

RESOLUTION 2016- 25

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

A tract of land in the Northeast $\frac{1}{4}$ of Section 12, Township 11 South, Range 24 East in Leavenworth County, Kansas. More fully described as follows: Beginning at a point 40.15 feet south of the Northwest corner of the Northeast $\frac{1}{4}$ of said Section 12, said point of beginning also being the south right-of-way line of US 24-40 Highway; thence south along the west line of said Northeast $\frac{1}{4}$ 1279.85 feet; thence easterly 330.00 feet; thence north parallel to the west line of said Northeast $\frac{1}{4}$ to a point on the south right-of-way line of said US 24-40 Highway 1277.21 feet; thence westerly along the said right-of-way line of US 24-40 Highway 330.00 feet to the point of beginning. Contains 10 acres more or less, less road right-of-way. in Leavenworth County, Kansas more commonly known as 19369 State Avenue

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 May, 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 July, 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 July, 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 July, 2016, and incorporated herein by reference;

That Case No. DEV-16-065, Special Use Permit for a Repair Service approved subject to the following conditions:

1. The SUP shall be limited to a period of five (5) years.
2. The applicant shall pay a Traffic Impact Fee (TIF) of \$736.61
3. The business shall be limited to the hours of 7 am to 5 pm, Monday through Saturday. Hours of operation will not apply to vehicles that are towed to the site for repair.
4. Hours of operation shall not apply to vehicles that are towed to the site for repair.
5. The business shall be limited to six (6) employees other than the applicant and family members.
6. The applicant shall properly dispose of used oils and parts.
7. All floor drains connected to the septic system shall be capped or plugged. Other drains shall collect all automotive fluids for proper disposal.
8. Parts shall not be stored outside.
9. Building and septic permits shall be obtained prior to any building construction.

10. The applicant shall adhere to the following memorandums:
 - a. Trevor Huhn – Public Works, Month day, 2016
 - b. Chuck Magaha – Emergency Management, June 6, 2016
 - c. Mark Billquist – Stranger Fire District, June 16, 2016
11. 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.
12. No on-street parking shall be allowed.
13. 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.
14. This SUP shall be limited to the Narrative dated May 26, 2016 submitted with this application.
15. 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 12, Township 11 Range 22, also known as address, 19369 State Avenue parcel no. 191-12-0-00-00-005.00 in Leavenworth County, Kansas.

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

Robert W. Holland, Chairman

Clyde D. Graeber, Member

Dennis Bixby, Member



ATTEST

Janet Klasinski