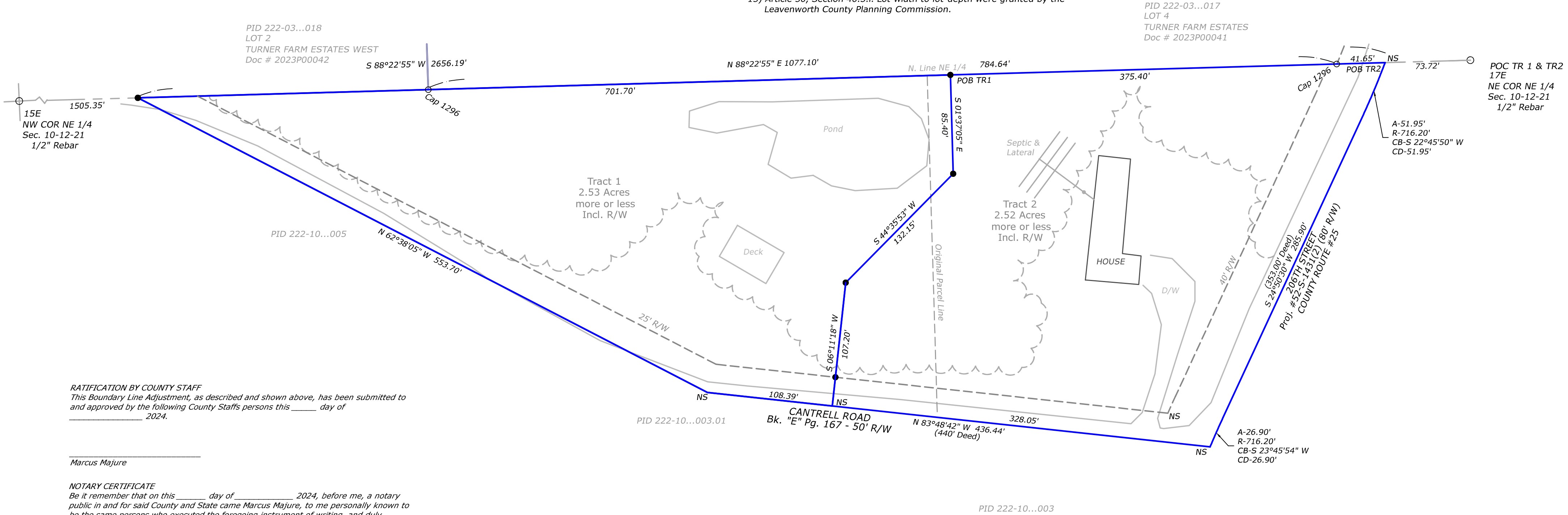
PREPARED FOR:
LAMB, PAUL JEROLD & TRENT, MELISSA JOY
13963 206TH ST
Tonganoxie, KS 66086
PID NO. 222-10-0-00-002

- 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 - 1 : 143693 - 5.05 Acres+-
5) Basis of Bearing - KS SPC North Zone 1501
6) Monument Origin Unknown, unless otherwise noted.
7) Referenced Surveys -
DGW - D.G.White - Survey Doc S-15-05 #25 NKA 2005S025, S-6 #80, 1977 NKA 1977S080, S-15-99 #17 NKA 1999S017 HILLVIEW SUBDIVISION Book 16 Page 34 NKA 2005P00034
JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47 NKA 2006P00047 TURNER FARMS ESTATES - Doc # 2023P00041 TURNER FARMS ESTATES WEST - Doc # 2023P00042
LTH - L.T.Hahn Survey Doc #2014S039
8) Road Records - See Survey
9) Referenced Deed Document # 2019R03957
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 per FEMA FIRM Map 20103C0318G dated July 16, 2015
14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.
15) Article 50, Section 40.3.i. Lot-width to lot-depth were granted by the Leavenworth County Planning Commission.

ZONING: RR-2.5

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



RATIFICATION BY COUNTY STAFF
This Boundary Line Adjustment, as described and shown above, has been submitted to and approved by the following County Staffs persons this day of 2024.

Marcus Majure

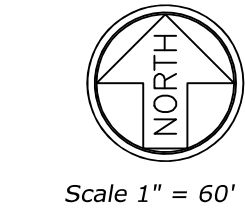
NOTARY CERTIFICATE
Be it remember that on this day of 2024, before me, a notary public in and for said County and State came Marcus Majure, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof,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

NOTARY PUBLIC

My Commission Expires: (seal)

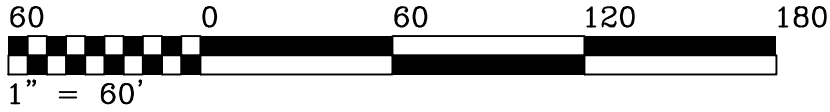
SURVEYOR'S DESCRIPTION:
TRACT 1
Tract of land in the Northeast Quarter of Section 10, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 17, 2024, more fully described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 88 degrees 22'55" West for a distance of 449.12 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence South 01 degrees 37'05" East for a distance of 85.40 feet; thence South 44 degrees 35'53" West for a distance of 132.15 feet; thence South 06 degrees 11'18" West for a distance of 107.20 feet to the apparent centerline of Cantrell Road as it exists today; thence North 83 degrees 48'42" West for a distance of 108.39 feet along said centerline; thence North 62 degrees 38'05" West for a distance of 553.70 feet along said centerline to the North line of said Northeast Quarter; thence North 88 degrees 22'55" East for a distance of 701.70 feet along said North line to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 2.53 acres, more or less, including road right of way.
Error of Closure: 1 - 55999

TRACT 2
Tract of land in the Northeast Quarter of Section 10, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 17, 2024, more fully described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 88 degrees 22'55" West for a distance of 73.72 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence along a curve to the right having a radius of 716.20 feet and an arc length of 51.95 feet along the apparent centerline of 206th Street, as it exists today, being subtended by a chord bearing South 22 degrees 45'50" West and a chord distance 51.95 feet; thence South 24 degrees 50'30" West for a distance 285.90 feet along said centerline; thence along a curve to the left having a radius of 716.20 feet and an arc length of 26.90 feet along said centerline; being subtended by a chord bearing South 23 degrees 45'54" West and a chord distance 26.90 feet; thence North 83 degrees 48'42" West for a distance of 328.05 feet along the apparent centerline of Cantrell Road as it exists today; thence North 06 degrees 11'18" East for a distance of 107.20 feet; thence North 44 degrees 35'53" East for a distance of 132.15 feet; thence North 01 degrees 37'05" West for a distance of 85.40 feet to the North line of said Northeast Quarter; thence North 88 degrees 22'55" East for a distance of 375.40 feet along said North line to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 2.52 acres, more or less, including road right of way.
Error of Closure: 1 - 51608



Job # K-24-1800
October 17, 2024 Rev. 11/22/24

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 dates of July through October 2024 and this map or plat is correct to the best of my knowledge.
Joseph A. Herring
PS # 1296

Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, November 5, 2024 11:02 AM
To: Allison, Amy
Subject: RE: RE: DEV-24-135 Lamb BLA

We have not received any complaints on this property, and it appears the septic system currently installed 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: Wednesday, October 23, 2024 4:49 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-135 Lamb BLA

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Boundary Line Adjustment for 13963 206th Street.

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 Wednesday, November 6, 2024.

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

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

Disclaimer

CERTIFICATE OF SURVEY
Tracts of land in the Northeast Quarter of Section 10, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.
BOUNDARY LINE ADJUSTMENT

RECORD DESCRIPTION: Doc # 2019R03957

Parcel I

A tract of land in the Northeast 1/4 of Section 10, Township 12 South, Range 21 East of the 6th P.M., more fully described as follows: Commencing at the Northeast corner of the said Section 10; thence West along the North line of said Section 10, a distance of 73.72 feet to the center of County Highway 25 for a point of beginning; thence 353.0 feet Southwesterly along the center line of Highway 25; thence 240.0 feet on a bearing of North 83 degrees 20' West along the Township road; thence North 00 degrees 00' East, a distance of 289.87 feet to the North line of said Section 10; thence East along the North line of said Section 10, a distance of 394.12 feet to the point of beginning, less any part thereof taken or used for road purposes, AND Parcel II A tract of land in the Northeast 1/4 of Section 10, Township 12 South, Range 21 East of the 6th P.M., more fully described as follows: Commencing at the Northeast corner of Section 10; thence West along the North line of said Section 10, a distance of 467.84 feet for a point of beginning; thence South 00'00" West, a distance of 289.87 feet; thence 200.00 feet on a bearing of North 83 degrees 20' West along the Township road; thence 553.70 feet on a bearing of North 61 degrees 01' West along the Township Road to the intersection with the North line of said Section 10; thence East along the North line of Section 10, a distance of 683.0 feet to the point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

Subject to all assessments, restrictions and/or reservations, if any, affecting the above described property.
All in Leavenworth County, Kansas

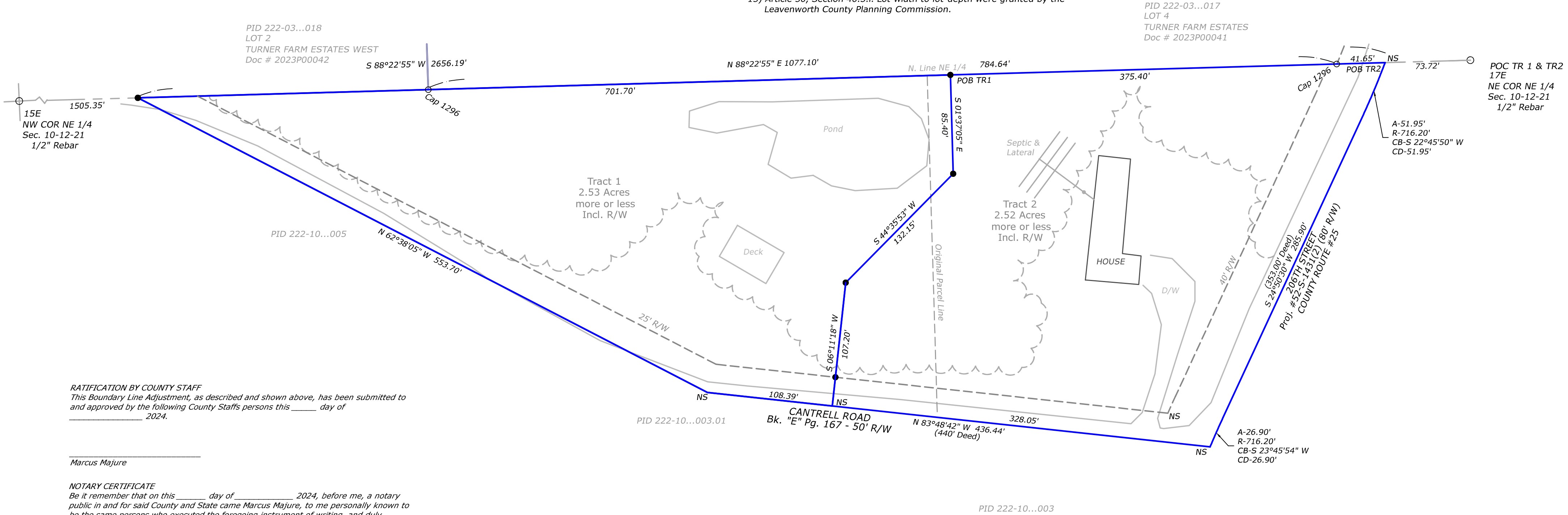
PREPARED FOR:
LAMB, PAUL JEROLD & TRENT, MELISSA JOY
13963 206TH ST
Tonganoxie, KS 66086
PID NO. 222-10-0-00-00-002

- 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 - 1 : 143693 - 5.05 Acres+-
5) Basis of Bearing - KS SPC North Zone 1501
6) Monument Origin Unknown, unless otherwise noted.
7) Referenced Surveys -
DGW - D.G.White - Survey Doc S-15-05 #25 NKA 2005S025, S-6 #80, 1977 NKA 1977S080, S-15-99 #17 NKA 1999S017 HILLVIEW SUBDIVISION Book 16 Page 34 NKA 2005P00034
JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47 NKA 2006P00047 TURNER FARMS ESTATES - Doc # 2023P00041 TURNER FARMS ESTATES WEST - Doc # 2023P00042
LTH - L.T.Hahn Survey Doc #2014S039
8) Road Records - See Survey
9) Referenced Deed Document # 2019R03957
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 per FEMA FIRM Map 20103C0318G dated July 16, 2015
14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.
15) Article 50, Section 40.3.i. Lot-width to lot-depth were granted by the Leavenworth County Planning Commission.

ZONING: RR-2.5

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



RATIFICATION BY COUNTY STAFF
This Boundary Line Adjustment, as described and shown above, has been submitted to and approved by the following County Staffs persons this day of 2024.

Marcus Majure

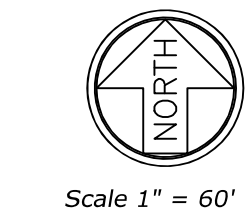
NOTARY CERTIFICATE
Be it remember that on this day of 2024, before me, a notary public in and for said County and State came Marcus Majure, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof,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

NOTARY PUBLIC

My Commission Expires: (seal)

SURVEYOR'S DESCRIPTION:
TRACT 1
Tract of land in the Northeast Quarter of Section 10, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 17, 2024, more fully described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 88 degrees 22'55" West for a distance of 449.12 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence South 01 degrees 37'05" East for a distance of 85.40 feet; thence South 44 degrees 35'53" West for a distance of 132.15 feet; thence South 06 degrees 11'18" West for a distance of 107.20 feet to the apparent centerline of Cantrell Road as it exists today; thence North 83 degrees 48'42" West for a distance of 108.39 feet along said centerline; thence North 62 degrees 38'05" West for a distance of 553.70 feet along said centerline to the North line of said Northeast Quarter; thence North 88 degrees 22'55" East for a distance of 701.70 feet along said North line to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 2.53 acres, more or less, including road right of way.
Error of Closure: 1 - 55999

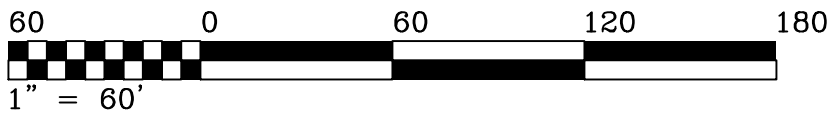
TRACT 2
Tract of land in the Northeast Quarter of Section 10, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 17, 2024, more fully described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 88 degrees 22'55" West for a distance of 73.72 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence along a curve to the right having a radius of 716.20 feet and an arc length of 51.95 feet along the apparent centerline of 206th Street, as it exists today, being subtended by a chord bearing South 22 degrees 45'50" West and a chord distance 51.95 feet; thence South 24 degrees 50'30" West for a distance 285.90 feet along said centerline; thence along a curve to the left having a radius of 716.20 feet and an arc length of 26.90 feet along said centerline; being subtended by a chord bearing South 23 degrees 45'54" West and a chord distance 26.90 feet; thence North 83 degrees 48'42" West for a distance of 328.05 feet along the apparent centerline of Cantrell Road as it exists today; thence North 06 degrees 11'18" East for a distance of 107.20 feet; thence North 44 degrees 35'53" East for a distance of 132.15 feet; thence North 01 degrees 37'05" West for a distance of 85.40 feet to the North line of said Northeast Quarter; thence North 88 degrees 22'55" East for a distance of 375.40 feet along said North line to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 2.52 acres, more or less, including road right of way.
Error of Closure: 1 - 51608



Scale 1" = 60'

Job # K-24-1800
October 17, 2024 Rev. 11/22/24

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 dates of July through October 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**

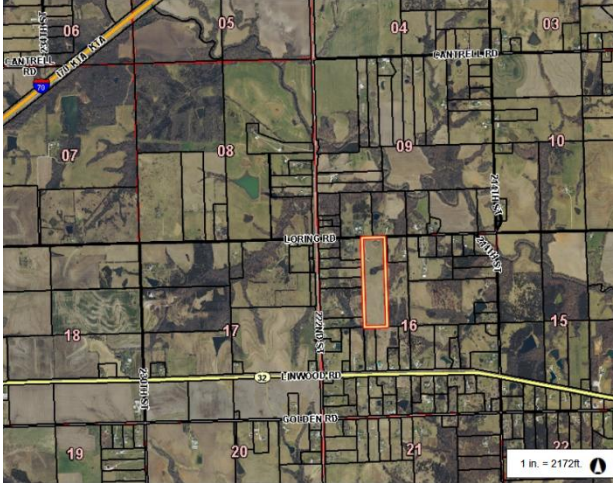
CASE NO: DEV-24-145 Owen Trust Tract Split Exception

December 11, 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: 21995 Loring Rd.



APPLICANT/APPLICANT AGENT:
Joe Herring
Herring Surveying Company
315 N 5th Street
Leavenworth, KS 66048

PROPERTY OWNER:
Owen, Eugene & Weta Trust
13645 222nd St.
Linwood, KS 66052

CONCURRENT APPLICATIONS:
N/A

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:
County Road 1

LEGAL DESCRIPTION:

The West ½ of the East ½ of the Northwest Quarter of Section 16, Township 12, Range 21, subject to easements and restrictions of record, Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

PROPERTY INFORMATION

ACTION OPTIONS:

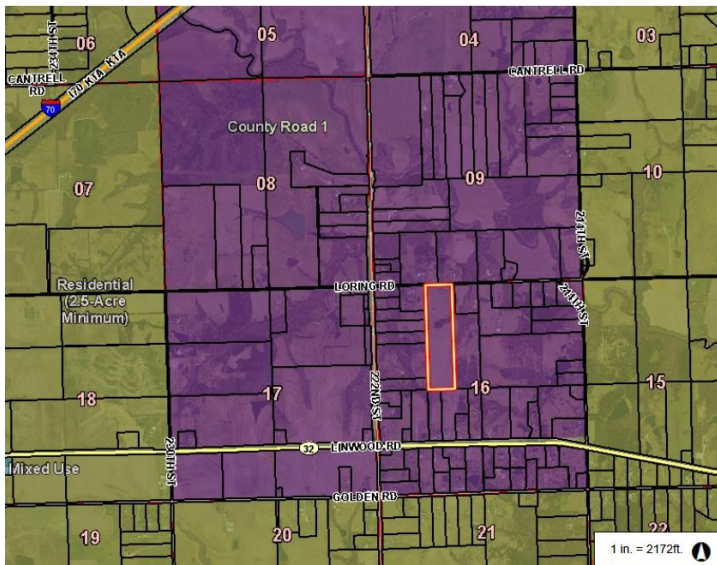
1. Approve Case DEV-24-145, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or
2. Deny Case No.DEV-24-145, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or
3. Modify Case No DEV-24-145, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)

PARCEL SIZE: 40.30 Acres

PARCEL ID NO:
225-16-0-00-007

BUILDINGS:
Existing House

Location Map: Future Land Use Designation



ACCESS/STREET:
Loring RD: Local, ±24' Wide, Gravel

UTILITIES

SEWER: PRIVATE SEWER

FIRE: Fire District 2

WATER: RWD#10

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 12/04/2024

NEWSPAPER NOTIFICATION:
N/A

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**
N/A

FACTORS TO BE CONSIDERED: Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio)

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.

1. That there are special circumstances or conditions affecting the property;

- The tract of land in its current configuration, is not compliant with regulations. However, since it exceeded 40 acres, the tract was exempt from the lot-depth to lot-width requirement.

2. That the exception is necessary for the reasonable and acceptable development of the property in question;

- It is reasonable to believe that the proposed development gives Tract 2- 5 acres of vacant to allow for a single-family house to be built.
- Any further development of the land, would initiate a request for the exception regardless.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to adjacent property.

- Granting the exception does not appear to cause any issues with public welfare or injurious to adjacent properties.

STAFF COMMENTS:

The proposed adjustment of Tract 1 exceeds the Lot-Depth to Lot-Width ratio by over 1200 ft. Currently there is an approved Accessory Dwelling Unit permit on the proposed Tract 2, but the permit would transfer to a Single-Family Residence permit based off the disposition of the request. Both lots meet the requirements for the RR-5 zoning district.

ATTACHMENTS:

A: Application & Narrative
B: Zoning Map
C: Memorandums

NOV 07 2024

LOT/TRACT SPLIT APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

Office Use Only

PID: _____ Date Received: _____
Township: _____
Case No. _____
Legal description _____
Zoning District _____
Comprehensive Plan land use designation _____

APPLICANT AGENT INFORMATION

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

OWNER INFORMATION

NAME OWEN,EUGENE P; TRUST & OWEN,WETA M; TRUST
ADDRESS 13645 222ND ST
CITY/ST/ZIP Linwood, KS 66052
PHONE N/A
EMAIL N/A

PROPERTY INFORMATION

Address of property 21995 LORING RD, Linwood, KS 66052
Parcel size 40 Acres
Existing structures Residence
Current use of the property AG & RURAL RESIDENTIAL

PROPOSED USE INFORMATION

Proposed land use AG & RURAL RESIDENTIAL
Proposed Lot/Tract 1 Size 35 ACRES
Proposed Lot/Tract 2 Size 5 ACRES

I, the undersigned, am the (circle one) 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 Tract/Lot Split as indicated above.~~

Signature Joe Herring - digitally signed November 5, 2024 Date 11-5-24

ATTACHMENT A

No Sales Validation Questionnaire required due to exemption No. 7

Doc #: 2017R07509
STACY R. DRISCOLL
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
09/11/2017 12:04:47 PM
RECORDING FEE: 46.00
PAGES: 3

Entered in the transfer record in my office this

14 day of Sept, 2017
Janet Hlasinski
County Clerk
by B Jones

MAIL TO:

STATUTORY WARRANTY DEED

Grantor(s): Eugene P. Owen and Weta M. Owen, husband and wife

Convey(s) and Warrant(s) to Eugene P. Owen, Trustee of the Eugene P. Owen Trust under Trust Agreement dated December 3, 2007 and Weta M. Owen, Trustee of the Weta M. Owen Trust under Trust Agreement dated December 3, 2007

The following described premises, to-wit:

Tract 1:

The East Half of Section 8, Township 12, Range 21, excepting public highways and easements in Leavenworth County, Kansas. Subject to easements, restrictions, reservations, covenants and special assessments which may be of record.

EXCEPT:

A tract of land in the Southeast Quarter of Section 8, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, described as follows: Commencing at the Southeast corner of Section 8, Township 12, Range 21; thence North 00° East 1,878.16 feet, along the East line of Section 8, to the Point of Beginning of this tract; thence South 90° West, 1,320.00 feet; thence North 00° East, 660.00 feet; thence North 90° East, 1,320.00 feet to the East line of Section 8; thence South 00° West, 660.00 feet, to the Point of Beginning of this tract, less that part used for public road.

ALSO EXCEPT:

A tract of land in the Southeast Quarter of Section 8, Township 12 South, Range 21 East of the 6th P.M., described as follows: Commencing at the



Security 1st Title

File No. 2217443B
Page 1 of 3

feet to the East line of said Section 8; thence South 00° West 1,218.16 feet to the point of beginning, in Leavenworth County, Kansas.

Tract5:

The West Half of the Northwest Quarter and all that part of the North Half of the Southwest Quarter lying South of Nine Mile Creek, except 2 acres in the Southeast Corner of said North Half, all in Section 9, Township 12, Range 21, except land take by Leavenworth County Board of County Commissioners for road purpose, Leavenworth County, Kansas.

Tract 6:

The West one-half of the East one-half of the Northwest Quarter of Section 16, Township 12, Range 21, subject to easements and restrictions of record, Leavenworth County, Kansas.

For the sum of One Dollar and other good and valuable consideration.

Subject to: easements and restrictions of record, if any

Dated this August 10, 2017

Eugene P. Owen
Eugene P. Owen

Weta M. Owen
Weta M. Owen

State of Kansas, Douglas County } ss.

This instrument was acknowledged before me on August 10, 2017 by Eugene P. Owen and Weta M. Owen, husband and wife



[Signature]
Notary Public

My appointment expires: 11/1/2018

Q Security 1st Title

File No. 2217443B
Page 3 of 3

AFFIDAVIT

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

We, Eugene P. Owen and _____

Being duly sworn, depose and say that we're the owner(s) of said property located at 13645 22nd 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, 913-621-1838

2)

Signed and sworn this 26 day of September, 2024

Eugene P. Owen 13645 22nd St, Linwood

Print Name, Address, Telephone

Larry D. Holden & Dana Holden

(913) 621-1813

Eugene P. Owen

Signature

21

Dana Holden

STATE OF KANSAS

1
1 SS

COUNTY OF LEAVENWORTH)

Be it remembered that on this 26 day of Sept, 2024 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

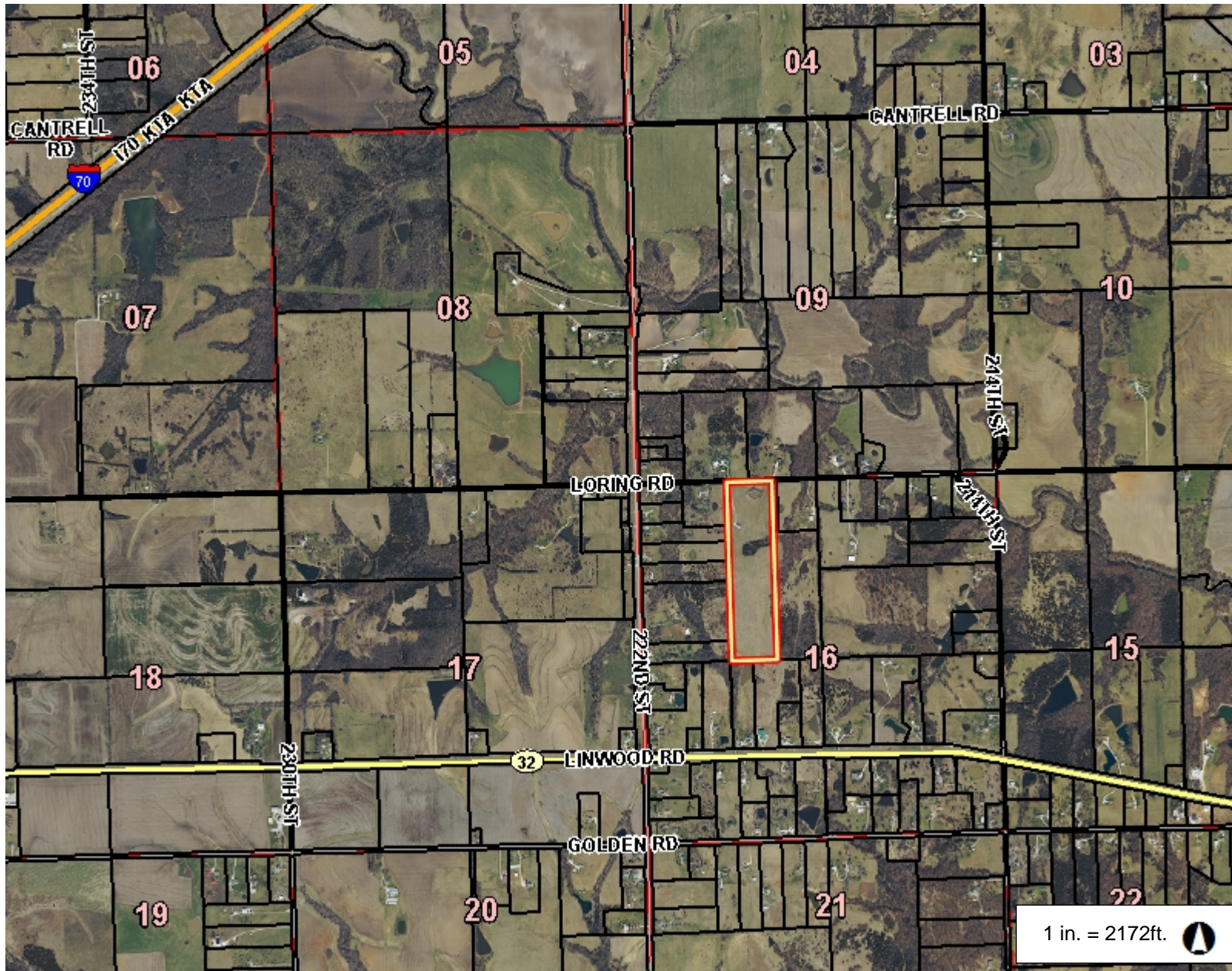
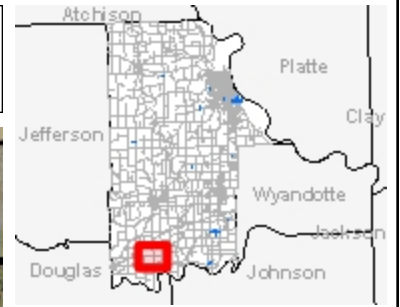
Jessie Evans
3/29/2025

My Commission Expires

(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

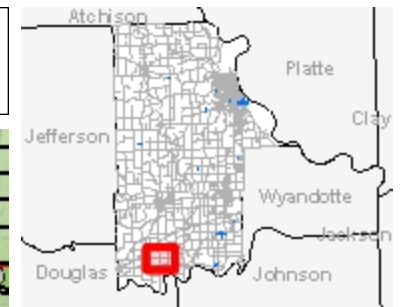
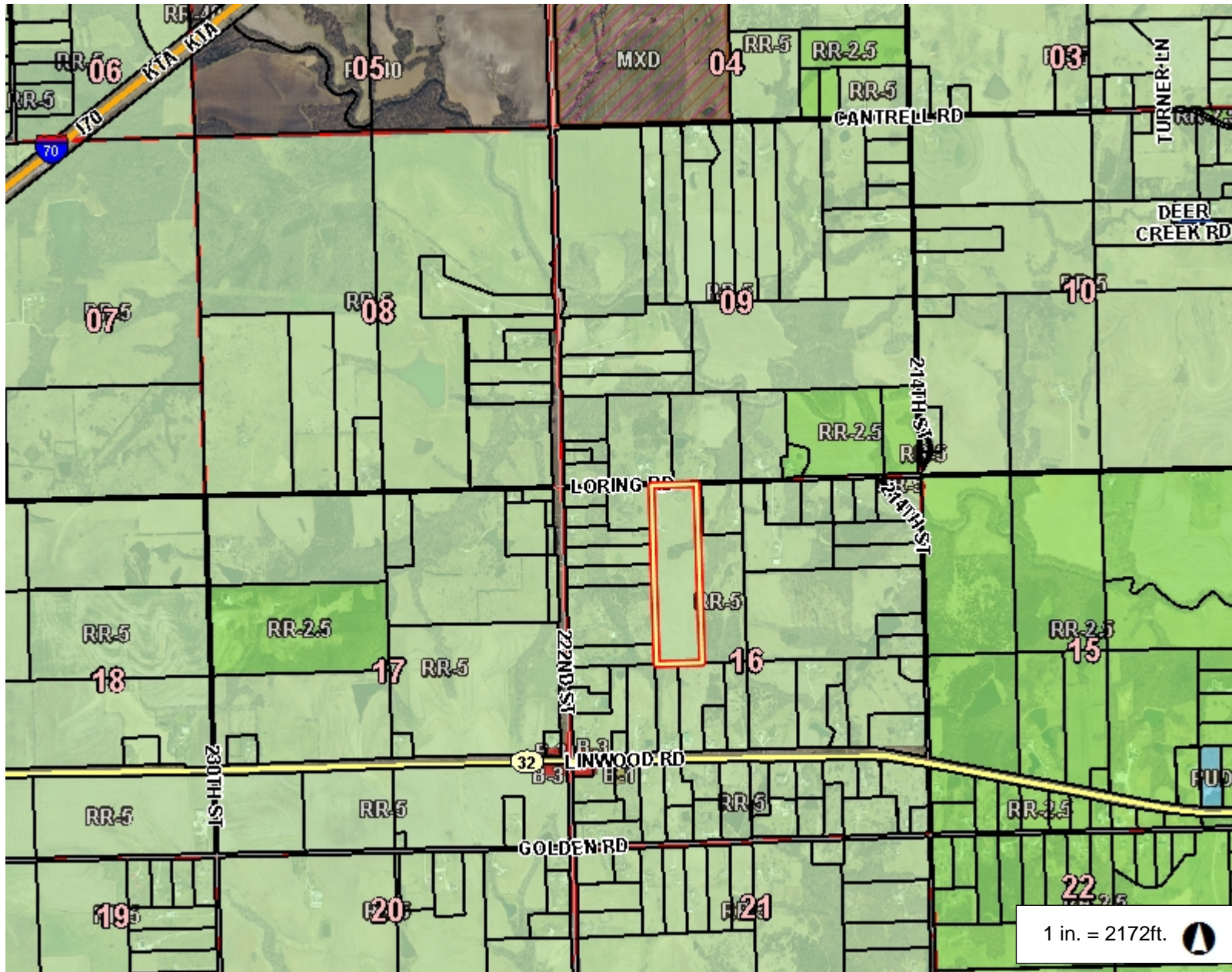
Notes

4,344.9 0 2,172.43 4,344.9 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

4,344.9 0 2,172.43 4,344.9 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

CERTIFICATE OF SURVEY

Tracts of land in the Northwest Quarter of Section 16, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

TRACT SPLIT

PREPARED FOR:

OWEN,EUGENE P; TRUST & OWEN,WETA M; TRUST
13645 222ND ST
Linwood, KS 66052
PID NO. 225-16-0-00-007

SURVEYOR'S DESCRIPTION:

PARENT TRACT:

Tract of land in the Northwest Quarter of Section 16, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 5, 2024, and more fully described as follows: Commencing at the Northwest corner of said Northwest Quarter; thence North 88 degrees 12'39" East for a distance of 1315.85 feet along the North line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence South 01 degrees 27'20" East for a distance 2645.30 feet to the South line of said Northwest Quarter; thence North 88 degrees 04'52" East for a distance of 671.80 feet along said South line; thence North 01 degrees 45'19" West for a distance of 2643.75 feet to the North line of said Northwest Quarter; thence South 88 degrees 12'39" West for a distance of 657.93 feet along said North line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 40.36 acres, more or less, including road right of way. Error of Closure: 1 - 198854

TRACT 1:

Tract of land in the Northwest Quarter of Section 16, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 5, 2024, and more fully described as follows: Commencing at the Northwest corner of said Northwest Quarter; thence North 88 degrees 12'39" East for a distance of 1315.85 feet along the North line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence South 01 degrees 27'20" East for a distance 2645.30 feet to the South line of said Northwest Quarter; thence North 88 degrees 04'52" East for a distance of 671.80 feet along said South line; thence North 01 degrees 45'19" West for a distance of 1913.75 feet; thence South 88 degrees 12'39" West for a distance of 300.00 feet; thence North 01 degrees 45'19" West for a distance of 730.00 feet to the North line of said Northwest Quarter; thence South 88 degrees 12'39" West for a distance of 357.93 feet along said North line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 35.33 acres, more or less, including road right of way. Error of Closure: 1 - 3198854

TRACT 2:

Tract of land in the Northwest Quarter of Section 16, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 5, 2024, and more fully described as follows: Commencing at the Northwest corner of said Northwest Quarter; thence North 88 degrees 12'39" East for a distance of 1673.78 feet along the North line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence South 01 degrees 45'19" East for a distance 730.00 feet; thence North 88 degrees 12'39" East for a distance of 300.00 feet; thence North 01 degrees 45'19" West for a distance of 730.00 feet to said North line; thence South 88 degrees 12'39" West for a distance of 300.00 feet along said North line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 5.03 acres, more or less, including road right of way. Error of Closure: 1 - 999999

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 _____
Marcus Majure

NOTARY CERTIFICATE

Be it remembered that on this ____ day of ____ 2024, before me, a notary public in and for said County and State came Marcus Majure, 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 _____

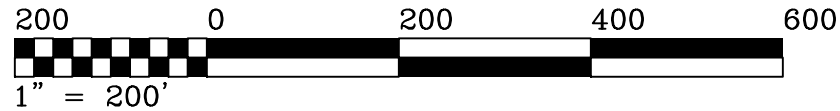
My Commission Expires: _____
(seal)



Scale 1" = 200'

Job # K-24-1839
November 5, 2024 Rev. 11-20-24

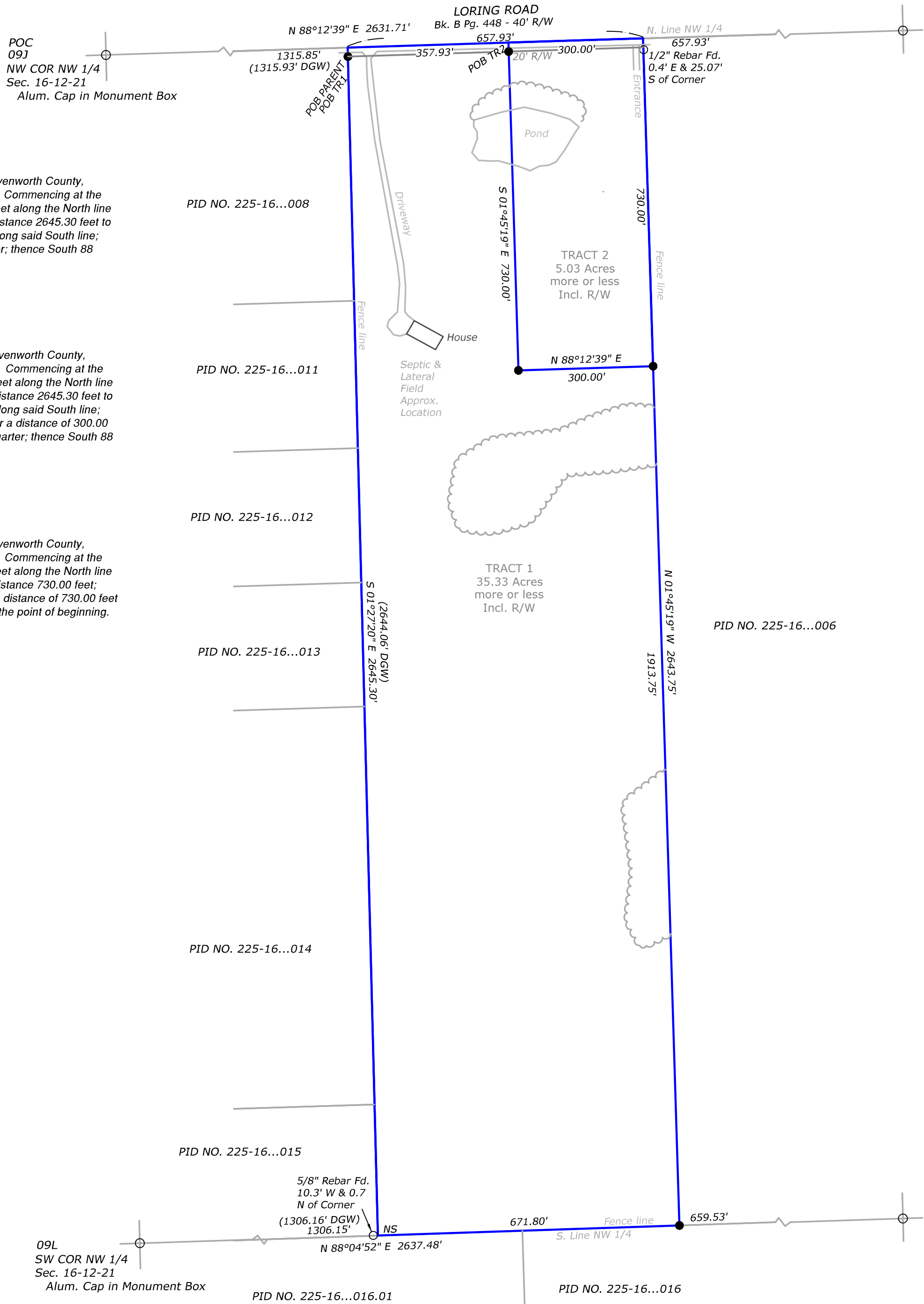
J.Herring, Inc. (dba)
HERRING
SURVEYING
COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@teamcash.com



I hereby certify that this survey 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 2024.12.04 No comments

Daniel Baumchen, PS#1363
County Surveyor



11J
NE COR NW 1/4
Sec.16-12-21
1/2" Rebar

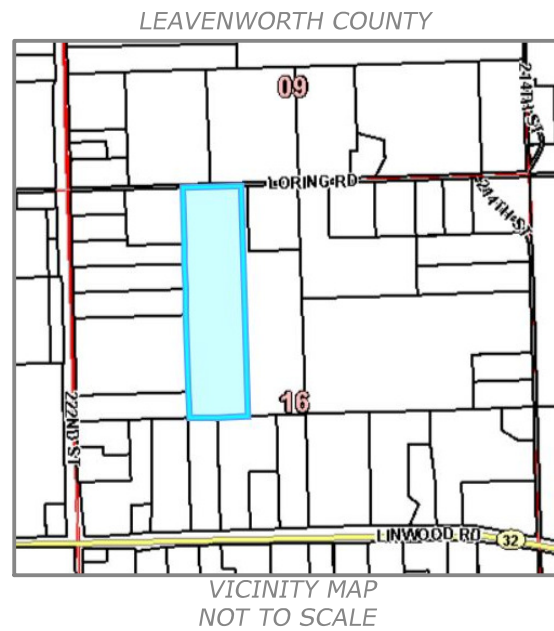
ZONING - RR-5

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 Bk. S-12 Pg. 20 1986 NKA 1986S020
Survey Bk. S-12 Pg. 33 1986 NKA 1986S033
JAH -J.A.Herring - BELT NOYES ACRES Doc.2019P00013
GW - Gene Waisner Survey Information dated 2008
- 8) Road Records - See Survey
- 9) Referenced Deed Document # 2017R07509
- 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 per FEMA FIRM Map 20103C0325G dated July 16, 2015
- 14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.
- 15) Exception to regulation Article 50, Section 40.3.i. Lot-width to lot-depth was granted by the Leavenworth County Planning Commission for Tract 1.

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



11L
SE COR NW 1/4
Sec.16-12-21
1/2" Rebar



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of October through November 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: Thursday, November 14, 2024 3:08 PM
To: Schweitzer, Joshua; Noll, Bill; Baumchen, Daniel
Cc: PZ
Subject: RE: DEV-24-145 Owen Trust Tract Split

Joshua,
PW Engineering has no comment on the TS.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, November 8, 2024 12:44 PM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-145 Owen Trust Tract Split

Good Afternoon,

The Department of Planning and Zoning has received a request for a Tract Split for the property located at 21995 Loring Rd.

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 November 25, 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
(913) 684-0465

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Tuesday, November 19, 2024 10:00 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-145 Owen Trust Tract Split

We have not received any complaints on this property. The septic system currently installed 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, November 8, 2024 12:44 PM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-145 Owen Trust Tract Split

Good Afternoon,

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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 November 25, 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
(913) 684-0465

LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT

CASE NO: DEV-24-134 Valenzuela/Altenhofen Rezone

December 11, 2024

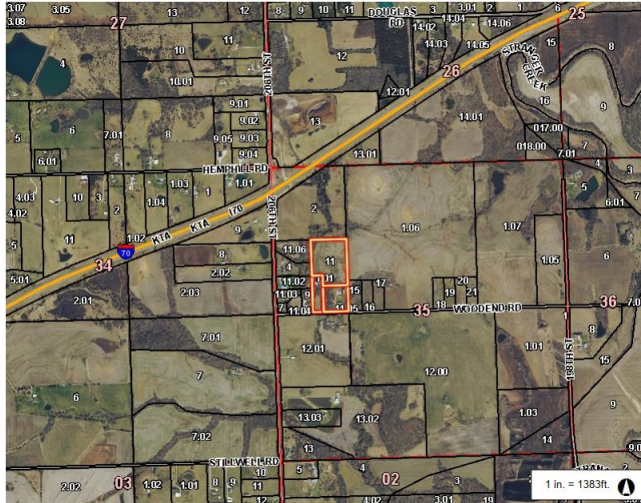
REQUEST: Public Hearing Required

☒ ZONING AMENDMENT ☐ SPECIAL USE PERMIT
☐ TEMPORARY SPECIAL USE PERMIT

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 20500, 20426 & 00000 Woodend Rd.



APPLICANT/APPLICANT AGENT:

Herring Surveying Company
315 N 5th Street
Leavenworth, KS 66048

PROPERTY OWNER(s):

Valenzuela, Ramiro & Maria
Higginbotham, Rebecca/Altenhofen, Robert
20500 & 20426 Woodend Rd.
Linwood, KS 66052

CONCURRENT APPLICATIONS:
N/A

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:
RR-2.5 & RR-5

SUBDIVISION: N/A

FLOODPLAIN: N/A

LEGAL DESCRIPTION:

Three tracts of land in the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 35, Township 11 South, Range 21 East of the 6th PM., Leavenworth County, Kansas.

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-134, Rezone for Valenzuela/Altenhofen, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-134, Rezone for T Valenzuela/Altenhofen, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 2.9; 4.8; 11.4 Acres

PARCEL ID NO:
197-35-0-00-00-011; 011.01; 011.05

BUILDINGS:
Two existing residences

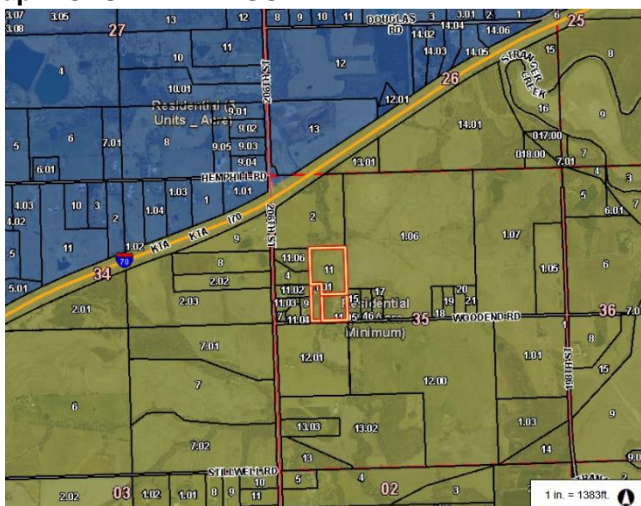
PROJECT SUMMARY:

Request to rezone three parcels at 20500, 20426 & 00000 Woodend Rd. (PID: 197-35-0-00-00-011; 011.01; 011.05) from RR-5 to RR-2.5

ACCESS/STREET:

Woodend Rd., Local, PAVED, $\pm 22'$ WIDE

Location Map: FUTURE LAND USE MAP



UTILITIES

SEWER: SEPTIC

FIRE: FD # 2

WATER: RWD 10

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 12/3/2024

NEWSPAPER NOTIFICATION:
11/19/2024

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**
11/19/2024

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
1. Character of the Neighborhood: <i>Density:</i> Surrounding parcels range in size from 1 acre to more than 120 acres. The area is not densely populated. <i>Nearby City Limits:</i> Linwood city limits is more than 3 miles to the south of subject property. <i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.	X	
2. Zoning and uses of nearby property: <i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature. <i>Adjacent Zoning:</i> The properties directly to the East that abuts the subject properties is zoned RR-2.5.	X	
3. Suitability of the Property for the uses to which is has been restricted: The property is suitable for rural residences and agricultural uses.	X	
4. Extent to which removal of the restrictions will detrimentally affect nearby property: Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains rural residential.	X	
5. Length of time the property has been vacant as zoned: <input type="checkbox"/> <i>Vacant:</i> <input checked="" type="checkbox"/> <i>Not Vacant:</i> Two of the three tracts have existing residences on them.	X	
6. Relative gain to economic development, public health, safety and welfare: The rezoning does not impact economic development, public health, safety or welfare.	X	
7. Conformance to the Comprehensive Plan: <i>Future Land Use Map:</i> The request is in conformance with the Future Land Use Map. <i>Section 4 Land Use and Development Plan Strategies:</i> The proposed use is compatible with the future land use designation based off of adjacent properties.	X	

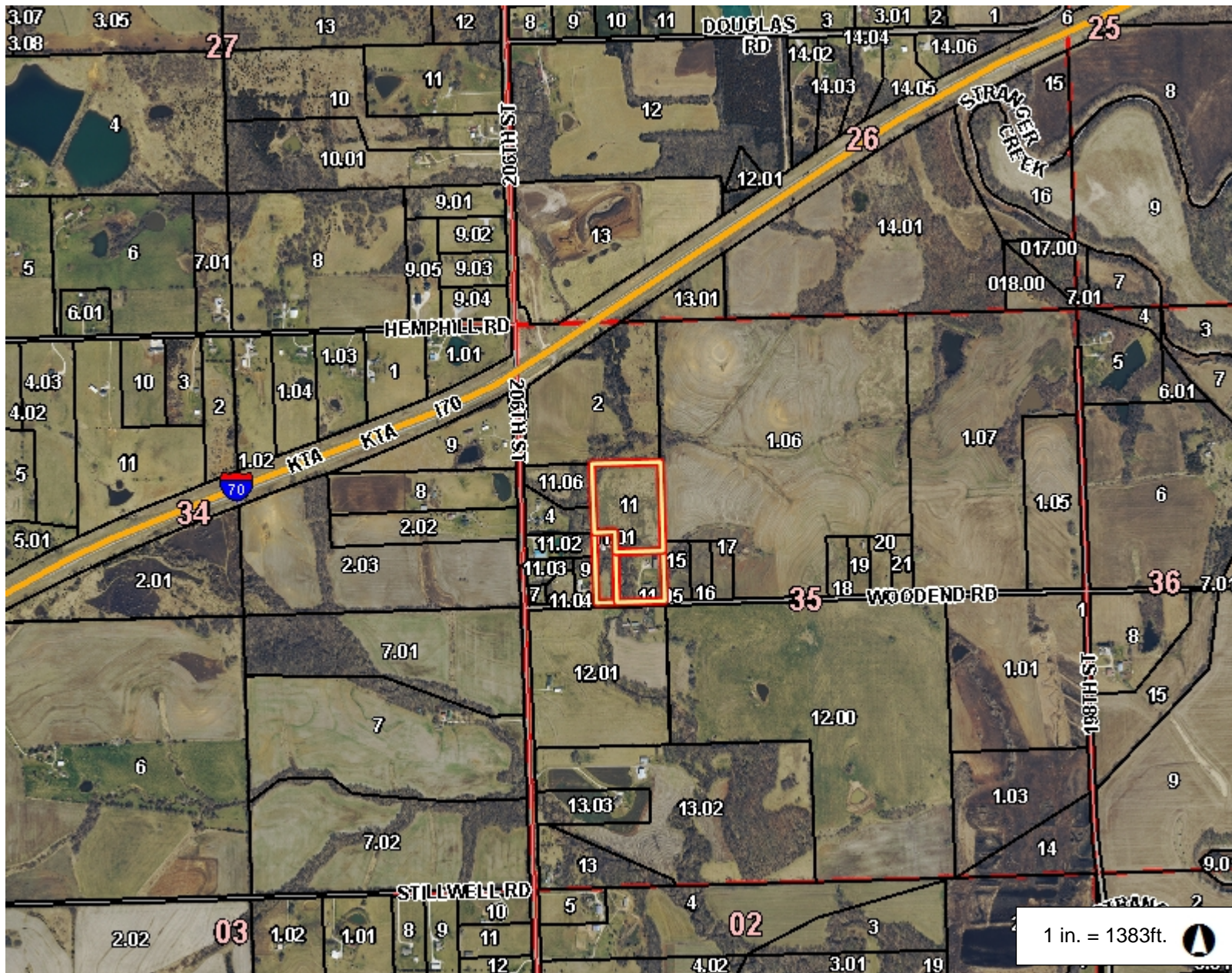
STAFF COMMENTS:

The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of these properties as RR-2.5. The applicant has provided a concept drawing, which the property owners at 11.01 are obtaining approximately 5-10 feet of 11.05 and extends all the way back. This would bring the 11.01 property in conformance with the RR-2.5 zoning requirements. Staff is supportive of this request.

ATTACHMENTS:

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

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

1 in. = 1383ft.



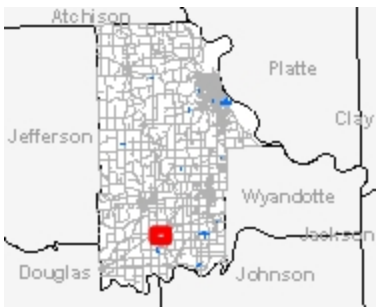
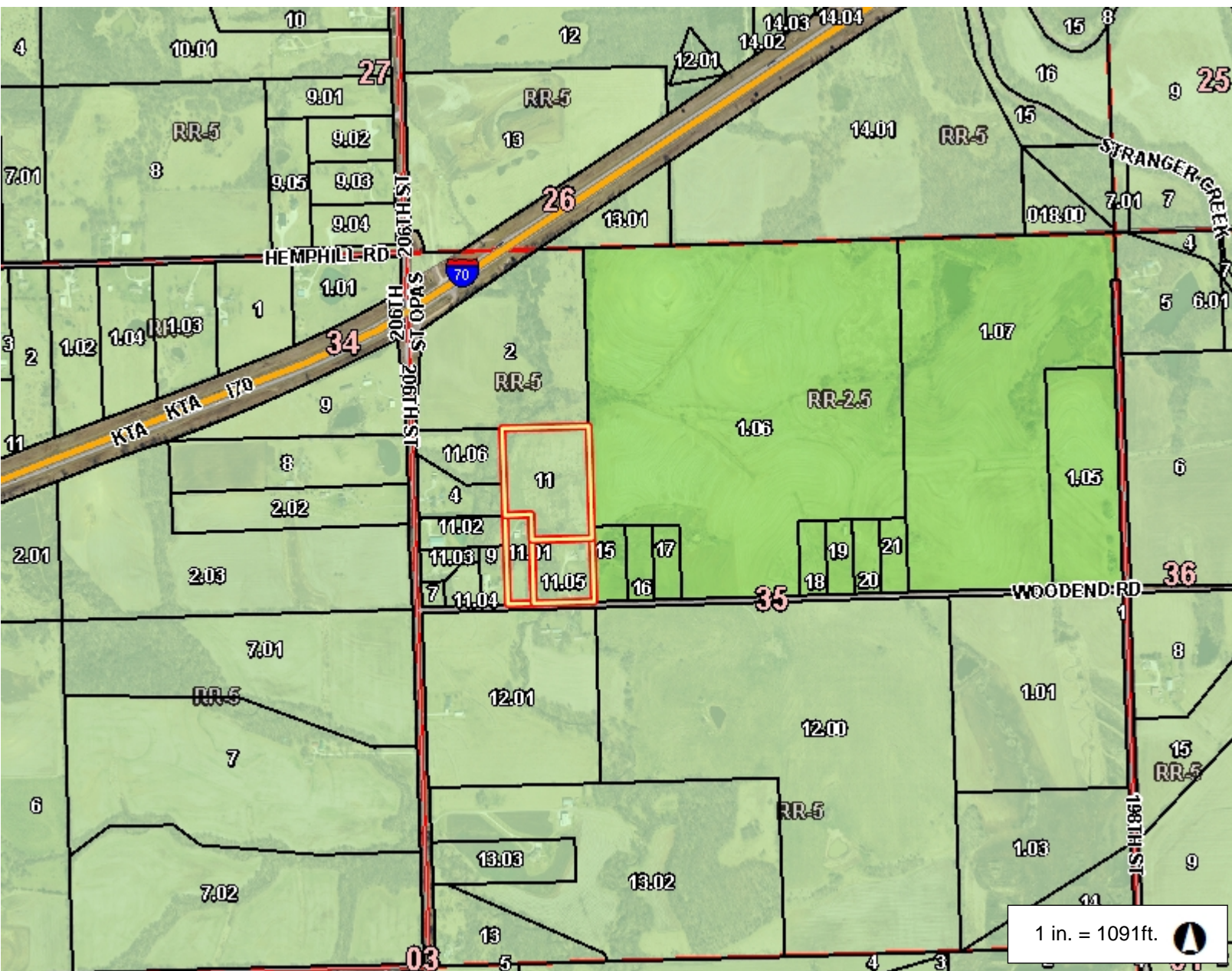
2,766.6 0 1,383.29 2,766.6 Feet

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

Notes

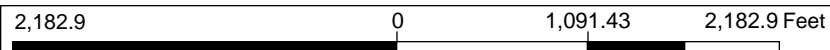
Leavenworth County, KS



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

Entered in the transfer record in my office this

13 day of June, 2017
Stacy R. Driscoll
County Clerk
by B. Jones

Please return to:

Kansas Secured Title, Inc.

P.O. Box 803

Tonganoxie, KS 66086

TX0009959

GENERAL WARRANTY DEED
(Statutory)

Britten Dwight Bethune, an unmarried person and Melissa R. Bethune, an unmarried person

convey and warrant to

Ramiro Valenzuela and Maria L. Valenzuela, husband and wife, as joint tenants with the right of survivorship and not as tenants in common all the following REAL ESTATE in the County of LEAVENWORTH, and the State of Kansas, to-wit:

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., described as follows: Commencing at the Southwest corner of the Northwest Quarter of Section 35, Township 11, Range 21; thence South 89°46'36" East (assumed) 676.72 feet to the point of beginning of this tract; thence North 00° East 681.61 feet; thence South 89°46'36" West 197.03 feet to the point of beginning, in Leavenworth County, Kansas, less any part thereof taken or used for road purposes.

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

0788

Janet Klammer
COUNTY CLERK

Doc #: 2022R08575
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
09/13/2022 04:16:05 PM
RECORDING FEE: 38.00
PAGES: 2

Mail Tax Statement to:

Robert Altenhofen
Rebecca L Higginbotham AKA Rebecca L Altenhofen
Property Address 20928 Woodend Rd
Linwood, KS 66052

JOINT TENANCY QUIT CLAIM DEED Pursuant to K.S.A. 79-1437 (e), a real estate validation questionnaire is not required due to exemption no. 3

GRANTOR Paul E Altenhofen and
Rose M Altenhofen (single/married person(s))

CONVEY and QUITCLAIM TO
Robert Altenhofen and Rebecca L Higginbotham
AKA Rebecca L Altenhofen (single/married person(s))

As JOINT TENANTS and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, all of the following described real estate in the County of Leavenworth, State of Kansas, to-wit:

SEE EXHIBIT "A"

for the sum of One Dollar, the receipt of which is hereby acknowledged. This conveyance is made subject to easements, restrictions, reservations and covenants of record, if any.

Dated this 13 day of September A.D. 20 22

Paul E Altenhofen
GRANTOR (Signature)

Paul E. Altenhofen
(Printed Name)

Rose M. Altenhofen
GRANTOR (Signature)

Rose M. Altenhofen
(Printed Name)

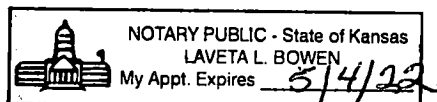
STATE OF KANSAS, COUNTY OF LEAVENWORTH

Be it remembered that before me, a notary public in and for the State and County aforesaid, personally appeared Paul E Altenhofen and Rose M. Altenhofen known to me be the same person(s) who executed the within document and who acknowledged the execution of same as a free act and deed. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.

Laveta L Bowen
NOTARY PUBLIC (Signature)

Laveta L Bowen
(Printed Name)

My commission expires: 5/4/22



TX:4085720
DocId:8120479

Exhibit A

1. East $\frac{1}{2}$ of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 35 Township 11 S Range 21 E of the 6th P.M. in Leavenworth County, Kansas less the following 2 tracts of land:

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., described as follows: Commencing at the Southwest corner of the Northwest Quarter of Section 35, Township 11, Range 21; thence South 89° 46' 36" East (assumed) 676.72 feet to the point of beginning of this tract; thence North 00° East 681.61 feet; thence South 89° 46' 36" East 197.54 feet; thence South 00° 02' 34" West 681.61 feet; thence North 89°46' 36" West 197.03 feet to the point of beginning, in Leavenworth County, Kansas, less any part taken or used for road.

And (less):

A tract of land in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 35, Township 11 South, Range 21 East of the Sixth Principal Meridian and more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 35; Thence S90°00'00" W, along the South line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 35, a distance of 445.00 feet; Thence N00°10'50"W a distance of 490.00 feet; Thence N90°00'00"E, a distance of 445.00 feet to the East line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 35; Thence S00°10'50"E along the East line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 35, a distance of 490.00 feet to the point of beginning, all in Leavenworth County, Kansas. As shown on the Survey recorded August 30, 1985 in Survey Book 13 at Page #39

AND

2. The Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 35 Township 11 S Range 21 E of the 6th P.M. in Leavenworth County, Kansas less the following tract of land:

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, described as follows: Commencing at the Southwest corner of the Northwest Quarter of Section 35, Township 11, Range 21; thence North 681.61 feet to the Point of Beginning of this Tract; thence North 465.10 feet; thence South 89°46'36" East 40.00 feet; thence South 56°17'47" East 422 feet; thence South 89°46'36" East 285.11 feet; thence South 232.18 feet; thence North 89°46'36" West 676.72 feet to the point of beginning, less any part thereof taken or used for road purposes.

AFFIDAVIT

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

We/I Ramiro Valenzuela and Maria Valenzuela

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
20500 Woodend Rd. Linwood, 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 18 day of June, 2024

Ramiro & Maria Valenzuela 20500 Woodend Rd.
Print Name, Address, Telephone

Ramiro Valenzuela
Signature

STATE OF KANSAS)

) SS

COUNTY OF LEAVENWORTH)

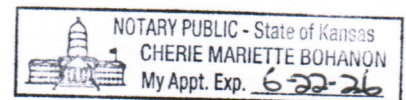
Be it remember that on this 18th day of June 2024, before me, a notary public in and
for said County and State came Ramiro Valenzuela to me
personally known to be the same persons who executed the forgoing instrument of writing, and
duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand
and affixed my notary seal the day and year above written.

NOTARY PUBLIC

Cherie Mariette Bohanon

My Commission Expires: 6-22-2026

(seal)



AFFIDAVIT

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

We/I Robert Altenhofen and Rebecca Altenhofen

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
20426 Woodend Rd. 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 22 day of August, 2024

Robert Altenhofen and Rebecca Altenhofen
Print Name, Address, Telephone 20426 Woodend Rd. Linwood KS

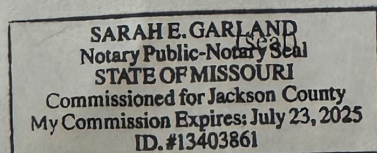
[Signature] Rebecca Altenhofen 913-651-9663
Signature

Missouri
STATE OF KANSAS)
Jackson) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this 22 day of August, 2024, before me, a notary public in and
for said County and State came Robert & Rebecca Altenhofen 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 Sarah E. Garland
Sarah E. Garland

My Commission Expires: July 23, 2025



REZONING APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

Office Use Only

Township: _____ Date Received: _____
Planning Commission Date _____
Case No. _____ Date Paid _____
Zoning District _____ 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
CONTACT PERSON Joe

OWNER INFORMATION (If different)

VALENZUELA, RAMIRO & MARIA L
NAME HIGGINBOTHAM, REBECCA L & ALTENHOFEN, ROBERT
20500 WOODEND RD
ADDRESS 20426 WOODEND RD
CITY/ST/ZIP Linwood, KS 66052
PHONE N/A
EMAIL N/A
CONTACT PERSON N/A

PROPOSED USE INFORMATION

Proposed Land Use Agriculture and Rural Residential
Current Zoning RR-5 Requested Zoning RR-2.5
Reason for Requesting Rezoning Adjust Boundaries and bring 20500 in road frontage compliance

PROPERTY INFORMATION

Address of Property 20500 Woodend Road 20426 Woodend Road
Parcel Size 2 Acres (20500 Woodend) 5 Acres & 11.4 Acres
Current use of the property Agriculture and Rural Residential
Present Improvements or structures Houses and Accessory Buildings
PID 197-35-0-00-00-011.01 (20500 Woodend) - 197-35-0-00-00-011.05 & 197-35-0-00-00-011

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 September 23, 2024 Date 9-23-24

ATTACHMENT A

Janet Klammer
COUNTY CLERK

Mail Tax Statement to:

Robert Altenhofen
Rebecca L Higginbotham AKA Rebecca L Altenhofen
Property Address 20928 Woodend Rd
Linwood, KS 66052

JOINT TENANCY QUIT CLAIM DEED Pursuant to K.S.A. 79-1437 (e), a real estate validation questionnaire is not

required due to exemption no. 3

GRANTOR Paul E Altenhofen and
Rose M Altenhofen (single/married person(s))

CONVEY and QUITCLAIM TO
Robert Altenhofen and Rebecca L Higginbotham
AKA Rebecca L Altenhofen (single/married person(s))

As JOINT TENANTS and not as tenants in common, with full rights of survivorship, the whole estate to
vest in the survivor in the event of the death of either, all of the following described real estate in the
County of Leavenworth, State of Kansas, to-wit:

SEE EXHIBIT "A"

for the sum of One Dollar, the receipt of which is hereby acknowledged. This conveyance is made subject to easements,
restrictions, reservations and covenants of record, if any.

Dated this 13 day of September A.D. 20 22

Paul E Altenhofen
GRANTOR (Signature)

Paul E. Altenhofen
(Printed Name)

Rose M. Altenhofen
GRANTOR (Signature)

Rose M. Altenhofen
(Printed Name)

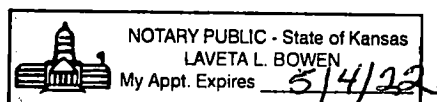
STATE OF KANSAS, COUNTY OF LEAVENWORTH

Be it remembered that before me, a notary public in and for the State and County aforesaid, personally appeared
Paul E Altenhofen and Rose M. Altenhofen
Known to me be the same person(s) who executed the within document and who acknowledged the execution of
same as a free act and deed. In witness whereof, I have hereunto set my hand and affixed my official seal the day
and year last above written.

Laveta L Bowen
NOTARY PUBLIC (Signature)

Laveta L Bowen
(Printed Name)

My commission expires: 5/4/22



TX:4085720

DocId:8120479



Exhibit A

1. East $\frac{1}{2}$ of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 35 Township 11 S Range 21 E of the 6th P.M. in Leavenworth County, Kansas less the following 2 tracts of land:

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., described as follows: Commencing at the Southwest corner of the Northwest Quarter of Section 35, Township 11, Range 21; thence South 89° 46' 36" East (assumed) 676.72 feet to the point of beginning of this tract; thence North 00° East 681.61 feet; thence South 89° 46' 36" East 197.54 feet; thence South 00° 02' 34" West 681.61 feet; thence North 89°46' 36" West 197.03 feet to the point of beginning, in Leavenworth County, Kansas, less any part taken or used for road.

And (less):

A tract of land in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 35, Township 11 South, Range 21 East of the Sixth Principal Meridian and more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 35; Thence S90°00'00" W, along the South line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 35, a distance of 445.00 feet; Thence N00°10'50"W a distance of 490.00 feet; Thence N90°00'00"E, a distance of 445.00 feet to the East line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 35; Thence S00°10'50"E along the East line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 35, a distance of 490.00 feet to the point of beginning, all in Leavenworth County, Kansas. As shown on the Survey recorded August 30, 1985 in Survey Book 13 at Page #39

AND

2. The Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 35 Township 11 S Range 21 E of the 6th P.M. in Leavenworth County, Kansas less the following tract of land:

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, described as follows: Commencing at the Southwest corner of the Northwest Quarter of Section 35, Township 11, Range 21; thence North 681.61 feet to the Point of Beginning of this Tract; thence North 465.10 feet; thence South 89°46'36" East 40.00 feet; thence South 56°17'47" East 422 feet; thence South 89°46'36" East 285.11 feet; thence South 232.18 feet; thence North 89°46'36" West 676.72 feet to the point of beginning, less any part thereof taken or used for road purposes.



October 31, 2024

Joshua Schweitzer
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth, KS 66048

Re: Rezoning Application for 20500 & 20426 Woodend Rd, Linwood, KS 66052

Dear Mr. Herring.

This letter is in response to your request for comments regarding water service with the rezoning application at 20500 & 20426 Woodend Rd.

Rural Water District 10 has an existing main and can provide water with the adjusted boundaries. We are currently servicing both property addresses.

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

Regards,

Steve Conley
Leavenworth County RWD10 | District Manager

Schweitzer, Joshua

From: McAfee, Joe
Sent: Monday, October 21, 2024 3:17 PM
To: Schweitzer, Joshua; Magaha, Chuck; Patzwald, Joshua; Miller, Jamie; Noll, Bill; Van Parys, David; Brown, Misty
Cc: PZ
Subject: RE: DEV-24-134 Valenzuela/Altenhofen Rezone

Joshua,
PW Engineering has no comment on the rezoning request.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, October 18, 2024 9:40 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-134 Valenzuela/Altenhofen Rezone

Good Morning

The Department of Planning and Zoning has received an application for a rezone regarding the property at 20500 & 20426 Woodend Road from 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 November 1, 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
(913) 684-0465

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Tuesday, October 29, 2024 10:20 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-134 Valenzuela/Altenhofen Rezone

It appears both septic systems will remain on the same property as the home it services. In 2021 it was found that the owners of the property at 20500 Woodend Rd built an accessory building in the floodplain without a building permit or a floodplain permit. After receiving notification of the violation from the County and the Kansas Department of Agriculture they brought the property into compliance.

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, October 18, 2024 9:40 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-134 Valenzuela/Altenhofen Rezone

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v / r

Joshua J. Schweitzer

Schweitzer, Joshua

From: Magaha, Chuck
Sent: Friday, November 8, 2024 4:17 PM
To: Schweitzer, Joshua
Subject: RE: DEV-24-134 Valenzuela/Altenhofen Rezone

Joshua no comment in this change

Chuck

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, October 18, 2024 9:40 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-134 Valenzuela/Altenhofen Rezone

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 November 1, 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
(913) 684-0465

Schweitzer, Joshua

From: Steven Heath <Steven.Heath@evergy.com>
Sent: Monday, October 21, 2024 8:23 AM
To: Schweitzer, Joshua
Subject: Re: [EXTERNAL]DEV-24-134 Valenzuela/Altenhofen 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

Evergy has no conflict with the property line adjustment, no facilities are located along the East property line.

Thank you,

Steven Heath

Evergy

TD Designer II

Steven.Heath@evergy.com

O: 785-865-4857

C: 785-508-2550

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, October 18, 2024 9:40 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Design Group Lawrence Service Center <designgrouplawrenceservicecenter@evergy.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: [EXTERNAL]DEV-24-134 Valenzuela/Altenhofen Rezone

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This message came from outside your organization.

Report Suspicious

Good Morning

The Department of Planning and Zoning has received an application for a rezone regarding the property at 20500 & 20426 Woodend Road from 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 November 1, 2024.

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

Schweitzer, Joshua

From: Dylan Ritter <dritter@lvcofd2.com>
Sent: Monday, October 21, 2024 3:07 PM
To: Schweitzer, Joshua
Cc: Magaha, Chuck; Patzwald, Joshua; Miller, Jamie; Noll, Bill; McAfee, Joe; Van Parys, David; Brown, Misty; Mitch Pleak; designgrouplawrenceservicecenter@evergy.com; rwd10@conleysandu.com; kritter@lvcofd2.com; PZ
Subject: Re: DEV-24-134 Valenzuela/Altenhofen 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.

Leavenworth County Fire District #2 has no comments or concerns.

On Fri, Oct 18, 2024 at 9:40 AM Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov> wrote:

Good Morning

The Department of Planning and Zoning has received an application for a rezone regarding the property at 20500 & 20426 Woodend Road from 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 November 1, 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



11

232.1'

11.01

681.6'

470'

550'

20500

197'

11.05

445'

20426

20394

WOODEND RD

20423

**LEAVENWORTH COUNTY
BOARD OF ZONING APPEALS
STAFF REPORT**

CASE NO: DEV-24-144 Cityscape (**PUBLIC HEARING REQUIRED**)

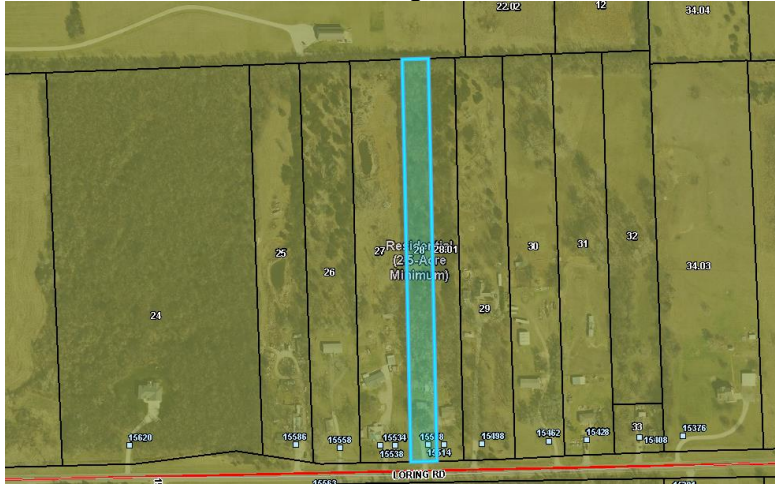
December 11, 2024

REQUEST: Variance from Zoning and Subdivision Regulations Art 5, Section 4: Minimum Frontage for RR-2.5 and Art. 50, Section 40.3.i. Lot-Width to Lot-Depth

STAFF REPRESENTATIVE:

Amy Allison
Deputy Director

SUBJECT PROPERTY: 15514 Loring Road



APPLICANT/APPLICANT AGENT:

CityScape Properties LLC
7715 Shawnee Mission Pkwy
Overland Park, KS 66202

PROPERTY OWNER:

See above

CONCURRENT APPLICATIONS:
N/A

LAND USE

ZONING: RR-2.5

FUTURE LAND USE
DESIGNATION: RESIDENTIAL
(2.5-acre minimum)

SUBDIVISION: N/A

FLOODPLAIN: N/A

LEGAL DESCRIPTION:

A tract of land in the Southeast Quarter of Section 11, Township 12, Range 22 East of the P.M., Leavenworth County, Kansas

PROPERTY INFORMATION

PARCEL SIZE: 2.6 ACRES

PARCEL ID NO:
231-11-0-00-00-028.00

BUILDINGS:
Single family residence and
accessory structures

ACCESS/STREET:
Loring Road
COUNTY COLLECTOR
±28' WIDE, PAVED

UTILITIES

SEWER: SEPTIC

FIRE: Fire District #2

WATER: CRWD#7

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 11/19/2024

NEWSPAPER NOTIFICATION:
11/19/2024

NOTICE TO SURROUNDING
PROPERTY OWNERS:
11/20/2024

ACTION OPTIONS:

1. Approve Case No. DEV-24-, variance from the required road frontage and lot-depth to lot-width; or
2. Deny Case No. DEV-24-, variance from the required road frontage and lot-depth to lot-width; or
3. Continue the hearing to another date, time, and place.

Location Map:



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>	
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><i>Based on documentation that could be found, it appears that this parcel was split via deed by a previous owner. The split created this parcel and the parcel to the East, with each parcel containing approximately 82.5 feet of road frontage with a lot-width to lot-depth that is approximately 1:15. The parcel prior to the split was not compliant with the current standard.</i></p>
2. The granting of the variance will not adversely affect the rights of adjacent property owners or residents;	<p><i>Based on the legal description chain, the parcel was separated from the other parcel in 2023. The applicant is wishing to rebuild a single-family residence on this parcel, which has an existing single-family residence that is beyond repair (built in 1955).</i></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><i>As this parcel is considered a non-conforming parcel and not entitled to building permits, the owner cannot receive a building permit to rebuild the structure until a variance is granted.</i></p>
4. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and;	<p><i>The request is not anticipated to adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.</i></p>
5. Granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations	<p><i>The intent of the regulations is to allow for the orderly development of land in the county. While the request does not meet the design requirements for land in this area, the intent is to allow for single-family residence and this parcel does have an existing single-family residence that is proposed to be replaced.</i></p>

STAFF COMMENTS:

The applicant is requesting a variance from the minimum lot frontage and lot-width to lot-depth requirement for a parcel they purchased. The split occurred via deed and not through the proper land subdivision action. The current owner did not cause this split to occur. Currently, there are two single-family residences on the two lots that share one access point. Public Works did comment that an access easement is recommended. No additional entrances will be permitted.

ATTACHMENTS:

A: Application & Narrative

B: Zoning Map

C: Memorandums

BOARD OF ZONING APPEALS APPLICATION

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

Office Use Only

Case No. _____
PID: _____
Township _____
BZA Hearing Date _____
ACTION _____ Date Received _____ Date Paid _____
Zoning District _____
Comprehensive Plan land use designation _____

APPLICANT/AGENT INFORMATION

NAME CityScape Properties LLC
ADDRESS 7715 Shawnee Mission Pkwy
CITY/ST/ZIP Overland Park, KS 66202
PHONE 913-583-1199
EMAIL _____

OWNER INFORMATION (If different)

NAME CityScape Properties, LLC
ADDRESS _____
CITY/ST/ZIP _____
PHONE _____
EMAIL _____

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 15514 Loring Rd, Bonner Springs, KS 66012
Parcel size Approx. 105,000 feet
Present improvements or structures A single family dwelling and detached shed
Current use of the property? Vacant property

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 _____

ATTACHMENT A

Janet Klasmirke
COUNTY CLERK

Doc #: 2024R04369
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
06/18/2024 08:00:53 AM
RECORDING FEE: 38.00
PAGES: 2

LIMITED LIABILITY COMPANY WARRANTY DEED

RDRE Title, LLC dba RD Title & Escrow - File No. 24060040
9105 Metcalf Ave
Overland Park, KS 66212

THIS INDENTURE, made this 13th day of June, 2024, by and between **Ridgeline Investments LLC**, a **Limited Liability Company**, a limited liability company duly organized under the laws of the State of Missouri, whose mailing address is **117 South Lexington Street, Harrisonville, KS 64701**, as **GRANTOR**, and **Cityscape Properties LLC**, a **Kansas limited liability company**, whose mailing address is **7715 Shawnee Mission Parkway, Overland Park, KS 66202**, as **GRANTEE**.

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 Wyandotte, State of Kansas to-wit:

The West half of the following described tract: Beginning at a point 495 feet East of the West side of the Southeast Quarter of the Southwest Quarter of Section 11, Township 12, Range 22; Thence East 165 feet; Thence due North 1300 feet; Thence due West 165 feet; Thence due South 1300 feet to the place of beginning, in Leavenworth County, Kansas, except any part thereof taken, deeded or used for road purposes.

Commonly known as 15514 Loring Rd, Bonner Springs, KS 66012

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 SAME, the premises aforesaid, with all and singular 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 said premises unto 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.

IN WITNESS WHEREOF, The said GRANTOR has executed this instrument the day and year first above written.

Ridgeline Investments LLC

BY: Jared Peterson, Member

Jared Peterson
Member

STATE OF Virginia
COUNTY OF Henrico

Acknowledged before me on this 13th day of June, 2024, by Jared Peterson, Member of Ridgeline Investments LLC, a Missouri limited liability company.

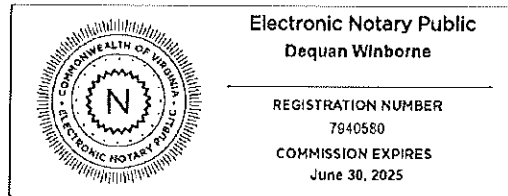
[Signature]
Signature of notarial officer

Dequan Winborne
Printed Name

My appointment expires: 06/30/2025

Notarized remotely online using communication technology via Proof.

When recorded return to:
Cityscape Properties LLC
7715 Shawnee Mission Parkway
Overland Park, KS 66202





Leavenworth County Planning and Zoning
300 Walnut, Suite 212
Leavenworth, KS 66048

Re: Variance Request (15514 Loring Rd)

As the undersigned managing member of CityScape Properties LLC, I give my written consent for Mr. Logan Gress and Mr. Geoffrey Barker to act on behalf of the company for the following purposes:

- (a) Speak with Leavenworth County to work towards the approval of the requested variance on 15514 Loring Rd.
- (b) To attend meetings in reference to said variance request on 15514 Loring Rd.
- (c) Submit documentation on behalf of CityScape Properties, LLC in reference to the variance request on 15514 Loring Rd.

Executed this 8 day of November, 2024.

CityScape Properties, LLC

By: _____

Jeffrey D. Asbell, Managing Member

Business Search ?

The business name or identification number on file with the Secretary of State.

☒ By business name ☐ By Kansas Secretary of State Business ID ☐ By resident agent name

cityscape

☒ Contains ☐ Starts With



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reCAPTCHA
Privacy - Terms

Search

Return To Search Results

General Information

[View Documents](#)

Business ID

3599909 [Purchase Certified Copies](#)

Business Name

CITYSCAPE PROPERTIES LLC

Type

Domestic Limited Liability Company

Formation Date

03/09/2004

Jurisdiction

Kansas

Status

Active and in Good Standing

[Purchase Certificate of Good Standing](#)

Principal Office

Address

7715 Shawnee Mission Parkway [Update Online](#)

City, State Zip

Overland Park, KS 66202

Country

United States of America

Resident Agent Name

J.D. ASBELL

Registered Office

Address

7715 SHAWNEE MISSION PKWY

City, State Zip



STATE OF KANSAS
OFFICE OF SECRETARY OF STATE
INFORMATION REPORT

Business ID:	3599909
Business Name:	CITYSCAPE PROPERTIES LLC
Reporting Year:	2024

Principal Office Address

7715 Shawnee Mission Parkway
Overland Park, KS 66202 USA

Name and address of each member who owns 5% or more of capital.

Asset Acquisitions Inc	7715 Shawnee Mission Parkway Overland Park, KS 66202 USA
------------------------	--

Signatures

Signature of Authorized Person JD Asbell



Leavenworth County Planning and Zoning

300 Walnut, Suite 212

Leavenworth, KS 66048

Re: Narrative Statement – Variance Request (15514 Loring Rd)

We are requesting a variance to legally split the lot that 15514 & 15508 Loring Rd, Bonner Springs, KS are currently located on. Currently, the two properties are owned by two different entities with two different residential structures located on the lot(s).

The structure located on 15514 Loring Rd is currently in a dilapidated state and we are wanting to demolish the current structure in order to rebuild on the lot. The current structure poses a risk to the public as it is potentially an unsafe structure and is a poor representation of the community.

By approving our request for variance, you would be allowing us to provide a service to better that portion of Leavenworth County. We would be providing a structure that would be fit for a family to live in the community. The neighboring properties would also benefit from the improvement as it would greatly increase the neighborhood that they are residing in.

Currently the two properties are functioning as if they were separate lots, but making this change would also provide the county the advantage of legally defining the two buildings as they are currently viewed by the community and current owners.

Allison, Amy

From: McAfee, Joe
Sent: Thursday, November 14, 2024 3:24 PM
To: Allison, Amy; Brown, Misty; Noll, Bill
Cc: PZ
Subject: RE: RE: DEV-24-144 Variance – CityScape Properties

Amy,
The only comment that PW Engineering has is that an Access Easement must be recorded so that the portion that was split off by deed has a means of accessing their property through this property. Let me know if you have any questions.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, November 13, 2024 4:42 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-144 Variance – CityScape Properties

Good Afternoon,

The Department of Planning and Zoning has received a request for a Variance from Article 5, Section 4 minimum frontage (200') in the RR-2.5 district and Article 50, Section 40.3.i. lot-depth to lot-width requirement for the property at 15514 Loring 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 Wednesday, November 27, 2024.

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

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

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.

Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, November 19, 2024 10:04 AM
To: Allison, Amy
Subject: RE: RE: DEV-24-144 Variance – CityScape Properties

All prior complaints and violations were resolved in 2021, prior to the applicant taking possession of the 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.

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Sent: Wednesday, November 13, 2024 4:42 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-144 Variance – CityScape Properties

Good Afternoon,

The Department of Planning and Zoning has received a request for a Variance from Article 5, Section 4 minimum frontage (200') in the RR-2.5 district and Article 50, Section 40.3.i. lot-depth to lot-width requirement for the property at 15514 Loring Road.

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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

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

Disclaimer

**LEAVENWORTH COUNTY
BOARD OF ZONING APPEALS
STAFF REPORT**

CASE NO: DEV-24-146 Access Variance (**PUBLIC HEARING REQUIRED**)

December 11, 2024

REQUEST: Variance from Zoning and Subdivision Regulations Art 41
Sec 6, Exhibit B Residential Entrance Spacing

STAFF REPRESENTATIVE:

Amy Allison
Deputy Director

SUBJECT PROPERTY: 00000 147th Street

**APPLICANT/APPLICANT
AGENT:**

Cody Herbster
4247 Aspen Dr
Basehor, KS 66007

PROPERTY OWNER:

Pamela Freeman, Janet Atkins,
Cindy Whited & Brian Thomas
20807 147th Street
Basehor KS 66007

**CONCURRENT
APPLICATIONS:**

DEV-24-142/143 Thomas Farm
2nd

LAND USE

ZONING: RR-2.5

FUTURE LAND USE

DESIGNATION: RESIDENTIAL 3
UNITS PER ACRE

SUBDIVISION: Thomas Farm

FLOODPLAIN: N/A

PROPERTY INFORMATION

PARCEL SIZE: 63.3 ACRES

PARCEL ID NO:
157-26-0-00-00-001.04

BUILDINGS:
Barn

ACCESS/STREET:
147TH STREET
COUNTY COLLECTOR
±24' WIDE, PAVED

UTILITIES

SEWER: SEPTIC

FIRE: FAIRMOUNT

WATER: CRWD#1

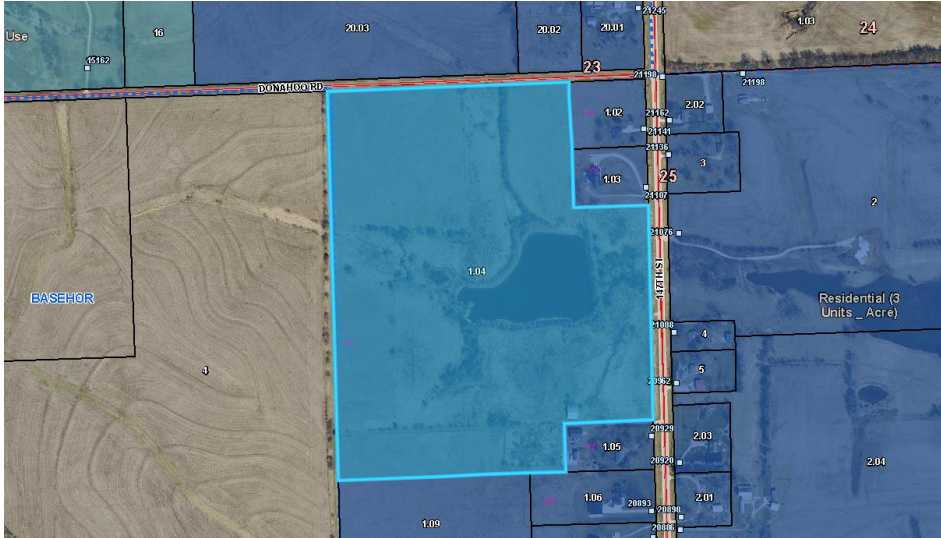
ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 12/2/2024

NEWSPAPER NOTIFICATION:
11/19/2024

NOTICE TO SURROUNDING
PROPERTY OWNERS:
11/20/2024



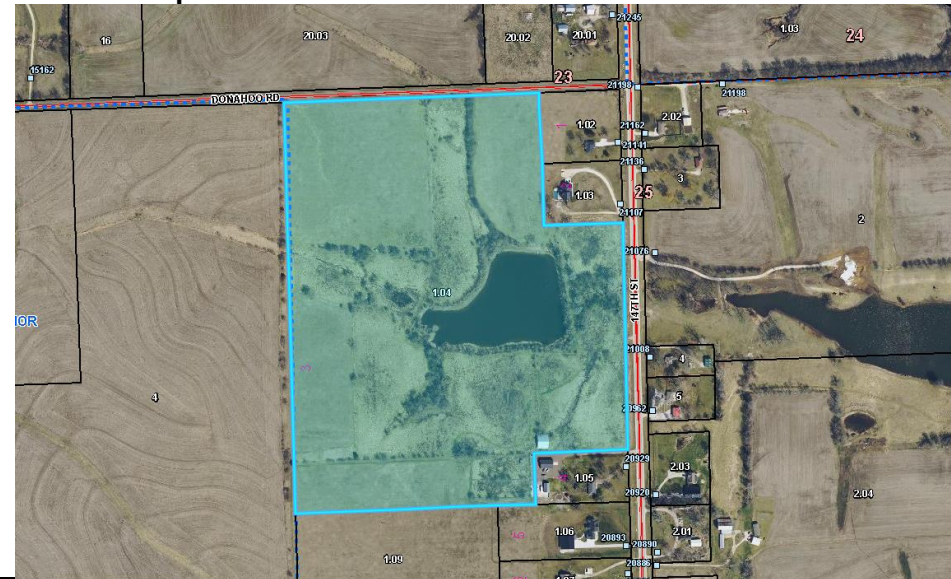
LEGAL DESCRIPTION:

Lot 3, Thomas Farm Addition, a subdivision in Leavenworth County,
Kansas

ACTION OPTIONS:

1. Approve of Case No. DEV-24-146, variance from the minimum residential entrance spacing; or
2. Recommend denial of Case No. DEV-24-, variance from the minimum residential entrance spacing; or
3. Continue the hearing to another date, time, and place.

Location Map:



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>	
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>	<i>The parcel has enough frontage to have multiple entrances. This parcel also has public infrastructure and pond structure that reduces the frontage that can be utilized for access points.</i>
2. <i>The granting of the variance will not adversely affect the rights of adjacent property owners or residents;</i>	<i>While this access will be closer than the required 300 feet separation to the entrance to the north, Public Works has reviewed the request and does not have concerns about the location impacting any other entrance.</i>
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>	<i>As stated, the applicant does have more than the required frontage to accommodate multiple entrances but there are physical restrictions that limit the location of available access points. In order to meet the regulations, significant changes would have to be made to the property as well as surrounding infrastructure.</i>
4. <i>The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and;</i>	<i>Public Works has reviewed this request and did not indicate that the proposed entrance would cause any harm to the public health, safety, morals, order, convenience, prosperity or general welfare.</i>
5. <i>Granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations</i>	<i>The intent of the access management policy is to regulate entrances onto public roadways to minimize any potential dangerous situations that may arise. This has been reviewed and no concerns were raised that this entrance location will cause harm.</i>

STAFF COMMENTS:

The applicant is requesting a variance from the residential entrance spacing requirement for a high volume collector (300 ft). The property has enough frontage to support at least two entrances but the location of the existing entrance and both above ground and underground utilities and public infrastructure limit the location of possible entrance points. The applicant is requesting an entrance that will be 236' from the entrance to the north and 355' from the entrance to the south. The City of Basehor was notified and had no comments for this request.

ATTACHMENTS:

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

2309537
R 302182

BOARD OF ZONING APPEALS APPLICATION

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

Office Use Only

Case No. _____
PID: _____
Township _____
BZA Hearing Date _____
ACTION _____ Date Received _____ Date Paid _____
Zoning District _____
Comprehensive Plan land use designation _____

APPLICANT/AGENT INFORMATION

NAME Cody Horbster
ADDRESS 4247 ASPEN DR
CITY/ST/ZIP BASEHOR, KS 66007
PHONE (312) 859-8328
EMAIL CODY.HORBSTER@ICLOUD.COM

OWNER INFORMATION (If different)

NAME Pam Freeman
ADDRESS 20807 147th St
CITY/ST/ZIP BASEHOR, KS 66007
PHONE (913) 634-9853
EMAIL pcfreeman@aol.com

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 SW 1/4 147th + DONAHOO, BASEHOR, KS / PID's 157-26-0-00-00-001.09
Parcel size 83 Acres
Present improvements or structures 1 Accessory Structure
Current use of the property? AGRICULTURAL RR-2.5

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 [Signature] Date 11/12/24

ATTACHMENT A

Written Narrative: Thomas Farm - 2nd Plat – Lots 1 & 2
Shared Access

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;

- a. *Parcels 1 & 2 of the Thomas Farm 2nd Plat have only one road to which they can feasibly be accessed. The northern road frontage is on Donahoo Rd (a minimally maintained road) which has a no access restriction placed on it as it was decided by the Board of County Commissioners that no further waivers will be granted on minimally maintained roads due to public safety concerns from Fairmount Township Fire Department.*
- b. *Shared access for Lots 1 & 2 is required on 147th Street (Local Collector) which requires 300' minimum spacing between driveways. The frontage for Lot 2 is 428.88' however there is a box culvert under 147th Street that is situated along this frontage. There are also above and underground utilities that run along this stretch of frontage.*
- c. *In conversation with Public Works, we have come to a solution that placing the driveway 236' South of the existing driveway to the North is the optimal solution given the restrictions on Donahoo Rd and the box culvert on 147th St. This will also maintain spacing of 355' to the driveway location of Lot 3.*
- d. *While this spacing does not meet the standard 300' we are proposing a variance for these reasons.*

B) That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;

- a. *This variance will not adversely affect the rights of adjacent property owners or residents. In fact, the adjacent property owners are supportive of this solution.*

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;

- a. *Given that residential access is not allowed on Donahoo Rd and that meeting the 300' requirement on 147th is unfeasible due to the 7'x5' box culvert; the variance is being requested. If the strict application of these provisions were enforced access would be unsuitable, if not impossible, to obtain at any cost. The cost to pave Donahoo Rd to current Leavenworth County Paved Road standards is unfeasible to serve two residential parcels and would be a considerable hardship. The feasibility and cost of constructing an underground drainage system that leads to the 7'x5' box culvert would also constitute a hardship for two residential parcels.*

D) That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare;

- a. *The variance being requested (300' distance between driveways on a Local Collector) would not adversely affect the public good. In fact, on 147th St (one quarter mile South of Parcel's 1 & 2) there are several instances of driveway spacing much less than 300' that are not having an adverse impact on the public good.*
- b. *These instances approximate driveway spacing are as follows: 65' 68' 38' 70' 95' 120' 290' 220' & 130'.*
- c. *The requested variance is proposed to be 236'. Which while it does not strictly adhere to the 300' standard, it does far exceed the current condition of 8 instances between Donahoo Rd & Leavenworth Rd along 147th St.*

E) That granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.

- a. *We have worked with both Staff & the Department of Public works to come to a logical placement of the shared driveway for all the reasons previously stated. We feel that in requesting the proposed variance we have done everything in our power to adhere to the general spirit and intent of the zoning regulation and hope that you see favorably upon our request.*

* 2 0 1 1 R 0 4 5 0 3 2 *
Doc #: 2011R04503
STACY R. DRISCOLL/REGISTER OF DEEDS
LEAVENWORTH COUNTY
RECORDED ON
06/15/2011 02:33PM
RECORDING FEE: 12.00
INDEBTEDNESS: 0.00
PAGES: 2

Entered in the transfer record in my office this

15th day of June, 2011
Janet Klabinski
County Clerk

McCaffree – Short Title Company, Inc.
(913) 651-7100

STATUTORY WARRANTY DEED

#21489

LLOYDE C. FREEMAN and PAMELA R. FREEMAN, husband and wife and LELA MAY THOMAS, a single person and CINDY J. WHITED, a single person

of Leavenworth County, Kansas, convey and warrant to:

LELA MAY THOMAS, a single person

of Leavenworth County, Kansas, its successors and assigns,

LOT 3, THOMAS FARM SUBDIVISION, LEAVENWORTH COUNTY, KANSAS.

Pursuant to K.S.A. 79-1437 a real estate validation questionnaire is not required due to EXEMPTION NO. 3.

Subject to restrictions, reservations, assessments, and easements, if any, now affecting said property.

Said property situated in Leavenworth County, Kansas, and for the sum of one dollar and other good and valuable considerations.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever. And Grantors for themselves, their heirs, successors and assigns, do hereby covenant, promise and agree, to and with Grantee, that at the delivery of these presents they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments taxes, assessments and encumbrances, of what nature and kind whatsoever, subject to Grantor's reservation set forth herein, and that s/he will WARRANT AND FOREVER DEFEND the same unto Grantee, its successors and assigns, against Grantors, their heirs, successors and assigns, and all and every person or persons whomsoever lawfully claiming or to claim the same.

8/7

McCaffree – Short Title Company, Inc.
(913) 651-7100

Dated this 10th day of June, 2011.

Lloyd C. Freeman
LLOYD C. FREEMAN

Lela May Thomas
LELA MAY THOMAS

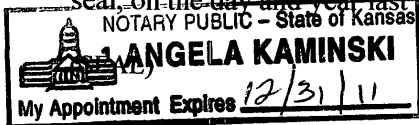
Pamela R. Freeman
PAMELA R. FREEMAN

Cindy J. Whited
CINDY J. WHITED

State of KANSAS)
County of LEAVENWORTH) SS:

BE IT REMEMBERED, that on this 10th day of June, 2011, before me, a Notary Public in and for said county and state, came **LLOYD C. FREEMAN AND PAMELA R. FREEMAN, HUSBAND AND WIFE, AND LELA MAY THOMAS, A SINGLE PERSON AND CINDY J. WHITED, A SINGLE PERSON** to me personally known to be the same persons who executed the foregoing instrument, and duly acknowledged the execution of the same.

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



My Commission Expires: 12/31/11

Angela Kaminski
Notary Public

C/00
11
√2

TRANSFER ON DEATH DEED

On this 21 day of Aug., 2006, **Raymond Thomas and Lela M. Thomas, husband and wife**, as owners, transfer on death to Grantee Beneficiaries, **Karen Bartlett, Pamela Freeman, Janet Atkins, Cindy Whited and Brian Thomas, as joint tenants with rights of survivorship and not tenants in common**, a fee simple ownership in the following real estate:

The Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-six (26), Township Ten (10), Range Twenty-two (22) less the West Fifty (50) acres thereof.

THIS TRANSFER ON DEATH DEED IS REVOCABLE. IT DOES NOT TRANSFER ANY OWNERSHIP UNTIL THE DEATH OF THE OWNERS. IT REVOKES ALL PRIOR BENEFICIARY DESIGNATIONS BY THESE OWNERS FOR THIS INTEREST IN REAL ESTATE.

IN WITNESS WHEREOF, this TOD deed is executed on the date and year first above written.

STATE OF KANSAS
COUNTY OF LEAVENWORTH
FILED FOR RECORD

Raymond Thomas
Raymond Thomas

2006 AUG 28 P 3: 53

Lela M. Thomas
Lela M. Thomas

STATE OF KANSAS
STACY R. DRISCOLL
REGISTER OF DEEDS
) ss.
COUNTY OF WYANDOTTE)

Entered in the transfer record in my office this
28th day of August, 2006
Sandra A. Sheehy, D. Cox
County Clerk

On this 21 day of August, 2006, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared **Raymond Thomas and Lela M. Thomas** to me personally known to be the same persons who executed the within and foregoing instrument of writing and acknowledged to me that the same was executed as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal the day and year last above written.

Lori S. Klarfeld
Notary Public
Printed Name: LORE S. KLARFELD



Pursuant to K.S.A. 79-1437e, a real estate validation questionnaire is not required due to Exception No. 4 (complete if applicable.).

BK0992 PG 1655

OWNER AUTHORIZATION

I/WE Pamela R. Freeman, hereby referred to as the
"Undersigned", being of lawful age, do hereby on this 16th day of July, 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 Attachment "A" attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize Cody Herbster
(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, _____
Proposed Thomas Farm Subdivision, 2nd Plat (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.

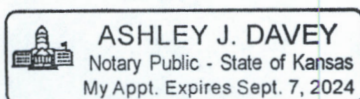
Pamela R. Freeman
Owner

Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 16 day of July, 2024,
by Pamela R. Freeman.

My Commission Expires: 09/07/2024



[Signature]
Notary Public Ashley J Davey

ATTACHMENT B

OWNER AUTHORIZATION

I/WE Cindy J. Whited, hereby referred to as the
"Undersigned", being of lawful age, do hereby on this 16th day of July, 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 Attachment "A" attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize Cody Herbster
(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, Proposed Thomas Farm Subdivision, 2nd Plat
(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.

Cindy J. Whited
Owner

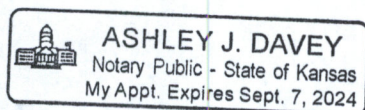
Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 16th day of July, 2024,

by Cindy J. Whited.

My Commission Expires: 09/07/2024



Ashley J. Davey
Notary Public

ATTACHMENT B

OWNER AUTHORIZATION

I/WE Janet E. Atkins, hereby referred to as the
"Undersigned", being of lawful age, do hereby on this 16th day of July, 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 Attachment "A" attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize Cody Herbster
(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, Proposed Thomas Farm Subdivision, 2nd Plat
(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.

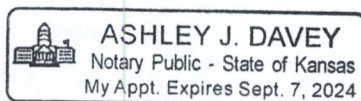
Janet E. Atkins
Owner

Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 16 day of July, 2024,
by Janet E. Atkins.

My Commission Expires: 09/07/2024



Ashley J. Davey
Notary Public

ATTACHMENT B

OWNER AUTHORIZATION

I/WE Brian Thomas, hereby referred to as the
"Undersigned", being of lawful age, do hereby on this 16 day of July, 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 Attachment "A" attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize Cody Herbster
(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, Proposed Thomas Farm Subdivision, 2nd Plat (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.

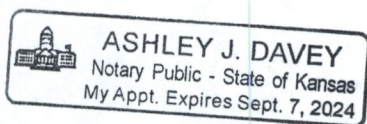
Brian Thomas
Owner

Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 16 day of July, 2024,
by Brian Thomas.

My Commission Expires: 09/07/2024



ASHLEY J DAVEY
Notary Public

ATTACHMENT B

OWNER AUTHORIZATION

I/WE LLDYDE + PAMELA FREEMAN, hereby referred to as the
"Undersigned", being of lawful age, do hereby on this 16th day of July, 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 Attachment "A" attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize Cody Herbster
(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, _____
Proposed Thomas Farm Subdivision, 2nd Plat (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.

Pamela Freeman
Owner

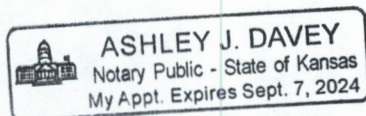
Lloyd C. Freeman
Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 16 day of July, 2024,
by Pamela Freeman and Lloyd C. Freeman

My Commission Expires: 09/07/2024

ASHLEY J. DAVEY
Notary Public ashley j davey



ATTACHMENT B

Allison, Amy

From: Alex Van Dyke <avandyke@cityofbasehor.org>
Sent: Tuesday, November 19, 2024 8:04 AM
To: Allison, Amy
Subject: Re: DEV-24-146 – Thomas Farm Entrance Variance

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.

Good Morning Amy,
The City of Basehor does not have any comments at this time on DEV-24-146 – Thomas Farm Entrance Variance.

Thanks,
Alex Van Dyke
City Planner
City of Basehor
1600 N. 158th Street
Basehor, KS 66007
913-724-1370
avandyke@cityofbasehor.org



This email transmission and any attachments are for the exclusive use of the intended recipient(s) to whom addressed and may contain information that is confidential, privileged or exempt from public disclosure and which is the sole property of the City of Basehor, Kansas. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient or believe you received this communication in error, please contact the sender at (913) 724-1670; permanently delete this message from your system, without first forwarding or replying to it; and destroy and delete any and all copies or printouts of this email and any attachments thereto.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, November 18, 2024 3:41 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; Alex Van Dyke <avandyke@cityofbasehor.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-146 – Thomas Farm Entrance Variance

Good Afternoon,

The Department of Planning and Zoning has received a request for a Variance regarding residential entrance spacing for the property at 00000 147th Street (PID 157-26-0-00-00-001.04).

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, December 2nd.

Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, November 19, 2024 10:44 AM
To: Allison, Amy
Subject: RE: RE: DEV-24-146 – Thomas Farm Entrance Variance

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: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, November 18, 2024 3:41 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'Alex Van Dyke' <avandyke@cityofbasehor.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-146 – Thomas Farm Entrance Variance

Good Afternoon,

The Department of Planning and Zoning has received a request for a Variance regarding residential entrance spacing for the property at 00000 147th Street (PID 157-26-0-00-00-001.04).

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, December 2nd.

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

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

Disclaimer

Allison, Amy

From: McAfee, Joe
Sent: Monday, November 25, 2024 11:40 AM
To: Allison, Amy; Brown, Misty; Noll, Bill; Mitch Pleak
Cc: PZ
Subject: RE: RE: DEV-24-146 – Thomas Farm Entrance Variance

Amy,
Public Works Engineering is supportive of the entrance variance since the relocation to the south was completed. No further comment.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, November 18, 2024 3:41 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'Alex Van Dyke' <avandyke@cityofbasehor.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-146 – Thomas Farm Entrance Variance

Good Afternoon,

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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

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

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