RESOLUTION 2026-19

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from RR-2.5 to B-3 as defined by the Zoning and Subdivision Regulations of Leavenworth County, Kansas on the following described property:

A TRACT OF LAND IN THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 11SOUTH, RANGE 22 EAST OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST % OF SECTION 5, THENCE, NORTH 00 DEGREES 29'12" WEST, 521.42 FEET ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE, SOUTH 89 DEGREES 13'59" EAST, 1090.00 FEET TO THE POINT OF BEGINNING OF THIS TRACT; THENCE, NORTH 00 DEGREES 29'12" WEST, 85.00 FEET; THENCE, SOUTH 89 DEGREES 13'59" EAST, 730.39 FEET; THENCE, SOUTH 01 DEGREES 58'27" WEST, 85.00 FEET, THENCE NORTH 89 DEGREES 13'59" WEST, 726.74 FEET TO THE POINT OF BEGINNING; AND
A TRACT OF LAND IN THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M.; THENCE NORTH 89 DEGREES 17'59" WEST ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 5 A DISTANCE OF 807.76 FEET; THENCE NORTH 01 DEGREES 58'27" EAST A DISTANCE OF 133.43 FEET TO THE SOUTHWEST CORNER OF TRACT "F" FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 35'14" WEST A DISTANCE OF 710.00 FEET TO THE SOUTHEAST CORNER OF TRACT "C", THENCE NORTH 00 DEGREES 29'12" WEST ON THE EAST LINE OF TRACT "C" A DISTANCE OF 400.55 FEET TO THE NORTHEAST CORNER OF TRACT "C"; THENCE SOUTH 89 DEGREES 13'59" EAST A DISTANCE OF 726.74 FEET TO THE WEST LINE OF TRACT "F"; THENCE SOUTH 01 DEGREES 58'27" WEST ON THE WEST LINE OF TRACT "F" A DISTANCE OF 385.93 FEET TO THE SOUTHWEST CORNER OF TRACT "F" TO THE POINT OF BEGINNING, LESS AND EXCEPT THAT PART TAKEN OR USED FOR ROAD PURPOSES; AND FURTHER EXCEPT THE FOLLOWING TRACT CONVEYED TO THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS RECORDED IN BOOK 699 AT PAGE 876 DESCRIBED AS FOLLOWS:
A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 07 MINUTES 07 SECONDS WEST, 807.76 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREES 23 MINUTES 14 SECONDS EAST, 133.37 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE EXISTING HIGHWAY AND THE POINT OF BEGINNING; FIRST COURSE, THENCE SOUTH 88 DEGREES 00 MINUTES 01SECOND WEST, 710.00 FEET ALONG SAID RIGHT OF WAY LINE; SECOND COURSE, THENCE NORTH 02 DEGREES 03 MINUTES 44 SECONDS WEST, 104.73; THIRD COURSE, THENCE SOUTH 86 DEGREES 40 MINUTES 33 SECONDS EAST, 714.80 FEET TO A POINT 38.44 FEET NORTH OF THE POINT OF BEGINNING; FOURTH COURSE; THENCE SOUTH 00 DEGREES 23 MINUTES 14 SECONDS WEST, 38.44 FEET TO THE POINT OF BEGINNING.

WHEREAS, the request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 23rd day of July, 2026, and

WHEREAS, the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing for Case DEV-26-104 upon the granting of such request for a Rezoning on the 9th day of September, 2026; and

WHEREAS, Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Rezoning be approved; and

WHEREAS, the Board of County Commissioners considered, in session on the 30th day of September, 2026, the recommendation of the Leavenworth County Planning Commission.

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

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission and the findings of fact adopted by the Board of County Commissioners in regular session on the 30th day of September, 2026, and incorporated herein by reference, it is hereby resolved that request for rezoning as described above, also known as 18000 State Avenue, Parcel Identification Number 183-05-0-00-00-010.05, is hereby granted.

2. The Planning and Zoning Department of Leavenworth County, Kansas is hereby ordered to and directed to cause such designations to be made on the official District Map of Leavenworth County in its custody and to show property herein described to be now zoned B-3. Said District Map previously incorporated by reference by Section 4 of the Zoning and Subdivision Regulations of the Leavenworth County, Kansas is hereby incorporated as part of the Zoning Resolution as amended.

3. This Resolution shall be in full force and effect from and after its adoption and publication in the Leavenworth Times.

SEAL
KANSAS
ATTEST:

Fran Keppler, Leavenworth County Clerk

Adopted this 30th day of September, 2026
Board of County Commission
Leavenworth, County, Kansas

Mike Stieben, Chairman

Jeff Culbertson, Member

Vanessa Reid, Member

Willie Dove, Member

Mike Smith, Member