

RESOLUTION 2016- 28

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for an Agri-Business on the following described property:

A tract of land in the Northwest Quarter of Section One (1), Township Twelve (12), Range Twenty (20) East in Leavenworth County, Kansas, more fully described as follows: Beginning at a point 1138.21 feet East of the Northwest corner of The Northwest Quarter of said Section One (1); thence South 05° 10'42" West 269 .58 feet; thence South 01° 56'00" West 220.95 feet; thence South 44°31'27" East 191.72 feet to a point on the Westerly right-of-way line of County Road No. 27 and Old Highway No. 40; thence Northeasterly 153.63 feet on a curve to the left; thence Northeasterly 563.20 feet on a curve to the right to a point which intersects the North line of the said Northwest Quarter of Section One (1); thence West 436.99 feet to the point of beginning, Less any part thereof taken or used for road purposes. More commonly known as 14755 243rd 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 12 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 10th day of August, 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 25th day of August, 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 25th day of August, 2016, and incorporated herein by reference;

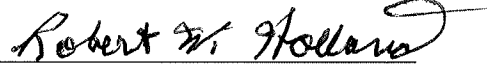
That Case No. DEV-16-058, Special Use Permit for an Agri-Business approved subject to the following conditions:

1. The SUP shall be limited to a period of five (5) years.
2. The business shall be limited to the hours of 7 am to 9 pm, Monday through Sunday
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$294.64.
4. The applicant shall adhere to the following memorandums:
 - a. Trevor Huhn – Public Works, June 15, 2016
 - b. Chuck Magaha – Emergency Management, August 2, 2016
5. 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.
6. No on-street parking shall be allowed.
7. This SUP shall be limited to the Narratives dated May 12, 2016 and June 12, 2016 submitted with this application.
8. 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.

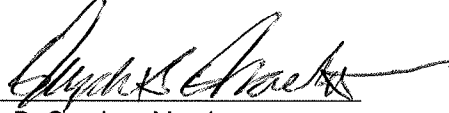
9. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office within 30 days.

located in Section 1, Township 12 Range 20, also known as 14755 243rd parcel no. 211-01-0-0-00-009.00 in Leavenworth County, Kansas.

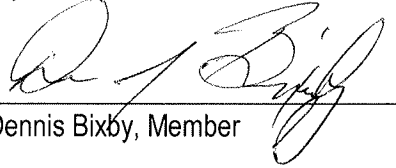
Adopted this 25th day of August, 2016
Board of County Commission
Leavenworth, County, Kansas



Robert W. Holland, Chairman

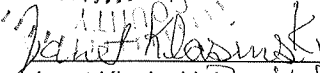


Clyde D. Graeber, Member



Dennis Bixby, Member




Janet Klasinski By Helen Kluckenberg