

We encourage everyone to view the meeting live via YouTube.

***Leavenworth County
Board of County Commissioners***

Regular Meeting Agenda
300 Walnut Street, Suite 225
Leavenworth, KS 66048
November 29, 2023
9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be limited to 15 minutes at the beginning of each meeting for agenda items **only** and limited to three minutes per person. Comments at the end of the meeting shall be open to any topic of general interest to the Board of County Commissioners and limited to five minutes per person. There should be no expectation of interaction by the Commission during this time.

Anyone wishing to make comments either on items on the agenda or not are encouraged to provide their comments in writing no later than 8:00 AM the Monday immediately preceding the meeting. These comments will be included in the agenda packet for everyone to access and review. This allows the Commission to have time to fully consider input and request follow up if needed prior to the meeting.
- V. ADMINISTRATIVE BUSINESS:
 - a) Text amendment to the County Administrator's contract
- VI. CONSENT AGENDA: The items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, it will be removed from the Consent Agenda and considered separately.
 - a) Approval of the minutes of the meeting of November 22, 2023
 - b) Approval of the schedule for the week December 4, 2023

- c) Approval of the check register
- d) Approve and sign the OCB's

VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve Resolution 2023-32, a special use permit for Tri-Hull Crane Rental.
- b) Consider a motion to approve Resolution 2023-33, a rezoning from RR-2.5 to R-1(43) located at 17679 166th Street.
- c) Consider a motion to approve Resolution 2023-34, a rezoning from RR-2.5 to RR-1(43) located at 16271 Evans Road.

VIII. PRESENTATIONS AND DISCUSSION ITEMS: presentations are materials of general concern where no action or vote is requested or anticipated.

IX. ADDITIONAL PUBLIC COMMENT IF NEEDED

X. ADJOURNMENT

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, November 27, 2023

Tuesday, November 28, 2023

12:00 p.m. MARC meeting

Wednesday, November 29, 2023

9:00 a.m. Leavenworth County Commission meeting
• Commission Meeting Room, 300 Walnut, Leavenworth KS

Thursday, November 30, 2023

Friday, December 1, 2023

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM

*****November 22, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, November 22, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Andy Dedeke, Leavenworth County Sheriff; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: John Matthews

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Mike Smith recognized the passing of Mayor Wilson's sister.

Commissioner Kaaz recognized the passing of Charlie Hill, a longtime member of the Port Authority.

Mark Loughry noted the term for Doug Schimke of the Port Authority will expire December 31, 2023.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to offer Doug Schimke to do another term on the Port Authority.

Motion passed, 5-0.

Commissioner Doug Smith noted the Alliance Against Family Violence and CASA received federal grant funding.

Commissioner Stieben inquired about Flatlands.

Mr. Loughry reported KDHE visited Flatlands and they are aware of issues.

Commissioner Mike Smith spoke about the LAVTR letter sent in the property tax statements and inquired if an informational letter could be sent every year.

Commissioner Stieben suggested to not include the Leavenworth Port Authority in the Outside Agency Policy for funding routing the funding for LCDC directly to them.

Mr. Loughry outlined the Outside Agency Funding Policy.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith that funding for the Port Authority be required to follow the policy currently in effect if it is given to a third party.

Commissioner Mike Smith withdrew his second.

Commissioner Stieben withdrew his motion.

It was the consensus of the Board to not place this on the agenda for future discussion.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, November 22, 2023 as presented.

Motion passed, 5-0.

Bill Noll requested to accept bid for the replacement of bridge A-60 from Reece Construction.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to accept bid from Reece Construction for the replacement of bridge A-60 on 215th Street.

Motion passed, 5-0.

Mr. Noll requested approval of a contract for 2024 trap rock with New Frontier Materials.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve a contract for 2024 trap rock delivery with New Frontier Materials.

Motion passed, 5-0.

Sheriff Andy Dedeke presented information to the Board about Kansas Fights Addiction.

All Commissioners attended the Legislative Breakfast on November 16, 2023.

Commissioner Doug Smith attended the Northeast Kansas Officials Meeting.

Commissioner Stieben attended the Economic Development Outlook meeting, the Tonganoxie City Council meeting and the Port Authority meeting via Zoom.

Commissioner Mike Smith participated in the County's Chili Cookoff. He will attend the Lansing Mayor's Christmas tree lighting ceremony on December 3 at 6:00 p.m.

Commissioner Kaaz attended the Port Authority meeting and the Workforce Partnership meeting, Transit Authority and the Mayor's Christmas Tree Lighting.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to adjourn.

Motion passed, 5-0.

The Board adjourned at 9:57 a.m.

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, December 4, 2023

Tuesday, December 5, 2023

48th Annual Kansas Association of Counties Conference
• Century II Convention Center, Wichita, KS

6:00 p.m. Leavenworth County Extension Council Annual Meeting
• Lansing Community Center, 800 1st Terrace, Lansing, KS

Wednesday, December 6, 2023

48th Annual Kansas Association of Counties Conference
• Century II Convention Center, Wichita, KS

9:00 a.m. Leavenworth County Commission meeting
• Commission Meeting Room, 300 Walnut, Leavenworth KS

Thursday, December 7, 2023

48th Annual Kansas Association of Counties Conference
• Century II Convention Center, Wichita, KS

Friday, December 8, 2023

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM

START DATE: 11/18/2023 END DATE: 11/22/2023

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-001-5-53-215	4013-01994 UNIFORM RENTALS	82.79	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-001-5-53-215	4013-01994 UNIFORM RENTALS	82.79	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-001-5-53-215	4013-01994 UNIFORM RENTALS	82.79	
*** VENDOR								4120 TOTAL	248.37
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	337902	105810 AP	11/22/2023	3-001-5-05-215	20642-0317B24244 GAS SERVICE	2.81	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	337902	105810 AP	11/22/2023	3-001-5-14-220	20642-12019039952310 GAS SERVI	988.37	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	337902	105810 AP	11/22/2023	3-001-5-32-392	20642-12019296500010 GAS SRVIC	1,670.53	
*** VENDOR								5637 TOTAL	2,661.71
5362	DIAMOND DRUGS	DIAMOND DRUGS,INC	337905	105813 AP	11/22/2023	3-001-5-07-219	KSLV OCTOBER INMATE PRESCRIPTI	3,573.21	
30100	ELECTION WORKER	MIKE GRISWOLD	337906	105814 AP	11/22/2023	3-001-5-49-341	RECOUNT BOARD, LANSING WARD 4	50.00	
30100	ELECTION WORKER	GERALD OVERBEY	337907	105815 AP	11/22/2023	3-001-5-49-341	RECOUNT BOARD, LANSING WARD 4	50.00	
*** VENDOR								30100 TOTAL	100.00
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-001-5-11-253	FBN4885584 NOVMEBER VEH LEASE	413.25	
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-001-5-31-230	FBN4885584 NOVMEBER VEH LEASE	1,378.02	
*** VENDOR								516725 TOTAL	1,791.27
86	EVERGY	EVERGY KANSAS CENTRAL INC	337909	105817 AP	11/22/2023	3-001-5-14-220	ELEC SVC COURTHOUSE	7,253.05	
86	EVERGY	EVERGY KANSAS CENTRAL INC	337909	105817 AP	11/22/2023	3-001-5-32-392	ELECTRIC SVC JUSTICE CENTER	19,453.94	
86	EVERGY	EVERGY KANSAS CENTRAL INC	337909	105817 AP	11/22/2023	3-001-5-53-219	ELEC SVC NOX WEED	250.93	
*** VENDOR								86 TOTAL	26,957.92
1011	FEDEX	FEDEX	337910	105818 AP	11/22/2023	3-001-5-19-302	2389-5871-7 DIST CT TRANPSORTA	46.95	
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-001-5-11-253	DECEMBER CAMERA CHARGES	19.95	
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-001-5-31-230	DECEMBER CAMERA CHARGES	59.85	
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-001-5-41-271	DECEMBER CAMERA CHARGES	120.00	
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-001-5-41-271	DECEMBER CAMERA CHARGES	16.00	
*** VENDOR								605 TOTAL	215.80
4465	GRONIS	GRONIS HARDWARE INC	337915	105823 AP	11/22/2023	3-001-5-07-301	SHERIFF-JAIL MAINT,OFC SUPPLY+	22.90	
4465	GRONIS	GRONIS HARDWARE INC	337915	105823 AP	11/22/2023	3-001-5-07-301	SHERIFF-JAIL MAINT,OFC SUPPLY+	6.58	
4465	GRONIS	GRONIS HARDWARE INC	337915	105823 AP	11/22/2023	3-001-5-07-301	SHERIFF-JAIL MAINT,OFC SUPPLY+	9.16	
4465	GRONIS	GRONIS HARDWARE INC	337915	105823 AP	11/22/2023	3-001-5-07-357	SHERIFF-JAIL MAINT,OFC SUPPLY+	8.37	
4465	GRONIS	GRONIS HARDWARE INC	337915	105823 AP	11/22/2023	3-001-5-07-359	SHERIFF-JAIL MAINT,OFC SUPPLY+	25.77	
4465	GRONIS	GRONIS HARDWARE INC	337915	105823 AP	11/22/2023	3-001-5-07-359	SHERIFF-JAIL MAINT,OFC SUPPLY+	45.82	
*** VENDOR								4465 TOTAL	118.60
727	HERRERA STUCCO	HERRERA STUCCO LLC	337919	105827 AP	11/22/2023	3-001-5-31-290	REMOVE METAL PANEL INSTALL OSB	4,000.00	
22605	HINCKLEY S	HINCKLEY SPRINGS	337920	105828 AP	11/22/2023	3-001-5-11-208	17137512660768 FILTRATION SYST	44.99	
552	HUTTON, ASHLEY	ASHLEY HUTTON	337923	105831 AP	11/22/2023	3-001-5-11-240	APPEAL BRIEF2021JC32 & 21JC33	600.00	
99	JUROR								

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#							
99	JUROR									
							*** VENDOR	99 TOTAL		1,342.78
26400	KANSAS GAS	KANSAS GAS SERVICE	337956	105864 AP	11/22/2023	3-001-5-14-220	510614745 1628631 73 GAS TRANS		809.91	
26400	KANSAS GAS	KANSAS GAS SERVICE	337956	105864 AP	11/22/2023	3-001-5-32-392	510614745 1628631 73 GAS TRANS		1,281.46	
26400	KANSAS GAS	KANSAS GAS SERVICE	337956	105864 AP	11/22/2023	3-001-5-33-392	510614745 1562996 18 GAS TRANS		203.33	
26400	KANSAS GAS	KANSAS GAS SERVICE	337956	105864 AP	11/22/2023	3-001-5-33-392	510614745 1562996 18 GAS TRANS		107.77	
							*** VENDOR	26400 TOTAL		2,402.47
1842	KONE INC	KONE INC	337957	105865 AP	11/22/2023	3-001-5-31-220	CONTRACT N40131062 OCTOBER ELE		129.86	
1842	KONE INC	KONE INC	337957	105865 AP	11/22/2023	3-001-5-32-262	CONTRACT N40131062 OCTOBER ELE		519.46	
1842	KONE INC	KONE INC	337957	105865 AP	11/22/2023	3-001-5-33-262	CONTRACT N40131062 OCTOBER ELE		1,179.86	
							*** VENDOR	1842 TOTAL		1,829.18
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550 MEDICAL SUPPLIES - INM		77.01	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550 MEDICAL SUPPLIES -INMA		24.11	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550 MEDICAL SUPPLIES -INMA		77.01	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550 MEDICAL SUPPLIES -INMA		38.53	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550 BALANCE OF PRIOR INVOI		114.36	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550 BALANCE OF PRIOR INVOI		7.72	

warrants by vendor

START DATE: 11/18/2023 END DATE: 11/22/2023

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550	BALANCE OF PRIOR INVOI	53.01	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550	BALANCE OF PRIOR INVOI	119.27	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550	BALANCE OF PRIOR INVOI	94.79	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550	BALANCE OF PRIOR INVOI	27.47	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550	BALANCE OF PRIOR INVOI	68.20	
2419	MCKESSON MEDICAL SUR	MCKESSON MEDICAL SURGICAL	337959	105867 AP	11/22/2023	3-001-5-07-219	4227550	BALANCE OF PRIOR INVOI	67.50	
								*** VENDOR	2419 TOTAL	768.98
2128	MEYER BEATRICE	BEATRICE MEYER	337960	105868 AP	11/22/2023	3-001-5-19-205		BAILIFF SERVICE	120.00	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	337962	105870 AP	11/22/2023	3-001-5-07-208		LC00_K DETECTIVES COPIER	40.05	
2666	MISC REIMBURSEMENTS	LINDA SCHEER	337963	105871 AP	11/22/2023	3-001-5-49-341		REIM MILEAGE - GENERAL ELECTIO	54.37	
2590	MOCIC	MID-STATES ORGANIZED CRIME INF	337969	105877 AP	11/22/2023	3-001-5-07-203		CUSTOMER 2665 2024 MEMBERSHIPS	250.00	
1888	RIOUX,BENJAMIN JAMES	BENJAMIN JAMES RIOUX	337974	105882 AP	11/22/2023	3-001-5-09-231		COURT APPOINTED ATTORNEY	1,245.00	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-07-213		FUEL/VEH MAINT	6,005.82	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-07-213		FUEL/VEH MAINT	414.07	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-07-218		FUEL/VEH MAINT	463.26	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-14-332		FUEL/VEH MAINT	6,162.35	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-14-332		FUEL/VEH MAINT	632.79	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-14-333		FUEL BG99	245.73	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-14-336		NOX WEED FUEL, EQUIP MAINT	92.18	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-41-213		APPRAISER UNIT 02-02 MAINT	55.08	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-001-5-53-308		NOX WEED FUEL, EQUIP MAINT	1,691.24	
								*** VENDOR	458 TOTAL	15,762.52
6148	SHERIFF	LEAV CO SHERIFF DEPT	337977	105885 AP	11/22/2023	3-001-5-07-208		REIM COMM OUTREACH, MEALS, REG	25.00	
6148	SHERIFF	LEAV CO SHERIFF DEPT	337977	105885 AP	11/22/2023	3-001-5-07-211		REIM COMM OUTREACH, MEALS, REG	56.42	
6148	SHERIFF	LEAV CO SHERIFF DEPT	337977	105885 AP	11/22/2023	3-001-5-07-211		REIM COMM OUTREACH, MEALS, REG	58.80	
6148	SHERIFF	LEAV CO SHERIFF DEPT	337977	105885 AP	11/22/2023	3-001-5-07-211		REIM COMM OUTREACH, MEALS, REG	13.29	
6148	SHERIFF	LEAV CO SHERIFF DEPT	337977	105885 AP	11/22/2023	3-001-5-07-354		REIM COMM OUTREACH, MEALS, REG	25.66	
6148	SHERIFF	LEAV CO SHERIFF DEPT	337977	105885 AP	11/22/2023	3-001-5-07-354		REIM COMM OUTREACH, MEALS, REG	36.64	
								*** VENDOR	6148 TOTAL	215.81
915	SMITHEREEN PEST MANA	SMITHEREEN PEST MANAGEMENT	337978	105886 AP	11/22/2023	3-001-5-31-212		3215958 PEST CONTROL NOVEMBER	1,096.00	
915	SMITHEREEN PEST MANA	SMITHEREEN PEST MANAGEMENT	337978	105886 AP	11/22/2023	3-001-5-32-211		3215958 PEST CONTROL NOVEMBER	85.00	
915	SMITHEREEN PEST MANA	SMITHEREEN PEST MANAGEMENT	337978	105886 AP	11/22/2023	3-001-5-33-211		3215958 PEST CONTROL NOVEMBER	125.00	
								*** VENDOR	915 TOTAL	1,306.00
2537	SOLARWINDS	SOLARWINDS	337979	105887 AP	11/22/2023	3-001-5-07-208		SW22446801 MAINT CONTRACT RENE	182.00	
376	SYMMETRY	ATHENS ENERGY SERVICES HOLDING	337980	105888 AP	11/22/2023	3-001-5-33-392		413714 GAS SERVICE 711 MARSHAL	246.65	
829	THOMSON REUTERS	THOMSON REUTERS - WEST	337981	105889 AP	11/22/2023	3-001-5-11-210		1000590171 WEST INFORMATION CH	845.00	
2598	TLO,LLC	TLO,LLC	337984	105892 AP	11/22/2023	3-001-5-07-208		421786 ONLINE INVESTIGATIVE SV	2,100.00	
3510	UNIFORM ALLOWANCES	HUNTER ADAMS	337986	105894 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ARI AILIN	337987	105895 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	AARON BURCHYETT	337988	105896 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ANDREW DEDEKE	337989	105897 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	KAYLA DELARIVA	337990	105898 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	50.00	
3510	UNIFORM ALLOWANCES	DAWSON DOUTHITT	337991	105899 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	DARRELL DRESSLER	337992	105900 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	LORRIE DUNHAM	337993	105901 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	JOHN DUNLAP	337994	105902 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	LLOYD DURNAL	337995	105903 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	TYLER FAST	337996	105904 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	SARAH FLAHERTY	337997	105905 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	AARON FRICKE	337998	105906 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ADRIAN GARCIA	337999	105907 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	FRANCISCO GARCIA	338000	105908 AP	11/22/2023	3-001-5-07-351		UNIFORM ALLOWANCE	130.00	

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#						
3510	UNIFORM ALLOWANCES	GABRIEL GOSNEY	338001	105909 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	RYAN GOTT	338002	105910 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	GEORGE GREEN	338003	105911 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	CAITLYN HERBIG	338004	105912 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	AUSTIN HINER	338005	105913 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	JACOB HONADEL	338006	105914 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	PATRICK HORTON	338007	105915 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	CAYDEN ISABELL	338008	105916 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	RUSSELL KLEPEES	338009	105917 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	PHILIP LAGEMANN	338010	105918 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	CASEY LAND	338011	105919 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	KARYN LARKIN	338012	105920 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	RICHARD LEFLET	338013	105921 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ALEX LEINTZ	338014	105922 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	BEAU MADDEN	338015	105923 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	MEGAN MANCE	338016	105924 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	CODY MARTIN	338017	105925 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	BRANDEN MASONER	338018	105926 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	LUIS MENDEZ	338019	105927 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	JON MILES	338020	105928 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	CODY MORLAN	338021	105929 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ADAM MUNOZ	338022	105930 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ISACC NICKEL	338023	105931 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	MATTHEW O'BRIEN	338024	105932 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	AUSTIN OETH	338025	105933 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	BRENT OGBORN	338026	105934 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	OSCAR OSORIO HERNANDEZ	338027	105935 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	BRIAN PATTERSON	338028	105936 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	JOSHUA PATZWALD	338029	105937 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	JACOB PENNINGTON	338030	105938 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	REBECCA PHILLIPS	338031	105939 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ZACHARIAH PHILLIPS	338032	105940 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	HUNTER PRESSLER	338033	105941 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	CHADD SANBERG	338034	105942 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	WILLIAM SCHNEIDER	338035	105943 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	MICHAEL SCULLY	338036	105944 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	DYLAN SHAW	338037	105945 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	JAMES SHERLEY	338038	105946 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	DEREK SIEBENMORGEN	338039	105947 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ALEXIS SOLIS	338040	105948 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	BRENT SOMMERS	338041	105949 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ALEC TERRY	338042	105950 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	AMY THEIS	338043	105951 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	COREY THOMAS	338044	105952 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	90.00	
3510	UNIFORM ALLOWANCES	ERIC THORNE	338045	105953 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ADAM TURNER	338046	105954 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	STEPHEN TUTTLE	338047	105955 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	VICTOR URBINA	338048	105956 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	CHRISTIAN VITAL	338049	105957 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	DILLON WHITE	338050	105958 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	CARL WILK III	338051	105959 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	ANGELA WILLIAMS	338052	105960 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
3510	UNIFORM ALLOWANCES	JONAH WISE	338053	105961 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
3510	UNIFORM ALLOWANCES	JORDAN ZIMMERMAN	338054	105962 AP	11/22/2023	3-001-5-07-351	UNIFORM ALLOWANCE	130.00	
							*** VENDOR	3510 TOTAL	8,850.00
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-01-302	OCTOBER POSTAGE	10.71	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-02-302	OCTOBER POSTAGE	27.54	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-03-302	OCTOBER POSTAGE	27.21	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-05-302	OCTOBER POSTAGE	632.85	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-06-302	OCTOBER POSTAGE	113.07	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-07-302	OCTOBER POSTAGE	422.55	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-09-232	OCTOBER POSTAGE	20.16	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-11-302	OCTOBER POSTAGE	670.28	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-14-302	OCTOBER POSTAGE	39.39	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-19-302	OCTOBER POSTAGE	2,214.69	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-28-302	OCTOBER POSTAGE	116.59	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-41-302	OCTOBER POSTAGE	143.10	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-49-302	OCTOBER POSTAGE	579.69	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-49-341	OCTOBER POSTAGE	668.01	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-001-5-53-301	OCTOBER POSTAGE	4.41	
							*** VENDOR	575 TOTAL	5,690.25
2	WATER DEPT	WATER DEPT	338056	105964 AP	11/22/2023	3-001-5-32-392	WATER SVC KPL BLDG	15.60	
2007	WIRENUTS	WIRENUTS	338057	105965 AP	11/22/2023	3-001-5-07-363	SHERIFF: INSTALLATION OF 2 ACC	5,504.58	
100	WITNESS LIST						*** VENDOR	100 TOTAL	156.87
							TOTAL FUND 001		89,286.93
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	337900	105808 AP	11/22/2023	3-108-5-00-219	HEALTH DEPT 09,10:JANITORIAL,	1,749.54	
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	337900	105808 AP	11/22/2023	3-108-5-00-606	HEALTH DEPT 09,10:JANITORIAL,	583.17	
							*** VENDOR	4938 TOTAL	2,332.71
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-108-5-00-302	OCTOBER POSTAGE	144.12	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-108-5-00-606	OCTOBER POSTAGE	102.06	
							*** VENDOR	575 TOTAL	246.18
							TOTAL FUND 108		2,578.89
24079	HEALTH GAUGE	STROKE DETECTION PLUS	337917	105825 AP	11/22/2023	3-112-5-00-210	LEAVE KS 2 DAYS OF SCREENINGS	12,215.00	
24079	HEALTH GAUGE	STROKE DETECTION PLUS	337917	105825 AP	11/22/2023	3-112-5-00-210	LEAVE KS 2 DAYS OF SCREENINGS	2,500.00-	
24079	HEALTH GAUGE	STROKE DETECTION PLUS	337917	105825 AP	11/22/2023	3-112-5-00-210	LEAVE KS 2 DAYS OF SCREENINGS	12,830.00	
							*** VENDOR	24079 TOTAL	22,545.00
							TOTAL FUND 112		22,545.00
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-115-5-00-411	FBN4885584 NOVMEBER VEH LEASE	951.92	
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-115-5-00-415	FBN4885584 NOVMEBER VEH LEASE	39.40	
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-115-5-00-423	FBN4885584 NOVMEBER VEH LEASE	1,551.56	
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-115-5-00-434	FBN4885584 NOVMEBER VEH LEASE	16,292.81	
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-115-5-00-436	FBN4885584 NOVMEBER VEH LEASE	1,773.69	
							*** VENDOR	516725 TOTAL	20,609.38
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-115-5-00-415	DECEMBER CAMERA CHARGES	19.95	
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-115-5-00-423	DECEMBER CAMERA CHARGES	119.70	
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-115-5-00-434	DECEMBER CAMERA CHARGES	718.95	

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-115-5-00-436	DECEMBER CAMERA CHARGES	60.00		
								*** VENDOR	605 TOTAL	918.60
								TOTAL FUND 115		21,527.98
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	337900	105808 AP	11/22/2023	3-126-5-00-224	COMM CORR FACILITY CHARGES 3RD	1,190.00		
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	337900	105808 AP	11/22/2023	3-126-5-00-224	COMM CORR FACILITY CHARGES 3RD	1,190.00		
								*** VENDOR	4938 TOTAL	2,380.00
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-126-5-00-221	FBN4885584 NOVMEBER VEH LEASE	14.77		
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-126-5-00-221	DECEMBER CAMERA CHARGES	20.00		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-126-5-00-321	OCTOBER POSTAGE	26.32		
								TOTAL FUND 126		2,441.09
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-133-5-00-215	11-42 4013-01993 UNIFORM RENTA	267.90		
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-133-5-00-215	11-42 4013-01993 UNIFORM RENTA	274.33		
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-133-5-00-215	11-42 4013-01993 UNIFORM RENTA	277.60		
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-133-5-00-312	11-42 4013-01993 UNIFORM RENTA	202.07		
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-133-5-00-312	11-42 4013-01993 UNIFORM RENTA	205.70		
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-133-5-00-312	11-42 4013-01993 UNIFORM RENTA	206.25		
								*** VENDOR	4120 TOTAL	1,433.85
18634	AMERICAN E	AMERICAN EQUIPMENT CO	337898	105806 AP	11/22/2023	3-133-5-00-360	11-43 FLANGE BEARINGS, GREASE	39.36		
18634	AMERICAN E	AMERICAN EQUIPMENT CO	337898	105806 AP	11/22/2023	3-133-5-00-360	11-43 FLANGE BEARINGS, GREASE	27.38		
								*** VENDOR	18634 TOTAL	66.74
1061	B & W FIRE LLC	B & W FIRE LLC	337899	105807 AP	11/22/2023	3-133-5-00-364	1144 00906 ANNUAL INSP, RECHAR	1,125.85		
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	337902	105810 AP	11/22/2023	3-133-5-00-304	11-39 20642-5600012310 GAS SVC	14.03		
2693	CUSTOM PRODUCTS CORP	CUSTOM PRODUCTS CORPORATION	337904	105812 AP	11/22/2023	3-133-5-00-363	11-45 LEAKS SIGN MATERIAL	4,163.92		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-133-5-00-361	11-31 300467 ROCK	2,666.87		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-133-5-00-361	11-31 300467 ROCK	1,108.98		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-133-5-00-361	11-31 300467 ROCK	661.95		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-133-5-00-361	11-31 300467 ROCK	308.51		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-133-5-00-361	11-31 300467 ROCK	429.07		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-133-5-00-361	11-31 300467 ROCK	624.17		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-133-5-00-361	11-31 300467 ROCK	341.55		
								*** VENDOR	434 TOTAL	6,141.10
191	HOME DEPOT	HOME DEPOT USA	337922	105830 AP	11/22/2023	3-133-5-00-312	11-32 1111680 WELDED BOW RAKE,	146.90		
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	337955	105863 AP	11/22/2023	3-133-5-00-364	11-33 SAFETY BOOTS (NO DISCOUN	120.00		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-34 95988 AIR DRYERS, FILTER	151.55		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-34 95988 AIR DRYERS, FILTER	522.60		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-34 95988 AIR DRYERS, FILTER	228.36		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	186.81		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	775.86-		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	775.86-		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	344.83-		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	350.00		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	290.40		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	297.10		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	337.21		
232	MHC KENWORTH	MHC KENWORTH-OLATHE	337961	105869 AP	11/22/2023	3-133-5-00-360	11-49 95988 FILTERS, BRAKE/PUM	1,715.68		
								*** VENDOR	232 TOTAL	2,183.16
2666	MISC REIMBURSEMENTS	GRACY WHITE	337964	105872 AP	11/22/2023	3-133-5-00-203	11-53 REIM CDL LP, PHOTO	15.25		
2666	MISC REIMBURSEMENTS	SHAWN WRIGHT	337965	105873 AP	11/22/2023	3-133-5-00-203	11-54 REIM CDL LP, PHOTO	13.75		
2666	MISC REIMBURSEMENTS	KYLE DOELZ	337966	105874 AP	11/22/2023	3-133-5-00-203	11-46 REIM CDL EXAM FEE, PHOTO	23.00		
2666	MISC REIMBURSEMENTS	KYLER HOLLOWAY	337967	105875 AP	11/22/2023	3-133-5-00-203	11-48 REIM CDL FEE EXAM, PHOTO	43.75		

START DATE: 11/18/2023 END DATE: 11/22/2023

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
2666	MISC REIMBURSEMENTS	STEPHEN ELLIOTT	337968	105876 AP	11/22/2023	3-133-5-00-203	11-47 REIM CDL	13.75		
								*** VENDOR	2666 TOTAL	109.50
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	337973	105881 AP	11/22/2023	3-133-5-00-360	11-35 8052255000 ROCKER SWITCH	47.84		
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	337973	105881 AP	11/22/2023	3-133-5-00-360	11-50 8052255000 PARTS, CAP, H	883.49		
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	337973	105881 AP	11/22/2023	3-133-5-00-360	11-50 8052255000 PARTS, CAP, H	18.78		
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	337973	105881 AP	11/22/2023	3-133-5-00-360	11-50 8052255000 PARTS, CAP, H	775.49		
								*** VENDOR	418 TOTAL	1,725.60
1242	SCOTWOOD I	SCOTWOOD INDUSTRIES INC	337976	105884 AP	11/22/2023	3-133-5-00-306	11-36 LEAV02 CALCIUM CHLORIDE	5,996.53		
1242	SCOTWOOD I	SCOTWOOD INDUSTRIES INC	337976	105884 AP	11/22/2023	3-133-5-00-306	11-36 LEAV02 CALCIUM CHLORIDE	6,022.06		
								*** VENDOR	1242 TOTAL	12,018.59
668	TIREHUB	TIREHUB INC	337983	105891 AP	11/22/2023	3-133-5-00-309	11-37 407362 TIRES	316.98		
668	TIREHUB	TIREHUB INC	337983	105891 AP	11/22/2023	3-133-5-00-309	11-51 407362 TIRES	267.06		
668	TIREHUB	TIREHUB INC	337983	105891 AP	11/22/2023	3-133-5-00-309	11-51 407362 TIRES	130.84		
								*** VENDOR	668 TOTAL	714.88
22972	TRANSFER STATION	TRANSFER STATION	337985	105893 AP	11/22/2023	3-133-5-00-309	11-52 ACCT 656 - CONSTRUCTION	79.00		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-133-5-00-301	11-21 OCTOBER POSTAGE	57.16		
2007	WIRENUTS	WIRENUTS	338057	105965 AP	11/22/2023	3-133-5-00-207	11-38 NOX WEED/MAIN BLDG 3 MON	97.75		
								TOTAL FUND 133		30,198.03

4938	BUILDING & GROUNDS	BUILDING & GROUNDS	337900	105808 AP	11/22/2023	3-136-5-00-203	COMM CORR FACILITY CHARGES 3RD	2,380.00		
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	337900	105808 AP	11/22/2023	3-136-5-00-223	COMM CORR FACILITY CHARGES 3RD	2,380.00		
4938	BUILDING & GROUNDS	BUILDING & GROUNDS	337900	105808 AP	11/22/2023	3-136-5-00-245	COMM CORR FACILITY CHARGES 3RD	2,380.00		
								*** VENDOR	4938 TOTAL	7,140.00
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-136-5-00-221	FBN4885584 NOVMEBER VEH LEASE	39.77		
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-136-5-00-221	DECEMBER CAMERA CHARGES	40.00		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-136-5-00-321	OCTOBER POSTAGE	5.04		
								TOTAL FUND 136		7,224.81

4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-137-5-00-203	11-18 4013-01993 UNIFORM RENTA	89.68		
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-137-5-00-203	11-18 4013-01993 UNIFORM RENTA	116.68		
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	337896	105804 AP	11/22/2023	3-137-5-00-203	11-18 4013-01993 UNIFORM RENTA	89.68		
								*** VENDOR	4120 TOTAL	296.04
446	EQUIPMENT SHARE	EQUIPMENT SHARE INC	337908	105816 AP	11/22/2023	3-137-5-00-320	11-11 48309 CASE NUTS & LEVER	111.89		
2588	FOLEY EQUIPMENT	FOLEY EQUIPMENT	337913	105821 AP	11/22/2023	3-137-5-00-320	11-19 016993 REFORMED ASH SVC	2,183.93		
2588	FOLEY EQUIPMENT	FOLEY EQUIPMENT	337913	105821 AP	11/22/2023	3-137-5-00-320	11-19 016993 REFORMED ASH SVC	45.59-		
								*** VENDOR	2588 TOTAL	2,138.34
26523	GARY SERVAES ENTERPR	GARY SERVAES ENTERPRISES	337914	105822 AP	11/22/2023	3-137-5-00-312	11-20 ROCK	1,652.00		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	14,665.75		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	3,430.39		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	173.86		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	1,359.02		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	3,040.22		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	2,532.20		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	2,107.02		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	6,538.41		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	3,244.43		
434	HAMM QUARR	HAMM QUARRIES	337916	105824 AP	11/22/2023	3-137-5-00-312	11-12 300467 ROCK	7,481.64		
								*** VENDOR	434 TOTAL	44,572.94
27474	HEAVYQUIP	HEAVYQUIP	337918	105826 AP	11/22/2023	3-137-5-00-320	11-13 08473-C GRADER BLADES	3,130.00		
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	337921	105829 AP	11/22/2023	3-137-5-00-312	11-14 218331 ROCK	1,374.57		
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	337921	105829 AP	11/22/2023	3-137-5-00-312	11-14 218331 ROCK	802.24		
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	337921	105829 AP	11/22/2023	3-137-5-00-312	11-14 218331 ROCK	762.13		

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	337921	105829 AP	11/22/2023	3-137-5-00-312	11-14 218331 ROCK	510.20	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	337921	105829 AP	11/22/2023	3-137-5-00-312	11-14 218331 ROCK	339.41	
							*** VENDOR	369 TOTAL	3,788.55
616	J M FAHEY CONSTRUCT	J M FAHEY CONSTRUCTION	337924	105832 AP	11/22/2023	3-137-5-00-325	11-15 1209 BM2 SURFACE MIX	1,647.77	
1123	POMPMIDWEST	POMP'S TIRE SERVICE INC	337971	105879 AP	11/22/2023	3-137-5-00-321	11-16 1960724 TIRES	711.93	
1123	POMPMIDWEST	POMP'S TIRE SERVICE INC	337971	105879 AP	11/22/2023	3-137-5-00-321	11-21 1960724 TIRES	640.00	
							*** VENDOR	1123 TOTAL	1,351.93
8028	POWERPLAN	MURPHY TRACTOR & EQUIP CO	337972	105880 AP	11/22/2023	3-137-5-00-320	11-22 88002-36463 SVC ON 770GP	3,252.86	
8028	POWERPLAN	MURPHY TRACTOR & EQUIP CO	337972	105880 AP	11/22/2023	3-137-5-00-320	11-22 88002-36463 SVC ON 770GP	1,462.62	
							*** VENDOR	8028 TOTAL	4,715.48
							TOTAL FUND 137		63,404.94
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	337955	105863 AP	11/22/2023	3-144-5-00-3	COUNCIL ON AGING - PET FOOD (P	170.85	
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	337955	105863 AP	11/22/2023	3-144-5-00-3	COUNCIL ON AGING - PET FOOD (P	57.95	
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	337955	105863 AP	11/22/2023	3-144-5-00-3	COUNCIL ON AGING - PET FOOD (P	315.15	
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	337955	105863 AP	11/22/2023	3-144-5-00-3	COUNCIL ON AGING - PET FOOD (P	109.99	
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	337955	105863 AP	11/22/2023	3-144-5-00-3	COUNCIL ON AGING - PET FOOD (P	170.85	
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	337955	105863 AP	11/22/2023	3-144-5-00-3	COUNCIL ON AGING - PET FOOD (P	965.90	
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	337955	105863 AP	11/22/2023	3-144-5-00-3	COUNCIL ON AGING - PET FOOD (P	358.14-	
							*** VENDOR	19474 TOTAL	1,432.55
							TOTAL FUND 144		1,432.55
2621	CAFE	TERRY BOOKER	337901	105809 AP	11/22/2023	3-145-5-00-256	COA MEALS RESERVED 11/1 - 11/1	8,638.50	
2621	CAFE	TERRY BOOKER	337901	105809 AP	11/22/2023	3-145-5-00-256	COA MEALS RESERVED 11/1 - 11/1	11,394.50	
2621	CAFE	TERRY BOOKER	337901	105809 AP	11/22/2023	3-145-5-00-256	COA MEALS RESERVED 11/1 - 11/1	14,436.50	
							*** VENDOR	2621 TOTAL	34,469.50
559	COBURNCO LLC	CLAY E COBURN III	337903	105811 AP	11/22/2023	3-145-5-00-213	CO ON AGING FLEET WASH -TONGAN	28.20	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	337958	105866 AP	11/22/2023	3-145-5-00-301	OFFICE SUPPLIES	91.74	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	337958	105866 AP	11/22/2023	3-145-5-00-345	CO ON AGING C1&C2 CONSUMABLES	103.18	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	337958	105866 AP	11/22/2023	3-145-5-00-345	CO ON AGING C1&C2 CONSUMABLES	42.48	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	337958	105866 AP	11/22/2023	3-145-5-00-345	CO ON AGING C1&C2 CONSUMABLES	270.75	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	337958	105866 AP	11/22/2023	3-145-5-06-301	CO ON AGING C1&C2 CONSUMABLES	32.82	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	337958	105866 AP	11/22/2023	3-145-5-06-321	CO ON AGING C1&C2 CONSUMABLES	73.84	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	337958	105866 AP	11/22/2023	3-145-5-07-302	CO ON AGING C1&C2 CONSUMABLES	6.07	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	337958	105866 AP	11/22/2023	3-145-5-07-321	CO ON AGING C1&C2 CONSUMABLES	32.82	
							*** VENDOR	4755 TOTAL	653.70
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-145-5-00-213	CO ON AGING - VEH MAINT 14 WOR	1,675.72	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-145-5-00-302	OCTOBER POSTAGE	229.41	
							TOTAL FUND 145		37,056.53
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-146-5-00-302	OCTOBER POSTAGE	1,659.40	
							TOTAL FUND 146		1,659.40
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-153-5-00-401	FBN4885584 NOVMEBER VEH LEASE	9,595.19	
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-153-5-00-401	DECEMBER CAMERA CHARGES	998.35	
							TOTAL FUND 153		10,593.54
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-155-5-00-403	DECEMBER CAMERA CHARGES	319.21	
							TOTAL FUND 155		319.21
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	337897	105805 AP	11/22/2023	3-160-5-00-213	670030 TRANSFER STATION - DEF,	7.22	
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	337897	105805 AP	11/22/2023	3-160-5-00-213	670030 TRANSFER STATION - DEF,	7.91	

START DATE: 11/18/2023 END DATE: 11/22/2023

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	337897	105805 AP	11/22/2023	3-160-5-00-213	670030 TRANSFER STATION - DEF,	7.91-		
26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	337897	105805 AP	11/22/2023	3-160-5-00-304	670030 TRANSFER STATION - DEF,	115.86		
								*** VENDOR	26195 TOTAL	123.08
516725	ENTERPRISE (ACH)	ENTERPRISE FM TRUST	337868	75	11/20/2023	3-160-5-00-215	FBN4885584 NOVMEBER VEH LEASE	35.00		
605	FLEET HOSTER	FLEET HOSTER LLC	337912	105820 AP	11/22/2023	3-160-5-00-215	DECEMBER CAMERA CHARGES	59.85		
460	NAPA AUTO PARTS	NAPA AUTO PARTS	337970	105878 AP	11/22/2023	3-160-5-00-213	2858 WIPERS FOR 363, DEF	22.18		
460	NAPA AUTO PARTS	NAPA AUTO PARTS	337970	105878 AP	11/22/2023	3-160-5-00-304	2858 WIPERS FOR 363, DEF	94.62		
								*** VENDOR	460 TOTAL	116.80
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-160-5-00-213	SOLID WASTE FUEL/LUBE, MAINT	1,064.03		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	337975	105883 AP	11/22/2023	3-160-5-00-304	SOLID WASTE FUEL/LUBE, MAINT	37.79		
								*** VENDOR	458 TOTAL	1,101.82
10703	TIRE TOWN	TIRE TOWN	337982	105890 AP	11/22/2023	3-160-5-00-207	SCRAP TIRES - SOLID WASTE	500.00		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	338055	105963 AP	11/22/2023	3-160-5-00-201	OCTOBER POSTAGE	33.39		
								TOTAL FUND 160		1,969.94

5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	337902	105810 AP	11/22/2023	3-195-5-00-290	20642-03251A774932310 GAS SERV	19.64		
86	EVERGY	EVERGY KANSAS CENTRAL INC	337909	105817 AP	11/22/2023	3-195-5-00-290	ELEC SVC COMMUNITY CORRECTIONS	337.27		
26400	KANSAS GAS	KANSAS GAS SERVICE	337956	105864 AP	11/22/2023	3-195-5-00-290	510614745 1628631 73 GAS TRANS	97.38		
2	WATER DEPT	WATER DEPT	338056	105964 AP	11/22/2023	3-195-5-00-290	WATER SVC COMM CORR	53.22		
								TOTAL FUND 195		507.51

119	FINNEY & TURNIPSEED	FINNEY & TURNIPSEED TRANSPORTA	337911	105819 AP	11/22/2023	3-220-5-09-400	11-1 BR E-48 CONSTRUCTION INSP	39,200.00		
								TOTAL FUND 220		39,200.00
								TOTAL ALL CHECKS		331,946.35

TYPES OF CHECKS SELECTED: * ALL TYPES

FUND SUMMARY

001	GENERAL	89,286.93
108	COUNTY HEALTH	2,578.89
112	EMPLOYEE BENEFIT	22,545.00
115	EQUIPMENT RESERVE	21,527.98
126	COMM CORR ADULT	2,441.09
133	ROAD & BRIDGE	30,198.03
136	COMM CORR JUVENILE	7,224.81
137	LOCAL SERVICE ROAD & BRIDGE	63,404.94
144	PALS (PETS AND LOVING SENIORS	1,432.55
145	COUNCIL ON AGING	37,056.53
146	COUNTY TREASURER SPECIAL	1,659.40
153	PUBLIC WORKS,EQUIP.RESERVE FUND	10,593.54
155	LSR CAPITAL EQUIP RESERVE	319.21
160	SOLID WASTE MANAGEMENT	1,969.94
195	JUVENILE DETENTION	507.51
220	CAP IMPR: RD & BRIDGE	39,200.00
	TOTAL ALL FUNDS	331,946.35

Consent Agenda 11-29-2023
Checks 11/18 - 11/22

**Leavenworth County
Request for Board Action
Resolution 2023-32
Special Use Permit Tri-Hull Crane Rental LLC**

Date: November 29, 2023
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: John Jacobson, Reviewed

Additional Reviews as needed:

Budget Review Administrator Review Legal Review

Action Requested: Approve Resolution 2023-32, the applicant is requesting a Special Use Permit for an existing crane rental business. The business is operating under an active SUP issued in 2021. LVCO BOCC Resolution 2020-25 approved the operation of this business for an initial 3-year term with a single renewal clause for an additional 2 years. There are no changes to this business.

Analysis: The applicant in their narrative have requested a 10-year term. Staff recommends that the terms of the original resolution be continued until the previously established termination date of January 13, 2026.

Additionally, staff recommends all conditions of approval listed in the staff report should be applicable to SUP issuance.

The general hours of operation are proposed to be Monday-Friday from 7:00AM until 5:00PM. Typically, the site will be visited by six employees. Customers to the site are not proposed. The proposed use is allowed with a special use permit.

Planning Commission Recommendation: The Planning Commission voted 9-0 to recommend approval of Resolution 2023-32 (Case No. DEV-23-136) renewal of a Special Use Permit for Tri-Hull Crane Rentals LLC in conformance with BOCC Resolution 2020-25 and with conditions as stated in the staff report.

Alternatives:

1. Approve Resolution 2023-32 (Case No. DEV-23-136), Special Use Permit for Tri Hull Crane Rentals LLC, with Findings of Fact, and with or without conditions; or
2. Deny Resolution 2022-32 (Case No. DEV-23-136), Special Use Permit for Tri-Hull Crane Rentals LLC, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2023-32 (Case No. DEV-23-136), Special Use Permit for Tri-Hull Crane Rentals LLC, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization

Non-Budgeted item with additional funds requested

Total Amount Requested:

\$0.00

Additional Attachments: Staff Report, BOCC Resolution 2020-25, Planning Commission Minutes

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-23-136 SUP – Contractors Yard – Tri-Hull Crane Rental

November 8, 2023

REQUEST: *Public Hearing Required*

- Zoning Amendment Special Use Permit
 Temporary Special Use Permit

STAFF REPRESENTATIVE:

JOHN JACOBSON
DIRECTOR

SUBJECT PROPERTY: 24838 LORING ROAD



APPLICANT/APPLICANT AGENT:

DEE HULL
TRI-HULL CRANE RENTAL
24838 LORING RD
LAWRENCE, KS 66044

PROPERTY OWNER:

TRI-HULL LLC

CONCURRENT APPLICATIONS:

N/A

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:
RESIDENTIAL 2.5 acre minimum

LEGAL DESCRIPTION:

A tract of land located in the Southeast Quarter of Section 11, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-23-136 , Special Use Permit for Tri-Hull LLC for a Special Use Contractor Yard, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-136 , Special Use Permit for Tri-Hull LLC for a Special Use Contractor Yard, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: +- 39.70 ACRES

PARCEL ID NO:
211-11-0-00-00-017.02

BUILDINGS: Three
EXISTING: Manufactured Home and two accessory buildings.

PROJECT SUMMARY:

The applicant is requesting a **ten-year** extension of a Special Use Permit for Contractor’s Yard for Tri-Hull Crane Rental. This request is not in conformance with LVCO BOCC Resolution 2020-25 (PID 211-11-0-00-00-017.02).

ACCESS/STREET:

147TH STREET - COUNTY COLLECTOR
±22’ WIDE, PAVED/GRAVEL/DIRT

Location Map:



UTILITIES

SEWER: SEPTIC

FIRE: RENO

WATER: N/A

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 10/12/2023

NEWSPAPER NOTIFICATION:
10/18/2023

NOTICE TO SURROUNDING
PROPERTY OWNERS:
10/18/2023

FACTORS TO BE CONSIDERED:		
<i>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Special Use Permit request:</i>	Met	Not Met
<p>1. Character of the Neighborhood: <i>Density:</i> Surrounding properties are residences and farms from 1 to 140 acres in size.</p>	✓	
<p>2. Zoning and uses of nearby property: <i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature. <i>Adjacent Zoning:</i> All adjacent properties are zoned RR-5</p>	✓	
<p>3. Suitability of the Property for the uses to which is has been restricted: <i>The property is currently operating under an existing SUP. The property is suitable as a rural residence, for agricultural uses and <u>the proposed use is restricted by previous BOCC action to a maximum term of 2 additional years.</u></i></p>	✓	
<p>4. Extent to which removal of the restrictions will detrimentally affect nearby property: <i>The use is likely to detrimentally impact neighboring parcels as a long-term use. This use is industrial in nature and should as a long-term solution, be located in an appropriately zoned district.</i> <i>Traffic:</i> Traffic to the site will be limited to six employees and the haul route for the cranes themselves. All business traffic will be limited to 24/40. A drainage structure assessment shall be completed per the traffic impact policy <i>Lighting:</i> The applicant indicated no use of exterior lighting. <i>Outdoor Storage:</i> Outdoor storage will be significant as the intention is to house all equipment outdoors. Screening is existing. <i>Parking:</i> Parking is provided and is adequate for the proposed use. <i>Visitors/Employees:</i> Typically, six staff will visit the site each day. Customers will not frequent the site. <i>Waste:</i> Any waste generated from the property must be disposed of in compliance with all applicable local, state and federal laws.</p>	✓ (Condition 4) ✓ ✓ ✓ ✓ (Condition 12)	✓
<p>5. Length of time the property has been vacant as zoned: <input type="checkbox"/> <i>Vacant:</i> To our knowledge, the property has never been developed. There is an existing water tower. <input checked="" type="checkbox"/> <i>Not Vacant:</i></p>	✓	
<p>6. Relative gain to economic development, public health, safety and welfare: The proposed application would allow for another business to continue to operate within Leavenworth County. There does not appear to be any detrimental effects to <i>the public health, safety or welfare.</i></p>	✓	
<p>7. Conformance to the Comprehensive Plan: <i>Future Land Use Map: Rural Residential 2.5</i></p>		✓

<i>Section 4 Land Use and Development Plan Strategies: The proposed use is not compatible with the future land use designation.</i>		
---	--	--

STAFF COMMENTS:

The applicant is requesting a Special Use Permit for an existing crane rental business. The business is operating under an active SUP issued in 2021. LVCO BOCC Resolution 2020-25 approved the operation of this business for an initial 3-year term with a single renewal clause for an additional 2 years.

The applicant in their narrative have requested a 10-year term. Staff recommends that the terms of the original resolution be continued until the previously established termination date of January 13 of 2026.

The general hours of operation are proposed to be Monday-Friday from 7:00AM until 5:00PM. Typically, the site will be visited by six employees. Customers to the site are not proposed. The proposed use is allowed with a special use permit.

STAFF RECOMMENDED CONDITIONS:

Conditions for approval of DEV-23-136, SUP for Tri-Hull Crane Rental are as follows:

1. The SUP shall be compliant with LVCO BOCC Resolution 2020-25 and limited to a period of two (2) years and non-renewable.
2. The business shall be limited to the hours of 6:00 AM until 5:00 PM, Monday-Friday and 8:00 AM until 2:00 PM, Saturday.
3. The SUP shall be limited to six full-time employees.
4. The applicant shall pay for and supply to public works for review, prior to issuance of the SUP, a drainage structure assessment by a licensed Kansas engineer. The engineer's assessment and opinion of impacted structure on the specified haul route to resist imposed loading over the term of the 24-month term. The intent is to assess and maintain the structural integrity of the county roadway and structures for the duration of the SUP use.
5. All business-related traffic shall be directed west to 24/40 Highway.
6. Business-related traffic shall not be allowed to travel east along Loring Road.
7. The existing RV shall be removed or an affidavit stating it will not be lived in shall be signed and notarized.
8. The applicant shall adhere to the following memorandums:
 - a. Memo - Kyle Anderson - Planning and Zoning, October 04, 2023
 - b. Memo - Mitch Pleak, P.E. - Public Works, October 24, 2023
 - c. Memo - John Jacobson - Planning and Zoning October 25,2023
9. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
10. No on-street parking shall be allowed.
11. This SUP shall be limited to the Narrative dated October 2, 2023 submitted with this application.

12. 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.

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-23-136, Special Use Permit for Tri-Hull Crane Rental, to the Board of County Commission, with Findings of Fact, and with or without conditions; or
2. Recommend denial of Case No. DEV-23-136, Special Use Permit for Tri-Hull Crane Rental, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Memorandums

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

SPECIAL USE PERMIT APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

SCANNED

#300 need \$100.
CK 21164 in vault

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Donna Hull</u>	NAME _____
ADDRESS <u>24838 Loring Rd</u>	ADDRESS _____
CITY/ST/ZIP <u>Lawrence, KS 66044</u>	CITY/ST/ZIP _____
PHONE <u>816-729-0261</u>	PHONE _____
EMAIL <u>thcranerental@gmail.com</u>	EMAIL _____
CONTACT PERSON <u>Donna (DEE) Hull</u>	CONTACT PERSON _____

PROPERTY INFORMATION

* PID: 211-11 017.02 Zoning District: Reno

Address of property 24838 Loring Rd Parcel size 40 Acres

Current use of the property Small family farm, Crane Rental Business

Does the owner live on the property? Yes No

Proposed Special Use Continued use of Crane Rental Business

TAX ASSESSEMENT STATEMENT

Upon the granting of a Special Use Permit by the Leavenworth County Board of County Commissioners, the assessable nature of the above referenced property and structures on the property may result in a change of the Appraised Class and Value and in the next year's Tax Assessment.

Donna Hull

I, the applicant, have read and understand that there may be a change in the appraised value of my property due to the presence of a Special Use Permit for my property. (Check one) Yes No

I, the undersigned am the (circle one) owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Special Use Permit and acknowledge the potential of a change in the Appraised Value of my property as indicated above. I hereby agree to "cease and desist" the operation of the activity upon denial of the permit by the Board of County Commissioners.

Signature Donna M Hull

Date 09/19/2023

ATTACHMENT A

PROPOSED SPECIAL USE PERMIT INFORMATION

Name of Business Tri-Hull Crane Rental, LLC

Existing and Proposed Structures House, Horse barn, Large barn/garage proposed new home and additional building

Number of structures used for Special Use Permit 1

Will the use require parking? Yes No How many parking spaces are proposed/available? 8/8

Is the proposed use seasonal? Yes No
If yes, what months will the use be active? _____ through _____
Month Month

Reason for requesting a Special Use Permit: Continued use of Crane Rental Business

Estimated Traffic

In this section, you are determining the impact your proposed use will have on the county roadways. A vehicle visiting your site is to be considered two trips because the visitor/employee/user will use the roadways twice. If you are planning to expand the use that may generate additional traffic during the duration of the permit, provide the traffic generation for the full expansion.

How many total Passenger vehicle trips (both entering and exiting) will be generated by the Special Use Permit?

Daily 6 Weekly 30 Monthly 120

If applicable, how many total Commercial (delivery, heavy trucks, equipment, etc.) vehicle trips (both entering and exiting) will be generated by the Special Use Permit?

Daily 8 Weekly 32 Monthly 128

If applicable, describe Seasonal trips not accounted for above: What type (Passenger and Commercial) vehicle trips, how many trips per vehicle type in the seasonal timeframe, and describe the seasonal time frame (months, weeks, or days) in a calendar year.

Passenger: Months _____ Weeks _____ Days _____

Commercial: Months _____ Weeks _____ Days _____

When are trips to the site expected to occur (i.e. throughout the day, limited certain hours, etc.)? If applicable, separate occurrences by vehicle type (Passenger, Commercial, Seasonal Passenger, and Seasonal Commercial):

No additional seasonal trips

What is the anticipated route(s) from the nearest State Highway to the Site? right to US 24/40 Highway, or left to KS 32
no changes to routes currently used

Special Use Permit Renewal

Describe any change to operations since the SUP was last issued including traffic trips compared to this SUP:

We have purchased addition equipment, however we have the same number of employees, no additional traffic trips are expected.

Have you added any buildings since the SUP was last issued? Yes No Any parking? Yes No

L0505072

CAPITAL TITLE INSURANCE COMPANY, LC
3115 W. 6th Street, Suite K
Lawrence, Kansas 66049

Entered in the transfer record in my office this

2nd day of June, 2005
Dennis H. Milleret
County Clerk

STATE OF KANSAS
COUNTY OF LEAVENWORTH-SC
FILED FOR RECORD

2005 JUN -7 P 1:39

STACY R. DRISCOLL
REGISTER OF DEEDS

KANSAS WARRANTY DEED
(Kansas Statutory Form)

Grantor: **Dennis H. Milleret and Carolyn Y. Milleret, husband and wife**

For One Dollar and other valuable considerations conveys and warrants to

Grantee: **Tri-Hull, LLC**

the following described real estate:

A tract of land located in the Southeast Quarter (SE/4) of Section Eleven (11), Township Twelve South (T12S), Range Twenty East (R20E) of the 6th P.M., Leavenworth County, Kansas, described as follows: Commencing at the Southwest corner of said Southeast Quarter (SE/4), thence North 90° 00' 00" East along the South line of said Southeast Quarter (SE/4) 655.88 feet to the True Point of Beginning; thence North 0° 05' 29" West parallel to the West line of said Southeast Quarter (SE/4) 2,653.55 feet to a point on the North line of said Southeast Quarter (SE/4) which is South 89° 44' 15" East 655.89 feet from the Northwest corner of said Southeast Quarter (SE/4), thence South 89° 44' 15" East along said North line 657.02 feet, thence South 0° 05' 29" East parallel to the West line of said Southeast Quarter (SE/4) 2,650.54 feet to the South line of said Southeast Quarter (SE/4), thence South 90° 00' 00" West along said South line 657.00 feet to the POINT OF BEGINNING.

SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, IF ANY, NOW OF RECORD.

TO HAVE AND TO HOLD The premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said party(ies) of the second part and unto his/her/their heirs and assigns forever; the said party(ies) of the first part hereby covenanting that he/she/they lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that he/she/they has/have good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by him/her/them or those under whom he/she/they claim; and that he/she/they will warrant and defend the title to the said premises unto the said party(ies) of the second part and unto his/her/their heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The said party(ies) of the first part has/have hereunto set his/her/their hand(s) and seal on this 2nd day of June, 2005

Dennis H. Milleret
Dennis H. Milleret

Carolyn Y. Milleret
Carolyn Y. Milleret

STATE OF KANSAS)

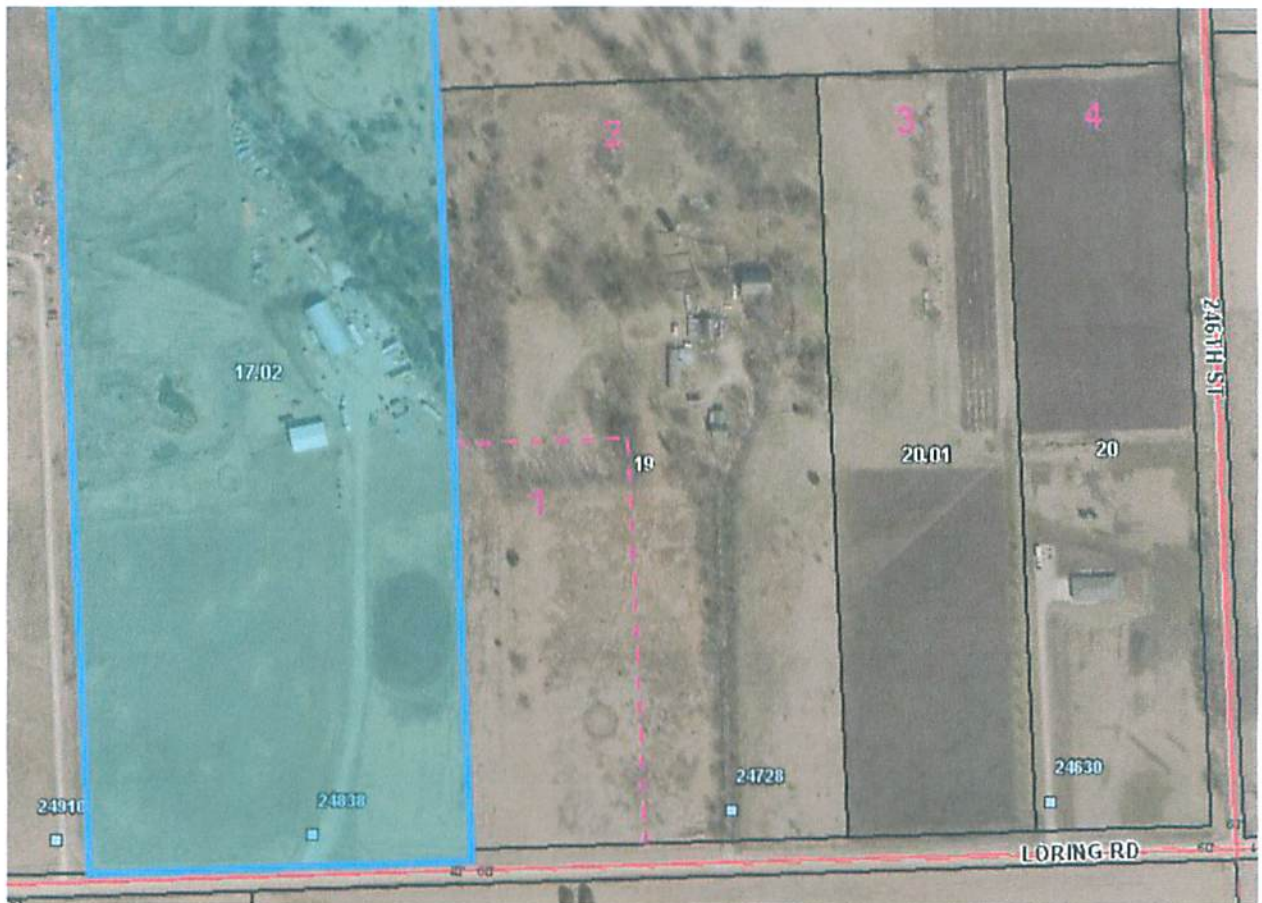
COUNTY OF DOUGLAS)

On this 2nd day of June, 2005, before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Dennis H. Milleret and Carolyn Y. Milleret, husband and wife to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office, the day and year last above written.

Randall L. Russell
Notary Public

RANDALL L. RUSSELL
Notary Public - State of Kansas
My Appl. Exp. 6-28-05



Business Description 2023

Our small family business consists of specialized mobile cranes and occasional use of semi tractors and trailers. In addition, we have a variety of farm vehicles for property maintenance and farm use. Our business is weather dependent similar to construction. We do not produce or manufacture a product to sell and have no store front for sales.

We would like to apply for a 10-year extension of the current SUP. There are now several Special Use Permits along this road and in the area that we know of; 2 Wineries with a high volume of traffic that way exceeds the amount of traffic that we use and is continually increasing, a hog raising facility, and a nursery. In addition, the economy has continued to get worse since our first application and doesn't appear to be getting better. Currently our property is taxed as commercial property which the other SUP's are not.

We don't have food or alcohol service.

We don't have any signs up or have any plans to install any at this time.

Our hours of operation are 6am to 5pm, Monday thru Friday and occasionally Saturday.

We have 6 full time employees, 3 of which are family. Only 3 of our employees come to this place of business as work is scheduled.

We receive deliveries; however, nothing is regularly scheduled. We get 1-2 deliveries a week of equipment.

Our storage and equipment are parked several hundred feet off the roadway.

We do offer short term storage of equipment that we are going to place on a job for our customers, which consists largely of mechanical equipment. We recycle equipment thru American Recycling out of Topeka or Kansas City and Rapid Recovery for any equipment removed.

Our initial traffic route is right and or left out of the drive way on to Loring Rd a (gravel road) to US-24 Hwy or KS-32 Hwy.

No additional water is needed. However, we do have a Johnny on the spot for our employees and anyone who needs the use of one.

There is no pollution hazard. We don't use chemicals or store any.

We have a bulk fuel tank that is serviced by Leavenworth CO-OP it fills our farm and business vehicles. We do use oil and we store a small bulk amount of it for use in routine oil changes and maintenance, as well as parts and supplies. The used oils are then recycled

Our future plans would be to build another large barn to store our equipment so that it is under cover and out of the weather. It is also our intent to remodel or build a new home to replace our current one.

We have security lightening on both the garage and horse barn
Emergency and safety contacts are posted on the door, fire extinguishers, and evaluation plans are in place.

OWNER AUTHORIZATION

I/We Donna Hull, hereby referred to as the "Undersigned", being of lawful age, do hereby on this ___ day of _____, 20___, make the following statements, to wit:

1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property

See Attachment "A" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize _____ (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, _____ (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.

3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.

4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

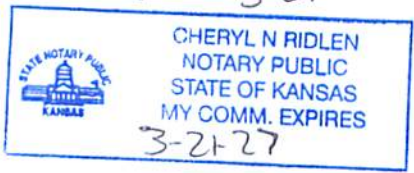
Donna Hull
Owner

Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 29 day of August, 2023,
by Cheryl N. Bidler.

My Commission Expires: 3-21-27



Cheryl N. Bidler
Notary Public

ATTACHMENT C



Kansas Department of Revenue

COMMERCIAL MOTOR VEHICLE OFFICE

PO BOX 12003
Topeka, KS 66601
Phone: (785) 296-6541
www.truckingks.org

Vehicle Checklist

Invoice Number : 554165
Invoice Date : 02/20/2023

Account : 950476
Fleet : 002
Supplement Number : 0
Registration Year : 2023
Number of Reg. Months : 12
Number Power Units : 4
Number Trailer Units : 6
Effective Date : 01/01/2023
Expiration Date : 12/31/2023
Processor : KMCASDB
Quarterly Payment : NO
Quarterly Amount : \$0.00
Exchange Rate : 0.747400

TRI-HULL CRANE RENTAL LLC
24838 LORING RD
LAWRENCE KS 66044

Supplement Type : RENEW FLEET

UNIT #	VIN	AI	POW	LSA	PR	LPA	STA	HVUT	LR	BOS	STD	VI	ETSAM	REG	POE
0139	1XPFDU9X04D830139							C						N	
4	1T9SK4839E1008263							C						N	
3660	1L9GA72A0XL033660							C						N	
3	1W9FL48264E285457									N				N	
8276	1FDYY95X7JVA48276							C						N	
500	1T9E48408J1114126							C						N	
364	13ZGF2421Y1003364							C						N	
2	1FDYY90R8RVA12553							C						N	
7621	1HSZJJUR4GHA17621									N				N	
6598	5MAPA4521DC026598							C						N	
6588	5MAPA4529DC026588							C						N	
6204	1FUY3WDB2XLB46204							C						N	

C: Collected

N: Not Required

O: Outstanding

S: System Collected

Tax History Inquiry for TRI-HULL LLC

[View Parcel Information](#) --- [Tax Search Page](#)

Property Address											
24838 LORING RD											
Tax ID		Sec-Twn-Rng	Sub	Blk	Lot	Description				Parcel Id/Cama	Parcel Classes
2022 RealEstate - 34223		11-12-20E				S11, T12, R20E, ACRES 39.75, E657.02' OF, W1312.91' W1.2 SE1/4 LESS ROW				211-11-00-00-017.02-0	Agricultural Real Estate Farmstead Commercial Real Estate
Tax Unit	USD	Cty/Twn	Assessed Valuation	Mill Levy	Ad Valorem	Special Assessments	Total Tax	Total Paid	DIQ	Book-Page	Date of Transfer
103	497	RENO TOWNSHIP	\$46901	106.097	\$4884.06	\$0	Amount \$4884.06	Amount \$4884.06	No	0952 - 1256	0

[Click here for Additional Years](#)

[View Parcel Information](#) --- [Tax Search Page](#)

Tax Search powered by  **Aumentum**
TECHNOLOGIES



Laura Kelly, Governor
Mark A. Burghart, Secretary

www.ksrevenue.gov

CERTIFICATE OF TAX CLEARANCE

Tri-Hull Crane Rental, LLC
DBA as Tri-Hull Crane Rental, LLC

ISSUE DATE

10/02/2023

TRANSACTION ID

TYJ5-6MS7-782A

CONFIRMATION NUMBER

C2KB-6PHA-P5M5

TAX CLEARANCE VALID THROUGH 12/31/2023

*Verification of this certificate can be obtained on our website, www.ksrevenue.org,
or by calling the Kansas Department of Revenue at 785-296-3199*

From: [Dylan Ritter](#)
Sent: Tuesday, October 10, 2023 9:36 AM
To: [Johnson, Melissa](#)
Cc: [Anderson, Kyle](#); [Brown, Misty](#); [Magaha, Chuck](#); [Miller, Jamie](#); [Noll, Bill](#); [PZ](#); [Patzwald, Joshua](#); [Van Parys, David](#); mpleak@olsson.com; tyler.rebel@evergy.com
Subject: Re: DEV-23-136 Special Use Permit - Tri Hull LLC Crane Rental at 24838 Loring Rd

Follow Up Flag: Follow up
Flag Status: Completed

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

No concerns from Reno Township Fire Department.

On Mon, Oct 2, 2023 at 12:59 Johnson, Melissa <MJohnson@leavenworthcounty.gov> wrote:

The Department of Planning & Zoning has received an application for a Special Use Permit regarding Tri-Hull Crane Rental located at 24838 Loring Rd.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday October 11th, 2023.

If you have any questions or need additional information, please contact us at (913) 684-0465 or at pz@leavenworthcounty.gov.

Thank you,

Melissa Johnson

Planner I

Leavenworth County

Planning & Zoning Department

Leavenworth County Courthouse

[300 Walnut St, Suite 212](#)

[Leavenworth County, Kansas 66048](#)

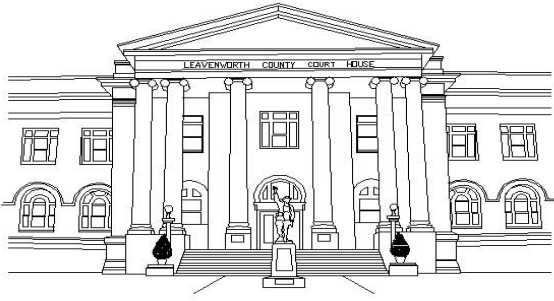
(913) 684-0465

Disclaimer

This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

--

Deputy Chief
Dylan Ritter
Reno Township Fire Department
12755 238th St, 66052
(913)-339-8973



COUNTY OF LEAVENWORTH

Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

October 24th, 2023

Tri-Hull DEV-23-136 – Public Works Review

The Public Works Department have reviewed the following documents:

- 2023.10.02 Application
- 2023.09.25 Aerial view of property
- 2023 Narrative of business
- 2023.10.19 Applicant Correspondence

Below are comments from the received documents listed above. Direct any questions to John Jacobson at jjacobson@leavenworthcounty.gov.

Public Works review is limited to public right-of-way only and the route along Loring Road between US-24/40 and the SUP Site (24838 Loring Road). Route is a gravel roadway.

Planning and Zoning Department has contacted KDOT regarding the SUP access from US-24/40 to Loring.

Route was reviewed for traffic and physical roadway impacts with no comments at this time.

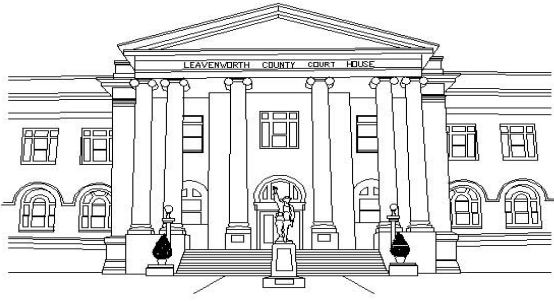
Public Works Review:

1. Route includes two (2) 24" corrugated metal pipes and a reinforcement box culvert (RCB). County provided available information on the existing RCB, which consisted of an inspection report. As-built plans are not available. Olsson conducted a site visit on the storm structures and found that the pipes are in good condition. The RCB is in fair condition under the driving surface and very poor condition at the wingwalls.

According to the applicant's website, they offer crane rentals which are in excess of legal loads. It is recommended a load rating signed by a Kansas Professional Engineer be completed on the corrugated metal pipe crossings and RCB.

Per the Traffic Impact Policy:

The Applicant shall inspect and complete a structural health assessment for the structures along the route. This assessment shall evaluate the condition and ability for all drainage structures under the public roadway to satisfactorily carry the anticipated truck loadings. The structures shall be defined as all bridges (including those with a length less than FHWA's 20-foot bridge length),



COUNTY OF LEAVENWORTH

Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

culverts, and storm pipes greater than 15 inches in diameter. The assessment shall include a photo log of each structure, condition assessment (utilize NBI ratings criteria, where applicable), tabulation of deficiencies, and recommendation for suitability to sustain the proposed traffic loadings. The assessment shall be signed and sealed by a professional engineer registered in the State of Kansas. The photo log shall include two structure end elevations, one photo looking in each direction along the roadway at the structure, one photo looking upstream, one photo looking downstream, and at least one photo through the opening of the structure.

DRAFT



County of Leavenworth
Planning & Zoning Department
300 Walnut, Suite 212
Leavenworth, Kansas 66048
Phone: 913-684-0465

October 25, 2023

To: Donna Hull
24838 Loring Road
Lawrence, KS 66044

Re: Special Use Permit
DEV-23-136

Ms. Hull,

Staff has reviewed the application and narrative for Tri Hull Crane Rental, which was submitted on October 2, 2023.

Upon review of your application, staff has the following comments:

1. The narrative indicates a change in traffic pattern to Loring Road. Please refer to the previously issued SUP (Resolution 2020-25) for associated restrictions.
2. Please be advised that staff will recommend all traffic be diverted to the 24/40 corridor.
3. Please be advised that in accordance with the Traffic Impact Policy, the applicant will be required to have a licensed Kansas Professional Engineer complete a Drainage Structure Assessment for all impacted structures on the haul route as a condition of approval.
4. The narrative does not indicate major changes to the original issued SUP. Please confirm that this is the intent.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at JJacobson@LeavenworthCounty.Gov

Respectfully,

John Jacobson
Director
Planning and Zoning
Leavenworth County



Kansas Department of Revenue
COMMERCIAL MOTOR VEHICLE OFFICE

PO BOX 12003
 Topeka, KS 66601
 Phone: (785) 296-6541
www.truckingks.org

Vehicle Checklist

Invoice Number : 554165
 Invoice Date : 02/20/2023

Account : 950476
 Fleet : 002

TRI-HULL CRANE RENTAL LLC
 24838 LORING RD
 LAWRENCE KS 66044

Supplement Number : 0
 Registration Year : 2023
 Number of Reg. Months : 12
 Number Power Units : 4
 Number Trailer Units : 6
 Effective Date : 01/01/2023
 Expiration Date : 12/31/2023
 Processor : KMCASDB

Supplement Type : RENEW FLEET

Quarterly Payment : NO
 Quarterly Amount : \$0.00
 Exchange Rate : 0.747400

UNIT #	VIN	AI	POW	LSA	PR	LPA	STA	HVUT	LR	BOS	STD	VI	ETSAM	REG	POE
0139	1XPFDU9X04D830139														
4	1T9SK4839E1008263														
3660	1L9GA72A0XL033660														
3	1W9FL48264E285457														
8276	1FDYY95X7JVA48276														
500	1T9E48408J1114126														
364	13ZGF2421Y1003364														
2	1FDYY90R8RVA12553														
7621	1HSZJJUR4GHA17621														
6598	5MAPA4521DC026598														
6588	5MAPA4529DC026588														
6204	1FUJ3WDB2XLB46204														

C: Collected

N: Not Required

O: Outstanding

S: System Collected

RESOLUTION 2023-32

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for Tri-Hull Crane Rentals LLC on the following described property:

A tract of land located in the Southeast Quarter of Section 11, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas more commonly known as 24838 Loring 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 October, 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 8th day of November, 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 29st day of November, 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 29th day of November, 2023, and incorporated herein by reference;

That Case No. DEV-23-136, Special Use Permit for Tri-Hull Crane Rentals LLC approved subject to the following conditions:

1. The SUP shall be compliant with LVCO BOCC Resolution 2020-25 and limited to a period of two (2) years and non-renewable.
2. The business shall be limited to the hours of 6:00 AM until 5:00 PM, Monday-Friday and 8:00 AM until 2:00 PM, Saturday.
3. The SUP shall be limited to six full-time employees.
4. The applicant shall pay for and supply to public works for review, prior to issuance of the SUP, a drainage structure assessment by a licensed Kansas engineer. The engineer's assessment and opinion of impacted structure on the specified haul route to resist imposed loading over the term of the 24-month term. The intent is to assess and maintain the structural integrity of the county roadway and structures for the duration of the SUP use.

5. All business-related traffic shall be directed west to 24/40 Highway.
6. Business-related traffic shall not be allowed to travel east along Loring Road.
7. The existing RV shall be removed or an affidavit stating it will not be lived in shall be signed and notarized.
8. The applicant shall adhere to the following memorandums:
 - a. Memo - Kyle Anderson - Planning and Zoning, October 04, 2023
 - b. Memo - Mitch Pleak, P.E. - Public Works, October 24, 2023
 - c. Memo - John Jacobson - Planning and Zoning October 25,2023
9. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
10. No on-street parking shall be allowed.
11. This SUP shall be limited to the Narrative dated October 2, 2023 submitted with this application.
12. 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.

located in the Southeast Quarter of Section 11, Township 12 South, Range 20 East of the 6th P.M.,
 Leavenworth County, Kansas **more commonly known as 24838 Loring Road**

Adopted this 29th day of November, 2023
 Board of County Commission
 Leavenworth, County, Kansas

 Vicky Kaaz, Chairperson

ATTEST

 Jeff Culbertson, Member

 Janet Klasinski

 Doug Smith, Member

Mike Smith, Member

Mike Stieben, Member

**Leavenworth County
Request for Board Action
Resolution 2023-33
Rezoning from RR-2.5 to RR-1(43)**

Date: November 29, 2023
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: John Jacobson, Reviewed

Additional Reviews as needed:

Budget Review Administrator Review Legal Review

Action Requested: Consider action on Resolution 2023-33, a request to rezone a tract of land at 17679 166th Street from RR-2.5 to RR-1(43).

Analysis: The applicant is requesting to rezone a single tract, PID 185-16-0-00-00-063.00. They are requesting a rezoning from Rural-Residential 2.5 to Residential 1(43).

The applicants are in the process of acquiring the property. Owner authorization from both the party selling the property and the party purchasing were submitted with the request. The applicants are requesting a rezoning from Rural-Residential 2.5 to Residential-1(43). The requested zoning matches existing parcels in the immediate neighborhood.

The Comprehensive Plan identifies the future land use of this area as *Mixed Residential*. Staff is generally supportive of the request for that reason.

This action was considered by the Planning Commission in October. The Planning Commission at that time had recommended denial. The action was remitted by the BOCC back to the Planning Commission for reconsideration.

While the Planning Commission continued to have concerns with character of the neighborhood. Specifically, the existing densities in the area and the potential impacts further similar development could generate, they recommended approval based on additional information provided by the applicant. Minutes of the meeting have been enclosed for your review.

Planning Commission Recommendation: The Planning Commission voted 7-2 to approve Case No. DEV-23-118 (Resolution 2023-33) Rezoning Request from RR-2.5 to RR-1(43).

BOCC Action Alternatives:

1. Approve Case DEV-23-118 (Resolution 2023-33) Rezoning Request from RR-2.5 to RR-1(43), with Findings of Fact; or
2. Deny Case DEV-23-118 (Resolution 2023-33) Rezoning Request from RR-2.5 to RR-1(43), with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2023-33, Rezoning Request from RR-2.5 to RR-1(43), with Findings of Fact; or

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Total Amount Requested:

\$0.00

Additional Attachments: Staff Report, Concept Plan, Planning Commission Minutes

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-23-118 MCGEE/PCDI Rezone

November 8, 2023

REQUEST: *Public Hearing Required*

- ZONING AMENDMENT SPECIAL USE PERMIT
 TEMPORARY SPECIAL USE PERMIT

STAFF REPRESENTATIVE:

JOHN JACOBSON
DIRECTOR

SUBJECT PROPERTY: 17679 166TH STREET



APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING COMPANY

PROPERTY OWNER:

WILMA K MCGEE
17679 166TH STREET
BASEHOR, KS 66007

CONCURRENT APPLICATIONS:

N/A

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:
MIXED RESIDENTIAL

LEGAL DESCRIPTION:

The North 908.37 feet of the Southeast ¼ of the Northeast ¼ of Section 16, Township 11 South, Range 22 East of the Sixth P.M. in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-23-118, Rezone for McGee/ PCDI, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-118, Rezone for McGee/ PCDI, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PROPERTY INFORMATION

PARCEL SIZE: 26.6 ACRES

PARCEL ID NO:
185-16-0-00-00-063.00

BUILDINGS:
SINGLE FAMILY RESIDENCE AND
ACCESSORY STRUCTURES

PROJECT SUMMARY:

Request to rezone one parcel at 17679 166th Street from RR-2.5 to RR-1 (43).

ACCESS/STREET:

166TH STREET - COUNTY COLLECTOR,
PAVED, ±24' WIDE

Location Map:



UTILITIES

SEWER: SEPTIC

FIRE: FAIRMOUNT

WATER: SUBURBAN WATER

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 9/27/2023
NEWSPAPER NOTIFICATION:
10/17/2023

NOTICE TO SURROUNDING
PROPERTY OWNERS:
8/22/2023

FACTORS TO BE CONSIDERED:		
<i>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Rezone request:</i>	Met	Not Met
<p>1. Character of the Neighborhood: <i>Density:</i> Surrounding parcels range in size from 1 acre to more than 150 acres. The area is not densely populated.</p> <p><i>Nearby City Limits:</i> Tonganoxie is more than 0.3 miles to the northeast.</p> <p><i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.</p>	✓	
<p>2. Zoning and uses of nearby property: <i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature.</p> <p><i>Adjacent Zoning:</i> All adjacent properties are zoned RR-2.5. The closest RR-1 (43) zoning district area is 670 ft to the west.</p>	✓	
<p>3. Suitability of the Property for the uses to which is has been restricted: The property is suitable for rural residences and agricultural uses.</p>	✓	
<p>4. Extent to which removal of the restrictions will detrimentally affect nearby property: <i>The property is adjacent to a rural subdivision that matches the densities that are proposed in this rezoning request. Current county regulations allow for septic systems to be installed on lots 1 acre or greater so based on current county regulations, the proposed rezone should not detrimentally affect surrounding properties. Furthermore, if development were to occur, the proposed addition would exit onto a County Collector that should support additional traffic.</i></p>	✓	
<p>5. Length of time the property has been vacant as zoned: <i>Vacant:</i> <input checked="" type="checkbox"/> <i>Not Vacant: Existing House</i></p>	✓	
<p>6. Relative gain to economic development, public health, safety and welfare: <i>The rezoning does not impact economic development, public health, safety or welfare. In the event the parcel was to be developed as a rural subdivision, twice as many homes could potentially be constructed which may have a positive impact on economic development. As stated previously, current county regulations allow for septic systems on properties that are one acre or greater. Consideration of the impact on public health for lots of this size has already been decided.</i></p>	✓	
<p>7. Conformance to the Comprehensive Plan: <i>Future Land Use Map: Mixed Residential</i> <i>Section 4 Land Use and Development Plan Strategies: Mixed Residential is identified as a mixture of high density single-family and multi-family residential.</i> <i>There are currently no sanitary sewer systems within 660' of the property and no plans to extend sanitary sewer to this site. R-1 (43) is the highest density residential that can be developed on this property currently.</i></p>	✓	

STAFF COMMENTS:

This action was previously recommended denial at the September 13, 2023 Planning Commission meeting. Per statute, the petition was then forwarded to the BOCC for consideration. That body returned it to the Planning Commission for reconsideration on October 4, 2023.

The applicant has included additional information in the form of a conceptual plan to better determine the layout of adjoining lots and address concerns expressed at the previous Planning Commission meeting.

The applicants are in the process of acquiring the property. Owner authorization from both the party selling the property and the party purchasing, has been submitted with this request. The applicants are requesting a rezoning from Rural-Residential 2.5 to Residential - 1 (43).

The Comprehensive Plan identifies the future land use of this area as *Mixed Residential*. Staff is generally supportive of the request due to the current county regulations surrounding development of sanitary sewer systems at the highest density permitted and compliance with the future land use plan.

ATTACHMENTS:

A: Application & Narrative

B: Zoning Map

C: Memorandums

D: Neighbor Comments

E: Conceptual Map

REZONING APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465


Office Use Only	
Township: _____	Date Received: _____
Planning Commission Date _____	
Case No. _____	Date Paid _____
Zoning District _____	Comprehensive Plan Land Use Designation _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Joe Herring</u>	NAME <u>PCDI Homes / Gerald St.Peter</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>17679 166th Street</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Basehor, KS 66007</u>
PHONE <u>913-651-3858</u>	PHONE <u>N/A</u>
EMAIL <u>herringsurveying@outlook.com</u>	EMAIL <u>N/A</u>
CONTACT PERSON <u>Joe</u>	CONTACT PERSON <u>Joe</u>

PROPOSED USE INFORMATION	
Proposed Land Use <u>Rural Residential</u>	
Current Zoning <u>RR-2.5</u>	Requested Zoning <u>R1-43</u>
Reason for Requesting Rezoning <u>To match adjacent property to the West - a continuation of Lee Chile's Addition along with extension of platted (not constructed) Orchard Road.</u>	

PROPERTY INFORMATION
Address of Property <u>17679 166th Street</u>
Parcel Size <u>26.6 Acres</u>
Current use of the property <u>AG & Rural Residential</u>
Present Improvements or structures <u>House with barn/shop</u>
PID <u>185-16-0-00-00-063</u>

I, the undersigned am the *(owner)*, *(duly authorized agent)*, *(Circle One)* of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for rezoning as indicated above.

Signature Joe Herring - digitally signed 8-16-23 Date 8/16/23
 8-16-2023

ATTACHMENT A

REZONING APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465


Office Use Only	
Township: _____	Date Received: _____
Planning Commission Date _____	
Case No. _____	Date Paid _____
Zoning District _____	Comprehensive Plan Land Use Designation _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Joe Herring</u>	NAME <u>Vicky Needham, Executor - Wilma K. McGee Estate</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>17679 166th Street</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Basehor, KS 66007</u>
PHONE <u>913-651-3858</u>	PHONE <u>N/A</u>
EMAIL <u>herringsurveying@outlook.com</u>	EMAIL <u>N/A</u>
CONTACT PERSON <u>Joe</u>	CONTACT PERSON <u>Joe</u>

PROPOSED USE INFORMATION	
Proposed Land Use <u>Rural Residential</u>	
Current Zoning <u>RR-2.5</u>	Requested Zoning <u>R1-43</u>
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Signature Joe Herring - digitally signed 8-16-23 Date 8/16/23
 8-16-2023

ATTACHMENT A

ELECTRONICALLY FILED
2022 Feb 10 PM 12:53
CLERK OF THE LEAVENWORTH COUNTY DISTRICT COURT
CASE NUMBER: 2022-PR-000014



Court: Leavenworth County District Court
Case Number: 2022-PR-000014
Case Title: In the Matter of the Estate of Wilma Kay McGee
Type: LETTERS TESTAMENTARY ISSUED UNDER THE KANSAS
SIMPLIFIED ESTATES ACT

SO ORDERED.

/s/Joan Lowdon, District Judge

Electronically signed on 2022-02-10 12:53:04 page 1 of 2



STATE OF KANSAS }
LEAVENWORTH COUNTY } 00

I hereby certify that the foregoing is a true copy of the record on file in this court and cause.

Linda Gale, Deputy Clerk

Dated 2/10/22

IN THE DISTRICT COURT OF LEAVENWORTH COUNTY, KANSAS
PROBATE DEPARTMENT

IN THE MATTER OF THE ESTATE OF)
) Case No. 2022-PR-00014
WILMA KAY MCGEE, Deceased.)
(Petition Pursuant to K.S.A. Chapter 59))

**LETTERS TESTAMENTARY ISSUED UNDER
THE KANSAS SIMPLIFIED ESTATES ACT**

Vicky Needham a resident of Johnson County, Kansas, named as Executor of the "Last Will and Testament of Wilma Kay McGee," deceased, having been appointed and qualified as Executor, is granted Letters Testamentary issued under the Kansas Simplified Estates Act with full power and authority as provided by law and the Last Will and Testament.

IN WITNESS, I, the undersigned Judge of the above-entitled Court, have signed my name and affixed the official seal of this Court at Johnson County, Kansas.

/s/ Kristen Shelley-Chapin
Kristen Shelley-Chapin, KS #20443
11212 Johnson Drive
Shawnee KS 66203
(913) 385-0600
kristen@estatelawks.com
Attorney for Petitioner

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I Gerald St. Peter / Precision Contractor & Development and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 17679 166th St. Basehor KS 66007, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5th Street, Leavenworth, KS 66048, 913-651-3858

2)

Signed and entered this 17th day of August, 2023.

Gerald St. Peter / Precision Contractor & Development 15395 Briar Rd Suite A
Print Name, Address, Telephone 913-908-3166 Basehor KS 66007

[Handwritten Signature]

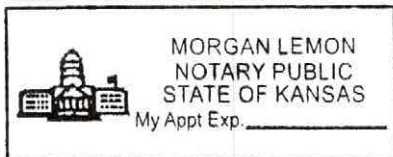
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this 17 day of August 2023 before me, a notary public in and for said County and State came Gerald St. Peter to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC Mary Ann Lemon

My Commission Expires: 2/23/27 (seal)



OWNER AUTHORIZATION

I/WE Vicky Needham, Executor, Wilma K. M. Gee Estate, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 14th day of August, 2023, make the following statements, to wit:

- 1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property

See Exhibit A attached hereto and incorporated herein by reference.
- 2. I/We the undersigned, have previously authorized and hereby authorize PCDI HOMES/GERALD ST. PETER (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, 17679 166TH STREET, BASEHOR, KANSAS (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
- 3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
- 4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Vicky Needham, Executor
Owner Wilma Kay M. Gee Estate Owner

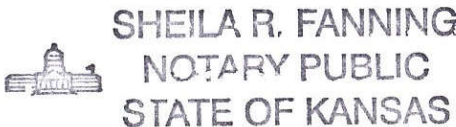
STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 14th day of August, 2023

by Vicky Needham

My Commission Expires: 5/13/27

Sheila R. Fanning
Notary Public



Kansas Warranty Deed

JOINT TENANCY

This Indenture Made this 7th day of March A. D., One Thousand

Nine Hundred Eighty-six by and between

WILLARD DEAN BROOKS AND JAUQUELINE J. BROOKS, HUSBAND AND WIFE

of Leavenworth County, in the State of Kansas of the first part, and

ROBERT M. MCGEE AND WILMA K. MCGEE, HUSBAND AND WIFE

of County, in the State of Kansas of the second part,

WITNESSETH: THAT SAID PART IES OF THE FIRST PART, in consideration of the sum

of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS -----DOLLARS,

the receipt of which is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey unto

the said parties of the second part, and the survivor of them, as joint tenants, and not as tenants in common, all

the following described real estate, situated in the County of Leavenworth

and State of Kansas, to-wit:

A tract of land in the Southeast ¼ of the Northeast ¼ of Section 16, Township 11 South, Range 22 East of the Sixth P.M., more fully described as follows: Beginning at a point 1926.82 feet South from the Northeast corner of the said Northeast ¼; thence South 302.79 feet along the East line of said Southeast ¼; thence West 1318.16 feet to the West line of said Southeast ¼; thence North 302.79 feet along said West line; thence East 1318.35 feet to the point of beginning, less that part used for public road, in Leavenworth County, Kansas.

Subject to the restrictions, reservations, easements, and covenants, if any, of record.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, forever. And said grantors

for their heirs, executors or administrators, do hereby covenant, promise and agree to and with said parties of the second part, that at the delivery of these presents they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances, of what nature or kind soever: Except as hereinbefore stated, and except for the lien of taxes, both general and special, not now due and payable.

and that said grantors will warrant and forever defend the same unto the said parties of the second part, their assigns, and the heirs and assigns of the survivor of them, against said part ies of the first part, their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their hands the day and year first above written.

Willard Dean Brooks
WILLARD DEAN BROOKS
Jacqueline J. Brooks
JACQUELINE J. BROOKS

KANSAS ACKNOWLEDGEMENT

STATE OF KANSAS
County of Wyandotte } ss.

BE IT REMEMBERED, That on this Seventh day of March A.D., 19 86
before me, the undersigned, a Notary Public in and for said County and State, came Willard Dean Brooks and
Jacqueline J. Brooks, Husband and Wife
who are personally known to me to be the same person S who executed the within instrument of writing, and
duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last
above written.

Mary L. Nemeth
Mary L. Nemeth

My appointment expires November 13 1988

MARY L. NEMETH
NOTARY PUBLIC
STATE OF KANSAS
My Appointment Expires 11/13/88

KANSAS ACKNOWLEDGEMENT

STATE OF _____ } ss.
County of _____

BE IT REMEMBERED, That on this _____ day of _____ A.D., 19____
before me, the undersigned, a Notary Public in and for said County and State, came _____
who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and
duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last
above written.

My appointment expires _____ 19____

Warranty Deed

FROM _____

TO _____

Entered in Transfer Record in my office this 17 day of March 1986
Transferred by J. K. Labadie
County Clerk

STATE OF KANSAS, } ss.
County, _____

Received for Record on the _____ day of _____ 19____, at _____ o'clock
M., and duly Recorded in Book _____ of _____ at Page _____

Fee, \$ _____

Register of Deeds.

Justly NBL
966 Central
KCK

STATE OF KANSAS } ss.
COUNTY OF LEAVENWORTH }
FILED FOR RECORD

1986 MAR 17 P 3:08 8
Dora I. Parmer
DORA I. PARMER
REGISTER OF DEEDS
Sydney Dennis DEP.

GUARANTEE LAND TITLE OF LEAVENWORTH, INC.
P. O. BOX 166 - 400 DELAWARE
LEAVENWORTH, KANSAS 66048

Kansas Warranty Deed

JOINT TENANCY

This Indenture Made this 13th day of March A. D., One Thousand
Nine Hundred Eighty-six by and between

WILLARD DEAN BROOKS AND JACQUELINE J. BROOKS, HUSBAND AND WIFE

of Leavenworth County, in the State of Kansas of the first part, and

ROBERT M. MCGEE AND WILMA K. MCGEE, HUSBAND AND WIFE

of Wyandotte County, in the State of Kansas of the second part,

WITNESSETH: THAT SAID PARTIES OF THE FIRST PART, in consideration of the sum
of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS-----DOLLARS,

the receipt of which is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey unto
the said parties of the second part, and the survivor of them, as joint tenants, and not as tenants in common, all
the following described real estate, situated in the County of Leavenworth

and State of Kansas, to-wit:

The North 908.37 feet of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 16,
Township 11 South, Range 22 East of the Sixth P.M., LESS THE FOLLOWING DE-
SCRIBED TRACT:

Beginning at a point 1926.82 feet South from the Northeast corner of the
said Northeast $\frac{1}{4}$; thence South 302.79 feet along the East line of said South-
east $\frac{1}{4}$; thence West 1318.16 feet to the West line of said Southeast $\frac{1}{4}$; thence
North 302.79 feet along said West line; thence East 1318.35 feet to the point
of beginning, ALSO LESS THAT PART USED FOR PUBLIC ROAD, in Leavenworth County,
Kansas.

Subject to the restrictions, reservations, easements, and covenants, if any,
of record.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in any wise appertaining, forever. And said grantors

for their
heirs, executors or administrators, do hereby covenant, promise and agree to and with said parties of the
second part, that at the delivery of these presents they are lawfully seized
in their own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all
and singular the above granted and described premises, with the appurtenances, that the same are free, clear,
discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes,
assessments and incumbrances, of what nature or kind soever: Except as hereinbefore stated, and
except for the lien of taxes, both general and special, not now due and payable.

and that said grantors will warrant and forever defend the same unto the said parties of the second
part, their assigns, and the heirs and assigns of the survivor of them, against said parties of the first
part, their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim
the same.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands
the day and year first above written.

Willard Dean Brooks
Willard Dean Brooks
Jacqueline J. Brooks
Jacqueline J. Brooks

KANSAS ACKNOWLEDGEMENT

STATE OF KANSAS
County of Wyandotte } ss.

BE IT REMEMBERED, That on this 13th day of March A.D. 19 86
before me, the undersigned, a Notary Public in and for said County and State, came Willard Dean Brooks and
Jacqueline J. Brooks, Husband and Wife
who are personally known to me to be the same person S who executed the within instrument of writing, and
duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last
above written.

Mary L. Nemeth
Mary L. Nemeth

My appointment expires November 13 19 88

MARY L. NEMETH
NOTARY PUBLIC
STATE OF KANSAS

My Appointment Expires 11/13/88

KANSAS ACKNOWLEDGEMENT

STATE OF _____ } ss.
County of _____

BE IT REMEMBERED, That on this _____ day of _____ A.D., 19____
before me, the undersigned, a Notary Public in and for said County and State, came _____
who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and
duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last
above written.

My appointment expires _____ 19____

FA 309 A1

Warranty Deed

FROM

TO

Entered in Transfer Record in my
office this 27 Oct 1988
day of Oct 1988

Larry G. Schellhaas
L. G. Schellhaas
County Clerk

STATE OF KANSAS, } ss.
County, }

Received for Record on the _____
day of _____ 19____, at _____ o'clock
M., and duly Recorded in Book _____
of _____ at Page _____

Register of Deeds.

Fee, \$ _____

Return of Deed:

McDer 602
th. 2 Box 134
Brown Springs, KS.
46012

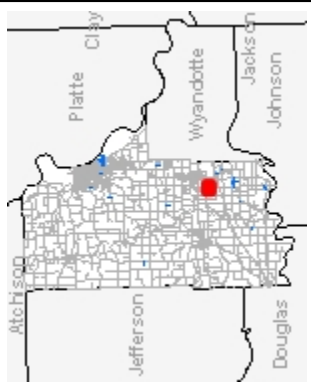
STATE OF KANSAS } ss.
COUNTY OF LEAVENWORTH }
FILED FOR RECORD

1988 OCT 27 P 1:05 85

Dora I. Farmer
DORA I. FARMER
REGISTER OF DEEDS

DEF.

DEV-23-118 McGee/PCDI Rezone



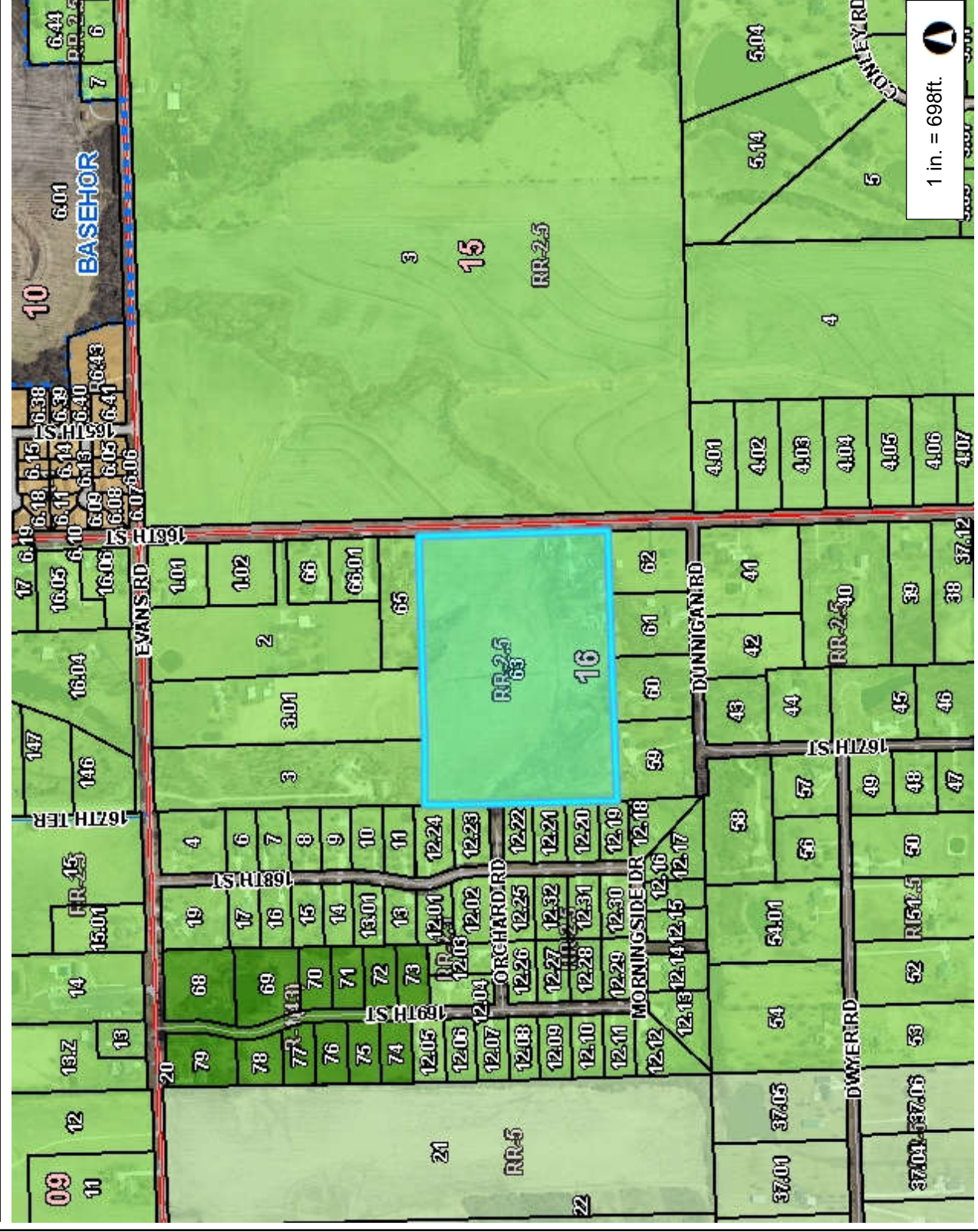
Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- <all other values>
- PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary

Zoning

- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3

Notes



1 in. = 698ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Allison, Amy

From: McAfee, Joe
Sent: Thursday, August 17, 2023 4:36 PM
To: Allison, Amy
Subject: RE: RE: DEV-22-118 Rezoning– McGee/PCDI

Amy:
No comment from PW. Thanks.

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Sent: Thursday, August 17, 2023 3:51 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; 'DesignGroupShawnee@evergy.com' <DesignGroupShawnee@evergy.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-22-118 Rezoning– McGee/PCDI

Good Afternoon,

The Department of Planning and Zoning has received an application for a Rezoning from RR-2.5 to R-1 (43) for property located at 17679 166th Street.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, August 30, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at Aallison@LeavenworthCounty.Gov

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

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Allison, Amy

From: Anderson, Kyle
Sent: Friday, August 18, 2023 10:00 AM
To: Allison, Amy
Subject: RE: RE: DEV-22-118 Rezoning– McGee/PCDI

The prior owners may have been operating a business without an SUP. The property has sold to new owners so possible business is no longer operating on the property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

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Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

Allison, Amy

From: Kyle Burkhardt <Kyle.Burkhardt@evergy.com>
Sent: Friday, August 18, 2023 8:04 AM
To: Allison, Amy; Magaha, Chuck; Anderson, Kyle; Miller, Jamie; Patzwald, Joshua; Brown, Misty; 'Mitch Pleak'; Noll, Bill; McAfee, Joe; 'lingenfelserm@fairmountfd.org'; 'Travis@suburbanwaterinc.com'; Design Group Shawnee
Cc: PZ
Subject: RE: DEV-22-118 Rezoning– McGee/PCDI

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Internal Use Only

Evergy has no issues with the following request. Would just like to see adequate utility easements.

Thank you

Kyle Burkhardt

Evergy
TD Designer II
785-508-2408
Kyle.Burkhardt@evergy.com



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Cc: PZ <PZ@leavenworthcounty.gov>
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Report Suspicious

Good Afternoon,

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, August 30, 2023.

Allison, Amy

From: Barb Fehrenbach <barbf47@aol.com>
Sent: Monday, August 28, 2023 4:46 PM
To: Allison, Amy
Subject: Fw: McGee Property on 166th St

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

This is the email that I sent to our county commissioner in regards to the letter you sent on the McGee Property. If I need to send this in letter form please let me know otherwise please know that we are against this rezoning request.

----- Forwarded Message -----

From: Barb Fehrenbach <barbf47@aol.com>
To: //dsmith@leavenworthcounty.gov <//dsmith@leavenworthcounty.gov>
Sent: Monday, August 28, 2023 at 03:26:19 PM CDT
Subject: McGee Property on 166th St

My husband and I live 2 doors to the south of the McGee property which was recently purchased by PCDI. We would like for it to be known that we are not in favor of the county changing the zoning requirements for this property to R-1. We also question why it is currently RR-2.5 instead of Agriculture but that's irreverent at this time.

Reasons for our request to not approve the change:

- 1) Additional traffic - the traffic is already very heavy on this portion of 166th especially since the upgrade of 158th. During that upgrade 166th was the detour route and the additional traffic has never reduced. The speeding, racing and so on is ridiculous, unsafe and there is no control. This has a lot to do with all the wrecks at Evans and 166th intersection. We have addressed this with the Sheriff's office before. There's really no where for them to sit and observe on this road.
- 2) Sewers are not available in this area and septic systems on 1.3 acre lots do not work. There are many cases of lots in this area not perking during normal years. Being in a drought now will probably change that but only for short term. Also the homes in the Childs Addition have had problems with their septic systems in the past.
- 3) Most of the people who live in this area moved here to have a little bit of land and not be in a subdivision with close neighbors. The county has changed/reduced the required lot size several times over the years. There should be a limit to granting these variances. Sub-divisions belong in the city and living in the country should be different. The city provides all sorts of amenities that we do not have in the country and most of us gave them up to live in the country.
- 4) Leavenworth County is known for granting variances to the lot size requirement depending on what your name is (three names in particular come to mind). Why can't our county commissioners and Planning Board govern consistently with the same rules applying to all. I could give several examples here but I won't.
- 5) All the county cares about is the additional tax revenue. They won't deal with any of the issues of traffic, leaking septic systems etc. What benefits will we see from the county with this additional tax revenues? Other than the roads that's it and the road to north side of our property we and our neighbors had to pay for ourselves to have it improved and blacktop. When we first moved out here the county did mow the weeds along the road not so much anymore.

We originally moved from Wyandotte County to Basehor for lower taxes and better schools for our sons. We then moved from Basehor city limits to the country to have some land and room for our

sons to roam and grow up on. Our taxes have more than tripled over the years and our peace and quiet of living in the country has gone.

Please vote NO to granting this variance.

Thank you,
Orlie and Barbara Fehrenbach
17473 166th St
Basehor, KS

PS: There is more than 200 acres in Basehor right in town by BIS that can be developed. Let them build sub-divisions there.

SEP 06 2023

Sept. 6, 2023

Leavenworth County Planning Commission
Application (DEV-23-118) for rezoning request.
Public hearing held 13th day of Sept., 2023

I am writing in opposition to the rezoning request from RR-2.5 zoning district to R-1(43) zoning district on the property at 17679 166 St. Basehor, Ks, The Wilma K McLee Estate and PC01.

Growth comes, but changing the zoning district to R-1 would not be fair to current land owners who met county regulations when they purchased their land, looking for a little bit more space and country. Leaving the zoning district at RR-2.5 would enhance the area.

The intersection at 166 St and Evans Rd is dangerous now. Basehor-Linwood School District is looking at bond issues now for schools, is this a consideration?

RR-2.5 zoning district should remain in south Basehor for more appeal to future land owners who desire more space. Keeping in mind, the zoning change to R-1 will only help the developer, who will not be residing there.

Moody Family Wealth Trust
Audrey M. Moody
15012 Parallel Rd.
Basehor, Ks. 66007-3011

Leavenworth Times Affidavit of Publication

County of Leavenworth
State of Kansas
NOTICE OF PUBLIC HEARING

Notice is hereby given for the Leavenworth County Planning Commission to hold a public hearing regarding an application (DEV-23-118) for a rezoning request from RR-2.5 zoning district to R-1 (43) zoning district on the following described property: The North 908.37 feet of the Southeast ¼ of the Northeast ¼ of Section 16, Township 11 South, Range 22 East of the Sixth P.M. in Leavenworth County, Kansas.

Request submitted by Herring Surveying on behalf of the Wilma K McGee Estate and PCDI

Address: 17679 166th Street, Basehor KS 66007
Parcel ID number: 185-16-0-00-00-063.00

The hearing will be held on Wednesday the 13th day of September, 2023 at 5:30 p.m. in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.

We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, Sept. 12, 2023.

John Jacobson, Secretary
Leavenworth County Planning Commission Publish by 8/23/2023

Published in the Leavenworth Times, August 22, 2023.

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 22nd day of August, 2023.

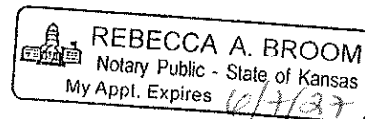
WITNESS my hand this 22nd day of August, 2023.

Tammy Lawson
Legal Representative

Subscribe and sworn before me, this 22 day of Aug, 2023.

Rebecca A. Broom
Notary Public

My Commission Expires: 6/7/27



Allison, Amy

From: Kyle Burkhardt <Kyle.Burkhardt@evergy.com>
Sent: Friday, August 18, 2023 8:04 AM
To: Allison, Amy; Magaha, Chuck; Anderson, Kyle; Miller, Jamie; Patzwald, Joshua; Brown, Misty; 'Mitch Pleak'; Noll, Bill; McAfee, Joe; 'lingenfelserm@fairmountfd.org'; 'Travis@suburbanwaterinc.com'; Design Group Shawnee
Cc: PZ
Subject: RE: DEV-22-118 Rezoning– McGee/PCDI

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Thank you

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Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

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Environmental Technician/Code Enforcement
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THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY



J. Herring, Inc. (dba)
HERRING
SURVEYING
COMPANY

315 North 8th Street, Leav., KS 66048
 Ph: 913.651.3858 Fax 913.674.5361
 Email: - survey@creamcash.com

RESOLUTION 2023-33

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from Rural Residential 2.5 to One Family Dwelling District R-1(43) on the following described property:

A tract of land being the North 908.37 feet of the Southeast ¼ of the Northeast ¼ of Section 16, Township 11 South, Range 22 East of the sixth P.M., in Leavenworth County, Kansas more commonly known as 17679 166th Street.

WHEREAS, it is hereby found and determined that a request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 17th day of August, 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 Rezoning on the 8th day of November, 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 Rezoning be approved; and

WHEREAS, the Board of County Commissioners considered, in session on the 29th day of November, 2023, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners 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 Commissioners in regular session on the 29th day of November, 2023, and incorporated herein by reference;

That request for rezoning for Case DEV-23-118, as described above, also known as 17679 166th Street, Parcel Identification Number 185-16-0-00-00-063.00, is hereby granted.

Adopted this 29th day of November, 2023
Board of County Commission
Leavenworth, County, Kansas

Vicky Kaaz, Chairperson

ATTEST

Jeff Culbertson, Member

Janet Klasinski

Doug Smith, Member

Mike Smith, Member

Mike Stieben, Member

**Leavenworth County
Request for Board Action
Resolution 2023- 34
Rezoning from RR-2.5 to RR-1(43)**

Date: November 29, 2023
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: John Jacobson, Reviewed

Additional Reviews as needed:

Budget Review Administrator Review Legal Review

Action Requested: Consider action on Resolution 2023-34, a request to rezone a 153 acre tract of land located at 16271 Evans Road from RR-2.5 to RR-1(43).

Analysis: The applicant is requesting to rezone a single tract, PID 185-15-0-00-00-003.00. They are requesting a rezoning from Rural-Residential 2.5 to Residential 1(43).

The applicants are in the process of acquiring the property. Owner authorization from both the party selling the property and the party purchasing were submitted with the request. The applicants are requesting a rezoning from Rural-Residential 2.5 to Residential-1(43). The requested zoning matches existing parcels in the immediate neighborhood.

The Comprehensive Plan identifies the future land use of this area as *Mixed Residential*. Staff is generally supportive of the request for that reason.

The Planning Commission held a public hearing on November 8th 2023. A valid protest petition was filed with the office of Planning and Zoning on November 20, 2023.

The several planning commissioners had concerns with character of the neighborhood. Specifically, the existing densities in the area and the potential impacts further similar development could generate.

Planning Commission Recommendation: The Planning Commission voted 6-2 (1 abstention) to approve Case No. DEV-23-137 (Resolution 2023-34) Rezoning Request from RR-2.5 to RR-1(43).

Protest Petition: A valid protest petition has been filed with the office of Planning and Zoning for this action. A valid protest requires a ¾ vote in the affirmative of the elected body to be approved.

BOCC Action Alternatives:

1. Approve Case DEV-23-137 (Resolution 2023-34) Rezoning Request from RR-2.5 to R-1(43), with at least 4 commissioners voting in the affirmative with Findings of Fact; or
2. Deny Case DEV-23-137 (Resolution 2023-34) Rezoning Request from RR-2.5 to R-1(43), with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2023-34, Rezoning Request from RR-2.5 to RR-1(43), with Findings of Fact; or

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Total Amount Requested:

\$0.00

Additional Attachments: Staff Report, Concept Plan, Planning Commission Minutes

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-23-137 Murphy/Reilly Rezone

November 8, 2023

REQUEST: *Public Hearing Required*

- ZONING AMENDMENT SPECIAL USE PERMIT
 TEMPORARY SPECIAL USE PERMIT

STAFF REPRESENTATIVE:

John Jacobson
DIRECTOR

SUBJECT PROPERTY: 16271 Evans Road, Basehor, Kansas



APPLICANT/APPLICANT AGENT:

Agent: Reilly Dev. LLC
608 Delaware
Leavenworth, Kansas 66048

PROPERTY OWNER:

Daniel C and Blanche T Murphy Trust
2439 E. Leach Ave.
De Moines IA 50320

CONCURRENT APPLICATIONS:

N/A

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:
MIXED RESIDENTIAL (Highest Allowable Density)

SUBDIVISION: N/A

FLOODPLAIN: N/A

LEGAL DESCRIPTION:

The Northwest ¼ of Section 15, Township 11, South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas.

STAFF RECOMMENDATION: APPROVAL

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-23-137, Rezone for Reilly Dev. LLC to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-137, Rezone for Reilly Dev. LLC, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PROPERTY INFORMATION

PARCEL SIZE: +- 153.90 ACRES

PARCEL ID NO:
185-15-0-00-003.00

BUILDINGS:
SFR and accessory outbuildings

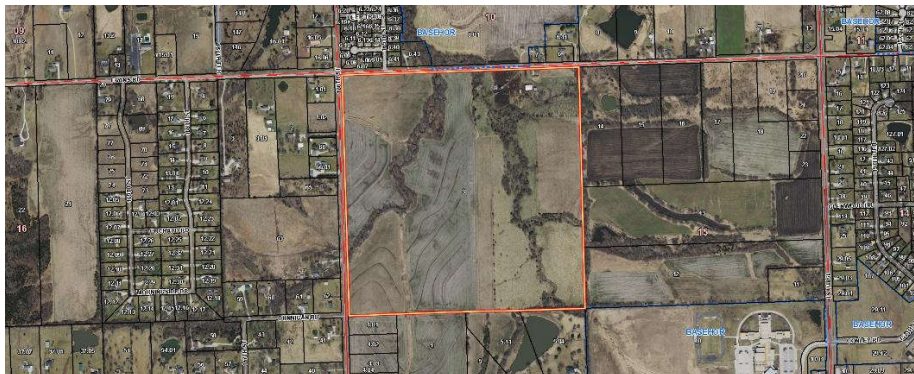
PROJECT SUMMARY:

Request to rezone one parcel at 16271 Evans Road (PID:185-15-0-00-003.00) from RR 2.5 to R-1(43).

ACCESS/STREET:

Evans Road, Collector,
Paved, ±24' WIDE

Location Map:



UTILITIES

SEWER: SEPTIC

FIRE: FAIRMOUNT DISTRICT

WATER: SUBURBAN WATER

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 10/16/2023

NEWSPAPER NOTIFICATION:
10/17/2023

NOTICE TO SURROUNDING
PROPERTY OWNERS:
10/18/2023

FACTORS TO BE CONSIDERED:		
<i>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Rezone request:</i>	Met	Not Met
<p>1. Character of the Neighborhood: <i>Density:</i> Surrounding parcels range in size from .5 acres to more than 35 acres. The area has a mix of suburban and rural land uses.</p> <p><i>Nearby City Limits:</i> Basehor has a partial contiguous boundary on the north and southeast corners of this parcel.</p> <p><i>Initial Growth Management Area:</i> This parcel <u>is located</u> within Basehor's Initial Growth Area.</p>	✓	
<p>2. Zoning and uses of nearby property: <i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature. There are <u>several proximity subdivisions that either meet or exceed proposed densities.</u></p> <p><i>Adjacent Zoning:</i> All adjacent properties are zoned are RR-2.5</p>	✓	
<p>3. Suitability of the Property for the uses to which is has been restricted: The property is suitable for rural residences.</p>	✓	
<p>4. Extent to which removal of the restrictions will detrimentally affect nearby property: <i>Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains residential and is in line with adjoining densities.</i></p>	✓	
<p>5. Length of time the property has been vacant as zoned: <i>Vacant:</i> <input checked="" type="checkbox"/> <i>Not Vacant:</i></p>	✓	
<p>6. Relative gain to economic development, public health, safety and welfare: The rezoning does not impact economic development, public health, safety or welfare. In the event the parcel is developed as a rural subdivision, twice as many homes could potentially be constructed which may have a positive impact on economic development.</p>	✓	
<p>7. Conformance to the Comprehensive Plan: <i>Future Land Use Map: Mixed Residential (highest Allowable Density)</i> <i>Section 4 Land Use and Development Plan Strategies: The proposed use is compatible with the future land use designation.</i></p>	✓	

STAFF COMMENTS:

The applicants are requesting a rezoning from Rural-Residential 2.5 to Residential 1(43). The Comprehensive Plan identifies the future land use of this area as Mixed Use Residential. This designation allows single family homes as well as townhome and multi-family densities.

This parcel is clearly within the Initial Growth Area for the City of Basehor. Basehor has expressed concern that this development would impact the community's logical growth path to the west. While it is logical that some form of impediment is likely should the parcel develop, the degree of impact is harder to assess.

For example, there are several proximity subdivisions that meet or exceed the projects proposed densities that are not currently served by public sewer. An issue here is the location of available city sanitary sewer that is approximately 1 mile from this proposed location.

Basehor`s concerns and corresponding review of Dev-23-137 is attached for your review.

While staff has carefully considered the petition and understands the request that does not conform to the corresponding IGA community`s utility request, staff recommends approval for the following reasons:

1. The requested use is the least dense of its future land use designation and is compliant with the Future Land Use Plan.
2. The nearest city receiving sewer is located a mile to the Northeast, therefore making extension of sanitary sewer unlikely at this time.
3. There are similar and higher density uses established in the existing development corridor.
4. The developer and the City of Basehor can at both party`s discretion and as a preliminary action to platting, logically plan corresponding utility layouts that promote a logical and less intrusive improvement /construction and potentially, future annexation process when public sanitary sewer becomes available to the site at a later date.

ATTACHMENTS:

A: Application & Narrative

B: Zoning Map

C: Memorandums

D: Conceptual Plan

Fairmount
Energy Suburban
458 RR 2.5
185-15 003.00

REZONING APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

OCT 02 2023

Office Use Only	
Township: <u>Fairmount</u>	Date Received: <u>10.02.2023</u>
Planning Commission Date	
Case No. <u>DEV-23-</u>	Date Paid <u>10.02.2023</u>
Zoning District <u>RR 2.5</u>	Comprehensive Plan Land Use Designation

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Reilly Development, LLC</u>	NAME <u>Daniel C Murphy Trust and Blanche T Murphy Trust</u>
ADDRESS <u>608 Delaware</u>	ADDRESS <u>2439 E Leach Ave</u>
CITY/ST/ZIP <u>Leavenworth KS 66048</u>	CITY/ST/ZIP <u>Des Moines IA 50320</u>
PHONE <u>913-683-0233</u>	PHONE <u>515-306-3840</u>
EMAIL <u>mreilly@reillyrealestate</u>	EMAIL <u>danlindan@aol.com</u>
CONTACT PERSON <u>Mike Reilly</u>	CONTACT PERSON <u>Daniel Murphy, Jr</u>

PROPOSED USE INFORMATION	
Proposed Land Use <u>Residential</u>	
Current Zoning <u>RR 2.5</u>	Requested Zoning <u>R-1</u>
Reason for Requesting Rezoning <u>Better land use for development</u>	

PROPERTY INFORMATION
Address of Property <u>16271 Ewans Road, Basehor, KS 66007</u>
Parcel Size <u>153.90 acres</u>
Current use of the property <u>Residential - Ag</u>
Present Improvements or structures <u>House + outbuildings</u>
PID <u>1851500000003000</u>

I, the undersigned am the (owner), (~~duly authorized agent~~), (Circle One) of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for rezoning as indicated above.

Signature [Signature] Date 9-22-23

ATTACHMENT A

After recording return documents to:

FIRST AMERICAN TITLE CO.
400 Delaware
Leavenworth, KS 66048

File # 982932



* 2 0 0 8 R 0 4 7 1 1 2 *

Doc #: 2008R04711

STACY R. DRISCOLL/REGISTER OF DEEDS
LEAVENWORTH COUNTY

RECORDED ON

05/08/2008 12:44PM

RECORDING FEE: 12.00

INDEBTEDNESS: 0.00

PAGES: 2

Entered in the transfer record in my office this

8th day of May, 2008
Linda A Scheeh by D.C.
County Clerk

file 982932
Ex 7

KANSAS WARRANTY DEED

Grantor(s): **Daniel C. Murphy and Blanche T. Murphy, husband and wife**

Grantee(s): Revocable Trust of Daniel Charles Murphy, with 50% interest dated May 16, 2006 and Revocable Trust of Blanche Teresa Murphy, with 50% interest dated May 16, 2006

Grantee(s) mailing address: , **Basehor, KS 66007**

In consideration of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, the Grantor(s) **GRANT, BARGAIN, SELL AND CONVEY** to Grantee(s), the following described premises, to wit:

The Northwest Quarter of Section 15, Township 11, South, Range 22 East

LESS

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M. IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 S.1°48'39"E. 2642.11 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 N.88°14'04"E. 40.00 FEET; THENCE PARALLEL TO AND 40.00 FEET EASTERLY OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 N.1°48'39"W. 2642.26 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 S.88°00'44"W. 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.426 ACRES, INCLUDING 1.526 ACRES OF EXISTING PUBLIC ROAD RIGHT OF WAY. (0.900 ACRES OF ADDITIONAL RIGHT OF WAY)

12.00 R
Folio

Subject to all easements, restrictions, reservations and covenants, if any, now of record

The Grantor(s) hereby covenanting that the Grantor(s), their heirs, successors and assigns, will **WARRANT AND DEFEND** the title to the premises unto the Grantee(s), their successors and assigns, against the lawful claims of all persons whomsoever, excepting however the general taxes for the current calendar year and thereafter, and the special taxes becoming a lien after the date of this deed.

Dated: **April 25, 2008**

Daniel C. Murphy

Daniel C. Murphy

Blanche T. Murphy

Blanche T. Murphy

STATE OF Kansas)
) ss.
COUNTY OF Leavenworth)

On **April 25, 2008** this deed was acknowledged before me by **Daniel C. Murphy and Blanche T. Murphy, husband and wife**, Grantor(s).

3/13/2010

Tina Monteil

Notary Public *Tina Monteil*



OWNER AUTHORIZATION

I/WE Daniel C Murphy Trust and Blanche T Murphy Trust, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 25th day of September, 2023 make the following statements, to wit:

1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property

See Attachment "A" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize Mike Reilly w/ Reilly Development LLC (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, 16201 Evans Road (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of the applicant in the application process.

3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.

4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

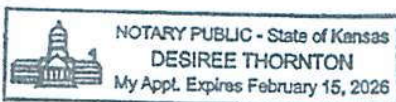
Daniel C Murphy
Owner Daniel C Murphy, Trustee

Owner _____

STATE OF KANSAS
COUNTY OF LEAVENWORTH

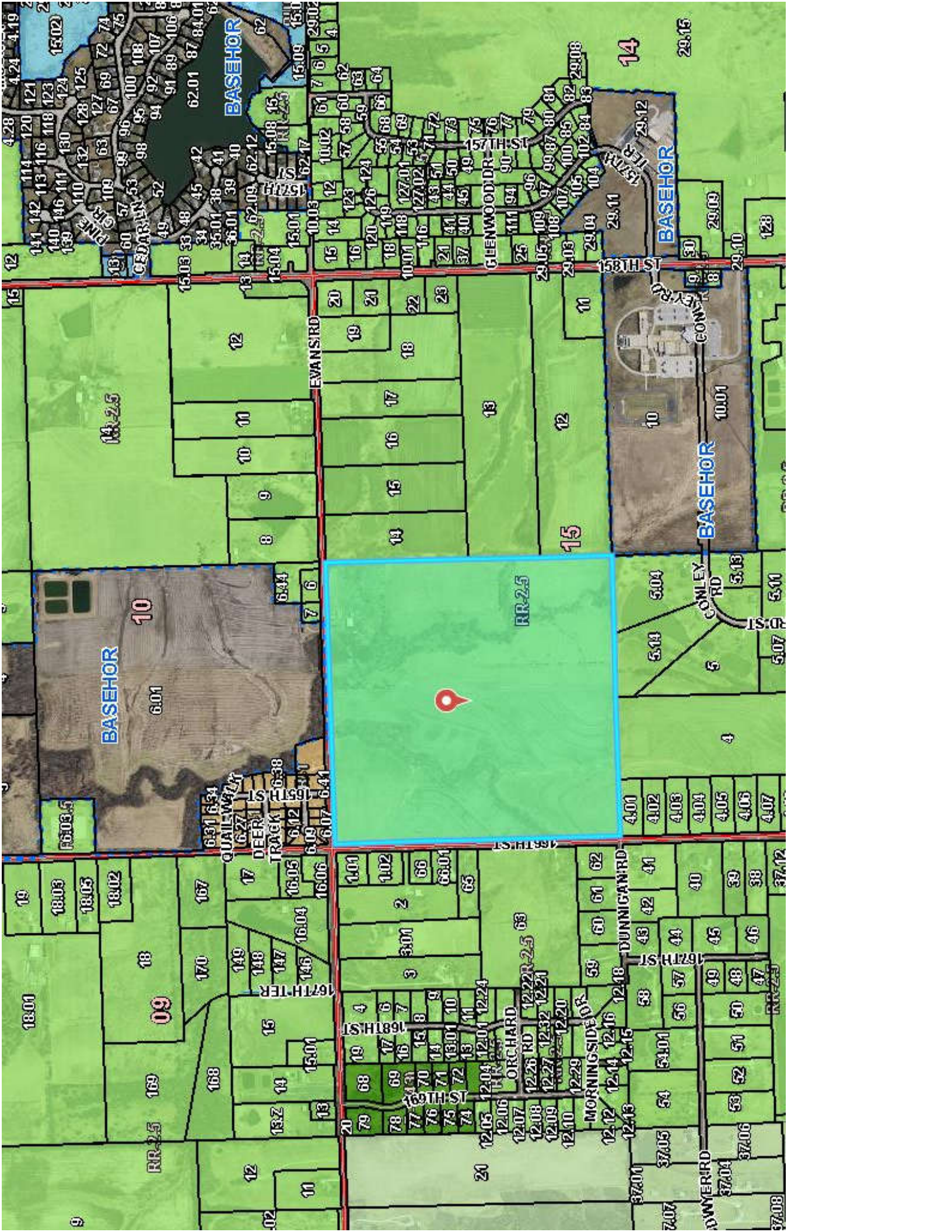
The foregoing instrument was acknowledge before me on this 25th day of September, 2023
by Desiree Thornton

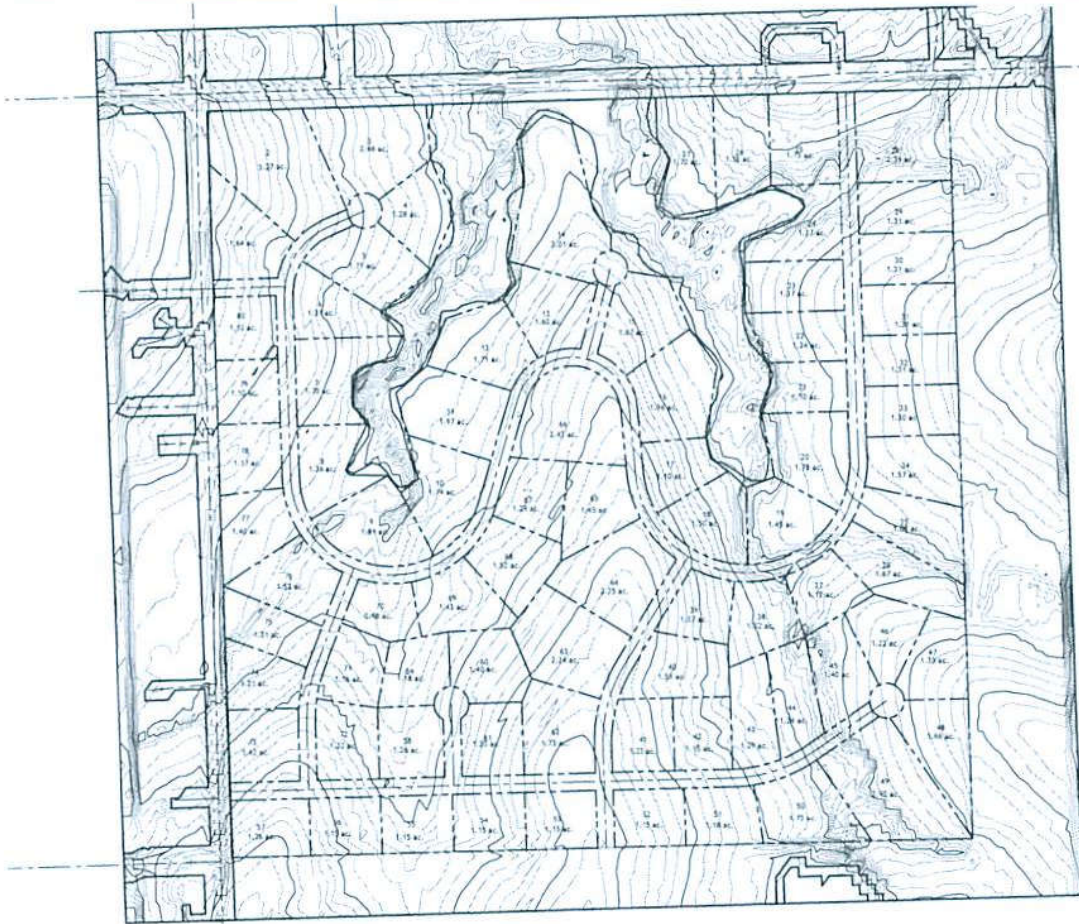
My Commission Expires: 2/15/26



Desiree Thornton
Notary Public

ATTACHMENT B





EVANS RD	
SALMON HARBOR	
CONCEPT A	
OCHS LAND PLANNING 101 10th Street Boulder, Colorado, 80501 303.440.4278	SHEET 1 OF 1

Johnson, Melissa

From: Krystal A. Voth <kvoth@cityofbasehor.org>
Sent: Thursday, October 12, 2023 1:57 PM
To: Johnson, Melissa
Cc: Leslee Rivarola
Subject: RE: DEV-23-137 Rezoning – Murphy Trust; Reilly Development LLC

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Melissa,

Good afternoon and thank you for sending this item to the City of Basehor. Please see the [City of Basehor's story](#) map related to the Sanitary Sewer Master Plan. As you can see, this proposed development is located within the Hog Creek watershed and could be serviced via a gravity-fed sanitary sewer line. This property is located within the "Hog Creek Interceptor Phase II" project area as detailed on pages 23 & 24 sections 4.2.4 and 4.2.5 of the City of Basehor 2020 Sanitary Sewer Master plan. This area of unincorporated Leavenworth County, if sewered, opens the potential for significant residential development that can be serviced via gravity-fed sanitary sewer. The City of Basehor has significant interest in this property connecting to the City of Basehor's sanitary sewer system, which is currently approximately one-mile to the north.

Additionally, the extension of sanitary sewer to service this property allows for the potential decommissioning of the lagoons and connection of Leavenworth County Sewer District # 5 to the City of Basehor infrastructure. This concept is contemplated in the Leavenworth County and City of Basehor Funding Agreement for 155th Street Road Improvements.

We respectfully request that Staff, the Planning Commission and the Board of County Commissioners thoughtfully consider the impact of rezoning this property to the RR-1 (one-acre minimum) zoning district and the impact that may have on the future development of the City of Basehor and the ability to extend sanitary sewer to this general development area. Your consideration of this matter is greatly appreciated.

The City of Basehor looks forward to working with Leavenworth County Staff, the Board of County Commission, and Mr. Reilly should the County desire to see this expansion of Basehor's sanitary sewer system to support shared goals.

Respectfully,

Krystal A. Voth, CFM
Planning & Zoning Director
City of Basehor, KS
2620 N 155th Street
913-724-1370
CityofBasehor.org





County of Leavenworth
Planning & Zoning Department
300 Walnut, Suite 212
Leavenworth, Kansas 66048
Phone: 913-684-0465

October 25, 2023

To: Mike Reilly
Reilly Development LLC
608 Delaware Street
Leavenworth, KS 66048

Re: R-1 (43) Zoning Amendment 16271 Evans Road
DEV-23-137

Mr. Reilly,

Staff has reviewed the application and narrative for zoning amendment for the above-mentioned address, which was submitted on October 02, 2023.

Upon review of your application, staff has the following comments:

1. The property lies wholly within the *Initial Growth Area* of the City of Basehor. Please see the attached letter from the City of Basehor. Please provide a response narrative for inclusion in the planning commission review materials.
2. The application and request generally meet the spirit and intent of the most current adopted Comprehensive Plan.

Please provide the additional information indicated above by November 02, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at JJacobson@LeavenworthCounty.Gov

Respectfully,

John Jacobson
Director
Planning and Zoning
Leavenworth County

**Leavenworth County Planning and Zoning Department
Leavenworth County Courthouse
300 Walnut Suite 212 Leavenworth, Kansas 66048**



October 11th, 2023

Leavenworth County Planning and Zoning

RE: LVCO Case Number DEV-23-137

Suburban water has no objection to the re-zoning application for the property in case # DEV-23-137. Suburban has existing water infrastructure, along both Evans Road and 166th Street. Suburban has not evaluated what if any improvements maybe necessary to serve the property development. Those considerations would be considered, upon the completion of a preliminary and final plat being submitted for Suburban's evaluation.

Sincerely,

Travis J Miles

President

From: Johnson, Melissa <MJohnson@leavenworthcounty.gov>
Sent: Tuesday, October 3, 2023 5:01 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; Design Group Shawnee <DesignGroupShawnee@evergy.com>
Cc: 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; Krystal A. Voth <kvoth@cityofbasehor.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>
Subject: RE: DEV-23-137 Rezoning – Murphy Trust; Reilly Development LLC

The Department of Planning & Zoning has received an application for a Rezoning Case.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, October 12th, 2023.

If you have any questions or need additional information, please contact us at (913) 684-0465 or pz@leavenworthcounty.gov.

Thank you,

Melissa Johnson
Planner I
Leavenworth County
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

Disclaimer

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Johnson, Melissa

From: Mike Lingenfelter <lingenfeltersm@fairmountfd.org>
Sent: Monday, October 9, 2023 8:50 AM
To: Johnson, Melissa
Subject: Re: DEV-23-137 Rezoning – Murphy Trust; Reilly Development LLC

Follow Up Flag: FollowUp
Flag Status: Flagged

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Melissa

They will need to be able to provide hydrants per code throughout the development.

Mike Lingenfelter, Fire Chief

Fairmount Township Fire Department

2624 N 155th St

Basehor, Kansas 66007

Work-[913-724-4911](tel:913-724-4911)

Cell [913-306-0258](tel:913-306-0258)

On Tue, Oct 3, 2023 at 5:00 PM Johnson, Melissa <MJohnson@leavenworthcounty.gov> wrote:

The Department of Planning & Zoning has received an application for a Rezoning Case.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, October 12th, 2023.

If you have any questions or need additional information, please contact us at (913) 684-0465 or pz@leavenworthcounty.gov.

Thank you,

Melissa Johnson

Planner I

Leavenworth County

Planning & Zoning Department

Johnson, Melissa

From: Matt Roecker <Matt.Roecker@evergy.com>
Sent: Thursday, October 5, 2023 12:33 PM
To: Johnson, Melissa
Subject: RE: RE: DEV-23-137 Rezoning – Murphy Trust; Reilly Development LLC

Follow Up Flag: Follow up
Flag Status: Flagged

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Internal Use Only

Melissa,

Yes, Evergy has the capability to serve this new development.

Thanks

Matt Roecker

Evergy
TD Designer IV
matt.roecker@evergy.com
913-667-5116

From: Johnson, Melissa <MJohnson@leavenworthcounty.gov>
Sent: Thursday, October 5, 2023 11:34 AM
To: Matt Roecker <matt.roecker@evergy.com>
Subject: FW: RE: DEV-23-137 Rezoning – Murphy Trust; Reilly Development LLC

This Message Is From an External Sender

[Report Suspicious](#)

This message came from outside your organization.

Here is the requested packet.

If you have any questions, please let me know.

Thank you,

Melissa Johnson
Planner I
Leavenworth County
Planning & Zoning Department
Leavenworth County Courthouse

300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

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From: Johnson, Melissa
Sent: Tuesday, October 3, 2023 5:01 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'lingenfelsem@fairmountfd.org' <lingenfelsem@fairmountfd.org>; Design Group Shawnee <DesignGroupShawnee@evergy.com>
Cc: 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; 'Krystal A. Voth' <kvoth@cityofbasehor.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>
Subject: RE: DEV-23-137 Rezoning – Murphy Trust; Reilly Development LLC

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If you have any questions or need additional information, please contact us at (913) 684-0465 or pz@leavenworthcounty.gov.

Thank you,

Melissa Johnson
Planner I
Leavenworth County
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

Disclaimer

This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

Johnson, Melissa

From: Anderson, Kyle
Sent: Wednesday, October 4, 2023 10:46 AM
To: Johnson, Melissa
Subject: RE: RE: DEV-23-137 Rezoning – Murphy Trust; Reilly Development LLC

We have not received any complaints on this property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Johnson, Melissa <MJohnson@leavenworthcounty.gov>
Sent: Tuesday, October 3, 2023 5:01 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; Design Group Shawnee <DesignGroupShawnee@evergy.com>
Cc: 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; 'Krystal A. Voth' <kvoth@cityofbasehor.org>; McAfee, Joe <JMcafee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>
Subject: RE: DEV-23-137 Rezoning – Murphy Trust; Reilly Development LLC

The Department of Planning & Zoning has received an application for a Rezoning Case.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, October 12th, 2023.

If you have any questions or need additional information, please contact us at (913) 684-0465 or pz@leavenworthcounty.gov.

Thank you,

Melissa Johnson
Planner I
Leavenworth County
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St, Suite 212

RESOLUTION 2023-34

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from Rural Residential 2.5 to One Dwelling Residential R-1(43) on the following described property:

A tract of land The Northwest ¼ of Section 15, Township 11, South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas, in Leavenworth County, Kansas more commonly known as 16271 Evans Road, Basehor, Kansas

WHEREAS, it is hereby found and determined that a request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 2 day of October, 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 Rezoning on the 8th day of November, 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 Rezoning be approved; and

WHEREAS, the Board of County Commissioners considered, in session on the 29th day of November, 2023, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners 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 Commissioners in regular session on the 29th day of November, 2023, and incorporated herein by reference;

That request for rezoning for Case DEV-23-137, as described above, also known as 16271 Evans Road, Basehor, KS 66007 Parcel Identification Number 185-15-0-00-00-003.00, is hereby granted.

Adopted this 29th day of November, 2023
Board of County Commission
Leavenworth, County, Kansas

Vicky Kaaz, Chairperson

ATTEST

Jeff Culbertson, Member

Janet Klasinski

Doug Smith, Member

Mike Smith, Member

Mike Stieben, Member



We, the undersigned, in accordance with KSA 12-757, being the owners of record of the property enumerated below, protest the proposed application DEV-23-137 for rezoning request RR-2.5 to R-1 on the property described as the Northwest Quarter of Section 15, Township 11 South, Range 22 East

In Leavenworth County, commonly known as 16271 Evans Road, Basehor, KS 66007

For the following reasons:

The rezone focuses on the Future Use Map failing to acknowledge the FULL 2021 Comprehensive Plan. It ignores the Plan's guiding principles to "Preserve and Sustain." The Commission's own survey concluded development should occur in cities (63.1 %) or on the edge of cities (41.9%) with access to utilities. 69.3% of surveyed residents live here for its rural atmosphere; residents are not being represented.

SIGNATURE	ADDRESS	DATE
<i>Sandra L. Collins</i>	17809 166th Basehor KS	11-17-2023
<i>Michael S. Bottom</i>	17809 166th Basehor KS	11-17-2023
<i>Zenger Trust Trustee Jeffery</i>	17561 166th St, Basehor KS	11-17-2023
<i>Zenger Trust Trustee Jandi Zenger</i>		
<i>WATKINS FAMILY HEALTH TRUST AL WATKINS</i>	17629 166th Basehor KS 66007	
<i>Justin Watkins</i>	17629 166th St Basehor KS 66007	11-17-2023
<i>John Duff</i>	16620 Evans Rd Basehor	11-17-2023
<i>Catharine S. Palmer</i>	16298 Conley Rd Basehor, KS	11-17-2023
<i>Pat M. Palmer</i>	16298 Conley Rd Basehor, KS	11-17-2023
<i>Julie Gibson</i>	Sheddykaty, 17455 166th St Basehor KS	11-17-2023
<i>Steven E. Jacob</i>	17809 166th Street Basehor KS	11-17-2023

STATE OF KANSAS)

COUNTY OF LEAVENWORTH)

Joshua Zenger, of lawful age, being first duly sworn, upon his/her oath states that she/he was the bearer of the above and forgoing protest, and that she/he witnessed the above signatures.

Julie Gibson

Subscribed and sworn before me the 20 day of November, 2023

Notary Public

My Commission Expires 9-1-2025



Nicole R. Rathe

PROTEST PETITION

Page 2, if Needed

SIGNATURE	ADDRESS	DATE
<i>Julie M. Fehrenbach</i>	17473 166 ST Baschor	11-17-23
<i>Barbara A. Fehrenbach</i>	17473 166 ST Baschors	11-17-23
Robert D + Sheila D Schurz Trust; Trustee: <i>Valerie Schurz</i>		11-18-23
DAVID WAYNE HUNTER & SHERRYL L. TRUST; TRUSTEE <i>Sheila D. Schurz</i>		11-18-23
<i>David Wayne Hunter Sherryl Hunter</i>		11-18-23
<i>Tammy + Steve Sauer</i>	16545 Meadowlark Lane	11/18/23
<i>Sean + Michaela Beggs</i>	16514 meadowlark Lane	66007 66007
<i>Jan Cratt + Linda West-Pratt</i>	16561 MEADOWLARK LN BASEHOR, KS	66007
<i>Li and Angela Kelly</i>	16576 Meadowlark Ln Baschor, KS	66007 11-18-23
<i>James + Heidi Schroff</i>	16576 Deer Track Baschor KS	66007 11-18-2023
<i>Steph Piroff + Kathleen Piroff</i>	16580 Deertrack St. Baschor, KS	66007 11-18-23
<i>Waymond + Terri Johnson</i>	16575 Deertrack St Baschor KS	66007 11-18-23
<i>Julie M. Fehrenbach</i>	17473 166 ST Lot #2 Baschors	11-18-23
<i>Barbara A. Fehrenbach</i>	17473 166 ST Lot #2 Baschors	11-18-23

STATE OF KANSAS)
)
 COUNTY OF LEAVENWORTH)

Joshua Zenger, of lawful age, being first duly sworn, upon his/her oath states that she/he was the bearer of the above and forgoing protest, and that she/he witnessed the above signatures

Joshua Zenger

Subscribed and sworn before me the 20 day of November, 2023

Nicole R. Rathe
 Notary Public

My Commission Expires 9-1-2025



PROTEST PETITION

We, the undersigned, in accordance with KSA 12-757, being the owners of record of the property enumerated below, protest the proposed application DEV-23-137 for rezoning request RR-2.5 to R-1 on the property described as the Northwest Quarter of Section 15, Township 11 South, Range 22 East

In Leavenworth County, commonly known as 16271 Evans Road, Basehor, KS 66007

For the following reasons:

The rezone focuses on the Future Use Map failing to acknowledge the FULL 2021 Comprehensive Plan. It ignores the Plan's guiding principles to "Preserve and Sustain." The Commission's own survey concluded development should occur in cities (63.1 %) or on the edge of cities (41.9%) with access to utilities. 69.3% of surveyed residents live here for its rural atmosphere; residents are not being represented.

SIGNATURE	ADDRESS	DATE
<i>Kenneth D. Hancock</i>	<i>16672 Dunnigan Rd Basehor KS 66007</i>	<i>11/14/2023</i>
<i>RAD</i>	<i>17526 16th St Basehor KS 66007</i>	<i>11/14/2023</i>
<i>Susan Adams</i>	<i>17526 16th St Basehor, KS 66007</i>	<i>11/14/2023</i>
<i>Phyllis J. Pandy</i>	<i>16650 Dunnigan Rd. Basehor, Ks. 66007</i>	<i>11/16/23</i>
<i>Helmut F. Ricks</i>	<i>16650 Dunnigan Rd. Basehor, Ks. 66007</i>	<i>11/16/23</i>
<i>Bartol Snyto</i>	<i>17468 167th St. Basehor, KS. 66007</i>	<i>11/16/23</i>
<i>Bob Workman</i>	<i>17468 167 St Basehor, KS 66007</i>	<i>11-16-23</i>
<i>Fred Workman</i>	<i>17524 167 St. Basehor Ks. 66007</i>	<i>11-16-23</i>
<i>Ken Cantrell</i>	<i>16630 Dunnigan Rd Basehor KS 66007</i>	<i>11-17-23</i>
<i>Mary Warren</i>	<i>16630 Dunnigan Rd Basehor Ks 66007</i>	<i>11/17/23</i>
<i>Bob Workman</i>	<i>17524 167th St, Basehor KS 66007</i>	<i>11/17/23</i>

STATE OF KANSAS)

COUNTY OF LEAVENWORTH)

Joshua Zenger, of lawful age, being first duly sworn, upon his/her oath states that she/he was the bearer of the above and forgoing protest, and that she/he witnessed the above signatures.

Joshua Zenger

Subscribed and sworn before me the 20 day of November, 2023

Notary Public

My Commission Expires 9-1-2025



Nicole R. Rathe

PROTEST PETITION

We, the undersigned, in accordance with KSA 12-757, being the owners of record of the property enumerated below, protest the proposed application DEV-23-137 for rezoning request RR 2.5 to R1 on the property described as the Northwest Quarter of section 15, Township 11 South, Range 22 East

In Leavenworth County, commonly known as 16271 Evans Road, Basehor, KS 66007

For the following reasons:

The rezoning focuses on the Future Use Map failing to acknowledge the Full FULL 2021 Comprehensive Plan. It ignores the Plan's guiding principles to "Preserve and Sustain". The Commission's own survey concluded development should occur in cities (63.1%) or on the edge of cities (41.9%) with access to utilities. 69.3% of surveyed residents live here for its rural atmosphere; residents are not being represented

SIGNATURE ADDRESS DATE

[Signature] 16176 EVANS RD BASEHOR, KS 66007 16 NOV 23

[Signature] 16176 EVANS RD BASEHOR, KS 66007 16 NOV 23

[Signature] 16545 Deer Track Basehor KS 66007 16 NOV 23

[Signature] 18184 165th St Basehor KS 66007

[Signature] 18184 165th St Basehor KS 66007 11/16/23

[Signature] 18179 165th Street Basehor KS 66007

[Signature] 18179 165th street Basehor KS 66007

STATE OF KANSAS)
)
COUNTY OF LEAVENWORTH)

Audrey M. Moody of lawful age, being first duly sworn, upon his/her oath states that she/he was the bearer of the above and forgoing protest, and that she/he witnessed the above signatures.

Audrey M. Moody

Subscribed and sworn before me the 20 day of November, 20 23

Nicole R. Rathe
Notary Public

My Commission Expires 9-1-2025



PROTEST PETITION

We, the undersigned, in accordance with KSA 12-757, being the owners of record of the property enumerated below, protest the proposed application DEV-23-137 ^{for rezoning request} on the property described as the Northwest Quarter of Section 15, Township 11 South, Range 23

In Leavenworth County, commonly known as 16271 Evans Rd, Basehor, Ks. 66007 ^{East}

For the following reasons:

The rezoning focuses on the future use mapping to acknowledge the full comprehensive plan and ignores the plan's guiding principles to "Preserve + Sustain". The Commission's own survey concluded development should occur in cities (63.1%) or on the edge of cities (41.9%) with access to utilities 64.3% of surveyed residents live here for its rural atmosphere.

SIGNATURE	ADDRESS	DATE
<i>Carl N Kapp</i>	<i>16272 Evans Rd</i>	<i>11-16-2023</i>
<i>Ray Anderson Trust Agreement</i>	<i>16274 Evans Rd</i>	<i>11-16-2023</i>
<i>Anderson Trust Agreement trustee Ray Anderson</i>	<i>16226 Evans Road</i>	<i>11-16-23</i>
<i>Anderson Trust Agreement trustee Ray Anderson</i>	<i>16230 Evans Road</i>	<i>11-16-23</i>
<i>Moody Family Health Trust, trustee Audrey Moody</i>	<i>15012 Parallel Rd Basehor</i>	<i>11-17-23</i>
<i>Michelle Moore</i>	<i>110538 Quail Walk</i>	<i>11-18-23</i>
<i>David Moore</i>	<i>16580 Quail Walk Basehor</i>	<i>11-18-2023</i>
<i>David Lee Miller</i>	<i>16580 Quail Walk Basehor</i>	<i>11-19-2023</i>
<i>Jeanine Walcott</i>	<i>16575 Quail Walk St Basehor</i>	<i>11-18-2023</i>
<i>[Signature]</i>	<i>16575 Quail Walk St Basehor</i>	<i>11-18-2023</i>
<i>[Signature]</i>	<i>16561 Quail Walk St "</i>	<i>11/17/2023</i>

Residents are not being represented.

STATE OF KANSAS)
)
 COUNTY OF LEAVENWORTH)

Audrey M. Moody of lawful age, being first duly sworn, upon his/her oath states that she/he was the bearer of the above and forgoing protest, and that she/he witnessed the above signatures.

Audrey M. Moody

Subscribed and sworn before me the 20 day of November, 20 23

Nicole R. Rathe
 Notary Public

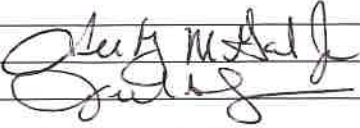
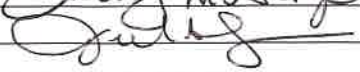
My Commission Expires 9-1-2025



Nicole R. Rathe

PROTEST PETITION

Page 2, if Needed

SIGNATURE	ADDRESS	DATE
	18214 165th Basehor Ks 66007	11/18/23
	18214 165th Basehor Ks 66007	11/18/23

STATE OF KANSAS)
COUNTY OF LEAVENWORTH)

Audrey M. Moody, of lawful age, being first duly sworn, upon his/her oath states that she/he was the bearer of the above and forgoing protest, and that she/he witnessed the above signatures



Subscribed and sworn before me the 20 day of November, 20 23


Notary Public

My Commission Expires 9-1-2025



HOW TO PROTEST A REZONING OR SPECIAL USE PERMIT

If you own real property located within the notice area of a proposed rezoning or special use permit (within 1000 ft. if in the unincorporated area of the county, 200 ft. if in an incorporated city) you may submit a protest petition in opposition of the proposed rezoning or special use permit. A sample form for a protest petition follows. K.S.A. 12-757, specifically subsection (f), provides the statutory requirements for the submission of a valid protest petition.

The protest petition must be filed with the County Clerk within fourteen (14) days after conclusion of the public hearing conducted by the planning commission regarding the proposed rezoning or special use permit. This fourteen day (14) time for filing requirement applies regardless of whether the planning commission vote on the rezoning or special use permit has taken place.

The following are general guidelines to follow in preparing and submitting a protest petition. These guidelines are provided for informational purposes only.

You may wish to consult with legal counsel in preparing and submitting a protest petition.

I. For a protest petition to be valid, it must meet the following requirements:

- A. It must be duly signed and acknowledged by the owners of 20% or more of any real property, excluding public streets and ways, within 1000 feet of the land for which the rezoning or special use permit has been proposed.
- B. It must be filed with the County Clerk within 14 days following the Planning Commission public hearing.

II. Facts about the petition:

- C. The "owner" for the purpose of a protest petition is defined as the owner of record (recorded for purposes of taxation) on the date of publication of the legal notice of the Planning Commission public hearing.
- D. Each and every owner of a single piece of property must sign the protest petition, but all are considered as a single owner in determining the sufficiency of the petition.
- E. An authorized representative of a corporation may sign, but must provide legal documentation of his/her right to sign for the corporation.
- F. The protest petition should state what is being protested, its general location, and the reasons for the protest.
- G. Each and every signature must be acknowledged. An acceptable form for acknowledgment of signatures and form for the petition is attached.

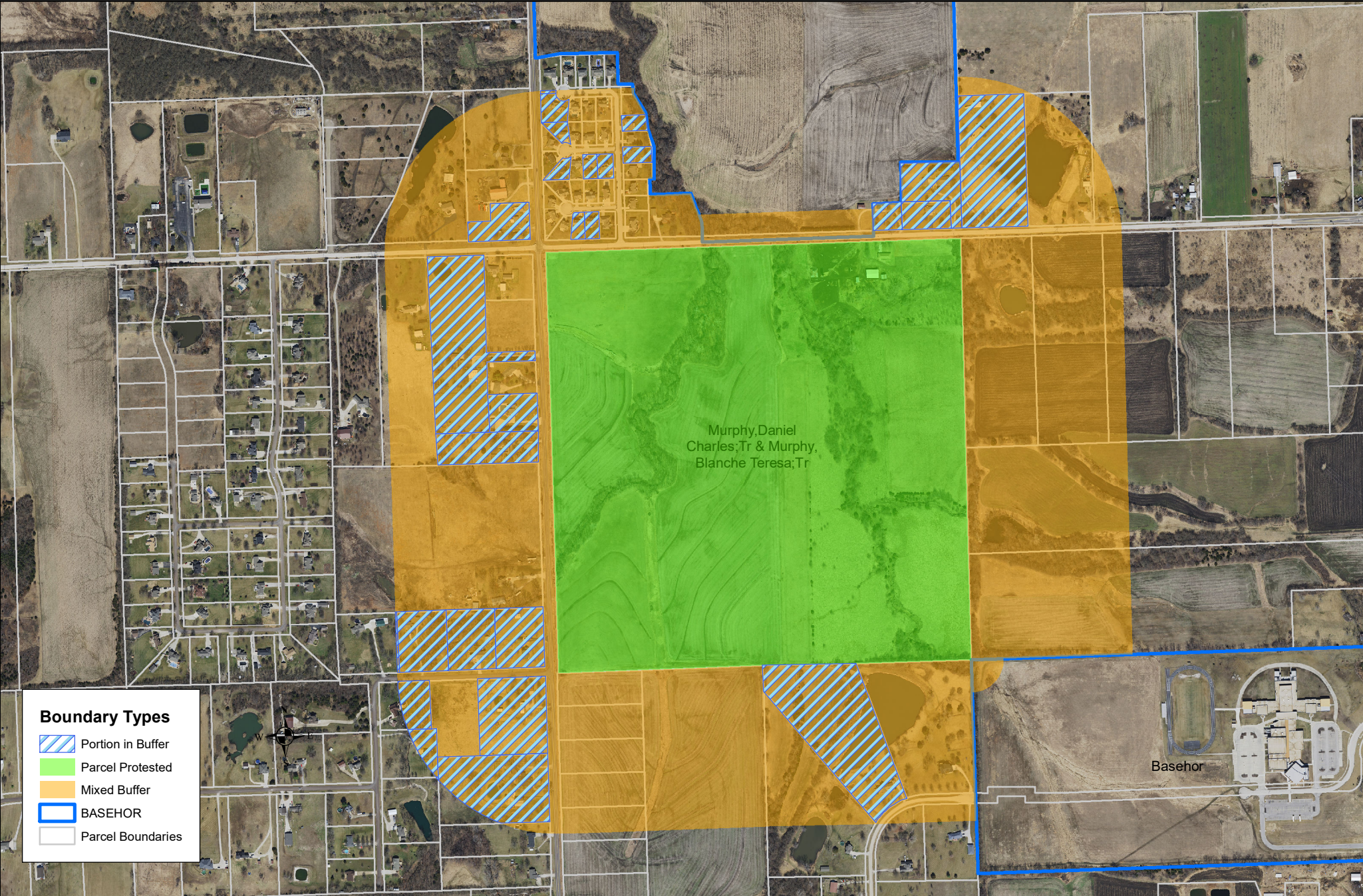
H. *If the property is owned as trust, sign as the letter arrived,
w/ Trust name and then, sign "Trustee with name of trustee"*

Protest Petition Map



Total acres in boundary: 239.9
20 % of total acres: 47.9
Total affected acres: 60.70

16271 EVANS RD, Basehor, KS 66007
185-15-0-00-00-003.00-0



**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
November 8, 2023**

The complete recorded meeting can be found on the County's YouTube channel.

The Planning Commission meeting was called to order at 5:30 p.m.

Pledge of Allegiance

Members present: Doug Tystad, William Gottschalk, Jeff Spink, Marcus Majure, Steve Rosenthal, Allan Stork, Wolf Schmidt Jaden Bailey, Robert Owens, and Steve Skeet

Members absent: none

Staff present: John Jacobson-Director, Stephanie Sloop-Planning Coordinator, Misty Brown-County Counselor

Minutes: Commissioner Schmidt made a motion to approve the minutes. Commissioner Spink seconded the motion.

ROLL CALL VOTE - Motion to approve the minutes passed, 8/0 (1 abstention)

Secretary's Report: John Jacobson gave the secretary's report going over the agenda. Indicating that there were two plats on the consent agenda. Approval of the agenda will approve those plats.

Declarations: Commissioner Rosenthal stated that he would need to abstain from DEV-23-137.

Commissioner Schmidt made a motion to approve the agenda. Commissioner Stork seconded the motion.

ROLL CALL VOTE - Motion to approve the agenda passed, 9/0

**Case DEV-23-136 Special Use Permit Tri-Hull Crane Rental, LLC
Consideration of an application for a Special Use Permit for a Contractor's Yard for Tri-Hull Crane Rental, on a tract of land in the Southeast quarter of Section 11, Township 12, Range 20 East of the 6th P.M., Leavenworth County, Kansas.**

John Jacobson gave the staff report for the above-listed case. Jacobson outlined the history of the current Special Use Permit and stipulations that the Board of County Commissioners gave with the approved original application.

Chairman Majure asked if there were any questions or discussions from the board. The public hearing was opened and the applicant/agent was invited to come forward. The applicant's attorney, Kurt Brack, Brown and Ruprecht Attorneys at Law, came forward to describe the request and answer any questions from the board.

Chairman Majure asked if there was anyone present wishing to speak in favor or opposition. A resident came forward to speak in opposition. The public comment portion of the hearing was closed.

Chairman Majure asked if there were any further questions or discussions from the board. Commissioner Gottschalk asked the resident to return to the podium for clarification on an item stated. Chairman Majure said he would accept a motion.

Commissioner Rosenthal motioned to approve the Special Use Permits with the conditions set forth in the staff report. Commissioner Schmidt seconded the motion.

ROLL CALL VOTE - Motion to approve passed 9/0

Case DEV-23-118 Rezoning from RR-2.5 to R1 (43)

Consideration of a rezoning request from RR-2.5 zoning district to R1 (43) zoning district on the following described property: The North 908.37 feet of the Southeast ¼ of Section 16, Township 11 South, Range 22 East of the Sixth P.M. in Leavenworth County, Kansas.

John Jacobson gave the staff report for the above-listed case. Jacobson reminded the Planning Commission that the public hearing was opened and closed at a previous meeting. A conceptual plan was given to assist in the determination of the board's recommendation.

Chairman Majure asked if there were any questions or discussions from the board. There was discussion about the request amongst board members and staff.

County Counselor, Misty Brown, stated that she watched the prior meetings for this request in preparation for this meeting. Ms. Brown went over the history of this case and clarified the motions that were made by the Board of County Commissioners when they remanded it back to the Planning Commission.

Chairman Majure said he would accept a motion.

Commissioner Stork motioned to approve the Rezoning request DEV-23-118. Commissioner Schmidt seconded the motion.

ROLL CALL VOTE - Motion to approve passed 7/2

Commissioner Bailey voted no to approval stating that he did not feel it fit the character of the neighborhood.

Commissioner Skeet voted no to approval for the same reason as Commissioner Bailey.

Case DEV-23-137 Rezoning from RR-2.5 to R1 (43)

Consideration of a rezoning request from RR-2.5 zoning district to R1 (43) zoning district on the following described property: The northwest Quarter of Section 15, Township 11 South, Range 22 East of the Sixth P.M., in Leavenworth County, Kansas.

John Jacobson gave the staff report for the above-listed case.

Chairman Majure asked if there were any questions or discussions from the board. The public hearing was opened and the applicant/agent was invited to come forward. The applicant Mike Reilly, came forward to describe the request and answer any questions from the board.

Chairman Majure asked if there was anyone present wishing to speak in favor or opposition. Multiple residents came forward to speak in opposition. The public comment portion of the hearing was closed.

Chairman Majure asked if there were any further questions or discussions from the board. Discussion was had between board members.

Commissioner Stork motioned to approve Case DEV-23-137 a rezoning from RR-2.5 to R1 (43). Commissioner Owens seconded the motion.

ROLL CALL VOTE - Motion to approve passed 6/2 (1 abstention)

Commissioner Bailey voted no to approval stating that he did not feel it fit the character of the neighborhood.

Commissioner Skeet voted no to approval for the same reason as Commissioner Bailey.

Commissioner Rosenthal abstained from this case.

Meeting was adjourned 7:29 PM

LEAVENWORTH COUNTY PLANNING COMMISSION
Work Session
November 8, 2023

The complete recorded meeting can be found on the County's YouTube channel.

Members present: Doug Tystad, William Gottschalk, Jeff Spink, Marcus Majure, Steve Rosenthal, Allan Stork, Wolf Schmidt Jaden Bailey, Robert Owens, and Steve Skeet

Staff present: John Jacobson-Director, Stephanie Sloop-Planning Coordinator, Misty Brown-County Counselor

Work session on adoption of Development Plans for Rezoning with certain criteria.