

RESOLUTION 2019-11

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for Custom Cabinetry- structure 7,500 Square Feet or Less, for Artisan Cabinet Company Inc., on the following described property:

A tract of land in the Northwest 1/4 of Section 13, Township 11, Range 21, in Leavenworth County, Kansas, more commonly known as 17604 198th Street Tonganoxie, Kansas 66086.

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-19-025, Special Use Permit for Custom Cabinetry- structure 7,500 Square Feet or Less 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 am to 5 pm, Monday through Saturday.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$471.43
4. The SUP shall be limited to 3 employees other than the business owner.
5. Noise levels at the property line shall not exceed 60 decibels.
6. The applicant shall adhere to the following memorandums:
 - a. Christa McGaha – Planning and Zoning, March 21, 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. Ross Harris, Westar Energy, March 11, 2019
7. 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.


8. No on-street parking shall be allowed.
9. If the FEMA FIRM map indicates the fabrication shop could be within the floodplain, the applicant shall provide documentation from a licensed surveyor or engineer indicating that the structure is not located within the floodplain within 90 days of the approval of this permit. If the structure is verified to be within the floodplain, the applicant shall meet the Floodplain Management Ordinance.
10. This SUP shall be limited to the Narrative dated February 25, 2019 submitted with this application.
11. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
12. 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.
13. The applicant may apply to expand building up to 7,500 sq. ft. as per the Table of Uses in Article 19 of the Leavenworth County Zoning and Subdivision Regulations.

located in Section 13, Township 11 Range 21E, also known as 17604 198th Street, parcel no. 196-13-0-00-00-006.00 in Leavenworth County, Kansas.

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



 Doug Smith, Chairman



 Jeff Culbertson, Member

absent

 Vicky Kaaz, Member

absent

 Chad Schimke, Member



 Mike Stieben, Member





 Janet Klasinski