

RESOLUTION 2019-10

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a Landfill and Extraction of Raw Materials for a C&D Landfill and Rock Quarry – Flatland Excavation on the following described property:

A tract of land A tract of land in the northwest quarter of Section 20, Township 8 south, Range 21 East of the 6th P.M., in Leavenworth County, Kansas more commonly known as 31358 227th 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 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-19-024, Special Use Permit for a Landfill and Extraction of Raw Materials for a C&D Landfill and Rock Quarry – Flatland Excavation 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 7:00 Am until 8:00 Pm Monday through Saturday.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$4,714.28.
4. The SUP shall be limited to eight employees other than the property owners.
5. At least one employee shall be on site during operational hours.
6. The applicant shall adhere to the submitted project narrative for the quarry and landfill. Any modifications, alterations or additions to the written description of the use shall require a revision to the approved special use permit.
7. The SUP is limited to four blasting events per year. At least one week prior to each scheduled blasting event the applicant shall inform all neighboring property owners within 1,000 feet of the boundary of the subject property by mail of the date of the blasting activity.

8. The applicant shall provide a certificate of liability insurance with a minimum of \$1,000,000 per occurrence with certificate holder listed as County of Leavenworth. The applicant shall be specifically insured for injury to a customer of the landfill.
9. In the event of a fire, the applicant shall immediately contact the responding fire department and shall report the incident to Planning & Zoning within 48 hours.
10. The applicant shall adhere to the following memorandums:
 - a. Chuck Magaha – Emergency Management, April 4, 2019
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 January 20, 2019 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 20, Township 8 Range 21, also known as 31358 227th Street, parcel no. 064-20-0-00-00-005.00 in Leavenworth County, Kansas.

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



 Doug Smith, Chairman



 Jeff Culbertson, Member



 Janet Klasinski

absent

 Vicky Kaaz, Member

absent

 Chad Schimke, Member



 Mike Stieben, Member

