

RESOLUTION 2016- 15

A resolution of the Leavenworth County Kansas Board of County Commission, to amend the following articles of the 2006 Zoning and Subdivision Regulations:

Article 22 – Special Use Permits and Temporary Use Permits

Section 4: Section 4. Limitations on successive applications

In the event of a denial by the Board of County Commission of an application for any rezoning or special use permit affecting a tract of real property, no subsequent application for any rezoning or special use permit for that tract of real property shall be accepted by the County until 12 months has elapsed from the date of the denial, provided that upon a finding by the Board of County Commission that there has been a material change of circumstances affecting the tract, such an application may be accepted by the County prior to the expiration of the 12 month period.

Article 31 – Amendments

Section 4: Section 4. Limitations on successive applications

In the event of a denial by the Board of County Commission of an application for any rezoning or special use permit affecting a tract of real property, no subsequent application for any rezoning or special use permit for that tract of real property shall be accepted by the County until 12 months has elapsed from the date of the denial, provided that upon a finding by the Board of County Commission that there has been a material change of circumstances affecting the tract, such an application may be accepted by the County prior to the expiration of the 12 month period.

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 9<sup>th</sup> day of March and on the 11<sup>th</sup> 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 Commission considered, in session on the 24<sup>th</sup> day of March and on the 2<sup>nd</sup> day of June, 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 24<sup>th</sup> day of March and on the 2<sup>nd</sup> day of June, 2016, and incorporated herein by reference;

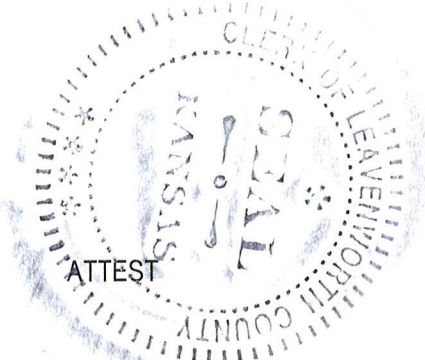
That the amendments listed herein be approved.

Approved this 2<sup>nd</sup> day of June, 2016  
Board of County Commission  
Leavenworth, County, Kansas

*Robert W. Holland*  
Robert W. Holland, Chairman

*Clyde D. Graeber*  
Clyde D. Graeber, Member

*Dennis Bixby*  
Dennis Bixby, Member



*Janet Klasinski*  
Janet Klasinski