

RESOLUTION 2019-24

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a agri-business – Kerby Pumpkin Patch on the following described property:

A tract of land in the Southeast 1/4 of Section 27, Township 11 South, Range 22 East of the 6th P.M, in Leavenworth County, Kansas more commonly known as 15943 158thth 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 21st day of July, 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 11th day of September, 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 2nd day of October, 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 2nd day of October, 2019, and incorporated herein by reference;

That Case No. DEV-19-081, Special Use Permit for an agri-business– Kerby Pumpkin Patch 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 10 am to 6 pm on Saturday and Sunday. On Monday through Friday, the business shall be open for scheduled school tours.
3. The pumpkin patch shall be limited to begin on the last week of September and end on the last day of October.
4. The applicant shall pay a Traffic Impact Fee (TIF) of \$348.66.
5. The number of employees shall be limited to nine (9) other than immediate family members.
6. The applicant shall adhere to the following memorandums:
 - a. Code Enforcement Officer – Melissa Johnson – Memo – August 16,2019
 - b. Emergency Management – Chuck Magaha – Memo – August 13, 2019
7. There shall be a minimum of two (2) portable toilets on site when the pumpkin patch is open for business, and they shall be cleaned at least once a week.

8. The applicant shall post emergency contact numbers for responders outside each building in plain view in the event that an emergency occurs.
9. A contingency plan shall be in place to guide employees/guests in the event of an emergency. This includes instances of severe weather.
10. An All Hazard Weather Radio shall be on-site.
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. The applicant shall provide the Planning and Zoning Department a copy of the KDHE license to serve food.
14. This SUP shall be limited to the submitted with this application.
15. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
16. 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 27, Township 11 South, Range 22, also known as 15943 158thth Street, parcel no. 188-27-0-00-00-005.00 & 188-27-0-00-00-005.01 in Leavenworth County, Kansas.

Adopted this 2nd day of October, 2019
 Board of County Commission
 Leavenworth, County, Kansas



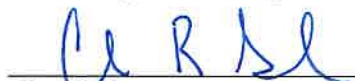
 Doug Smith, Chairman



 Jeff Culbertson, Member



 Vicky Kaaz, Member

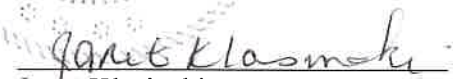


 Chad Schimke, Member



 Mike Stieben, Member





 Janet Klasinski