

RESOLUTION 2016- 6

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a Landscaping, lawn care, lawn maintenance, snow removal and related business for Chris' Tree Service, on the following described property:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 12, RANGE 21, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING 661.5 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 12, RANGE 21, THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SECTION 16, 658.5 FEET, THENCE NORTH AND PARALLEL TO THE WEST LINE OF SECTION 16, 528.2 FEET TO THE SOUTH LINE OF K-32 HIGHWAY, THENCE WEST 90 FEET, THENCE NORTHWESTERLY ALONG SAID SOUTH LINE OF HIGHWAY, 225 FEET, THENCE WEST ALONG THE SOUTH LINE OF SAID HIGHWAY TO A POINT ON THE WEST LINE OF SAID SECTION 16, SAID POINT BEING 555.7 FEET NORTH OF THE POINT OF BEGINNING, THENCE SOUTH TO THE POINT OF BEGINNING,

LESS THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT A POINT 75 FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 12, RANGE 21, THENCE EAST ALONG THE KANSAS CITY KAW VALLEY AND WESTERN RAILWAY 330 FEET, THENCE SOUTH 132 FEET, THENCE WEST 330 FEET, THENCE NORTH 132 FEET TO THE POINT OF BEGINNING,

ALSO LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, ALL IN LEAVENWORTH COUNTY, KANSAS, more commonly known as 12510 222nd Street.

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 19th day of January, 2016, 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 March, 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 24th day of March, 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 24th day of March, 2016, and incorporated herein by reference;


That Case No. DEV-16-005, Special Use Permit for a Landscaping, lawn care, lawn maintenance, snow removal and related business for Chris' Tree Service, 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 6 am to 7 pm, except after storm events, Monday through Sunday.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$331.47.


4. The applicant shall adhere to the following memorandums:
 - a. James Kraatz – Planning and Zoning, February 5, 2016
 - b. Melissa Johnson – Codes Enforcement Officer, February 2, 2016
 - c. Trevor Huhn – Public Works, February 1, 2016
 - d. Chuck Magaha – Emergency Management, January 26, 2016
 - e. Lawrence Torneden, Reno Township Fire Department, February, 20 2016
 - f. Gary Bennett – Rural Water District #10, January 26, 2016
 - g. Chris Feldhausen – Westar Energy, February 2, 2016
5. The applicant shall abide by the Permanent Emerald Ash Borer Quarantine as established by the Kansas Department of Agriculture.
6. No tree material from outside of Leavenworth County shall be brought to the Leavenworth County Transfer Station.
7. 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.
8. No on-street parking shall be allowed.
9. This SUP shall be limited to the Narrative received January 19, 2016 submitted with this application.
10. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. 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.

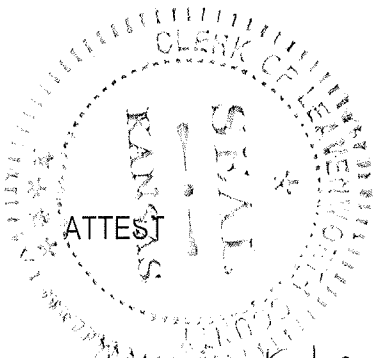
located in Section 16, Township 12 Range 21, also known as 12510 222nd Street, parcel no. 225-16-0-00-00-023.00 in Leavenworth County, Kansas.


Adopted this 24th day of March, 2016
 Board of County Commission
 Leavenworth, County, Kansas


 Robert W. Holland, Chairman


 Clyde D. Graeber, Member


 Dennis Bixby, Member




 Janet Klasinski