

## RESOLUTION 2017- 59

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a small limited business on the following described property:

A tract of land in the Northwest ¼ of Section 11, Township 11, Range 21 East of the Sixth P.M., described as follows: Beginning 94.80 feet South of the Northeast corner of the Northwest ¼ of Section 11, on the South right of way line of U.S. Highway 24-40; thence West 660.04 feet on the South right of way line to the true point of beginning; thence South 1216.38 feet to a point 660 feet West of the East line of the Northwest 1/4; thence West 330 feet; thence North 1207.38 feet to the South right of way line of U.S. Highway 24-40; thence East along the right of way line to the point of beginning, less any part thereof taken or used for road purposes, in LEAVENWORTH COUNTY, KANSAS.

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 2<sup>nd</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 Special Use Permit on the 12<sup>th</sup> day of July, 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 10<sup>th</sup> day of August, 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 10<sup>th</sup> day of August, 2017, and incorporated herein by reference;

That Case No. DEV-17-057 Special Use Permit for a small limited business 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 11am to 3pm, Tuesday through Saturday.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$88.39
4. The SUP shall be limited to no employees other than the property owners.
5. The applicant shall provide a copy of liability insurance for a minimum coverage of \$500,000 with Leavenworth County listed as a policy holder.
6. The applicant shall adhere to the following memorandums:
  - a. Michael Swan – Planning and Zoning, June 12, 2017
  - b. Chuck Magaha – Emergency Management, June 6, 2017
7. No signage is allowed in the right-of-way. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
8. No on-street parking shall be allowed.

9. This SUP shall be limited to the Narrative dated May 2, 2017 submitted with this application.

10. 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 11, Township 11 Range 21, also known as 20319 State Ave.  
parcel no. 191-11-0-00-00-008.00 in Leavenworth County, Kansas.

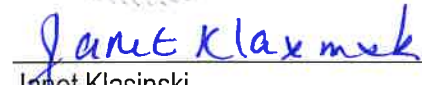
Adopted this 17<sup>th</sup> day of August, 2017  
Board of County Commission  
Leavenworth, County, Kansas

  
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Doug Smith, Chairman

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Clyde D. Graeber, Member

  
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Robert W. Holland, Member



  
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Janet Klasinski