

RESOLUTION 2017- 64

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 Elite Landscaping and Design on the following described property:

A tract of land in the Southwest ¼ of the Northwest ¼ of Section 29, Township 10 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas more commonly known as 20809 225th 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 8th day of September, 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 8th Day of November 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 30th Day of November, 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 30th Day of November, 2017, and incorporated herein by reference;

That Case No. DEV-17-110, Special Use Permit for a Landscaping, lawn care, lawn maintenance, snow removal and related business for Elite Landscaping and Design 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 of 7:00 AM to 6:00 PM, Monday through Friday.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$441.96.
4. The SUP shall be limited to three (3) employees other than the applicant or family members.
5. The applicant shall adhere to the following memorandums:
 - a. Tim Smith, Tonganoxie Fire District, October 16, 2017
 - b. Chuck Magaha, Emergency Management, October 16, 2017
6. 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.

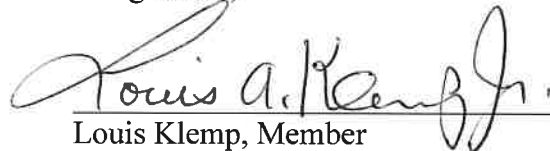
7. No on-street parking shall be allowed.
8. The applicant shall not store lawn waste on the property.
9. No lawn materials from outside of Leavenworth County shall be brought to the Leavenworth County Transfer station for disposal.
10. The applicant shall abide by the Permanent Emerald Ash Borer Quarantine as established by the Kansas Department of Agriculture.
11. This SUP shall be limited to the Narrative dated September 8, 2017 submitted with this application.
12. 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 29, Township 10 South Range 21 East, also known as 20809 225th Street, parcel no. 149-29-0-00-00-009.00 in Leavenworth County, Kansas.

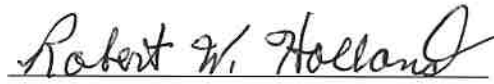
Adopted this 30th Day of November, 2017
Board of County Commission
Leavenworth, County, Kansas



Doug Smith, Chairman

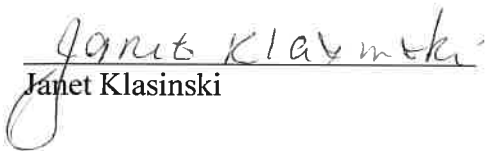


Louis Klemp, Member



Robert W. Holland, Member





Janet Klasinski