

RESOLUTION 2017- 22

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

A part of Government Lots 1 and 2 in the North Half of the Southeast Quarter of Section 9, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest corner of the Southeast Quarter of said Section 9; thence North 00°00'13" East (assumed) 1,641.76 feet along the West line of said Southeast Quarter to the point of beginning of this tract; thence North 00°00'13" East 665.50 feet along said West line; thence North 89°17'04" East 2,617.43 feet to the East line of said Southeast Quarter; thence South 00°14'27" East 665.47 feet along said East line; thence South 89°17'04" West 2,620.27 feet to the point of beginning of this tract, less any part thereof taken or used for road or street purposes, according to the Survey dated December, 2002 by Larry Hahn.

In Leavenworth County, Kansas more commonly known as 32710 167th 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 9th day of February, 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 12th day of April, 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 27th day of April, 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 27th day of April, 2017, and incorporated herein by reference;

That Case No. DEV-17-012, Special Use Permit for a Truck Hauling Business, Bardroff Heavy Hauling, LLC, approved subject to the following conditions:

1. The SUP shall be limited to a period of ten (10) years.
2. The business shall be limited to the hours of 7:00 AM – 7:00 PM, Monday through Saturday except in the event of an emergency call.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$1060.70.
4. The SUP shall be limited to three (3) employees other than the business owner and family.
5. The applicant shall adhere to the submitted site plan.
6. The applicant shall be limited to three (3) operational trucks and 10 trailers.
7. Adler tanks shall be stored at the site on a temporary basis as needed for repair and maintenance.

8. Adler tanks shall be cleaned and emptied prior to being stored at the site.
9. The drivers shall not use "engine braking" while traveling on 167th Street.
10. The drivers shall not use air horns on 167th Street except for emergencies.
11. The applicant shall continue to maintain the landscaping around the site.
12. The applicant shall obtain a Haul Permit from Leavenworth County Public Works, this permit shall be maintained throughout the duration of the SUP.
13. The applicant shall adhere to the following memorandums:
 - a. Chuck Magaha – Emergency Management, March 27, 2017
14. 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.
15. No on-street parking shall be allowed.
16. This SUP shall be limited to the Narrative dated February 9, 2017 submitted with this application.
17. 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 09, Township 08 Range 22, also known as 32710 167th Street, parcel no. 072-09-0-00-00-020.01 in Leavenworth County, Kansas.

Adopted this 27th day of April, 2017
 Board of County Commission
 Leavenworth, County, Kansas



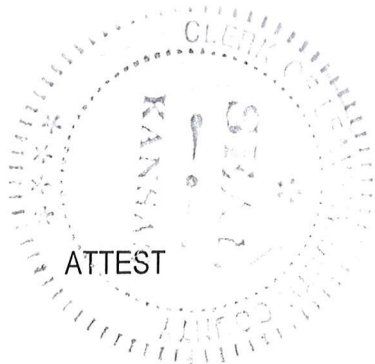
 Doug Smith, Chairman

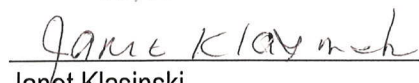


 Clyde D. Graeber, Member



 Robert W. Holland, Member





 Janet Klasinski