

RESOLUTION 2016- 4

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for an Auto Service Station & Repair on the following described property:

A tract of land in the Northwest Quarter of Section 5, Township 8 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at a point on the North right of way line of County Road #14, 1783.29 feet South and 1000.73 feet East from the Northwest corner of said Northwest Quarter; thence North 84° 58' 15" West 251.15 feet along said North right of way line; thence North 915.96 feet; thence North 89° 47' East 250.19 feet; thence South 938.92 feet parallel to the West line of said Northwest Quarter to the point of beginning.

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 15th day of December, 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 10th day of February, 2016; 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 Commission considered, in session on the 25th day of February, 2016, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission 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 Commission in regular session on the 25th days of February, 2016, and incorporated herein by reference;

That Case No. DEV-15-127, Special Use Permit for an Auto Service Station & Repair, is approved subject to the following conditions:

1. The SUP shall be limited to a period of five (5) years.
2. The business shall be limited to the hours of 5:30 pm to 9 pm, Monday through Friday, and 8 am to 6 pm on Saturdays. These hours do not limit the delivery of vehicles to the site overnight or outside of business hours.
3. The SUP shall be limited to no employees other than the business owner.
4. The applicant shall pay a Traffic Impact Fee (TIF) of \$73.66.
5. The applicant shall adhere to the following memorandums:
 - a. Chuck Magaha – Emergency Management, December 30, 2015
 - b. James Herken – Easton Township Fire District, December 30, 2015
6. Applicant shall submit a revised site plan to indicate designated parking area.
7. No more than three (3) vehicles shall be parked, for repair, at the property outside overnight.
8. Applicant shall not store parts or junk vehicles outside.
9. All floor drains connected to the septic system shall be capped or plugged. Other drains shall collect all automotive fluids for proper disposal.

10. There shall be no on-site retail sales.
11. Applicant shall properly dispose of used oils and parts.
12. 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.
13. No on-street parking shall be allowed.
14. This SUP shall be limited to the revised narrative submitted on December 15, 2015.
15. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
16. 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.

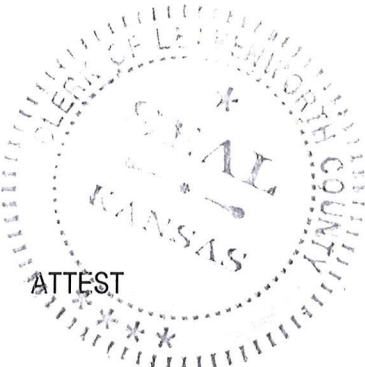
located in Section 5, Township 8, Range 21, also known as 22578 Millwood Road, parcel no. 063-05-0-00-00-007.00 in Leavenworth County, Kansas.

Adopted this 25th day of February, 2016
 Board of County Commission
 Leavenworth, County, Kansas

/s/ *Robert W. Holland*
 Robert W. Holland, Chairman

/s/ *Clyde D. Graeber*
 Clyde D. Graeber, Member

/s/ *Dennis Bixby*
 Dennis Bixby, Member



/s/ *Janet Klasinski*
 Janet Klasinski *By Helen Klinkenberg*