

## RESOLUTION 2017-54

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from Rural Residential 5 – 5-Acre Minimum Size Lots to a Planned Unit Development on the following described property:

**ALL THAT PART THE WEST HALF OF THE WEST HALF OF SECTION FIFTEEN (15), TOWNSHIP TWELVE (12) SOUTH, RANGE TWENTY (20) EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, LEAVENWORTH COUNTY, KANSAS,**

**AND ALSO**

**ALL THAT PART THE WEST HALF THE NW QUARTER OF SECTION FIFTEEN (15), TOWNSHIP TWELVE (12) SOUTH, RANGE TWENTY (20) EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, LEAVENWORTH COUNTY, KANSAS.**

More commonly known as 26050 Chieftain Road

WHEREAS, it is hereby found and determined that a request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 26<sup>th</sup> day of May, 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 Rezoning on the 13<sup>th</sup> day of September, 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 Rezoning be denied; and

WHEREAS, the Board of County Commissioners considered, in session on the 28<sup>th</sup> day of September, 2017; the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners 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 Commissioners in regular session on the 28<sup>th</sup> day of September, 2017, and incorporated herein by reference;

That request for rezoning as described above, also known as 26050 Chieftain Road, Parcel Identification Number 215-15-0-00-00-012.00, is hereby granted subject to the following conditions:

1. No changes to the approved site plan shall be allowed unless specifically reviewed and approved by the Leavenworth County Planning Commission and the Leavenworth County Board of County Commissioners.
2. The onsite waste water treatment system shall be approved by a professional engineer licensed in the State of Kansas.
3. Individual units are limited to a single occupant.
4. The applicant shall adhere to the following memorandums:
  - a. David Lutgen – Public Works, June 9, 2017
  - b. Chuck Magaha – Emergency Management, June 27, 2017
  - c. Herbert Stoskopf – Reno Township Fire Department, June 7, 2017
  - d. Gordone A. Brest, P.E. – Rural Water District 13, February 17, 2017

Adopted this 9<sup>th</sup> day of October, 2017  
Board of County Commissioners  
Leavenworth, County, Kansas

*Doug Smith*  
Doug Smith, Chairman

\_\_\_\_\_  
Clyde D. Graeber, Member

*Robert W. Holland*  
Robert W. Holland, Member



*Janet Klasinski*  
Janet Klasinski