

RESOLUTION 2022-17

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a lawn care business/lay-down yard – Premier Lawn Service on the following described property:

A tract of land East Half of the Northeast Quarter of Section 22, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas more commonly known as 00000 Honey Creek Road.

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 13th day of June, 2022, 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 13th day of July, 2022; 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 3rd day of August, 2022, 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 3rd day of August, 2022, and incorporated herein by reference;

That Case No. DEV-22-082, Special Use Permit for a lawn care business/lay-down yard – Premier Lawn Service approved subject to the following conditions:

1. The business shall be limited to one (1) year of operation.
2. The business shall operate from 7:00AM until 6:00PM, Monday through Friday
3. The SUP shall be limited to nine (9) employees other than the property owners.
4. The applicant shall provide a certificate of general 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.
5. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
6. No on-street parking shall be allowed.
7. The applicant shall not store materials or equipment, other than commercial vehicles and trailers, outside.
8. Any noise generated from the proposed business shall be limited to 60 dB, as measured from the property line.
9. Any light generated from the proposed business shall be limited to 0 foot-candles, as measured from the property line.

10. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
11. The applicant shall not store or burn commercial waste on the property.
12. The applicant shall maintain the existing landscaping and screening.
13. No lawn waste from outside of Leavenworth County shall be disposed of at the Leavenworth County Transfer Station.
14. The applicant shall abide by the Permanent Emerald Ash Borer Quarantine as established by the Kansas Department of Agriculture.
15. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
16. The Special Use Permit shall be subject to the written narrative and site plan provided on June 24, 2022.
17. After approval of this SUP by the Board of County Commissioners all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office before the Special Use Permit shall take effect.

located in Section 22, Township 11 South, Range 21, also known as 00000 Honey Creek Road, parcel no. 195-22-0-00-00-010.03 in Leavenworth County, Kansas.



Janet Klasinski
Janet Klasinski

Adopted this 3rd day of August, 2022
Board of County Commission
Leavenworth, County, Kansas

Mike Smith
Mike Smith, Chairman

Jeff Culbertson
Jeff Culbertson, Member

absent
Vicky Kaaz, Member

Doug Smith
Doug Smith, Member

Mike Stieben
Mike Stieben, Member