

RESOLUTION 2016-014

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a Bed and Breakfast on the following described property:

A TRACT OF LAND IN THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 21 EAST OF THE SIXTH P.M., MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE SOUTH ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 28 A DISTANCE OF 2,250.00 FEET; THENCE WEST A DISTANCE OF 450.0 FEET; THENCE NORTH A DISTANCE OF 650.00 FEET; THENCE EAST A DISTANCE OF 370.00 FEET; THENCE NORTH A DISTANCE OF 1,460.00 FEET; THENCE WEST A DISTANCE OF 220.00 FEET; THENCE NORTH A DISTANCE OF 140.00 FEET TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE EAST ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING, LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES more commonly known as 21107 Donahoo Road

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 23rd day of February, 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 11th day of May, 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 Commissioners considered, in session on the 26th day of May, 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 26th day of May, 2016, and incorporated herein by reference;

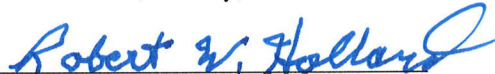
That Case No. DEV-16-018, Special Use Permit for a Bed and Breakfast approved subject to the following conditions:

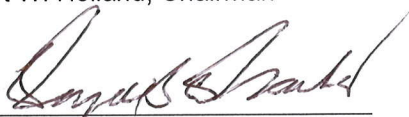
1. The SUP shall be limited to a period of ten (10) years.
2. The Bed & Breakfast shall be limited to the following:
 - a. Overnight stays associated with 30 events or 40 meetings occurring with the event barn.
 - b. Twelve (12) overnight stays not associated with the event barn.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$7.37.
4. The applicant shall adhere to the following memorandums:
 - a. Chuck Magaha – Emergency Management, March 14, 2016
 - b. Tim Smith – Tonganoxie Township Fire District, March 14, 2016
 - c. Cathy Bowen – Rural Water District #9, March 18, 2016
 - d. Trevor Huhn – Public Works Department, May 3, 2015

5. Applicant shall submit documentation from the Fire Department and Emergency Management that indicates the following conditions have been met prior to holding the first event or meeting:
 - a. Fire extinguishers are installed according to the Kansas Builder Fire Safety Handbook.
 - b. Smoke detectors are installed and operating.
 - c. Exits have exit lights identifying them.
6. 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.
7. The applicant shall provide the Planning & Zoning Department with copies of any licenses for food, alcohol, and lodging required from the State of Kansas.
8. No signage is allowed in the right-of-way. No signage is requested with the SUP. This business is associated with the Deer Ridge Estate Event Center (Case No. DEV-16-019) which does include a sign request. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
9. No on-street parking shall be allowed.
10. This SUP shall be limited to the revised narrative submitted on April 29, 2016.
11. 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.


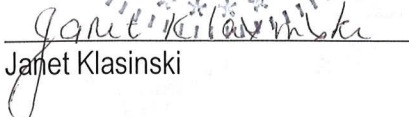
located in Section 28, Township 10 South Range 21 East, also known as 21107 Donahoo Road, parcel no. 148-28-0-00-00-001.02 in Leavenworth County, Kansas.

Adopted this 26th day of May, 2016
 Board of County Commission
 Leavenworth, County, Kansas


 Robert W. Holland, Chairman


 Clyde D. Graeber, Member


 Denis Bixby, Member

ATTEST


 Janet Klasinski