

RESOLUTION 2026-08

A resolution of the Leavenworth County Kansas Board of County Commission, conditionally issuing a Special Use Permit for a horse boarding facility to board more than 11 horses – H2R Ranch on the following described property:

The North One-half (N 1/2) of the Southwest Quarter (SW 1/4) of Section Twenty-five (25), Township Ten (10), Range Twenty-two (22); in Leavenworth County, Kansas.

Except the following tract of land in the Southwest Quarter of Section 25, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, described as follows: Commencing at the Southwest corner of Section 25, Township 10 South, Range 22; thence, North 00 degrees East, 1,336.23 feet, along the Section line to the POINT OF BEGINNING of this tract; thence North 00 degrees East, 400.00 feet, along the Section line; thence North 90 degrees East, 300.00 feet; thence South 00 degrees West, 396.05 feet; thence South 89 degrees 14' 42" West, 300.00 feet, to the POINT OF BEGINNING of this tract, Contains 2.75 acres more or less, including road right-of-way.

WHEREAS, a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 27th day of January, 2026, and

WHEREAS, 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 March, 2026; and

WHEREAS, 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 1st day of April, 2026, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS SITTING IN REGULAR SESSION DOES HEREBY RESOLVE:

1. Based upon the findings as set forth in the staff report and as adopted by the Planning Commission; and,
2. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
3. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 1st day of April, 2026, and incorporated herein by reference;

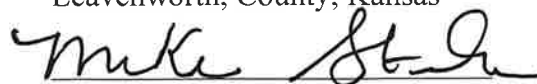
That Case No. DEV-25-121, Special Use Permit (SUP) for horse boarding facility to board more than 11 horses – H2R Ranch be conditionally approved subject to the performance and observation of the following conditions:

1. This SUP is considered a Type 1 and limited to a period of 15 years
2. The business is limited to the hours identified in narrative (7:00 AM to 7:00 PM; During Summer Months hours are 7:00Am to 9:00 PM) Monday through Sunday.
3. 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.

4. There shall be no on-street parking allowed.
5. Traffic shall not queue onto the public road network when entering the site.
6. Lighting generated from proposed use shall be limited to 0.00 foot-candles net gain, as measured at the property line.
7. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
8. Noise shall be limited to 65 dBs along property lines adjacent to Residentially Zoned Parcels.
9. 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. As well as applying for the appropriate permit if necessary
10. All areas disturbed during construction shall be either sodded or seeded within a year of completion of construction.
11. A negative EIA test completed within the previous 12 months and kept on file. This requirement includes horses that originate outside the State of Kansas or from within the State of Kansas per KAR 9-7-14 or as amended.
12. All events, excluding any event that meets the definition of a private event as defined in the Leavenworth County Zoning & Subdivision Regulations, shall require a Temporary Special Use Permit prior to commencing.
13. This SUP shall comply with all state and federal rules and regulations that may be applicable.
14. Confirm with Emergency Management, Chuck Magaha, on conditions of Emergency Action Plan
15. That the conditional 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. The H2R Ranch 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.
16. This SUP is subject to revocation upon the violation or, or failure to comply with, any condition state herein
17. That no public nuisance be allowed or created upon the subject real property.
18. Must provide updated plans in compliance with all outstanding review comments made by County Staff prior to any acceptance being issued.
19. Must comply with the Consolidated Rural Water District #1 letter dated March 5, 2026, if applicable.
20. Pay any outstanding professional fees prior to any acceptance being issued.

Located in Section 25, Township 10 South, Range 22, in Leavenworth County, Kansas more commonly known as 20770 147th Street (PID: 157-25-0-00-00-007).

Adopted this 1st day of April, 2026
Board of County Commission
Leavenworth, County, Kansas


Mike Stieben, Chairman


Jeff Culbertson, Member

ATTEST:

Fran Keppler by
Fran Keppler, Leavenworth County Clerk

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Vanessa Reid
Vanessa Reid, Member

Willie Dove
Willie Dove, Member

Mike Smith
Mike Smith, Member