

## RESOLUTION 2016- 11

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

A tract of land in the Southwest 1/4 of Section 27, Township 10 South, Range 22 East of the 6th P.M. described as follows: Commencing at the Southwest corner of Section 27, Township 10 South, Range 22 East; thence North 00 degrees, 48 minutes, 39 seconds East (measured), North 00 degrees, 33 minutes, 20 seconds East (deed), 844.33 feet along the West line of Section 27 to the point of beginning of this tract; thence North 90 degrees, 00 minutes, 00 seconds East, 692.02 feet; thence South 00 degrees, 48 minutes, 39 seconds West, 315.00 feet; thence South 90 degrees, 00 minutes, 00 seconds West, 692.02 feet to the West line of Section 27; thence North 00 degrees, 48 minutes, 39 seconds East (measured), North 00 degrees, 33 minutes, 20 seconds East (deed), 315.00 feet along the West line of Section 27 to the point of beginning of this tract, more or less, including road Right-of-Way, in Leavenworth County, Kansas more commonly known as 20510 163<sup>rd</sup> 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 February 1st, 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 13<sup>th</sup> 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 28<sup>th</sup> 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 28<sup>th</sup> day of April, 2016, and incorporated herein by reference;

That Case No. DEV-16-012, Special Use Permit for a Contractor's Yard approved subject to the following conditions:

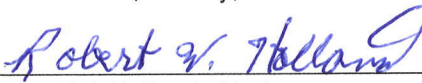
1. The SUP shall be limited to a period of five (5) years.
2. The business shall be limited to the hours of 8 am to 5 pm, Monday through Friday.
3. The applicant shall pay an annual Traffic Impact Fee (TIF) of \$371.25 for the duration of the use of this Special Use Permit. The TIF payment for 2016 shall be paid within 30 days of approval by the Board of County Commission. The subsequent annual payments shall be paid by May 1 of the corresponding years. The annual assessment of the TIF is due to the anticipation that the business will move to a commercial site within the City of Basehor before 2017. Once the business has moved, the Special Use Permit will be void and no subsequent annual TIF fees shall be due.
4. The SUP shall be limited to sixteen (16) employees other than the business owners.
5. The applicant shall adhere to the following memorandums:

a. Chuck Magaha – Emergency Management, March 22, 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. No on-street parking shall be allowed.
8. This SUP shall be limited to the Narrative submitted on February 1, 2016 submitted with this application.
9. 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.

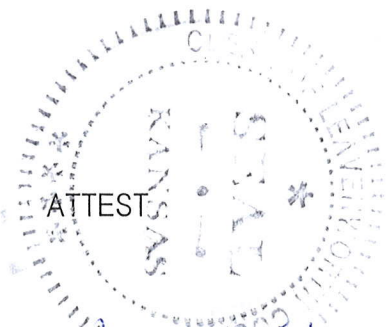
located in Section 27, Township 10, Range 22, also known as address, 20510 163<sup>rd</sup> Street, parcel no. 158-27-0-00-00-006.03 in Leavenworth County, Kansas.

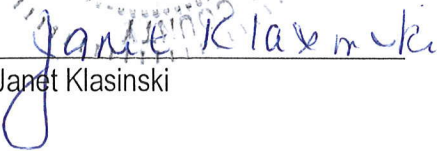
Adopted this 28<sup>th</sup> day of April, 2016  
Board of County Commission  
Leavenworth, County, Kansas

  
Robert W. Holland, Chairman

  
Clyde D. Graeber, Member

  
Dennis Bixby, Member



  
Janet Klasinski