

RESOLUTION 2019-9

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for an agri-business, for Next to Nature Farm on the following described property:

Lot 6, in Bent Water Subdivision, according to the recorded plat thereof,
Commonly known as: 23338 Kissinger Rd., Leavenworth, KS 66048

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 22nd day of February, 2019, 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 10th day of April, 2019; 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 1st day of May, 2019, 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 1st day of May, 2019, and incorporated herein by reference;

That Case No. DEV-19-022, Special Use Permit for an agri-business, Next to Nature Farm 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 10 am to 6 pm Wednesdays and Thursdays, 10 am to 8 pm Fridays, 9 am to 9 pm Saturdays, and noon to 6 pm Sundays.
3. An engineered septic system is required for the construction of the commercial building on the property.
4. The applicant shall work with staff on additional requirements for existing septic system prior to opening short term rental.
5. The applicant shall provide a certificate of liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
6. The applicant shall pay a Traffic Impact Fee (TIF) of \$1,075.45.
7. The SUP shall be limited to one (1) full time and three (3) part-time employees.
8. Noise levels at the property line shall not exceed 60 decibels.
9. The applicant shall adhere to the following memorandums:
 - a. Christa McGaha – Planning and Zoning, March 15, 2019

- b. Melissa Johnson – Codes Enforcement Officer, March 11, 2019
- c. Chuck Magaha – Emergency Management, March 11, 2019
- d. David Van Parys – County Counselor, March 5, 2019
- e. Tim Smith – Tonganoxie Township Fire District, March 11, 2019
- f. Cathy Bowen – Rural Water District 9, March 11, 2019
- g. Amanda Holloway – Free State Electric, March 11, 2019

10. No signage is allowed in the right-of-way. All signage shall be a maximum of 4' x 4' and comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
11. No on-street parking shall be allowed.
12. This SUP shall be limited to the Narrative dated February 20, 2019 submitted with this application.
13. This SUP shall be limited to the site plans 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 18, Township 10 Range 21E, also known as 23338 Kissinger Road, parcel no. 144-18-0-00-00-003.08 in Leavenworth County, Kansas.

Adopted this 1st day of May, 2019
 Board of County Commission
 Leavenworth, County, Kansas



 Doug Smith, Chairman



 Jeff Culbertson, Member

absent

 Vicky Kaaz, Member

absent

 Chad Schimke, Member



 Mike Stieben, Member





 Janet Klasinski