

RESOLUTION 2016- 42

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

A tract of land A tract of land in the Southwest ¼ of Section 23, Township 10 South, Range 21 East of the 6th P.M. more fully described as follows: Beginning at a point 660.00 feet East of the Southwest corner of the Southwest ¼ of said Section 23, said point of beginning also being on the South line of said Southwest ¼; thence North 00 degrees 04'30" East, 361.89 feet along the West line of said Southwest ¼; thence South 83 degrees 06'30" East, 800.00 feet; thence South 58 degrees 09'00" East 886.77 feet; thence South 15 degrees 51'00" East, 132.65 feet to a point on the South line of said Southwest ¼; thence West 922.99 feet to the point of beginning, less and part thereof taken or used for road purposes,

LESS

A tract of land in the Southwest ¼ of Section 23, Township 10 South, Range 21 East of the 6th P.M., more fully described as follows: Commencing at the Southwest corner of said Southwest ¼; thence North 90 degrees 00'00" East, an assumed bearing for a distance of 660.00 feet along the South line of said Southwest ¼ to the true point of beginning; thence North 00 degrees 04'30" West for a distance of 330.00 feet parallel to the West line of said Southwest ¼; thence North 90 degrees 00'00" West for a distance of 269.40 feet parallel to the South line of said Southwest ¼ in an existing fence line; thence North 04 degrees 21'50" East for a distance of 117.03 feet along said existing fence; thence North 90 degrees 00'00" East for a distance of 634.05 feet parallel to the South line of said Southwest ¼, said point being on the Easterly line of property described in deed recorded in Book 756, Page 1147; thence South 58 degrees 09'00" East for a distance of 604.68 feet along said Easterly line; thence South 15 degrees 51'00" East for a distance of 132.65 feet along said Easterly line to the South line of said Southwest ¼; thence North 90 degrees 00'00" West for a distance of 922.99 feet along said South line to the point of beginning, in Leavenworth County, Kansas more commonly known as 21256 203rd St. Tonganoxie, KS 66086

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 22nd day of September, 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 9th day of November, 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 1st day of December, 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:

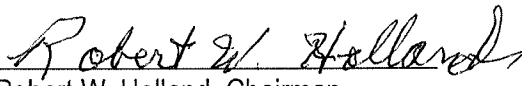
1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 1st day of December, 2016, and incorporated herein by reference;

That Case No. DEV-16-102, Special Use Permit for a dog kennel 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 \$117.86
3. The business hours shall be from 9:00am to 5:00pm, Monday through Saturday and all customer visits shall be by appointment only.
4. The dogs shall be kept inside of the building from 9:00pm to 7:00am, allowing for periods of outdoor breaks when necessary.
5. All noise generated by this Special Use Permit shall not exceed a decibel level of 60 at the property line.
6. The total number of boarded dogs at any one time shall be limited to ten (10).
7. The applicant shall continue to operate and maintain the septic system dedicated to the operation of the kennel.
8. The applicant shall post a sign with emergency contact numbers in the event of severe weather, fire or medical emergency events.
9. 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.
10. No on-street parking shall be allowed.
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 23, Township 10 Range 21, also known as address, 21256 203rd Street parcel no. 146-23-0-00-00-011.00 in Leavenworth County, Kansas.

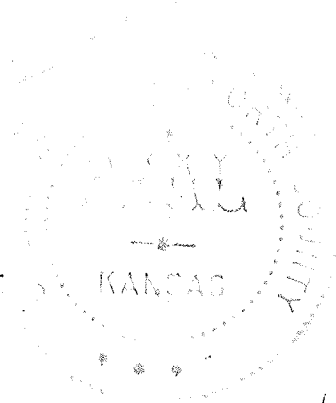
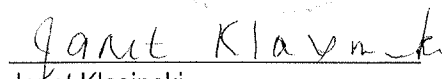
Adopted this 1st day of December, 2016
Board of County Commission
Leavenworth, County, Kansas


Robert W. Holland, Chairman


Clyde D. Graeber, Member


Dennis Bixby, Member

ATTEST



Janet Klasinski