

RESOLUTION 2018-21

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a kennel, Gauger Kennels on the following described property:

Lot 4, Gauger Subdivision in Leavenworth County, Kansas more commonly known as 24901 Logan 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 2 day of July, 2018, 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 September, 2018; 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 2nd day of October, 2018, 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 2nd day of October, 2018, and incorporated herein by reference;

That Case No. DEV-18-073, Special Use Permit for a kennel, Gauger Kennels is approved subject to the following conditions:

1. The SUP shall be limited to a period of five (5) years.
2. The SUP is for a "hobby kennel" per the State of Kansas license. A valid state license for a kennel shall be maintained for the duration of the SUP.
3. The total number of adult breeder dogs permitted with this SUP shall be limited to ten (10) at any one time. This SUP is limited to no more than ten (10) litters of puppies per year.
4. No retail transactions are allowed on the premises.
5. The applicant shall pay a Traffic Impact Fee (TIF) of \$1.00.
6. The SUP shall have no other employees than the business owners.
7. The applicant shall adhere to the following memorandums:
 - a. Christa McGaha – Planning and Zoning, August 7, 2018
 - c. Melissa Johnson – Codes Enforcement Officer, August 16, 2018
 - d. Chuck Magaha – Emergency Management, August 13, 2018
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. The applicant shall maintain the existing grass buffer strip at the edge of the outdoor kennel to treat all animal waste run-off. All waste material that is picked up from the kennel shall be disposed of and taken by a licensed trash hauler.

10. All noise generated by this SUP shall not exceed a decibel of 60 at the property line.
11. All dogs shall be kept inside a structure constructed to mitigate noise during the hours of 10:00 pm to 6:00 am.
12. No on-street parking shall be allowed.
13. This SUP shall be limited to the Narrative dated July 1, 2018 submitted with this application.
14. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
15. 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 35, Township 7 Range 20 East, also known as 24901 Logan Road, parcel no. 047-35-0-00-003.09 in Leavenworth County, Kansas.

Adopted this 2nd day of October, 2018
 Board of County Commission
 Leavenworth, County, Kansas

Louis A. Klemp Jr.
 Louis Klemp, Chairman

Doug Smith
 Doug Smith, Member

Robert W. Holland
 Robert W. Holland, Member



Jarret Klasinski
 Jarret Klasinski