

## RESOLUTION 2019-14

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for an agri-business for Happy Apple's Farm on the following described property:

The South 10 acres more or less of the North 20 acres of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 17, Township 11 South, Range 22 East of the Sixth P.M., less any part thereof taken or used for road purposes, In Leavenworth County, Kansas. More commonly known as 17524 178<sup>th</sup> Street Tonganoxie, KS 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 22<sup>nd</sup> day of March, 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 8<sup>th</sup> day of May, 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 29<sup>th</sup> 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 29<sup>th</sup> day of May, 2019, and incorporated herein by reference;

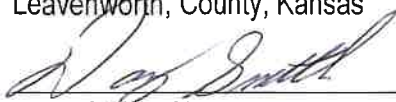
That Case No. DEV-19-038, Special Use Permit for an agri-business, Happy Apple's Farm, approved subject to the following conditions:


1. The SUP shall be limited to a period of ten (10) years.
2. The business shall be limited to the hours of 8 am to 5 pm on Saturdays.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$176.79
4. The SUP shall be limited to 1 employee other than family members.
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 adhere to the following memorandums:
  - a. Melissa Johnson – Codes Enforcement Officer, April 18, 2019
  - b. David Van Parys, County Counselor, April 26, 2019
7. No signage is allowed in the right-of-way. 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. This SUP shall be limited to the Narrative dated March 22, 2019 submitted with this application.
- 10. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
- 11. 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 17, Township 11 South, Range 22 East, also known as 17524 178<sup>th</sup> Street Tonganoxie, KS 66086, parcel no. 184-17-0-00-00-017.00 in Leavenworth County, Kansas.

Adopted this 29<sup>th</sup> day of May, 2019  
Board of County Commission  
Leavenworth, County, Kansas

  
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Doug Smith, Chairman

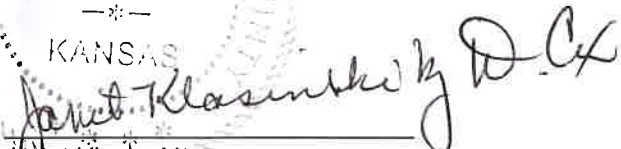
  
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Jeff Culbertson, Member

  
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Vicky Kaaz, Member

*absent*  
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Chad Schimke, Member

  
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Mike Stieben, Member



  
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Janet Klasinski