

RESOLUTION 2017-26

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a Landscaping, lawn care, lawn maintenance, snow removal and related business for Joey's Lawn Pro, LLC on the following described property:

THAT PART OF BLOCK 58, TOWN OF DELAWARE, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF WALNUT STREET AND 5TH STREET; THENCE SOUTH 34°31'04" EAST 180.00 FEET; THENCE NORTH 55°00'01" EAST 40.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 55°00'01" EAST PARALLEL WITH THE CENTERLINE OF WALNUT STREET 300.00 FEET; THENCE SOUTH 34°31'04" EAST 160.00 FEET, PARALLEL WITH THE CENTERLINE OF 4TH STREET; THENCE SOUTH 55°00'01" WEST 300.00 FEET; THENCE NORTH 34°31'04" WEST 160.00 FEET TO THE POINT OF BEGINNING, AS PER SURVEY BY D.G. WHITE DATED APRIL 14, 1986, IN LEAVENWORTH COUNTY, KANSAS
More commonly known as 26088 Wolcott Road

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 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 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 4th day of May, 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 4th day of May, 2017, and incorporated herein by reference;

That Case No. DEV-17-014, Special Use Permit for a Landscaping, lawn care, lawn maintenance, snow removal and related business for Joey's Lawn Pro, LLC 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 7:00 AM to 7:00 PM, Monday-Saturday except during weather events.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$883.93
4. The SUP shall be limited to two full-time employees and two part-time employees other than the business owner.
5. The applicant shall adhere to the site plan submitted with this application.
6. The applicant shall identify the location of all flammable/combustible liquids and materials stored on the site and provide a plan of these materials to the responding fire district.
7. The applicant shall adhere to the following memorandums:

- a. Chuck Magaha – Emergency Management, March 27, 2017
- b. Rick Huh – Fire District No. 1, March 9, 2017
- c. Mike Fulkerson – Rural Water District No. 1, March 8, 2017

- 8. 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.
- 9. No on-street parking shall be allowed.
- 10. This SUP shall be limited to the Narrative dated January 26, 2017 submitted with this application.
- 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 Department within 30 days.

located in Section 20, Township 8 Range 21, also known as 26088 Wolcott Road, parcel no. 094-20-0-00-006.00 in Leavenworth County, Kansas.

Adopted this 4th day of May, 2017
 Board of County Commission
 Leavenworth, County, Kansas



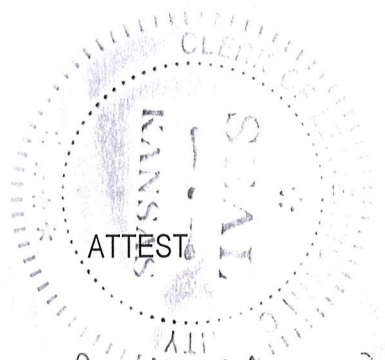
 Doug Smith, Chairman




 Clyde D. Graeber, Member



 Robert W. Holland, Member



ATTEST



 Janet Klasinski