

RESOLUTION 2017- 55

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 in the North ½ of the Northwest ¼ of Section 8, Township 11 South, Range 22 East, Leavenworth County, Kansas, more particularly described as follows: Beginning at a point South 00°29'01" West, 401.29 feet from the Northwest corner of said Section 8, along the West line of said Northwest ¼; thence North 89°53'27" East 330.00 feet; thence South 00°29'01" West, 30.00 feet; thence North 89°53'27" East 990.00 feet; thence South 00°29'01" West 591.41 feet; thence South 89°53'27" West, 1320.00 feet; thence North 00°29'01" East, 621.41 feet along the West line of said Northwest ¼ to the point of beginning, except:

A tract of land in the North ½ of the Northwest ¼ of Section 8, Township 11 South, Range 22 East, Leavenworth County, Kansas, more particularly described as follows:

Beginning at a point South 00°29'01" West, 722.70 feet from the Northwest corner of said Section 8, along the West line of said Northwest ¼; thence North 89°53'27" East, 1320.00 feet; thence South 00°29'01" West, 300.00 feet; thence South 89°53'27" West, 1320.00 feet to the West line of said Northwest ¼; thence North 00°29'01" East, 300.00 feet along the West line of said Northwest ¼ to the point of beginning.

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 28th day of July, 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 13th 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 Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 28th day of September, 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 28th day of September, 2017, and incorporated herein by reference;

That Case No. DEV-17-087 Special Use Permit for a dog kennel 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 9 am to 6 pm, Monday through Sunday.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$187.83
4. The SUP shall be limited to sixteen (16) dogs.

5. All dogs in the training program are to be kenneled, fenced or otherwise under the owner's and/or trainer's control at all times.
6. The dogs shall be kept inside of the building from 10:00pm to 7:00am, allowing for periods of outdoor breaks only when necessary.
7. All noise generated by this Special Use Permit shall not exceed a decibel level of 60 at property line.
8. The kennel shall be kept clean at all times and dog waste shall be disposed of in a proper and timely manner.
9. The SUP shall be limited to two (2) full-time employees and two (2) part-time employees.
10. The applicant shall adhere to the following memorandums:
 - a. Michael Swan – Planning and Zoning, August 8, 2017
 - b. Chuck Magaha – Emergency Management, August 3, 2017
11. 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.
12. No on-street parking shall be allowed.
13. This SUP shall be limited to the Narrative dated July 28, 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 11 Range 22, also known as 18700 182nd St. Tonganoxie, KS
 parcel no. 183-08-0-00-00-008.00 in Leavenworth County, Kansas.

Adopted this 28th day of September, 2017
 Board of County Commission
 Leavenworth, County, Kansas

/s/ *Doug Smith*
 Doug Smith, Chairman

/s/ *Clyde D. Graeber*
 Clyde D. Graeber, Member

/s/ *Robert W. Holland*
 Robert W. Holland, Member



/s/ *Janet Klasinski*
 Janet Klasinski