

RESOLUTION 2017- 18

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

Southwest Quarter of Section Eight (8), Township Eight (8), Range Twenty-two (22), except pipeline right-of-way
Southeast Quarter of Section Eight (8), Township Eight (8) South, Range Twenty-two (22) East, LESS the following described tract: A tract of land in Section Eight (8), Township Eight (8), Range Twenty-two (22) East, described as beginning at a point on the South line of said Section, said point being 40 feet West of the Southeast corner of said Section; thence along the South line of said section 731.7 feet to a point; thence North and parallel to East line of said Section 208.71 feet to a point; thence East and parallel to south line of said Section 731.7 feet to a point on the West right-of-way line of the Township Road, thence South along said right-of-way 208 feet to the point of beginning, containing 3.50 acres, more or less; AND LESS a tract of land located in the Southeast Quarter of Section Eight (8), Township Eight (8), Range Twenty-two (22), more specifically described as commencing at the Northeast corner of the Southeast Quarter of said Section; thence South along the East line of said Section 600 feet to a point; thence West on a line parallel to the North line of the Southeast Quarter 600 feet to a point; thence North along a line parallel to the East line of said Section 600 feet to a point; thence East along the North line of said Southeast Quarter to the point of beginning, in Leavenworth County, Kansas more commonly known as 32577 171st Street Leavenworth, KS 66048

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 18th day of January, 2017, 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 8th day of March, 2017; 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 30th day of March, 2017, 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 30th day of March, 2017, and incorporated herein by reference;

That Case No. DEV-17-005, Special Use Permit for an agriculturally-related 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 10am to 6pm, Monday through Sunday.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$282.12
4. The SUP shall be limited to 15 part-time employees excluding immediate family members.

5. There shall be a minimum of two (2) portable toilets on site when the business is open. All portable toilets shall be maintained by a county-licensed septic hauler.
6. Building and septic permits shall be obtained prior to any building construction.
7. The applicant shall post emergency contact numbers for responders outside on each building in plain sight, in the event that an emergency occurs.
8. The applicant shall provide a certificate of 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. The applicant shall adhere to the following memorandums:
 - a. Michael Swan – Planning and Zoning, February 15, 2017
 - b. Chuck Magaha – Emergency Management, February 4, 2017
10. The existing agriculture entrance is allowed to be used as a commercial entrance as part of the special use permit. Should the special use permit terminate, the use of the entrance will revert back to an agriculture entrance only.
11. No signage is allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. 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. This SUP shall be limited to the Narrative dated January 18, 2017 submitted with this application.
14. 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 Department within 30 days.

located in Section 8, Township 8 Range 22, also known as address, 32577 171st Street
 parcel no. 073-08-0-00-00-010.00 in Leavenworth County, Kansas.

Adopted this 30th day of March, 2017
 Board of County Commission
 Leavenworth, County, Kansas



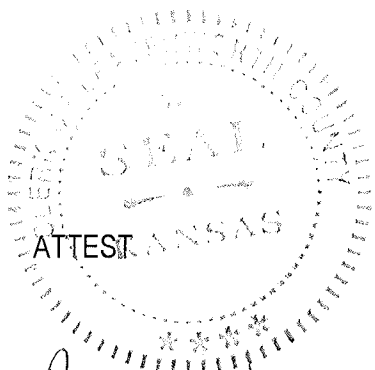
 Doug Smith, Chairman

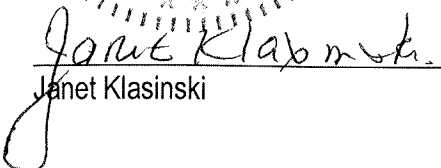


 Clyde D. Graeber, Member



 Robert W. Holland, Member





 Janet Klasinski