

## RESOLUTION 2023-17

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for an auto service station & repair shop – Faster Dynamics LLC on the following described property:

A tract of land in the Northwest corner of the Southwest Quarter of Section 34, Township 10 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas, more commonly known as 00000 George Road (PID: 148-34-0-00-00-009.02)

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 31<sup>st</sup> day of March, 2023, 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 14<sup>th</sup> day of June, 2023; 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 5<sup>th</sup> day of July, 2023, 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 5<sup>th</sup> day of July, 2023, and incorporated herein by reference;

That Case No. DEV-23-046, Special Use Permit for an auto service station & repair shop – Faster Dynamics LLC approved subject to the following conditions:

1. The Special Use Permit shall be subject to the written narrative and site plan provided on April 19, and May 1, 2023.
2. The business shall be limited to three (3) years of operation.
3. The business shall operate from 8:00AM until 2:00PM, Monday through Friday.
4. A commercial building permit will be required for the proposed auto repair shop. Stamped plans, by an architect or engineer, will need to be submitted with the building permit, in compliance with 2006 International Building Code, as adopted by Leavenworth County. A code footprint establishing occupancy will also need to be submitted.
5. An engineered septic system shall be installed with the proposed addition. The septic system must comply with all permitting and sanitary sewer standards.
6. The applicant must comply with the following memorandums:

a. Emergency Management – Chuck Magaha, dated April 24, 2023

7. 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.
8. 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.
9. No on-street parking shall be allowed.
10. No outdoor storage of materials or vehicles will be permitted.
11. Any light generated from the proposed business shall be limited to 0 foot-candles net gain, as measured from the property line.
12. Any noise generated from the proposed business shall be limited to 60 dBs, as measured from the property line.
13. No drains shall be permitted to be connected to a septic system.
14. If the applicant uses a dumpster, said dumpster shall be placed on the property and screened from the county roadway.
15. The use, storage and disposal of any chemicals, lubricants, oils, fluids or hazardous materials must comply with the all Local, State and Federal requirements.
16. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
17. The applicant shall not store or burn commercial waste on the property.
18. 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.
19. Applicant shall not cause or allow any public nuisance to exist on the subject property.
20. That the Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. Faster Dynamics, LLC and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.
21. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
22. 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 34, Township 10 South, Range 21, also known as 00000 George Road, parcel no. 148-34-0-00-00-009.02 in Leavenworth County, Kansas.



Janet Klasinski  
Janet Klasinski

Adopted this 5<sup>th</sup> day of July, 2023  
Board of County Commission  
Leavenworth, County, Kansas

Vicky Kaaz  
Vicky Kaaz, Chairman

Jeff Culbertson  
Jeff Culbertson, Member

Mike Smith  
Mike Smith, Member

Doug Smith  
Doug Smith, Member

Mike Stieben  
Mike Stieben, Member