

RESOLUTION 2020-25

A resolution of the Leavenworth County Kansas Board of County Commission (“board”), issuing a Special Use Permit for a Contractor’s Yard – Tri-Hull Crane Rental on the following described property:

A tract of land located in the Southeast Quarter (SE 1/4) of Section Eleven (11), Township Twelve South (T12S), Range Twenty East (R20E) of the 6th P.M., Leavenworth County, Kansas, more commonly known as 24838 Loring Road, Lawrence, KS 66044

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 11th day of February, 2020, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, (“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 15th day of July, 2020; and

WHEREAS, it is hereby found that the 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 considered, in session on the 5th day of August, 2020, the recommendation of the 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 in regular session on the 5th day of August, 2020, and incorporated herein by reference;

That Case No. DEV-20-025, Special Use Permit for a Contractor’s Yard– Tri-Hull Crane Rental be approved subject to the following conditions:

1. The SUP shall be limited to an initial period of three (3) years. Prior to the conclusion of the initial period, applicant may apply to the commission for one (1) additional two (2) year period for the SUP to continue. Based upon the facts considered and adopted by the board no term of operation shall exceed three (3) years unless the one (1) time two (2) year extension is approved, and in no event shall the term of operation for the SUP granted herein extend beyond a five (5) period from the date of this resolution.
2. The applicant shall pay a Traffic Impact Fee (TIF) of \$1,532.14.
3. Adequate screening shall be installed and maintained around the salvage yard area sufficient to screen the area from public view.
4. No residential use of any RV shall be allowed on the premises subject to the SUP. Applicant shall promptly supply to staff of the Department of Planning and Zoning adequate proof that no residential use of any RV exists on the premises.
5. The applicant shall adhere to the following memorandums:
 - a. Memo – Krystal A. Voth – Planning and Zoning, March 27, 2020

b. Memo – Mitch Pleak, P.E. – Public Works, February 28, 2020 & June 2, 2020

6. No signage is allowed.
7. No on-street parking shall be allowed.
8. This SUP shall be limited to the Narrative dated February 11, 2020 submitted with this application and specifically that the SUP granted herein does not include the operation of any salvage operations not incidental to the primary business of applicant.
9. 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.

Adopted this 13th day of January, 2021
Board of County Commission
Leavenworth, County, Kansas



Michael Smith, Chairman



Jeff Culbertson, Member



Vicky Kaaz, Member



Doug Smith, Member



Mike Stieben, Member


ATTEST

Janet Klasinski