

## RESOLUTION 2019-16

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from Rural Residential 2.5 to Planned Unit Development on the following described property:

ALL OF LOT 3, JANICE VOIGHT SUBDIVISION, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS AND TRACT OF LAND IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 10, RANGE 22 EAST, OF THE 6TH P.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 88°53'26" WEST, ALONG THE SOUTH LINE OF SAID SOUTH HALF, A DISTANCE OF 573.44 FEET; THENCE NORTH 12°33'08" WEST, A DISTANCE OF 493.88 FEET; THENCE NORTH 88°49'33" EAST, ALONG THE NORTH LINE OF SAID SUBDIVISION AS IT EXTENDS WEST, A DISTANCE OF 1041.93 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 40°06'22" EAST, ALONG THE NORTHEAST LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE ON A CURVE TO THE LEFT, ALONG THE EAST LINE OF SAID LOT 3, HAVING A RADIUS OF 50.03 AND AN ARC LENGTH OF 128.34 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3 ALSO KNOWN TO BE A POINT ON THE SOUTH LINE OF SAID SOUTH HALF; THENCE SOUTH 88°53'26" WEST, ALONG SAID SOUTH LINE ALSO KNOWN TO BE THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 344.25 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PART TAKEN OR USED FOR ROAD. CONTAINS: 571,919.07 SQUARE FEET OR 13.13 ACRES MORE, in Leavenworth County, Kansas more commonly known as 14131 Mitchel Court & 14096 Mitchell Court

WHEREAS, it is hereby found and determined that a request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 20<sup>th</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 Rezoning 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 Rezoning be approved; and

WHEREAS, the Board of County Commissioners 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 Commissioners 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 Commissioners in regular session on the 29<sup>th</sup> day of May, 2019, and incorporated herein by reference;


That request for rezoning as described above, also known as **14131 Mitchel Court & 14096 Mitchell Court**, Parcel Identification Number **157-25-0-00-00-033.05 & 157-25-0-00-00-033.08**, is hereby granted subject to the following conditions:


1. Approval of the submitted final plat is required.
2. Any alteration, or significant repair, more than 50%, of the existing septic systems shall require the system to be brought into compliance with the Leavenworth County Sanitary Code which may require an engineered system.
3. Additional residential units shall not be allowed.

4. The applicant shall prepare a maintenance agreement for private maintenance for the extension of the private drive. The agreement shall be approved by the Board of County Commissioners and filed with the Leavenworth County Register of Deeds prior to the recording of the final plat.
5. The applicant shall work with Consolidated Water District #1 to provide property water services to each unit.

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

  
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Doug Smith, Chairman

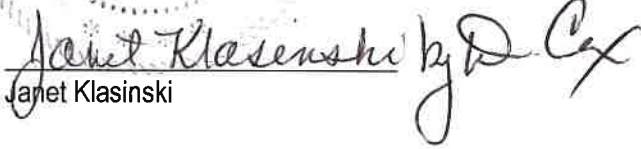
  
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Jeff Culbertson, Member

  
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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