

RESOLUTION 2016- 2

A resolution of the Leavenworth County Kansas Board of Commissioners, issuing a Special Use Permit for a Contractor's Yard on the following described property:

A tract of land in the Northwest 1/4 of Section 12, Township 11 South, Range 21 East of the Sixth P.M., more fully described as follows: Beginning at the Southeast corner of the Northwest 1/4 of said Section 12; thence North 89 degrees 56' 09" West along the South line of said Northwest 1/4, a distance of 300.00 feet; thence North 00 degrees 11' 33" East, a distance of 2602.33 feet to the Southerly right of way line of U.S. Highway 24-40; thence North 90 degrees 00' 00" East along said Southerly right of way line, a distance of 300.00 feet to the East line of said Northwest 1/4; thence South 00 degrees 11' 33" West along the Eastline of said Northwest 1/4, a distance of 2602.67 feet to the point of beginning, less any part thereof taken or used for road purposes,

in LEAVENWORTH COUNTY, KANSAS

WHEREAS, it is hereby found and determined that a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 22nd day of October, 2015, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 9th day of December, 2015; 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 Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commissioners considered, in session on the 7th day of January, 2016, 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,
2. Based upon the findings of fact adopted by the Board of County Commissioners in regular session on the 7th days of January, 2016, and incorporated herein by reference;

That Case No. DEV-15-117, Special Use Permit for a Contractor's Yard, is approved subject to the following conditions:

1. The SUP shall be limited to a period of ten (10) years.
2. The business shall be limited to the hours of 7 am to 5 pm, Monday through Friday, occasionally exceeding those hours.
3. The SUP shall be limited to twelve (12) employees other than the business owners.
4. The applicant shall pay a Traffic Impact Fee (TIF) of \$2,799.11.
5. The applicant shall adhere to the following memorandums:
 - a. Chuck Magaha – Emergency Management, December 1, 2015
6. No construction debris shall be stored or disposed of on-site, unless a separate Special Use Permit is obtained.
7. The applicant shall maintain existing vegetation and tree lines along the east and west property lines and along the State Avenue for the duration of the Special Use Permit.
8. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.

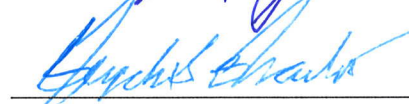
9. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
10. No on-street parking shall be allowed.
11. This SUP shall be limited to the Narrative submitted with this application on October 22, 2015.
12. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
13. After approval of this SUP by the Board of County Commissioners all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office within 30 days.

located in Section 12, Township 11, Range 21, also known as 19425 State Avenue, parcel no. 191-12-0-00-00-006.00 in Leavenworth County, Kansas.

Adopted this 7th day of January, 2016
 Board of County Commissioners
 Leavenworth, County, Kansas



 Dennis Bixby, Chairman



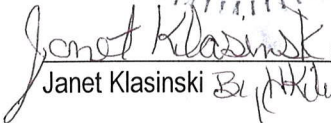
 Clyde D. Graeber, Member



 Robert W. Holland, Member



ATTEST



 Janet Klasinski By 