

RESOLUTION 2016- / O

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 on the following described property:

The North 200.00 feet of Lots 4 and 5, REAM'S SUBDIVISION, City of Leavenworth, Leavenworth County, Kansas. ALSO: Tract in the Northeast Quarter of Section 28, Township 8, Range 22, Leavenworth County, Kansas, described as: Beginning at the Northeast corner of Lot 4, REAM'S SUBDIVISION, said point being 401.06 feet West of the Southeast corner of the Northeast Quarter of said Section 28; thence North along the East line of Lot 4, if extended to the South right-of-way of existing road; thence in a Westerly direction along the South right-of-way of said existing road to the West line of Lot 5, REAM'S SUBDIVISION, if extended; thence South along the extended West line of said Lot 5, to the Northwest corner of said Lot 5; thence East 267.20 feet along the North line of REAM'S SUBDIVISION to point of beginning. As per Survey by Ken Herring recorded October 12, 1973 in Survey Book S-9, Page 107. LESS any part thereof taken or used for road purposes. More commonly known as 2307 Dakota 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 26th 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 13th day of April, 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 28th day of April, 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 28th day of April, 2016, and incorporated herein by reference;

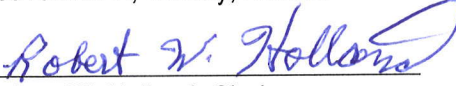
That Case No. DEV-16-011, Special Use Permit for a Landscaping, Lawn Care, Lawn Maintenance, Snow Removal and Related Business approved subject to the following conditions:

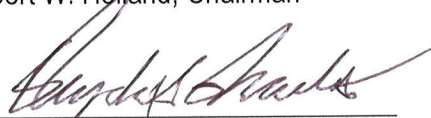
1. The SUP shall be limited to a period of five (5) years.
2. The business shall be limited to the hours of 8 am to 5 pm Monday – Friday.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$147.32
4. The business shall be limited to two (2) employees other than the applicant.
5. The applicant shall adhere to the following memorandums:
 - a. Trevor Huhn – Public Works, March 09, 2016
 - b. Chuck Magaha – Emergency Management, March 30, 2016

6. 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.
7. On-street parking shall not be allowed.
8. This SUP shall be limited to the Narrative dated January 26, 2016 submitted with this application.
9. The applicant shall not store lawn waste at the property.
10. No tree material from outside of Leavenworth County shall be brought to the Leavenworth County Transfer Station.
11. The applicant shall abide by the Permanent Emerald Ash Borer Quarantine as established by the Kansas Department of Agriculture.
12. 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 Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office within 30 days.


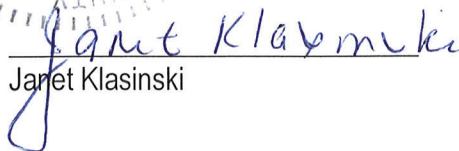
located in Section 28, Township 8 Range 22 East of the 6th P.M., also known as 2307 Dakota Street, parcel no. 078-28-0-00-00-032.00 in Leavenworth County, Kansas.

Adopted this 28th day of April, 2016
Board of County Commission
Leavenworth, County, Kansas


Robert W. Holland, Chairman


Clyde D. Graeber, Member


Dennis Bixby, Member



Janet Klasinski