

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
December 11, 2024
9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENT PRAYER
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be limited to 15 minutes at the beginning of each meeting and limited to three minutes per person. 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) Pat Barnhardt service recognition
 - b) Update on Fire District
 - c) Unfilled positions policy
- 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 December 4, 2024
 - b) Approval of the schedule for the week December 16, 2024

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

VII. FORMAL BOARD ACTION:

a) Consider a motion to approve Charter Resolution 2024-1, exempting Leavenworth County, Kansas from certain provisions of K.S.A. 65-201 specifically K.S.A. 65-202 subsection C regarding annual sanitary inspections of school buildings and grounds by the local health officer.

b) Consider a motion to approve a 5-year lease agreement with Foley Equipment for two Caterpillar motor graders in the amount of \$70,441.36 per grader.

c) **Resolution 2024-26, a rezoning request from RR-5 to RR-2.5**

- Consider a motion that the rezoning request complies with the Golden Factors including factors 1 and 3 and move to adopt Resolution 2024-26 and approve the rezoning as outlined in Case DEV-24-118 based on the findings as set forth in the staff report. **(Requires supermajority vote)**
- Consider a motion that the rezoning request does not comply with Golden Factors and move to deny Resolution 2024-26 and deny the rezoning as outlined in Case DEV-24-118 based on the findings of facts adopted by the Planning Commission.
- Consider a motion to remand Case DEV-24-118 back to the Planning Commission for additional review due to the Planning Commission's analysis of (State the reason(s) the matter is being sent back).

d) **Resolution 2024-27, a rezoning request from RR-5 to R-1**

- Consider a motion that the rezoning request complies with the Golden Factors including factors and move to adopt Resolution 2024-27 and approve the rezoning as outlined in Case DEV-24-126 based on the findings as set forth in the staff report and as substantiated by the findings of fact as adopted by the Planning Commission. **(Requires supermajority vote)**
- Consider a motion that the rezoning request does not comply with Golden Factors (List factors) and move to deny Resolution 2024-27 and deny the rezoning as outlined in Case DEV-24-126 based on the

findings of facts adopted by the Planning Commission and as set forth in the staff report.

- Consider a motion to remand Case DEV-24-126 back to the Planning Commission for additional review due to (State the reason(s) the matter is being sent back).

e) **Resolution 2024-29, a rezoning request from RR-5 to RR-2.5**

- Consider a motion that the rezoning request complies with the Golden Factors including factors and move to adopt Resolution 2024-29 and approve the rezoning as outlined in Case DEV-24-128 based on the findings as set forth in the staff report and as substantiated by the findings of fact as adopted by the Planning Commission. **(Requires supermajority vote)**
- Consider a motion that the rezoning request does not comply with the Golden Factors (List factors) and move to deny Resolution 2024-29 and deny the rezoning as outlined in Case DEV-24-128 based on the findings of facts adopted by the Planning Commission and as set forth in the staff report.
- Consider a motion to remand Case DEV-24-128 back to the Planning Commission for additional review due to (State the reason(s) the matter is being sent back).

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

IX. ADJOURNMENT

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, December 9, 2024

Tuesday, December 10, 2024

Wednesday, December 11, 2024

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

Thursday, December 12, 2024

12:00 p.m. LCDC meeting

Friday, December 13, 2024

7:30 a.m. Legislative Breakfast
• Council on Aging, 711 Marshall St., Leavenworth, KS

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

*****December 4, 2024 *****

The Board of County Commissioners met in a regular session on Wednesday, December 4, 2024. Commissioner Culbertson; Commissioner Kaaz and Commissioner Doug Smith are present; Commissioners Mike Smith and Stieben are absent; Also present: Mark Loughry, County Administrator; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Misty Brown, County Counselor; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

John Redden commented.

ADMINISTRATIVE BUSINESS:

Mark Loughry discussed the holiday meeting schedule.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to move the December 25th meeting to December 23rd and the January 1st meeting to December 30th.

Motion passed, 3-0.

Mr. Loughry updated the Board on Fire District #1.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, December 4, 2024 as presented.

Motion passed, 3-0.

Charter Resolution 2024-1, exempting Leavenworth County from certain provisions regarding annual sanitary inspections of school buildings by the local health officer was presented.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to table this school inspections until next week.

Motion passed, 3-0.

Aaron Yoakam requested approval of the purchase of two propane generators for the Transfer Station.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve SMK Ventures to install two 20kw propane generators at the Transfer Station scale houses in the amount of \$18,950.00.

Motion passed, 3-0.

Amy Allison presented Case DEV-24-116, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Case Number DEV-24-116, a request to rezone from RR-5 to RR-2.5 based on the findings of the staff report and the amended findings of the Planning Commission's recommendations.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-118, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to table this matter until December 11 on Case Number DEV-24-118.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-126, a rezoning request from RR-5 to RR-1.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to table Case DEV-24-126 until December 11 the RR-5 to RR-1.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-127, a rezoning request from PR-2 to RR-5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve the request from PR-2 to RR-5 in Case Number DEV-24-127 based on the findings of the Planning Commission and staff.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-128, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to table Case Number DEV-24-128 from RR-5 to RR-2.5 to December 11.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-131, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Case Number DEV-24-131 a request from RR-5 to RR-2.5 based on staff recommendation and Planning Commission approval.

Motion passed, 3-0.

Commissioner Culbertson will meet with staff at Fort Leavenworth to discuss ambulance services.

Commissioner Doug Smith attended the Christmas parade in Linwood.

Commissioner Kaaz reported the Carousel Museum will host a small mall this weekend where kids can Christmas shop.

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

Motion passed, 3-0.

The Board adjourned at 9:26 a.m.

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, December 16, 2024

Tuesday, December 17, 2024

12:00 p.m. LCPA meeting

Wednesday, December 18, 2024

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

Thursday, December 19, 2024

Friday, December 20, 2024

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: 11/28/2024 END DATE: 12/06/2024

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
21036	ARROWHEAD	ARROWHEAD SCIENTIFIC INC	345738	111608 AP	12/06/2024	4-001-5-07-251	EVIDENCE SUPPLIES	97.50	
1061	B & W FIRE LLC	B & W FIRE LLC	345740	111610 AP	12/06/2024	4-001-5-31-290	001218 ANNUAL FIRE EXT INSP 30	217.00	
2489	BEDNAR, ROBERT	HONORABLE ROBERT BEDNAR	345741	111611 AP	12/06/2024	4-001-5-19-252	DOMESTIC COURT PRO TEM	3,000.00	
1523	BOB BARKER	BOB BARKER CO INC	345742	111612 AP	12/06/2024	4-001-5-07-359	LEAKS4 JAIL SUPPLIES	2,092.15	
1523	BOB BARKER	BOB BARKER CO INC	345742	111612 AP	12/06/2024	4-001-5-07-359	LEAKS4 JAIL SUPPLIES	70.11	
							*** VENDOR	1523 TOTAL	2,162.26
283	BUSETTI ROBERT	ROBERT BUSETTI	345743	111613 AP	12/06/2024	4-001-5-07-219	DECEMBER DENTIST FOR INMATES	350.00	
198	BUTLER'S S	COLLINS AUTOMOTIVE LLC	345744	111614 AP	12/06/2024	4-001-5-07-213	2268 LVSO ALIGNMENT -ANIMAL CO	117.65	
198	BUTLER'S S	COLLINS AUTOMOTIVE LLC	345744	111614 AP	12/06/2024	4-001-5-07-213	2268 EVAC & RECHARGE UNIT 136	211.61	
							*** VENDOR	198 TOTAL	329.26
884	CATALYZER	CATALYZER, INC	345746	111616 AP	12/06/2024	4-001-5-07-202	TRAINING LEADERSHIP DEV #2	1,500.00	
661	CDJ AUTOMOTIVE LLC	CDJ AUTOMOTIVE LLC	345748	111618 AP	12/06/2024	4-001-5-07-213	UNIT 116 LVSO REPAIR	2,359.49	
24545	CDW GOVERN	CDW GOVERNMENT INC	345676	111589 AP	11/28/2024	4-001-5-07-362	11106763LV SHERIFF PRINTER LES	284.28	
24545	CDW GOVERN	CDW GOVERNMENT INC	345676	111589 AP	11/28/2024	4-001-5-07-362	11106763LV SHERIFF PRINTER LES	108.76-	
24545	CDW GOVERN	CDW GOVERNMENT INC	345676	111589 AP	11/28/2024	4-001-5-07-362	11106763LV SHERIFF PRINTER LES	108.76-	
							*** VENDOR	24545 TOTAL	66.76
8103	CHARTER COMMUNICATIO	CHARTER COMMUNICATIONS	345696	347	11/28/2024	4-001-5-07-219	INTERNET ACCESS FOR MENTAL HEA	182.01	
8103	CHARTER COMMUNICATIO	CHARTER COMMUNICATIONS	345696	347	11/28/2024	4-001-5-18-213	INTERNET COMMS N16TH ST	159.98	
8103	CHARTER COMMUNICATIO	CHARTER COMMUNICATIONS	345696	347	11/28/2024	4-001-5-18-213	INTERNET COMMS N16TH ST	159.98	
							*** VENDOR	8103 TOTAL	501.97
5447	CITY WIDE MAINTENANC	CITY WIDE MAINTENANCE	345750	111620 AP	12/06/2024	4-001-5-32-296	01001100496 JANITORIAL SVC DEC	5,860.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-05-215	TONGANOXIE WATER EMS 9102	63.29	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-05-280	MIDWEST MOBILE RADIO	443.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-05-280	MIDWEST MOBILE RADIO	210.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-06-216	AT&T PZ MIFI	87.46	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-06-216	AT&T PZ MIFI	89.26	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-06-216	AT&T PZ MIFI (AUGUST)	86.46	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-07-208	MIDWEST MOBILE RADIO	1,106.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-07-210	AT&T:LVSO 5018	92.46	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-07-210	AT&T WIRELESS SHF 1005	4,371.48	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-07-216	MIDWEST MOBILE RADIO INSTALL 1	207.57	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-14-220	TONGANOXIE - 725 LAMING	63.29	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-14-228	CORPORATE CARD	2,379.32	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-001-5-18-213	MIDWEST MOBILE RADIO	600.00	
							*** VENDOR	648 TOTAL	9,799.59
17551	DIGGER JIM	DIGGER JIM'S	345677	111590 AP	11/28/2024	4-001-5-07-208	SHF - CLEANED REASE TRAP IN JA	250.00	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	345698	349	11/28/2024	4-001-5-14-220	ELEC SVC COURTHOUSE	8,448.62	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	345698	349	11/28/2024	4-001-5-32-392	ELEC SVC JUSTICE CENTER	22,771.80	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	345698	349	11/28/2024	4-001-5-32-392	3261827058 ELEC SVC KPL BLDG	35.56	
							*** VENDOR	8686 TOTAL	31,255.98
1011	FEDEX	FEDEX	345755	111625 AP	12/06/2024	4-001-5-19-302	2049-3883-4 DIST CT TRANSPORTA	55.11	
894	FORENSIC MEDICAL	FORENSIC MEDICAL MANAGEMENT SE	345757	111627 AP	12/06/2024	4-001-5-11-213	EXPERT MEDICAL TESTIMONY 23CR3	4,800.00	
894	FORENSIC MEDICAL	FORENSIC MEDICAL MANAGEMENT SE	345757	111627 AP	12/06/2024	4-001-5-11-213	EXPERT MEDICAL TESTIMONY 23CR3	750.00	
							*** VENDOR	894 TOTAL	5,550.00
12034	FRANK JUDY	JUDY FRANK	345758	111628 AP	12/06/2024	4-001-5-49-341	THANK YOU, ELECTION WORKER!	180.00	
971	GALLS	GALLS	345678	111591 AP	11/28/2024	4-001-5-07-350	5289255 LVSO UNIFORMS	2,248.72	
120	GRENIER AUTOWORKS	ALFRED GRENIER II	345760	111630 AP	12/06/2024	4-001-5-07-213	LVSO UPFIT NEW VEH UNIT 105	3,121.00	
754	HARRIS, JANA	JANA HARRIS	345761	111631 AP	12/06/2024	4-001-5-07-219	DEC MEDICAL SVC FOR INMATES	6,250.00	
631	INTEGRATED OPENINGS	INTEGRATED OPENINGS SOLUTIONS	345764	111634 AP	12/06/2024	4-001-5-33-209	13189 CUSHING SVC CALL INTERIO	475.00	
236	INTERPRETERS	INTERPRETERS INC	345765	111635 AP	12/06/2024	4-001-5-19-221	DIST CTINTERRETER 11/6,12,13,2	1,079.44	
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-001-5-02-212	NOV 15 SHREDDING	32.31	
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-001-5-02-212	NOV 15 SHREDDING	6.79	

START DATE: 11/28/2024 END DATE: 12/06/2024

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-001-5-14-247	NOV 15 SHREDDING		29.96
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-001-5-14-247	NOV 15 SHREDDING		6.29
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345697	348	11/28/2024	4-001-5-19-220	OCTOBER SHREDDING		191.36
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-001-5-28-301	NOV 15 SHREDDING		14.98
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-001-5-28-301	NOV 15 SHREDDING		3.15
							*** VENDOR	8416 TOTAL	284.84
7655	J F DENNEY P	J F DENNEY PLUMBING & HEATING	345766	111636 AP	12/06/2024	4-001-5-07-359	LEAV03 MAIN LINE SEWER CLEAN U		869.75
99	JUROR								

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#							
99	JUROR							*** VENDOR	99 TOTAL	2,813.34
66366	KANSAS GAS ACH	KANSAS GAS SERVICE	345699	350	11/28/2024	4-001-5-14-220	510614745 1628631 73 GAS TRANS		912.62	
66366	KANSAS GAS ACH	KANSAS GAS SERVICE	345699	350	11/28/2024	4-001-5-32-392	510614745 1628631 73 GAS TRANS		1,330.62	
66366	KANSAS GAS ACH	KANSAS GAS SERVICE	345699	350	11/28/2024	4-001-5-33-392	510614745 1562996 18 GAS TRANS		164.41	
66366	KANSAS GAS ACH	KANSAS GAS SERVICE	345699	350	11/28/2024	4-001-5-33-392	510614745 1562996 18 GAS TRANS		108.99	
							*** VENDOR	66366 TOTAL		2,516.64
131	KIESLER POLICE	KIESLER POLICE SUPPLY INC	345814	111684 AP	12/06/2024	4-001-5-07-353	LVSO POLICE EQUIPMENT		11,249.75	
7912	KS SHERIFF	KANSAS SHERIFF'S ASSOC	345679	111592 AP	11/28/2024	4-001-5-07-203	108 ANNUAL MEMBERSHIPS		2,700.00	
19903	LANGUAGE L	LANGUAGE LINE SERVICES INC	345816	111686 AP	12/06/2024	4-001-5-19-221	INTERPRETER PHONE 9020533027		3.00	
168	LCHS	LEAVENWORTH CO HUMANE SOCIETY	345817	111687 AP	12/06/2024	4-001-5-07-266	NOVEMBER DOG/CATS HOUSING PER		1,447.03	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-32-209	6887515 CHANGEOVER-CUSHING, JC		3,216.60	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-32-209	6887515 CHANGEOVER-CUSHING, JC		1,718.88	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-32-391	6887515 CHANGEOVER-CUSHING, JC		1,255.86	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-32-391	6887515 CHANGEOVER-CUSHING, JC		160.08	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-32-391	6887515 CHANGEOVER-CUSHING, JC		581.72	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-33-209	6887515 MULTISTACK HEAT ESCH R		3,889.00	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-33-209	6887515 MULTISTACK HEAT EXCH R		3,238.00	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-33-209	6887515 CHANGEOVER-CUSHING, JC		1,348.68	
710	LIPPERT MECHANICAL	LIPPERT MECHANICAL SERVICE LLC	345820	111690 AP	12/06/2024	4-001-5-33-391	6887515 CHANGEOVER-CUSHING, JC		101.65	

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#						
							*** VENDOR	710 TOTAL	15,510.47
4755	LV PAPER	LEAVENWORTH PAPER AND OFFICE S	345821	111691 AP	12/06/2024	4-001-5-49-301	ELECTION SUPPLIES-REPLACEMENT	133.50	
4755	LV PAPER	LEAVENWORTH PAPER AND OFFICE S	345821	111691 AP	12/06/2024	4-001-5-49-301	ELECTION SUPPLIES-REPLACEMENT	48.40	
4755	LV PAPER	LEAVENWORTH PAPER AND OFFICE S	345821	111691 AP	12/06/2024	4-001-5-49-301	ELECTION SUPPLIES-REPLACEMENT	63.70	
							*** VENDOR	4755 TOTAL	245.60
2590	MOCIC	MID-STATES ORGANIZED CRIME INF	345825	111695 AP	12/06/2024	4-001-5-07-203	2665 2025 51 SWORN OFFICERS AG	250.00	
211	NACO	NATIONAL ASSOCIATION OF COUNTI	345826	111696 AP	12/06/2024	4-001-5-01-203	DUES TO 12.31.25	1,638.00	
7098	QUILL CORP	QUILL CORP	345833	111703 AP	12/06/2024	4-001-5-01-301	6310540 SUPPLIES	285.55	
7098	QUILL CORP	QUILL CORP	345833	111703 AP	12/06/2024	4-001-5-01-301	6310540 SUPPLIES	16.59	
							*** VENDOR	7098 TOTAL	302.14
22331	ROTH JOSEP	JOSEPH ROTH	345835	111705 AP	12/06/2024	4-001-5-41-270	COMMERCIAL APPRAISALS 32000 @.	5,511.00	
25224	SAFETY REM	SAFETY REMEDY	345837	111707 AP	12/06/2024	4-001-5-53-307	486 BROWN JERSEY GLOVES	324.75	
376	SYMMETRY ACH	ATHENS ENERGY SERVICES HOLDING	345693	344	11/28/2024	4-001-5-33-392	413714 GAS SERVICE CUSHING BLD	72.59	
376	SYMMETRY ACH	ATHENS ENERGY SERVICES HOLDING	345693	344	11/28/2024	4-001-5-33-392	413714 GAS SERVICE CUSHING BLD	133.93	
							*** VENDOR	376 TOTAL	206.52
42	TECH ELECTRONICS	TRONICOM, INC	345840	111710 AP	12/06/2024	4-001-5-32-264	CS000037744 SVC CALL JUSTICE C	625.00	
829	THOMSON REUTERS	THOMSON REUTERS - WEST	345841	111711 AP	12/06/2024	4-001-5-09-307	1000090351 KS R&P VOL 172 ST/F	709.57	
2598	TLO, LLC	TLO, LLC	345844	111714 AP	12/06/2024	4-001-5-07-208	421786 LVSO ONLINE INVESTIG SV	2,100.00	
2598	TLO, LLC	TLO, LLC	345844	111714 AP	12/06/2024	4-001-5-07-208	421786 LVSO ONLINE INVESTIG SV	4.00	
							*** VENDOR	2598 TOTAL	2,104.00
883	TMA LASER GROUP	TMA LASER GROUP INC	345845	111715 AP	12/06/2024	4-001-5-07-301	3 TONERS FOR SHERIFF'S	477.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	84.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	84.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	1,200.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	150.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	675.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	150.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	84.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	512.50	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-14-241	STORMWATER SPECIAL FOR LEAVENW	1,200.00	
350	TREASURER	LEAVENWORTH COUNTY	345846	111716 AP	12/06/2024	4-001-5-32-392	STORMWATER SPECIAL FOR LEAVENW	2,075.00	
							*** VENDOR	350 TOTAL	6,214.50
3510	UNIFORM ALLOWANCES								

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

3510 UNIFORM ALLOWANCES

P.O.NUMBER CHECK#

warrants by vendor

START DATE: 11/28/2024 END DATE: 12/06/2024

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
3510	UNIFORM ALLOWANCES									
							*** VENDOR	3510 TOTAL		10,560.00
276	WEX	WEX BANK	345692	343	11/28/2024	4-001-5-14-334	APPRAISER NOV FUEL TO 11.23		394.68	
2007	WIRENUTS	WIRENUTS	345923	111793 AP	12/06/2024	4-001-5-07-363	SVC CALLS ADMIN DOOR, CAMERAS		759.75	
2007	WIRENUTS	WIRENUTS	345923	111793 AP	12/06/2024	4-001-5-07-363	SVC CALLS ADMIN DOOR, CAMERAS		136.00	
							*** VENDOR	2007 TOTAL		895.75
100	WITNESS LIST						*** VENDOR	100 TOTAL		872.60
							TOTAL FUND 001			145,435.01
827	ROBINSON, JEFFREY	JEFFREY ROBINSON	345834	111704 AP	12/06/2024	4-106-5-00-250	STIPEND FOR JAIL LIAISON NOVE		647.96	
							TOTAL FUND 106			647.96
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-108-5-00-601	MIDWEST MOBILE RADIO		75.00	
							TOTAL FUND 108			75.00
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-117-5-00-202	AP-NOW UPGRADE TO ANNUAL MEMBE		720.00	
							TOTAL FUND 117			720.00
276	WEX	WEX BANK	345692	343	11/28/2024	4-125-5-00-211	NOVEMBER FUEL TO 11.23		47.25	
							TOTAL FUND 125			47.25
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-126-5-00-210	FIRSTNET - COMM CORR		251.70	
1220	CULLIGAN OF GREATER	CULLIGAN OF GREATER KANSAS CIT	345752	111622 AP	12/06/2024	4-126-5-00-225	1220762 WATER/COOLER RENTAL		42.00	
833	GENOA HEALTHCARE	GENOA HEALTHCARE LLC	345759	111629 AP	12/06/2024	4-126-5-00-205	310/3483 MEDICATION FOR CLIENT		10.07	
543	HEARTLAND RADAC	HEARTLAND REGIONAL ALCOHOL AND	345762	111632 AP	12/06/2024	4-126-5-00-705	TREATMENT - CB		100.00	
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345697	348	11/28/2024	4-126-5-00-225	OCTOBER SHREDDING		18.01	
7098	QUILL CORP	QUILL CORP	345833	111703 AP	12/06/2024	4-126-5-00-321	5645204 COMM CORR OFFICE SUPPL		95.76	
113	SUMNERONE INC	SUMNERONE INC	345838	111708 AP	12/06/2024	4-126-5-00-321	50COL COPIES - ADT COMM CORR		121.23	
							TOTAL FUND 126			638.77
30287	KS SENTENC	KANSAS SENTENCING COMMISSION	345815	111685 AP	12/06/2024	4-127-5-00-201	SB123 PAYMENT (MISSED IN 2023)		200.00	
7098	QUILL CORP	QUILL CORP	345833	111703 AP	12/06/2024	4-127-5-00-3	5645204 ADT NG COMM CORR OFFIC		33.98	

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#						
7098	QUILL CORP	QUILL CORP	345833	111703 AP	12/06/2024	4-127-5-00-3	5645204	COMM CORR OFFICE SUPPL	25.18
*** VENDOR 7098 TOTAL									59.16
276	WEX	WEX BANK	345692	343	11/28/2024	4-127-5-00-3	NOVEMBER FUEL TO 11.23	10.33	
TOTAL FUND 127									269.49

18634	AMERICAN E	AMERICAN EQUIPMENT CO	345737	111607 AP	12/06/2024	4-133-5-00-360	12-23	SALT DOGG SPRADER FOR 10	8,025.00
24545	CDW GOVERN	CDW GOVERNMENT INC	345749	111619 AP	12/06/2024	4-133-5-00-301	12-4	3773122 TONERS FOR BILLS	431.61
24545	CDW GOVERN	CDW GOVERNMENT INC	345749	111619 AP	12/06/2024	4-133-5-00-301	3773122	CANON PRINTER/BILL	252.19
*** VENDOR 24545 TOTAL									683.80
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-133-5-00-207	MIDWEST	MOBILE RADIO	500.00
331	CRAFCO	CRAFCO	345751	111621 AP	12/06/2024	4-133-5-00-227	12-7	921068 CRACKSEALER RENTAL	2,200.00
331	CRAFCO	CRAFCO	345751	111621 AP	12/06/2024	4-133-5-00-227	12-7	921068 CRACKSEALER RENTAL	2,200.00
331	CRAFCO	CRAFCO	345751	111621 AP	12/06/2024	4-133-5-00-227	12-7	921068 CRACKSEALER RENTAL	350.00
331	CRAFCO	CRAFCO	345751	111621 AP	12/06/2024	4-133-5-00-227	12-7	921068 CRACKSEALER RENTAL	350.00
*** VENDOR 331 TOTAL									5,100.00
24441	E EDWARDS	E EDWARDS	345754	111624 AP	12/06/2024	4-133-5-00-364	12-13	130317 SAFETY BOOTS FOCH	165.00
24441	E EDWARDS	E EDWARDS	345754	111624 AP	12/06/2024	4-133-5-00-364	12-13	130317 SAFETY BOOTS FOCH	130.00
*** VENDOR 24441 TOTAL									295.00
119	FINNEY & TURNIPSEED	FINNEY & TURNIPSEED TRANSPORTA	345756	111626 AP	12/06/2024	4-133-5-00-213	12-14	235TH RT 30 (BASIC DESIG	103,200.00
7655	J F DENNEY P	J F DENNEY PLUMBING & HEATING	345766	111636 AP	12/06/2024	4-133-5-00-440	12-5	REPAIR ON FURNACE AT SHOP	4,800.00
7655	J F DENNEY P	J F DENNEY PLUMBING & HEATING	345766	111636 AP	12/06/2024	4-133-5-00-440	12-9	REPAIR HVAC SYSTEM CO SHO	4,375.00
*** VENDOR 7655 TOTAL									9,175.00
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	345818	111688 AP	12/06/2024	4-133-5-00-362	12-10	4985 BM2	20,350.86
461	LEAV CO CO	LEAV CO COOP	345819	111689 AP	12/06/2024	4-133-5-00-304	12-27	PROPANE, CDEF,DIESEL,QWI	38,071.09
461	LEAV CO CO	LEAV CO COOP	345819	111689 AP	12/06/2024	4-133-5-00-310	12-27	PROPANE, CDEF,DIESEL,QWI	5,248.06
*** VENDOR 461 TOTAL									43,319.15
845	MEGAKC CORP	MEGAKC CORPORATION	345822	111692 AP	12/06/2024	4-133-5-00-440	12-6	REINFORCING STEEL FOR THE	32,365.20
232	MHC KENWORTH	MHC KENWORTH-OLATHE	345823	111693 AP	12/06/2024	4-133-5-00-360	12-16	95988 FILTERS, CLAMPS	1,052.04
232	MHC KENWORTH	MHC KENWORTH-OLATHE	345823	111693 AP	12/06/2024	4-133-5-00-360	12-16	95988 FILTERS, CLAMPS	89.10
*** VENDOR 232 TOTAL									1,141.14
2666	MISC REIMBURSEMENTS	FRANK GEORGE	345824	111694 AP	12/06/2024	4-133-5-00-203	12-15	REIMB CDL RENEWAL	41.75
680	NEXTRAN CORP	NEXTRAN TRUCK CENTERS	345827	111697 AP	12/06/2024	4-133-5-00-360	12-17	684042700 FILTERS	357.66
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-312	12-24	19615 TOOLS,SUPPLIES,PAR	51.29
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-312	12-24	19615 TOOLS,SUPPLIES,PAR	3.86
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-312	12-24	19615 TOOLS,SUPPLIES,PAR	36.30
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-312	12-25	19615 PARTS, SHOP SUPPLI	21.59
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	4.39
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	92.40
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	31.81-
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	10.23
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	187.00
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	63.89
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	6.62
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	210.87
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	46.77
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	17.16
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	201.87
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	75.99
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	15.98
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	233.76-
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-24	19615 TOOLS,SUPPLIES,PAR	12.73
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25	19615 PARTS, SHOP SUPPLI	233.32

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25 19615 PARTS, SHOP SUPPLI		84.36-	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25 19615 PARTS, SHOP SUPPLI		17.64	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25 19615 PARTS, SHOP SUPPLI		80.67	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25 19615 PARTS, SHOP SUPPLI		287.43-	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25 19615 PARTS, SHOP SUPPLI		276.40	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25 19615 PARTS, SHOP SUPPLI		9.58	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25 19615 PARTS, SHOP SUPPLI		26.46	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-360	12-25 19615 PARTS, SHOP SUPPLI		4.79	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-133-5-00-365	12-24 19615 TOOLS,SUPPLIES,PAR		39.60	
							*** VENDOR	11799 TOTAL		1,110.04
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	345695	346	11/28/2024	4-133-5-00-309	11-45 TIRE LESS CREDIT 196072		235.00	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	345695	346	11/28/2024	4-133-5-00-309	11-45 TIRE LESS CREDIT 196072		200.00-	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	345925	351	12/06/2024	4-133-5-00-309	12-18 1960724 TIRES		2,106.24	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	345925	351	12/06/2024	4-133-5-00-309	12-18 1960724 TIRES		957.00	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	345925	351	12/06/2024	4-133-5-00-309	12-18 1960724 TIRES		3,150.00	
							*** VENDOR	1123 TOTAL		6,248.24
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	345832	111702 AP	12/06/2024	4-133-5-00-360	12-19 8052255000 AIR CLEANER,P		242.54-	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	345832	111702 AP	12/06/2024	4-133-5-00-360	12-19 8052255000 AIR CLEANER,P		110.91	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	345832	111702 AP	12/06/2024	4-133-5-00-360	12-19 8052255000 AIR CLEANER,P		33.27	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	345832	111702 AP	12/06/2024	4-133-5-00-360	12-19 8052255000 AIR CLEANER,P		7.44	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	345832	111702 AP	12/06/2024	4-133-5-00-360	12-19 8052255000 AIR CLEANER,P		45.96	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	345832	111702 AP	12/06/2024	4-133-5-00-360	12-19 8052255000 AIR CLEANER,P		73.81	
							*** VENDOR	418 TOTAL		28.85
113	SUMNERONE INC	SUMNERONE INC	345838	111708 AP	12/06/2024	4-133-5-00-301	12-20 50LWC PUBLIC WORKS COPIE		78.96	
668	TIREHUB	TIREHUB INC	345843	111713 AP	12/06/2024	4-133-5-00-309	12-21 407362 TIRES		438.42	
668	TIREHUB	TIREHUB INC	345843	111713 AP	12/06/2024	4-133-5-00-309	12-21 407362 TIRES		247.44	
							*** VENDOR	668 TOTAL		685.86
392	VANDERBILT	VANDERBILT'S	345922	111792 AP	12/06/2024	4-133-5-00-364	12-22 10000127 SAFETY BOOTS E		165.00	
							TOTAL FUND 133			232,871.51
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-136-5-00-206	FIRSTNET - COMM CORR		50.34	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-136-5-00-226	FIRSTNET - COMM CORR		50.34	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-136-5-00-246	FIRSTNET - COMM CORR		100.68	
							*** VENDOR	648 TOTAL		201.36
1220	CULLIGAN OF GREATER	CULLIGAN OF GREATER KANSAS CIT	345752	111622 AP	12/06/2024	4-136-5-00-203	1274542 WATER/COOLER SERVICE		21.00	
1220	CULLIGAN OF GREATER	CULLIGAN OF GREATER KANSAS CIT	345752	111622 AP	12/06/2024	4-136-5-00-223	1274542 WATER/COOLER SERVICE		21.00	
							*** VENDOR	1220 TOTAL		42.00
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345697	348	11/28/2024	4-136-5-00-203	OCTOBER SHREDDING		6.00	
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345697	348	11/28/2024	4-136-5-00-223	OCTOBER SHREDDING		6.00	
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345697	348	11/28/2024	4-136-5-00-243	OCTOBER SHREDDING		6.00	
							*** VENDOR	8416 TOTAL		18.00
276	WEX	WEX BANK	345692	343	11/28/2024	4-136-5-00-208	NOVEMBER FUEL TO 11.23		10.33	
276	WEX	WEX BANK	345692	343	11/28/2024	4-136-5-00-221	NOVEMBER FUEL TO 11.23		35.42	
							*** VENDOR	276 TOTAL		45.75
							TOTAL FUND 136			307.11
461	LEAV CO CO	LEAV CO COOP	345819	111689 AP	12/06/2024	4-137-5-00-304	12-3 AFD DYED DIESEL		10,865.28	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS		122.42	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS		85.82	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS		100.73	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS		43.17	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS		139.90	

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS	174.21	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS	554.81	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS	87.75	
11799	O'REILLY A	O'REILLY AUTOMOTIVE	345828	111698 AP	12/06/2024	4-137-5-00-320	12-2 PARTS	29.45	
							*** VENDOR	11799 TOTAL	1,338.26
8028	POWERPLAN	MURPHY TRACTOR & EQUIP CO	345831	111701 AP	12/06/2024	4-137-5-00-320	12-1 88002-36463 SVC CALLS JD	474.21	
8028	POWERPLAN	MURPHY TRACTOR & EQUIP CO	345831	111701 AP	12/06/2024	4-137-5-00-320	12-1 88002-36463 SVC CALLS JD	218.99	
							*** VENDOR	8028 TOTAL	693.20
							TOTAL FUND 137		12,896.74
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	345694	345	11/28/2024	4-138-5-00-226	FIRSTNET - COMM CORR	201.36	
							TOTAL FUND 138		201.36
2621	CAFE	TERRY BOOKER	345745	111615 AP	12/06/2024	4-145-5-00-256	MEALS RESERVED 11/16-11/30	15,021.50	
2621	CAFE	TERRY BOOKER	345745	111615 AP	12/06/2024	4-145-5-00-256	MEALS RESERVED 11/16-11/30	9,100.00	
							*** VENDOR	2621 TOTAL	24,121.50
770	POLL	BASEHOR UNITED METHODIST CHURC	345829	111699 AP	12/06/2024	4-145-5-00-246	MEALSITE UTILITY STIPEND	136.00	
770	POLL	BASEHOR UNITED METHODIST CHURC	345829	111699 AP	12/06/2024	4-145-5-05-202	MEALSITE UTILITY STIPEND	58.00	
770	POLL	BASEHOR UNITED METHODIST CHURC	345829	111699 AP	12/06/2024	4-145-5-07-202	MEALSITE UTILITY STIPEND	6.00	
							*** VENDOR	770 TOTAL	200.00
865	POLL	WEST HAVEN BAPTIST CHURCH	345830	111700 AP	12/06/2024	4-145-5-00-246	DECEMBER MEAL SITE UTILITY STI	136.00	
865	POLL	WEST HAVEN BAPTIST CHURCH	345830	111700 AP	12/06/2024	4-145-5-05-202	DECEMBER MEAL SITE UTILITY STI	58.00	
865	POLL	WEST HAVEN BAPTIST CHURCH	345830	111700 AP	12/06/2024	4-145-5-07-202	DECEMBER MEAL SITE UTILITY STI	6.00	
							*** VENDOR	865 TOTAL	200.00
893	SYNERGY	GREG DURRETT	345839	111709 AP	12/06/2024	4-145-5-00-256	600 CASES - SHELF STABLE MEALS	3,580.50	
893	SYNERGY	GREG DURRETT	345839	111709 AP	12/06/2024	4-145-5-06-201	600 CASES - SHELF STABLE MEALS	585.90	
893	SYNERGY	GREG DURRETT	345839	111709 AP	12/06/2024	4-145-5-06-221	600 CASES - SHELF STABLE MEALS	1,953.00	
893	SYNERGY	GREG DURRETT	345839	111709 AP	12/06/2024	4-145-5-07-221	600 CASES - SHELF STABLE MEALS	390.60	
							*** VENDOR	893 TOTAL	6,510.00
							TOTAL FUND 145		31,031.50
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-146-5-00-218	NOV 15 SHREDDING	64.62	
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-146-5-00-218	NOV 15 SHREDDING	13.57	
8416	IRON MOUNTAIN	IRON MOUNTAIN INC	345926	352	12/06/2024	4-146-5-00-218	NOV 15 SHREDDING	67.70	
							*** VENDOR	8416 TOTAL	145.89
							TOTAL FUND 146		145.89
1938	CATERPILLAR	CATERPILLAR FINANCIAL SVC CORP	345747	111617 AP	12/06/2024	4-153-5-00-3	12-1 2661950 LEASE PMT 4 OF 5	13,197.52	
1938	CATERPILLAR	CATERPILLAR FINANCIAL SVC CORP	345747	111617 AP	12/06/2024	4-153-5-00-3	12-1 2661950 LEASE PMT 4 OF 5	39,703.40	
							*** VENDOR	1938 TOTAL	52,900.92
							TOTAL FUND 153		52,900.92
7158	A-1 RENTAL	A-1 RENTAL	345735	111605 AP	12/06/2024	4-160-5-00-263	MONTHLY TOILET RENTAL	125.00	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	345698	349	11/28/2024	4-160-5-00-210	ELEC SVC SOLID WASTE 3 METERS	29.10	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	345698	349	11/28/2024	4-160-5-00-210	ELEC SVC SOLID WASTE 3 METERS	162.05	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	345698	349	11/28/2024	4-160-5-00-210	ELEC SVC SOLID WASTE 3 METERS	331.04	
							*** VENDOR	8686 TOTAL	522.19
22605	HINCKLEY S	HINCKLEY SPRINGS	345763	111633 AP	12/06/2024	4-160-5-00-263	586990012811238 DRINKING WATER	183.86	
6917	RWD 1	RURAL WATER DIST #1	345836	111706 AP	12/06/2024	4-160-5-00-210	WATER SVC SOLID WASTE	26.62	
10703	TIRE TOWN	TIRE TOWN	345842	111712 AP	12/06/2024	4-160-5-00-207	SCRAP TIRES	500.00	
10703	TIRE TOWN	TIRE TOWN	345842	111712 AP	12/06/2024	4-160-5-00-207	SCRAP TIRES	500.00	
							*** VENDOR	10703 TOTAL	1,000.00

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#					TOTAL FUND 160	1,857.67
615	KIMLEY-HORN	KIMLEY-HORN & ASSOCIATES, INC	345729	1781 AP	12/05/2024	4-171-5-02-201	12-1 268604000.1 SS4A SVC TO 1	59,500.00	
								TOTAL FUND 171	59,500.00
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	345736	111606 AP	12/06/2024	4-174-5-00-210	BALANCE OF INVOICE WITH ERROR	145.20	
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	345736	111606 AP	12/06/2024	4-174-5-00-210	BALANCE OF INVOICE WITH ERROR	142.50-	
								*** VENDOR 2138 TOTAL	2.70
1737	AT&T-CAROL STREAM IL	AT&T	345739	111609 AP	12/06/2024	4-174-5-00-210	913 A38-0682 421 2 SVC TO 3 TO	436.81	
1737	AT&T-CAROL STREAM IL	AT&T	345739	111609 AP	12/06/2024	4-174-5-00-210	913 A38-0682 421 2 SVC TO 3 TO	436.81	
1737	AT&T-CAROL STREAM IL	AT&T	345739	111609 AP	12/06/2024	4-174-5-00-210	913 A38-0682 421 2 SVC TO 3 TO	436.81	
								*** VENDOR 1737 TOTAL	1,310.43
2187	XYBIX	XYBIX	345924	111794 AP	12/06/2024	4-174-5-00-210	LEACOLEKS REPAIR/REPL PARTS O	9,277.17	
								TOTAL FUND 174	10,590.30
6044	DOUGLAS CO YOUTH SER	DOUGLAS COUNTY CRIMINAL JUSTIC	345753	111623 AP	12/06/2024	4-195-5-00-3	C000237 JUV HOUSING 2 X 150	300.00	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	345698	349	11/28/2024	4-195-5-00-290	ELEC SVC COMMUNITY CORRECTIONS	429.45	
66366	KANSAS GAS ACH	KANSAS GAS SERVICE	345699	350	11/28/2024	4-195-5-00-290	510614745 1628631 73 GAS TRANS	97.44	
11982	UNIFIED GO	WYANDOTTE CO SHERIFF	345847	111717 AP	12/06/2024	4-195-5-00-3	JUV HOUSING 159 DAYS	23,850.00	
								TOTAL FUND 195	24,676.89
								TOTAL ALL CHECKS	574,813.37

TYPES OF CHECKS SELECTED: * ALL TYPES

FUND SUMMARY

001	GENERAL	145,435.01
106	OPIOID SETTLEMENT	647.96
108	COUNTY HEALTH	75.00
117	CO CLERK TECHNOLOGY	720.00
125	CPJJ	47.25
126	COMM CORR ADULT	638.77
127	COMM CORR ADULT NON GRANT	269.49
133	ROAD & BRIDGE	232,871.51
136	COMM CORR JUVENILE	307.11
137	LOCAL SERVICE ROAD & BRIDGE	12,896.74
138	JUV INTAKE & ASSESSMENT	201.36
145	COUNCIL ON AGING	31,031.50
146	COUNTY TREASURER SPECIAL	145.89
153	PUBLIC WORKS,EQUIP.RESERVE FUND	52,900.92
160	SOLID WASTE MANAGEMENT	1,857.67
171	S TAX CAP RD PROJ: BONDS	59,500.00
174	911	10,590.30
195	JUVENILE DETENTION	24,676.89
	TOTAL ALL FUNDS	574,813.37

For Consent Agenda 12-11-24
Checks dated 11/26 - 12/8

Leavenworth County Request for Board Action

Date: Dec 4, 2024
To: Board of County Commissioners
From: Jamie Miller
Misty Brown

Action Requested: Authorize the Chairman of the Board of County Commissioners to sign the Charter resolution as presented

Recommendation: Approval

Issue:

Consider approving a charter resolution to use home rule authority to exempt Leavenworth County from a provision of K.S.A. 65-202 regarding annual sanitary inspections of school buildings and grounds by the local health officer.

Background:

Leavenworth County has engaged in school sanitary inspections per K.S.A. 65-202 for years. Historically, there was an ability to opt out of such inspections via statutory home rule authority contained in K.S.A. 19-101. The legislature removed this home rule authority during the 2020 special session when implementing new law regarding COVID-19. The impact on school inspections was likely inadvertent and the legislature restored the ability for counties to opt out under home rule authority during the regular 2024 legislative session. While Leavenworth County has never opted out before, most counties in Kansas now have.

The inspection activity is redundant to school facilities and is not offering meaningful oversight. Many schools have expert staff who use concepts from CIMS (Cleaning Industry Management Standard) for sanitation practices. The state of Kansas provides no requirements on what to include in school sanitary inspections, so each county has been left to its own devices on what to inspect. Also, there is no legal obligation that the schools address items found in the school sanitary inspections, so they function merely as recommendations.

Schools already face other regulations and related inspections, such as:

- The Kansas Department of Agriculture (food safety)
- The local fire department/state fire marshal (fire safety)
- Kansas Department of Labor (applies to public schools; safety and health evaluations)
- Elevator inspections (if the building contains an elevator)
- Child care inspection by DHE (if the school has a child care center or a school-age program)

Leavenworth County HD would retain the authority to conduct an inspection upon request, such as if a public health complaint against a school building was filed. This will solely opt out of the annual inspection provision and does not renounce any public health authority.

A Charter Resolution requires a supermajority (2/3) vote of the Board for approval. The resolution must be published in the County newspaper and is subject to a sixty (60) day protest period before it becomes effective.

CHARTER RESOLUTION NO. 2024-1

A CHARTER RESOLUTION EXEMPTING LEAVENWORTH COUNTY, KANSAS FROM CERTAIN PROVISIONS OF K.S.A 65-201 *ET SEQ.*, SPECIFICALLY K.S.A. 65-202 SUBSECTION (C) REGARDING ANNUAL SANITARY INSPECTIONS OF SCHOOL BUILDINGS AND GROUNDS BY THE LOCAL HEALTH OFFICER.

WHEREAS, K.S.A. 19-101, et seq. provides that counties may exercise certain home rule powers, including adopting charter resolutions which exempt such counties from acts of the Kansas legislature, subject to certain restrictions contained in K.S.A. 19-101a; and

WHEREAS, Leavenworth County, Kansas is a County within the meaning of the provisions of K.S.A. 19-101, et seq.; and

WHEREAS, K.S.A. 65-201 et seq. is not uniformly applicable to all counties within the state of Kansas; and

WHEREAS, the Board of County Commissioners of Leavenworth County, Kansas deems it necessary and advisable to exempt the County from certain provisions of K.S.A. 65-201 et seq., specifically K.S.A. 65-202 subsection (c) regarding annual sanitary inspections of schools.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS:

Section 1. That the foregoing recitals are incorporated in and made a part of this resolution by this reference.

Section 2. That the Board by the power vested in it by K.S.A. 19-101a hereby elects to and does hereby exempt itself from and makes inapplicable to the County the provisions of K.S.A. 65-202 subsection (c) concerning only the requirements of the local health officer to inspect each school building and grounds at the opening of the fall term of school, and make additional inspections thereof as are necessary to protect the public health of the students of the school.

Section 3. That all other applicable statutory provisions of K.S.A. 65-201 et seq. not exempted by this Charter Resolution shall be and remain in effect and applicable to the County.

Section 4. That this Charter Resolution shall be published once each week for two (2) consecutive weeks in the official County newspaper, and that this Charter Resolution shall then take effect sixty (60) days after its final publication unless, within that sixty (60) days, a sufficient petition, signed by the requisite number of qualified electors, is filed in the office of the County Election Officer demanding that the Charter Resolution be submitted to a vote of the electors, as provided in K.S.A. 19-101b, in which case, this Charter Resolution shall not become effective unless and until it is submitted to an election and approved by a majority of the electors voting upon it.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF
LEAVENWORTH COUNTY, KANSAS THIS 4TH DAY OF DECEMBER, 2024.**

BOARD OF COUNTY COMMISSIONERS OF
LEAVENWORTH COUNTY, KANSAS

By _____
Jeffrey Culbertson, Chair

ATTEST:

JANET KLASINSKI, County Clerk

APPROVED AS TO FORM:

David Van Parys, Senior County Counselor

Leavenworth County Request for Board Action

Date: 12/5/2024

To: Board of County Commissioners

From: Public Works

Department Head Approval:

Additional Reviews as needed:

Budget Review Administrator Review Legal Review

Action Requested: Requesting consideration for a 5-year lease agreement from Foley Equipment replacing two 2019 model year Caterpillar motor graders with an annual lease payment for \$70,441.36 per grader. The lease will include filters, fluids and warranty for the life of the lease.

Recommendation: Consideration

Analysis: These are replacements for our current #23 and #24 machines that are depreciating out.

Pricing included all fluids, filters, and an extended warranty for the life of the lease.

Alternatives:

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: \$70,441.36 /yearly per machine

Additional Attachments: Bid Documents

COUNTY OF LEAVENWORTH
Two (2) new 6WD motor graders

Bid Opening 11.26.2024



Item Description	Quantity	Murphy Tractor KCMO		Foley Equipment	
		Bid Price	Annual payment	Bid Price	Annual payment
5- year lease					
Machine 1, John Deere 672GP	1	\$427,750.00	\$94,649.79		
Machine 2, John Deere 672GP	1	\$427,750.00	\$94,649.79		
Machine 1, CAT 140-15AWJ	1			\$411,315.00	\$70,441.36
Machine 1, CAT 140-15AWJ	1			\$411,315.00	\$70,441.36
Total Costs		\$855,500.00	\$189,299.58	\$822,630.00	\$140,882.72
Leavenworth County Contractor (local preference, percentage difference from lowest bid)					

**Leavenworth County
Request for Board Action
Resolution 2024-26
Rezoning from RR-5 to RR-2.5**

Date: December 11, 2024
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 the Planning Commission's recommendations regarding the rezoning request from RR-5 to RR-2.5 in Case No. 118 for Board action.

Analysis: The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. Staff recommended approval of this request. The Comprehensive Plan identifies the future land use of this area as Residential (2.5 acre minimum), and the request is compliant with the Future Land Use map. Staff recommended approval of this request.

Planning Commission Recommendation: The Planning Commission voted 4-3 to recommend denial of Case No. DEV-24-118 (Resolution 2024-26) the rezoning request from RR-5 to RR-2.5. The Planning Commission found that the request did not meet the first factor (Character of Neighborhood) and the third factor (Suitability of the property for the uses to which it has been restricted) of the Golden Factors. The Commissioners analysis can be found in the draft minutes and on Youtube.

Alternatives:

1. Deny case DEV-24-118 (Resolution 2024-26), Rezoning Request from RR-5 to RR-2.5 with Findings of Fact and approve the Planning Commission's recommendation; or

Motion: Chairman, I find that the rezoning request does not comply with Golden Factors (LIST FACTORS) and move to deny Resolution 2024-26 and deny the rezoning as outlined in Case DEV-24-118 based on the findings of facts adopted by the Planning Commission.

2. Approve case DEV-24-118 (Resolution 2024-26), Rezoning Request from RR-5 to RR-2.5 by overriding the Planning Commission's recommendation with a 2/3 majority vote with Findings of Fact; or

Motion: Chairman, I find that the rezoning request complies with the Golden Factors including factors 1 and 3 and move to adopt Resolution 2024-26 and approve the rezoning as outlined in Case DEV-24-118 based on the findings as set forth in the Staff Report.

3. Remand the case back to the Planning Commission with a majority vote and a statement specifying the basis for the Board failure to approve or disapprove.

Motion: *Chairman, I move to remand Case No. DEV-24-118 back to the Planning Commission for additional review due to the Planning Commission's analysis of (STATE THE REASON(S) THE MATTER IS BEING SENT BACK).*

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, Planning Commission Minutes

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-118 Gilbert Rezone

November 13, 2024

REQUEST: *Public Hearing Required*

- ZONING AMENDMENT SPECIAL USE PERMIT
 TEMPORARY SPECIAL USE PERMIT

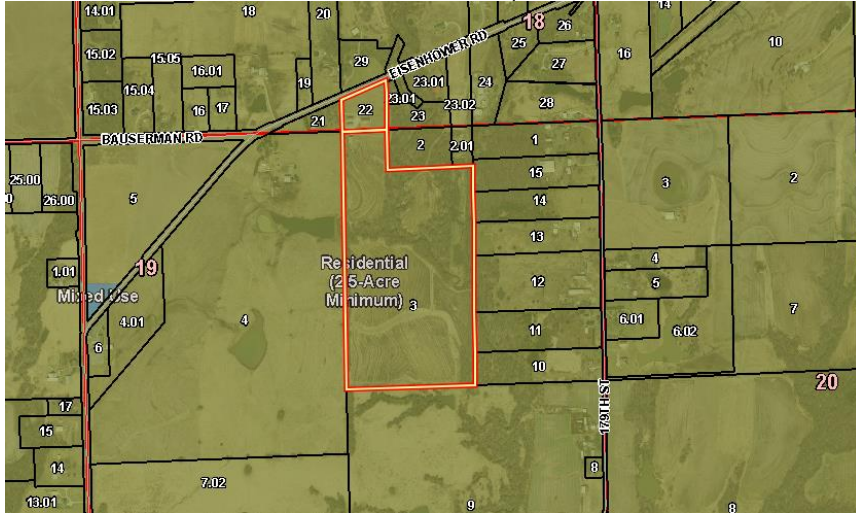
STAFF REPRESENTATIVE:

AMY ALLISON
DEPUTY DIRECTOR

SUBJECT PROPERTY: 18289 & 00000 Eisenhower Rd
FUTURE LAND USE MAP: RESIDENTIAL (2.5 ACRE MIN)

APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING
COMPANY



PROPERTY OWNER:

Frances G. Gilbert
Jill & Bradley Gilbert
18289 Eisenhower Rd
Leavenworth KS 66048

CONCURRENT APPLICATIONS:

N/A

LAND USE

ZONING: RR-5

FUTURE LAND USE
DESIGNATION: RESIDENTIAL
(2.5-ACRE MIN)

SUBDIVISION: N/A

FLOODPLAIN: Zone A

LEGAL DESCRIPTION:

A tract in the Southeast Quarter of Section 18, Township 9, Range 22, in Leavenworth County, Kansas; AND A tract of land in the Northeast Quarter of Section 19, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

STAFF RECOMMENDATION: APPROVAL

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-118, Rezone for Frances Gilbert & Jill & Bradley Gilbert, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-118, Rezone for Frances Gilbert & Jill & Bradley Gilbert, 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: 76.8 ACRES

PARCEL ID NO:
104-18-0-00-00-022.00 & 104-19-0-00-00-003.00

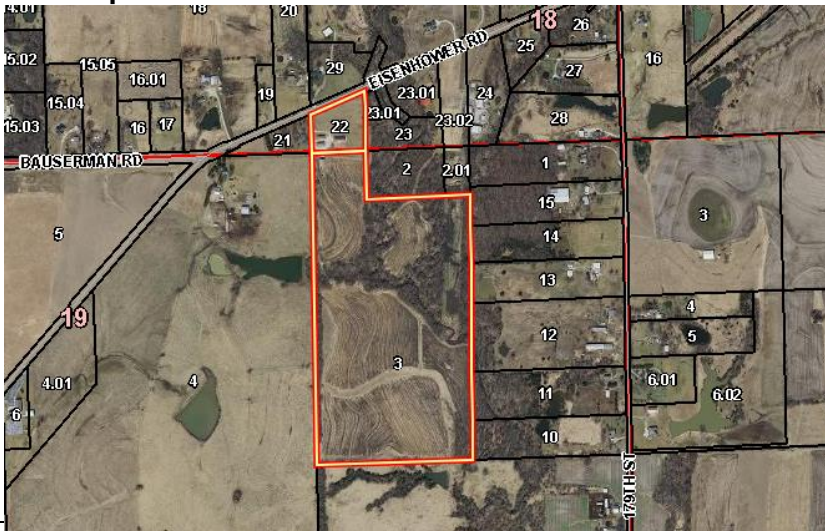
BUILDINGS:
SINGLE-FAMILY RESIDENCE,
ACCESSORY STRUCTURES

PROJECT SUMMARY:

Request to rezone two tracts at 18289 & 00000 Eisenhower Road from RR-5 to RR-2.5. (PID: 104-18-0-00-00-022.00 & 104-19-0-00-00-003.00).

ACCESS/STREET:
EISENHOWER RD - ARTERIAL,
PAVED, ±24' WIDE

Location Map:



UTILITIES

SEWER: SEPTIC

FIRE: FIRE DISTRICT 1

WATER: RWD #8

ELECTRIC: FREESTATE

NOTICE & REVIEW:

STAFF REVIEW: 10/22/2024

NEWSPAPER NOTIFICATION:
10/22/2024

NOTICE TO SURROUNDING
PROPERTY OWNERS:
10/22/2024

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 1.4 acres to more than 150 acres. The area is not densely populated.</p> <p><i>Nearby City Limits:</i> Lansing is approximately 1.75 miles to the east.</p> <p><i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.</p>	X	
<p>2. Zoning and uses of nearby property: <i>Adjacent Uses:</i> Adjacent parcels are residential and agricultural in nature.</p> <p><i>Adjacent Zoning:</i> All adjacent properties are zoned RR-5. RR-2.5 is located a quarter mile to the east.</p>	X	
<p>3. Suitability of the Property for the uses to which it has been restricted: The property is suitable for rural residences and agricultural uses.</p>	X	
<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 rural residential.</i></p>	X	
<p>5. Length of time the property has been vacant as zoned: <input type="checkbox"/> Vacant: <input checked="" type="checkbox"/> Not Vacant: Single family residence with accessory structures have been on the site since the late 1980s.</p>	X	
<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 were to be developed as a rural subdivision, twice as many homes could potentially be constructed which may have a positive impact on economic development.</p>	X	
<p>7. Conformance to the Comprehensive Plan: <i>Future Land Use Map:</i> Residential (2.5 acre min) <i>Section 4 Land Use and Development Plan Strategies:</i> The proposed use is compatible with the future land use designation.</p>	X	

STAFF COMMENTS:

The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of this area as *Residential (2.5 acre min)*. The applicant has provided a concept drawing splitting off the homesite on 2.5 acres. The remainder would allow for another homesite to be built.

ATTACHMENTS:

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

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 Joe Herring NAME Francis G. Gilbert - Jill C. & Bradly A. Gilbert
ADDRESS 315 North 5th Street ADDRESS 18289 Eisenhower Road
CITY/ST/ZIP Leavenworth, KS 66048 CITY/ST/ZIP Leavenworth, KS 66048
PHONE 913-651-3858 PHONE N/A
EMAIL herringsurveying@outlook.com EMAIL N/A
CONTACT PERSON Joe CONTACT PERSON N/A

PROPOSED USE INFORMATION

Proposed Land Use Agriculture & Rural Residential
Current Zoning RR-5 Requested Zoning RR-2.5
Reason for Requesting Rezoning Estate Planning and to match the future land use plan

PROPERTY INFORMATION

Address of Property 18289 Eisenhower Road
Parcel Size 5 Acres & 72.4 Acres
Current use of the property Agriculture and Rural Residential
Present Improvements or structures House and Agricultural Structures
PID 104-19-0-00-00-003 & 104-18-0-00-00-022

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 October 10, 2024 Date 10/10/2024

ATTACHMENT A



Doc #: 2014R03050
 STACY R. DRISCOLL/REGISTER OF DEEDS
 LEAVENWORTH COUNTY
 RECORDED ON
 05/09/2014 04:03PM
 RECORDING FEE: 8.00
 INDEBTEDNESS: 0.00
 PAGES: 1

**WAIVER OF MARITAL INTEREST
 AND CONSENT TO DISPOSITION OF REAL ESTATE**

The undersigned (Declarant) being the spouse of Francis G. Gilbert who is the owner of a certain parcel of real estate commonly known as 18289 Eisenhower Rd., Leavenworth, KS 66048, and legally described as:

A tract in the Southeast 1/4 of Section 18, Township 9, Range 22, in Leavenworth County, Kansas described as:
 Beginning at the Southwest corner of said Southeast 1/4; thence North 88° 49' 43" East 458.69 feet along the South line of said Southeast 1/4; thence North 00° East 488.59 feet to the Southerly right-of-way line of County Road 10; thence Southwesterly 498.00 feet along said right-of-way to the West line of said Southeast 1/4; thence South 01° 22' 17" East 323.28 feet to the beginning. LESS any part thereof taken or used for road purposes.

DOES HEREBY waive and release all spousal right, title and interest in the described real estate, including, but not limited to, all marital interest as described in K.S.A. 59-505 and/or 474.150RSMo. and consents to the mortgaging of said real estate to Citizens National Bank by Francis G. Gilbert without the Joiner or signature of the undersigned.

This waiver and consent extends only to the transaction and real estate described above. It does not extend to the disposition of any other property not described herein or to the disposition of the above captioned property to any person or entity not named therein.

Pamela J. Gilbert
 Pamela J. Gilbert Declarant

KSTV 8

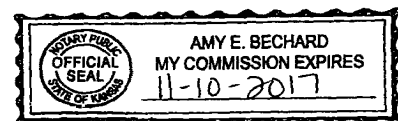
STATE OF KANSAS, COUNTY OF LEAVENWORTH) ss

On this 1th day of May, 2014, before me a Notary Public, in and for the County and State aforesaid, personally appeared the above Declarant, to me known to be the person described in and who executed the foregoing instrument, and acknowledged the execution of the same as a free and volunteer act and deed.

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

Amy E. Bechard
 Notary Public

My commission expires: 11-10-2017
TX0007225



Kansas Secured Title
 360 Santa Fe
 Leavenworth, KS 66048



* 2 0 1 4 R 0 3 0 5 1 2 *

Doc #: 2014R03051

STACY R. DRISCOLL/REGISTER OF DEEDS
LEAVENWORTH COUNTY

RECORDED ON

05/09/2014 04:03PM

RECORDING FEE: 12.00

INDEBTEDNESS: 0.00

PAGES: 2

Entered in the transfer record in my office this

9 day of May 2014
Jana Korman
by B Jones County Clerk

TX0007225

Kansas Secured Title

360 Santa Fe

Leavenworth, KS 66048

QUIT CLAIM DEED

Pamela J. Gilbert

convey and quitclaims to

Francis G. Gilbert

all the following REAL ESTATE in the County of LEAVENWORTH, and the State of Kansas, to-wit:

A tract in the Southeast 1/4 of Section 18, Township 9, Range 22, in Leavenworth County, Kansas described as:
Beginning at the Southwest corner of said Southeast 1/4; thence North 88° 49' 43" East 458.69 feet along the South line of said Southeast 1/4; thence North 00° East 488.59 feet to the Southerly right-of-way line of County Road 10; thence Southwesterly 498.00 feet along said right-of-way to the West line of said Southeast 1/4; thence South 01° 22' 17" East 323.28 feet to the beginning, LESS any part thereof taken or used for road purposes.

COMMONLY KNOWN AS: 18289 Eisenhower Rd., Leavenworth, KS 66048

Tax ID 12431

Pamela J. Gilbert is conveying all of her right, title and interest in and to subject property to Francis G. Gilbert and by her signature acknowledges complete satisfaction and receipt of her share of the equity in subject property.

KSTLV 12 ✓

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

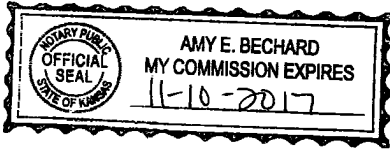
No Real Estate Validation Questionnaire per KSA 1993 Supp. 79-1437e as amended (8)

Dated this 7 day of May, 2014.

Pamela J. Gilbert
Pamela J. Gilbert

STATE OF KANSAS, LEAVENWORTH COUNTY:

The foregoing instrument executed was acknowledged before me this 7th day of May, 2014, by Pamela J. Gilbert.



Amy E. Bechard
Notary Public

My appointment expires: 11-10-2017

SATISFACTION OF EQUITY LIEN AND AFFIDAVIT OF INTENT TO CONVEY

In the office of the Clerk of the District Court of Leavenworth County, Kansas, appears Suit for Divorce, Case No. 2013-DM-929, filed November 12, 2013, In the Matter of the Marriage of Francis G. Gilbert, Petitioner vs. Pamela J. Gilbert, Respondent.

Hearing result for Pretrial Conference held on March 27, 2014 at 10:00 AM is as follows: Hearing Held; petitioner with CLee; respondent with RHall; both parties waive maintenance; marital residence to be sold and proceeds divided equally.

Contrary to the terms of the Hearing held on March 27, 2014 which stated the marital residence is to sold and proceeds divided equally, Pamela J. Gilbert intends to convey all of her right, title and interest in and to subject property to her husband (Francis G. Gilbert) and the husband (Francis G. Gilbert) shall pay the wife (Pamela J. Gilbert) for her share of the equity in the house in the amount of \$65,500.00

The undersigned party in this action, for value received, hereby waives and releases the lien of any judgment heretofore rendered in her favor, regarding the following property:

A tract in the Southeast 1/4 of Section 18, Township 9, Range 22, in Leavenworth County, Kansas described as:
Beginning at the Southwest corner of said Southeast 1/4; thence North 88° 49' 43" East 458.69 feet along the South line of said Southeast 1/4; thence North 00° East 488.59 feet to the Southerly right-of-way line of County Road 10; thence Southwesterly 498.00 feet along said right-of-way to the West line of said Southeast 1/4; thence South 01° 22' 17" East 323.28 feet to the beginning, LESS any part thereof taken or used for road purposes.

8
N21
KSTLV

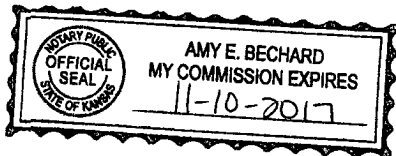
Dated: May 7, 2014

Pamela J. Gilbert
Pamela J. Gilbert

STATE OF KANSAS, COUNTY OF LEAVENWORTH }ss.

The foregoing instrument was acknowledged before me this 7th day of May, 2014.

Amy E. Bechard
Notary Public



My commission expires: 11-10-2017



Doc #: 2014R03049
STACY R. DRISCOLL/REGISTER OF DEEDS
LEAVENWORTH COUNTY

RECORDED ON
05/09/2014 04:03PM
RECORDING FEE: 8.00
INDEBTEDNESS: 0.00
PAGES: 1

TX0007225
Kansas Secured Title
360 Santa Fe
Leavenworth, KS 66048



* 2 0 1 1 R 0 4 8 2 9 2 *

Doc #: 2011R04829

STACY R. DRISCOLL/REGISTER OF DEEDS

LEAVENWORTH COUNTY

RECORDED ON

06/28/2011 12:16PM

RECORDING FEE: 12.00

INDEBTEDNESS: 0.00

PAGES: 2

Entered in the transfer record in my office this

28th day of June 2011
Janet Krasinski By [Signature] County Clerk

STATUTORY WARRANTY DEED

FRANCIS G. GILBERT and PAMELA J. GILBERT, husband and wife

of Leavenworth County, Kansas, conveys and warrants to:

BRADLY A. GILBERT, a married person, and JILL C. GILBERT, a single person

of Leavenworth County, Kansas, their heirs and assigns all of the following described real estate, situated in the County of Leavenworth, State of Kansas, to-wit:

The West Half of the Northeast Quarter of Section 19, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, less and except any part thereof taken or used for road or street purposes,

AND ALSO LESS AND EXCEPT:

A tract of land in the West Half of the Northeast Quarter of Section 19, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at a point on the North line of said Northeast Quarter 458.69 feet North 88° 49' 43" East from the Northwest corner of said Northeast Quarter; thence North 88° 49' 43" East 860.07 feet; thence South 00° 35' 00" East 400.0 feet; thence South 88° 49' 43" West 864.14 feet; thence North 00° East 400.0 feet to the point of beginning.

For the sum of one dollar and other good and valuable considerations. Subject to restrictions, reservations, assessments, and easements, if any, now affecting said property.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever. And Grantor, for itself, its successors and assigns, does hereby covenant, promise and agree, to and with Grantee, that at the delivery of these presents it is lawfully seized in its 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 unencumbered of and from all former and other grants, titles, charges, estates, judgments taxes, assessments and encumbrances, of what nature and kind whatsoever, subject to Grantor's reservation set forth herein, and that it will WARRANT AND FOREVER DEFEND the same unto Grantee, their heirs, successors and assigns, against Grantor, its successors and assigns, and all and every person or persons whomsoever lawfully claiming or to claim the same.

PTL
84

Dated this 27th day of June, 2011.

Francis G. Gilbert
FRANCIS G. GILBERT

Pamela J. Gilbert
PAMELA J. GILBERT

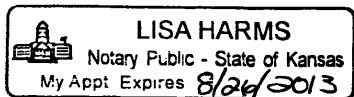
Pursuant to K.S.A. 79-1437g, a Kansas Real Estate Sales Validation Questionnaire is not required due to Exemption No. 4.

State of Kansas)
) S.S.:
County of Leavenworth)

BE IT REMEMBERED, That on this 27th day of June, 2011 before me, a Notary Public in and for said county and state, came, FRANCIS G. GILBERT and PAMELA J. GILBERT, husband and wife, to me personally known to be the same persons who executed the foregoing instrument, and duly acknowledged the execution of the same.

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

(Seal)



Lisa Harms
Notary Public

My Commission Expires: 8/26/2013

AFFIDAVIT
Authorization of Contractors or Individuals to Act as Agents of a Landowner
COUNTY OF LEAVENWORTH
STATE OF KANSAS

We/I Francis G. Gilbert and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
18289 Eisenhower Rd., 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 18th day of September, 2024.

Francis G. Gilbert 18289 Eisenhower Rd. LVN, KS 913-547-0296
Print Name, Address, Telephone

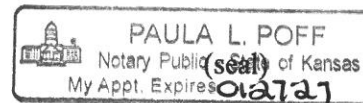
Francis G. Gilbert
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this 18th day of September 2024 before me, a notary public in and for said County and State came Francis G. Gilbert 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 Paula L. Poff

My Commission Expires: 01-27-2027





EISENH...

18

23.01

23.02

24

23.01

23

Area: 3.14 ac
Perimeter: 1,561.83 ft

11

19 ft

314.12

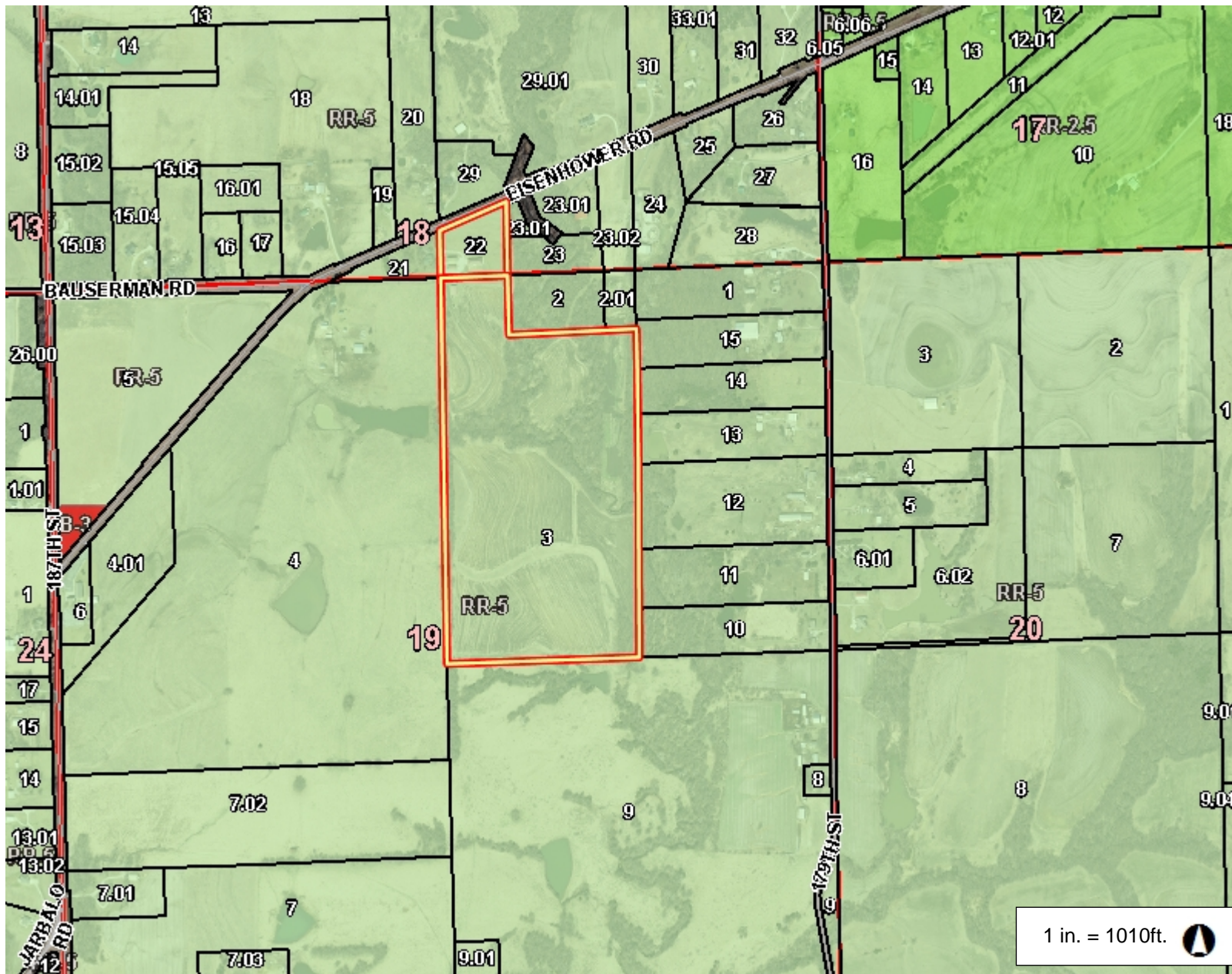
2

2.01

3

9

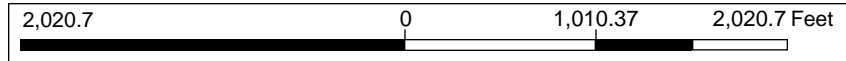
DEV-24-118 Gilbert Rezone



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

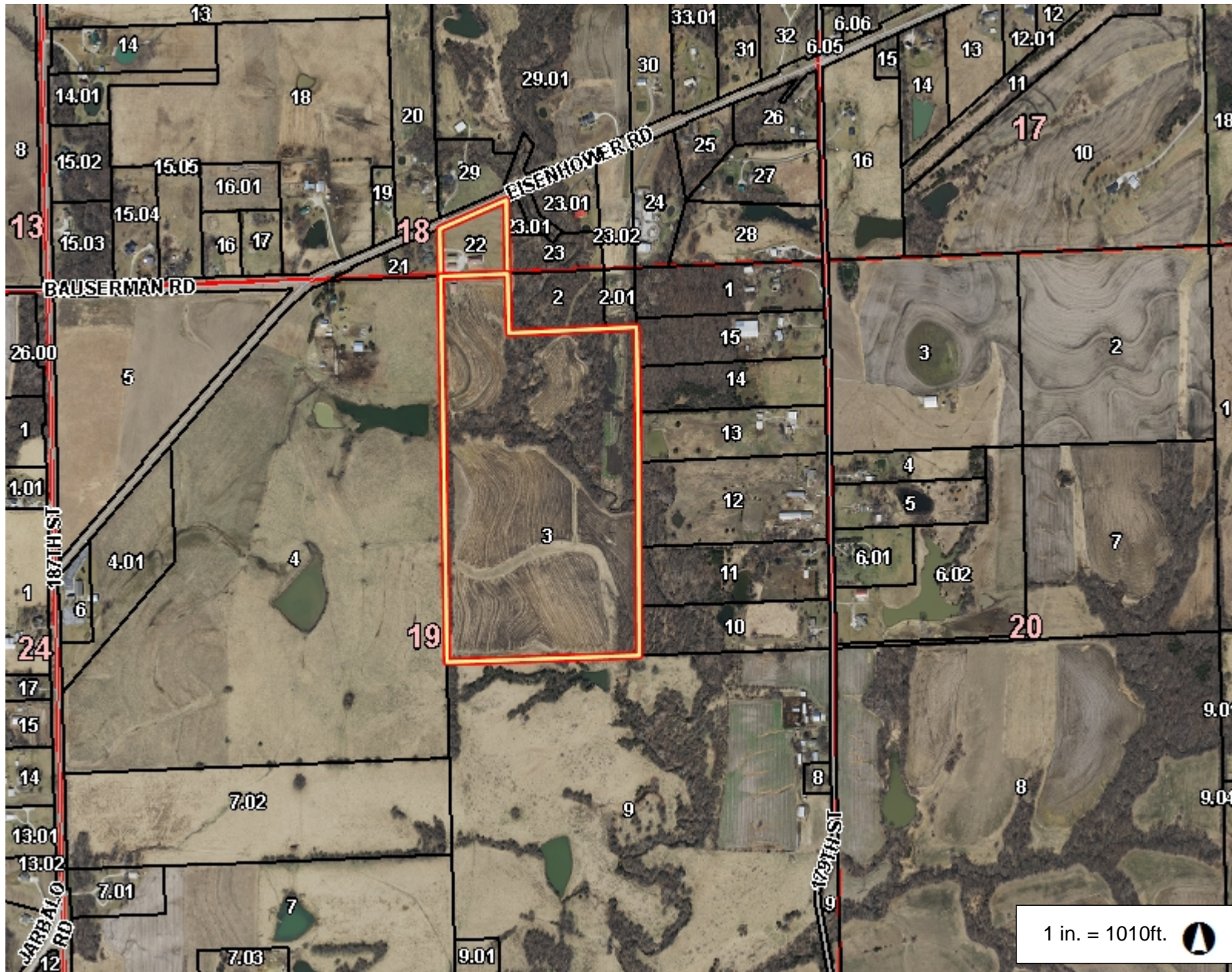
1 in. = 1010ft.



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

Notes

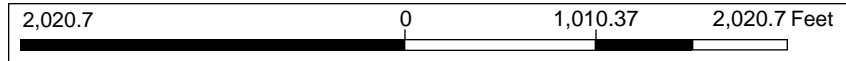
DEV-24-118 Gilbert Rezone



Legend

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

1 in. = 1010ft.



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

Notes

Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, September 24, 2024 10:45 AM
To: Allison, Amy
Subject: RE: RE: DEV-24-118 Gilbert Rezone

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: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, September 23, 2024 3:57 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>; 'kmackey@fd1lvco.org' <kmackey@fd1lvco.org>; 'linedepartment@freestate.coop' <linedepartment@freestate.coop>; 'rwd8lv@gmail.com' <rwd8lv@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-118 Gilbert Rezone

Good Afternoon,

The Department of Planning and Zoning has received an application for a rezone regarding the property located at 18289 & 00000 Eisenhower Road (104-19-0-00-00-003.00 & 104-18-0-00-00-022.00) from RR-5 to RR-2.5.

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 Monday, October 7, 2024.

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

Thank you,

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

Disclaimer

Allison, Amy

From: Gary Willits <gary.willits@freestate.coop>
Sent: Tuesday, September 24, 2024 6:52 AM
To: Allison, Amy
Subject: FW: DEV-24-116 Kaaz Rezone

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.

Amy,
FreeState Electric is okay with the rezone of this property. The main thing that we would require is utility easements, so we can route our infrastructure to provide electricity to the parcels. Utility easements are seldom an issue due to Leavenworth County's zoning requirements.
Thank you,
Gary Willits

Gary Willits
Staking Engineer



1-800-794-1989 | www.freestate.coop

From: Line Department <linedepartment@freestate.coop>
Sent: Thursday, September 12, 2024 10:59 AM
To: Gary Willits <gary.willits@freestate.coop>
Subject: FW: DEV-24-116 Kaaz Rezone

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Thursday, September 12, 2024 10:36 AM
To: 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>; 'kmackey@fd1lvco.org' <kmackey@fd1lvco.org>; Line Department <linedepartment@freestate.coop>; 'rwd8lv@gmail.com' <rwd8lv@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-116 Kaaz Rezone

Good Morning,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 18415 Eisenhower Road from RR-5 to RR-2.5.

Allison, Amy

From: Rural Water <rwd8lv@gmail.com>
Sent: Thursday, September 26, 2024 10:04 AM
To: Allison, Amy
Cc: Magaha, Chuck; Anderson, Kyle; Miller, Jamie; Patzwald, Joshua; Brown, Misty; Mitch Pleak; Noll, Bill; McAfee, Joe; kmackey@fd1lvco.org; linedepartment@freestate.coop; PZ
Subject: Re: DEV-24-118 Gilbert Rezone

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.

Rural Water District #8 has no comments on the rezone. However if and when water is requested a full engineer review will need to be done before it can be confirmed that water would be available to this area.

On Mon, Sep 23, 2024 at 3:56 PM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Good Afternoon,

The Department of Planning and Zoning has received an application for a rezone regarding the property located at 18289 & 00000 Eisenhower Road (104-19-0-00-00-003.00 & 104-18-0-00-00-022.00) from RR-5 to RR-2.5.

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 Monday, October 7, 2024.

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

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

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.

--

*Sandra Heim
Office Manager
Rural Water District #8-LV CO
913-796-2164*

Allison, Amy

From: McAfee, Joe
Sent: Friday, October 4, 2024 9:33 AM
To: Allison, Amy; Anderson, Kyle; Patzwald, Joshua; Brown, Misty; 'Mitch Pleak'; Noll, Bill
Cc: PZ
Subject: RE: RE: DEV-24-118 Gilbert Rezone

Amy,
PW has no comment on the rezone.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, September 23, 2024 3:57 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>; 'kmackey@fd1lvco.org' <kmackey@fd1lvco.org>; 'linedepartment@freestate.coop' <linedepartment@freestate.coop>; 'rwd8lv@gmail.com' <rwd8lv@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-118 Gilbert Rezone

Good Afternoon,

The Department of Planning and Zoning has received an application for a rezone regarding the property located at 18289 & 00000 Eisenhower Road (104-19-0-00-00-003.00 & 104-18-0-00-00-022.00) from RR-5 to RR-2.5.

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 Monday, October 7, 2024.

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

Thank you,

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

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.

RESOLUTION 2024-26

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from RR-5 to RR-2.5 as defined by the Zoning and Subdivision Regulations of Leavenworth County, Kansas on the following described property:

A tract in the Southeast ¼ of Section 18, Township 9, Range 22 in Leavenworth County, Kansas described as: Beginning at the Southwest corner of said Southeast ¼; thence North 88 degrees 49'43" East 458.69 feet along the South line of said Southeast ¼; thence North 00 degrees East 488.59 feet to the Southerly right-of-way line of County Road 10; thence Southwesterly 498.00 feet along said right-of-way to the West line of said Southeast ¼; thence South 01 degrees 22' 17" East 323.28 feet to the beginning, LESS any part thereof taken or used for road purposes; AND

The West Half of the Northeast Quarter of Section 19, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, less and except any part thereof taken or used for road or street purposes, AND ALSO LESS AND EXCEPT: A tract of land in the West Half of the Northeast Quarter of Section 19, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at a point on the North line of said Northeast Quarter 458.69 feet North 88 degrees 49'43" East from the Northwest corner of said Northeast Quarter; thence North 88 degrees 49'43" East 860.07 feet; thence South 00 degrees 35'00" East 400.00 feet; thence South 88 degrees 49'43" West 864.14 feet; thence North 00 degrees East 400.00 feet to the point of beginning.

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 18th day of September, 2024, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing for Case DEV-24-118 upon the granting of such request for a Rezoning on the 13th day of November, 2024; 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 denied; and

WHEREAS, the Board of County Commissioners considered, in session on the 11th day of December, 2024 ,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 as set forth in the Staff Report and adopted by the Board of County Commissioners in regular session on the 11th day of December, 2024, and incorporated herein by reference, it is hereby resolved that request for rezoning as described above,also known as 18289 & 00000 Eisenhower Rd, Parcel Identification Number 104-18-0-00-00-022.00& 104-19-0-00-00-003.00, is hereby granted.
2. The Planning and Zoning Department of Leavenworth County, Kansas is hereby ordered to and directed to cause such designations to be made on the official District Map of said County in its custody and to show property herein described to be now zoned RR-2.5. Said District Map previously incorporated by reference by Section 4 of the Zoning and Subdivision Regulations of

the Leavenworth County, Kansas is hereby incorporated as part of the Zoning Resolution as amended.

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

Adopted this 11th day of December, 2024
Board of County Commission
Leavenworth, County, Kansas

Jeff Culbertson, Chairman

ATTEST:

Vicky Kaaz, Member

Janet Klasinski, Leavenworth County Clerk

Doug Smith, Member

Mike Smith, Member

Mike Stieben, Member

**Leavenworth County
Request for Board Action
Resolution 2024-27
Rezoning from RR-5 to R-1(43)**

Date: December 11, 2024
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 the Planning Commission's recommendations regarding the rezoning request from RR-5 to RR-1 (43) in Case No. DEV-24-126 for Board action.

Analysis: The applicants are requesting a rezoning from Rural-Residential 5 to Residential 1 (43). The Comprehensive Plan identifies the future land use of this area as Mixed Residential. While Staff would typically recommend denial of a request that does not conform to the future land use, Staff recommends approval for the following reasons:

1. The requested use is less dense than the future land use designation; and
2. The nearest city is located more than a mile to the east, therefore making extension of sanitary sewer (necessary for higher density) unlikely.

Planning Commission Recommendation: The Planning Commission voted 5-2 (2 absent) to recommend approval of Case No. DEV-24-126 (Resolution 2024-27) rezoning request from RR-5 to R-1 (43).

Protest Petition: A valid protest petition has been filed with the office of Planning & Zoning for this action. A valid protest requires a 3/4 vote in the affirmative of the elected body to be approved.

Alternatives:

1. Approve case DEV-24-126 (Resolution 2024-27) Rezoning Request from RR-5 to R-1 (43) by overriding the Planning Commission's recommendation with a 3/4 majority vote with Findings of Fact; or

Motion: Chairman, I find that the rezoning request complies with the Golden Factors including factors and move to adopt Resolution 2024-27 and approve the rezoning as outlined in Case DEV-24-126 based on the findings as set forth in the Staff Report and as substantiated by the findings of fact as adopted by the Planning Commission.

2. Deny case DEV-24-126 (Resolution 2024-27) Rezoning Request from RR-5 to R-1 (43) with Findings of Fact; or

Motion: Chairman, I find that the rezoning request does not comply with Golden Factors (LIST FACTORS) and move to deny Resolution 2024-27 and deny the rezoning as outlined in Case DEV-24-126 based on the findings of facts adopted by the Planning Commission and as set forth in the Staff Report.

3. Remand the case back to the Planning Commission with a majority vote and a statement specifying the basis for the Board failure to approve or disapprove.

Motion: Chairman, I move to remand Case No. DEV-24-126 back to the Planning Commission for additional review due to (STATE THE REASON(S) THE BOCC CANNOT APPROVE OR DISAPPROVE THE MATTER).

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, Planning Commission Minutes

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-126 Kooser Family Living Trust Rezone

November 13, 2024

REQUEST: *Public Hearing Required*

- ZONING AMENDMENT SPECIAL USE PERMIT
 TEMPORARY SPECIAL USE PERMIT

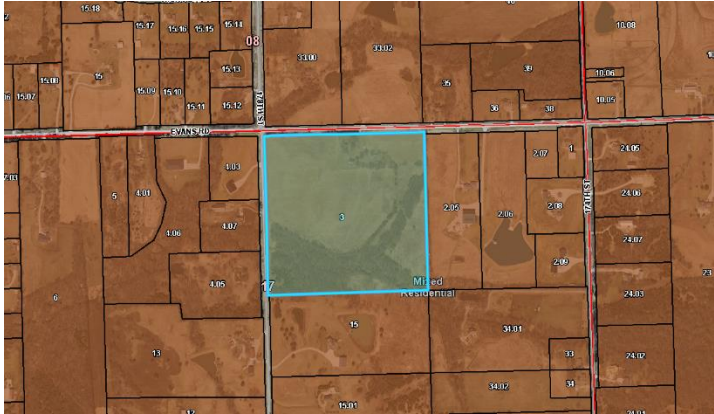
STAFF REPRESENTATIVE:

Amy Allison
Deputy Director

SUBJECT PROPERTY: 17675 Evans Road
FUTURE LAND USE MAP: Mixed Residential

APPLICANT/APPLICANT AGENT:

Joe Herring
Herring Surveying Company



PROPERTY OWNER:
Kooser Family Living Trust
16559 Evans Road
Tonganoxie, KS 66086

CONCURRENT APPLICATIONS:
N/A

LAND USE

ZONING: RR-5

FUTURE LAND USE

DESIGNATION: Mixed Residential

SUBDIVISION: N/A

FLOODPLAIN: N/A

LEGAL DESCRIPTION:

The Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Seventeen (17) Township Eleven (11) South Range Twenty-Two (22) East of the Sixth P.M., Less Right-of-Way, in Leavenworth County, Kansas.

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-126, Rezone for Kooser Family Living Trust, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-126, Rezone for Kooser Family Living Trust, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 37.8 ACRES

PARCEL ID NO:
184-17-0-00-00-003.00

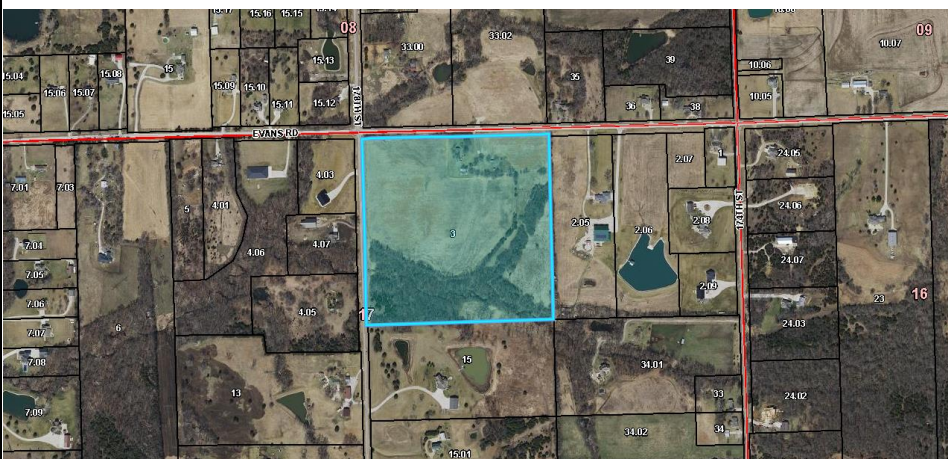
BUILDINGS:
Single-family residence and accessory structures

PROJECT SUMMARY:

Request to rezone one parcel at 17675 Evans Road from RR-5 to R-1 (43).

ACCESS/STREET:
Evans Road- Collector, paved, ±24' wide & 178th St – Local, Gravel, ±22' WIDE

Location Map:



UTILITIES

SEWER: SEPTIC

FIRE: Stranger

WATER: Suburban Water

ELECTRIC: Evergy

NOTICE & REVIEW:

STAFF REVIEW: 10/22/2024

NEWSPAPER NOTIFICATION:
10/22/2024

NOTICE TO SURROUNDING
PROPERTY OWNERS:
10/22/2024

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 1.9 acres to more than 19 acres. The area is not densely populated.</p> <p><i>Nearby City Limits:</i> Basehor is approximately one mile to the east.</p> <p><i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.</p>	X	
<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> Parcels to the north and east are zoned RR-2.5 and parcels to the west and south are zoned RR-5.</p>	X (Uses)	X (Zoning)
<p>3. Suitability of the Property for the uses to which it has been restricted: The property is suitable for rural residences and agricultural uses.</p>	X	
<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 rural residential.</i></p>	X	
<p>5. Length of time the property has been vacant as zoned: <input type="checkbox"/> <i>Vacant:</i> <input checked="" type="checkbox"/> <i>Not Vacant: The house and accessory structure have been on this property since 1925.</i></p>	X	
<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 were to be developed as a rural subdivision, twice as many homes could potentially be constructed which may have a positive impact on economic development.</p>	X	
<p>7. Conformance to the Comprehensive Plan: <i>Future Land Use Map: Mixed Residential</i> <i>Section 4 Land Use and Development Plan Strategies: The proposed use is not compatible with the future land use designation.</i></p>	X	

STAFF COMMENTS:

The applicants are requesting a rezoning from Rural-Residential 5 to Residential 1 (43). The Comprehensive Plan identifies the future land use of this area as *Mixed Residential*. While Staff would typically recommend denial of a request that does not conform to the future land use, Staff recommends approval for the following reasons:

1. The requested use is less dense than the future land use designation.
2. The nearest city is located more than a mile to the east, therefore making extension of sanitary sewer (necessary for higher density) unlikely.

ATTACHMENTS:

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

~~Paid 400~~
CK #9851
concept plan
SCANNED

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

Energy
Suburban
458
37.80

Office Use Only

Township: Strawberry Date Received: 09.30.2024
Planning Commission Date _____
Case No. DEV-24- Date Paid 09.30.2024
Zoning District RR5 Comprehensive Plan Land Use Designation Mixed residential

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Joe Herring</u>	NAME <u>Kooser Family Trust</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>16559 Evans Road</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Tonganoxie, KS 66086</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>N/A</u>

PROPOSED USE INFORMATION

Proposed Land Use Agriculture and Residential

Current Zoning RR-5 Requested Zoning R1-43

Reason for Requesting Rezoning To become more in compliance with the future land use plan while maintaining a large tract for agricultural use.

PROPERTY INFORMATION

Address of Property 17675 Evans Road

Parcel Size 40 Acres

Current use of the property Agriculture and Rural Residential

Present Improvements or structures House and Agricultural Structures

PID 184-17-0-00-003

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 September 30, 2024 Date 9/30/24

ATTACHMENT A

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 10/03/2024

Janet Klasmirke
COUNTY CLERK

Doc #: 2024R07391
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
10/03/2024 11:04:11 AM
RECORDING FEE: 38.00
PAGES: 2

MAIL TO:

Kooser Family Living Trust

1559 Evans Rd
Tangandixie, KS 66086

STATUTORY WARRANTY DEED

Gerald T. Widener and Barbara K. Widener, a married couple Grantor, conveys and warrants to

Kooser Family Living Trust, Grantee, the following described premises, to-wit:

**The Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Seventeen (17)
Township Eleven (11) South Range Twenty-Two (22) East of the Sixth P.M., Less Right-of-Way, in
Leavenworth County, Kansas.**


For the sum of One Dollar and other good and valuable consideration.

Subject to: easements and restrictions of record, if any.

"Grantor" and "Grantee" are used for the singular or plural as context requires.

Executed to be effective as of *October 2nd* 2024.



 Security 1st Title | 3096145 | docs_midwest/recordable_docs/ks/ks_deed_all_basic_ltr.html

Gerald T. Widener
Gerald T. Widener

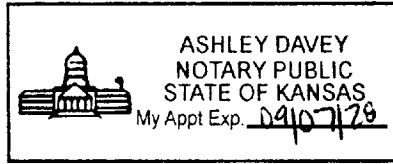
Barbara K. Widener
Barbara K. Widener

State of Kansas, County of Leavenworth) ss.

This instrument was acknowledged before me on October 02, 2024 by Gerald T. Widener and Barbara K. Widener.

My Commission Expires: 09/30/2029

Ashley Davey
Ashley Davey, Notary Public



CERTIFICATION OF TRUST
KSA 58a-1013

Rick E. Kooser and Peggy A. Kooser, state:

1. The Kooser Family Living Trust was executed on July 23, 2007, and completely amended and restated on August 22, 2014, and then amended on January 21, 2019.
2. The Trustmakers of the trust are Rick E. Kooser and Peggy A. Kooser.
3. The identity and current address of the trustees are:

Rick E. Kooser and/or Peggy A. Kooser
17559 Evans Rd
Tonganoxie, KS 66086

4. The powers of the trustees are attached hereto and incorporated by reference herein.
5. The trust is amendable and revocable, and Rick E. Kooser and Peggy A. Kooser are the persons holding a power to so amend and/or revoke the trust.
6. The Trustmakers, serving also as Co-Trustees, have the authority to act together and separately regarding all matters under the trust.
7. The trust's taxpayer identification number is the social security number of either Trustmaker.
8. The manner of taking title to trust property is: "Rick E. Kooser and Peggy A. Kooser, or successors in trust, Trustees of the Kooser Family Living Trust under agreement dated July 23, 2007."

The trust has not been revoked, modified or amended in any manner that would cause the representations contained in the Certification of Trust to be incorrect. A copy of this Certification of Trust shall be deemed as valid as the original.

Rick E Kooser
Rick E. Kooser, Trustee

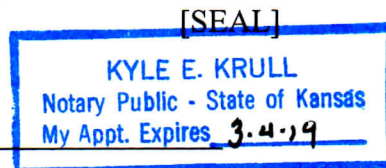
Peggy A Kooser
Peggy A. Kooser, Trustee

STATE OF KANSAS

COUNTY OF JOHNSON

This instrument was acknowledged before me on January 21, 2019 by Rick E. Kooser and Peggy A. Kooser as Trustees of the Kooser Family Living Trust executed July 23, 2007.

Kyle E. Krull
Kyle E. Krull, Notary Public
My Appointment/Commission Expires: 3.4.19



AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner
COUNTY OF LEAVENWORTH
STATE OF KANSAS

We/I Rick Kooser and Peggy Kooser

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - ~~17675 Evans Rd Tonganoxie KS 66086~~, 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 25th day of September, 20 .

Rick Kooser. Peggy Kooser 17559 Evans Rd Tonganoxie KS 66086
Print Name, Address, Telephone

Peggy Kooser. Rick Kooser
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

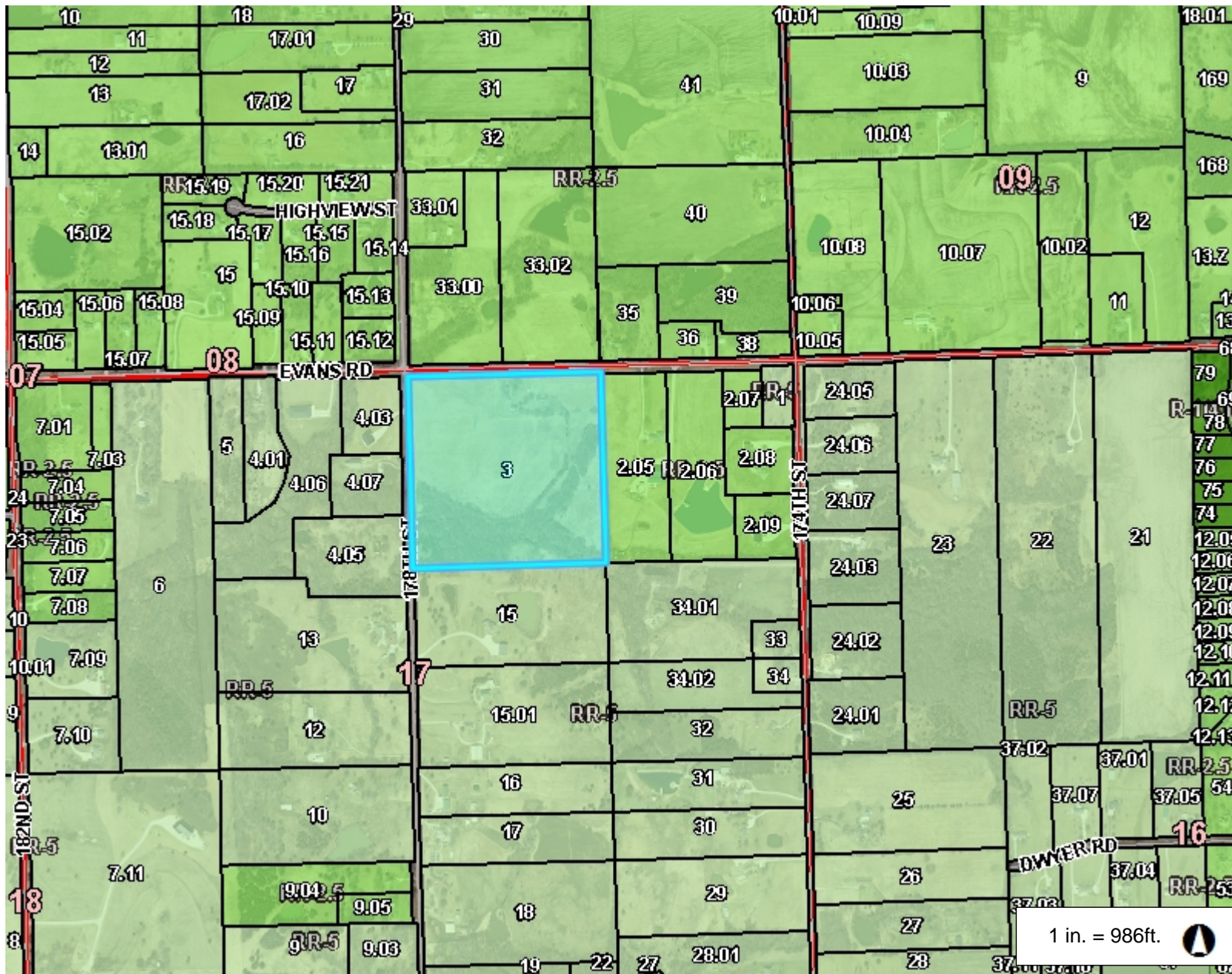
Be it remember that on this _____ day of _____ 20__, before me, a notary public in and for said County and State came _____ to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC _____

My Commission Expires: _____ (seal)



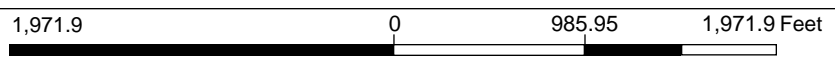
DEV-24-126 Kooser Family Living Trust Rezone



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

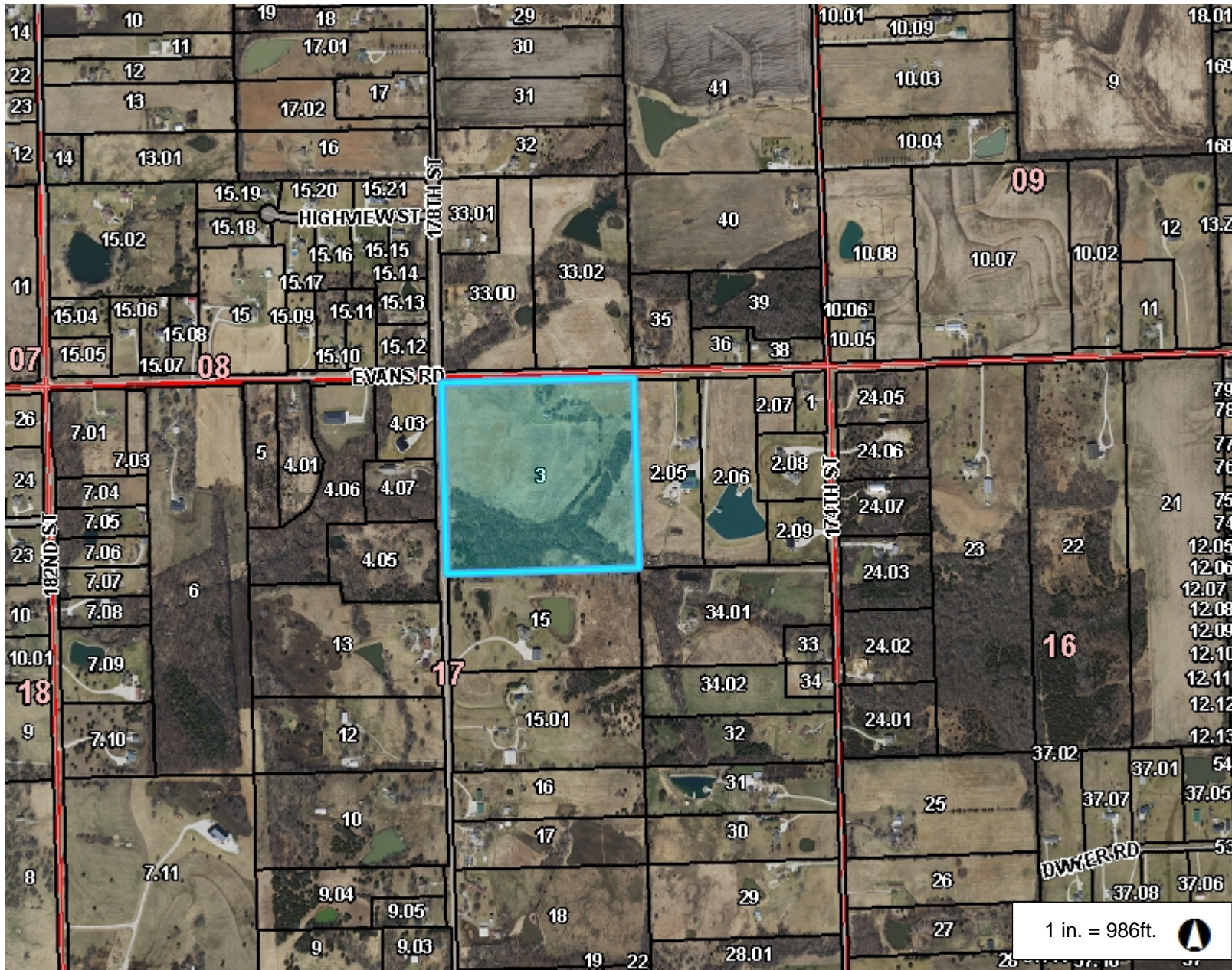
1 in. = 986ft.



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

Notes

DEV-24-126 Kooser Family Living Trust 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

1 in. = 986ft.



1,971.9 0 985.95 1,971.9 Feet

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

Notes

Allison, Amy

From: Mark B <stfdchief1760@gmail.com>
Sent: Wednesday, October 16, 2024 4:30 PM
To: Allison, Amy
Cc: Magaha, Chuck; Anderson, Kyle; Miller, Jamie; Brown, Misty; Patzwald, Joshua; Mitch Pleak; Noll, Bill; McAfee, Joe; designgroupshawnee@evergy.com; travis@suburbanwaterInc.com; PZ
Subject: Re: DEV-24-126 Kooser Family Rezone

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.

Stranger Township Fire Department has no issues with this action as there are already fire hydrants in the area.

Mark Billquist
Stranger Township Fire Chief

On Wed, Oct 16, 2024 at 3:50 PM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Good Afternoon,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 17675 Evans Rd from RR-5 to R-1 (43).

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 30, 2024.

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

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

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.

--

Mark Billquist
Stranger Township Fire Chief
10-33 Foundation National Treasurer
[913-369-0510](tel:913-369-0510) mobile
stfdchief1760@gmail.com

"Sometimes darkness can show you the light"

Allison, Amy

From: Anderson, Kyle
Sent: Thursday, October 17, 2024 8:39 AM
To: Allison, Amy
Subject: RE: DEV-24-126 Kooser Family Rezone

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: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, October 16, 2024 3:50 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Mitch Pleak <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'designgroupshawnee@evergy.com' <designgroupshawnee@evergy.com>; 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-126 Kooser Family Rezone

Good Afternoon,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 17675 Evans Rd from RR-5 to R-1 (43).

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 30, 2024.

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

Thank you,

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

Allison, Amy

From: Jordan Mesmer <Jordan.Mesmer@evergy.com>
Sent: Thursday, October 17, 2024 7:28 AM
To: Allison, Amy
Subject: Re: [EXTERNAL]DEV-24-126 Kooser Family Rezone

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

Evergy has no issues with this proposed rezone.

Thanks,

Jordan Mesmer

Distribution Designer III

Jordan.Mesmer@evergy.com

☎ (913) 667-5122



From: Allison, Amy <AAllison@leavenworthcounty.gov>

Sent: Wednesday, October 16, 2024 3:50 PM

To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Mitch Pleak <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Design Group Shawnee <designgroupshawnee@evergy.com>; 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>

Cc: PZ <PZ@leavenworthcounty.gov>

Subject: [EXTERNAL]DEV-24-126 Kooser Family Rezone

This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good Afternoon,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 17675 Evans Rd from RR-5 to R-1 (43).

Allison, Amy

From: McAfee, Joe
Sent: Monday, October 21, 2024 2:30 PM
To: Allison, Amy; Magaha, Chuck; Anderson, Kyle; Miller, Jamie; Brown, Misty; Patzwald, Joshua; Noll, Bill
Cc: PZ
Subject: RE: DEV-24-126 Kooser Family Rezone

Amy,
We have reviewed the rezoning documents. Evans Rd is a High Volume Collector and 178th Street is a Local classification roadway. Thus the corner lot driveway will be required to be placed on 178th Street, and at least 100' from the intersection. Remaining lots that front Evans will need to have 300' minimum driveway spacing from all new and existing driveways located along the south right-of-way. No additional comments on the rezoning request.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, October 16, 2024 3:50 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Mitch Pleak <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'designgroupshawnee@evergy.com' <designgroupshawnee@evergy.com>; 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-126 Kooser Family Rezone

Good Afternoon,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 17675 Evans Rd from RR-5 to R-1 (43).

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 30, 2024.

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

Thank you,

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

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.

PROTEST PETITION

Page 2, if Needed

SIGNATURE Zenobia Smith-Brown **ADDRESS** 17574 Evans Rd **DATE** 11-19-2024

STATE OF KANSAS)
)
COUNTY OF LEAVENWORTH)

Rennie L. Smith, 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 19th day of November, 2024

Rennie L. Smith

Notary Public

My Commission Expires 02/11/2025



PROTEST PETITION

Page 2, if Needed

SIGNATURE

ADDRESS

DATE

<i>Brenda G Flynn</i> <i>Trustee</i>	<i>17722 178th Street Tonganoxie</i>	<i>11/18/24</i>
<i>Brenda G Flynn Revocable Trust</i>		

I, the undersigned property owner, hereby protest the proposed zoning request Application (DEV-24-126) Parcel ID # 184-17-0-00-003.00 for rezoning from R2-5 zoning district to R-1 zoning district.

STATE OF KANSAS

COUNTY OF LEAVENWORTH

Brenda G Flynn, 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 18th day of November, 2024

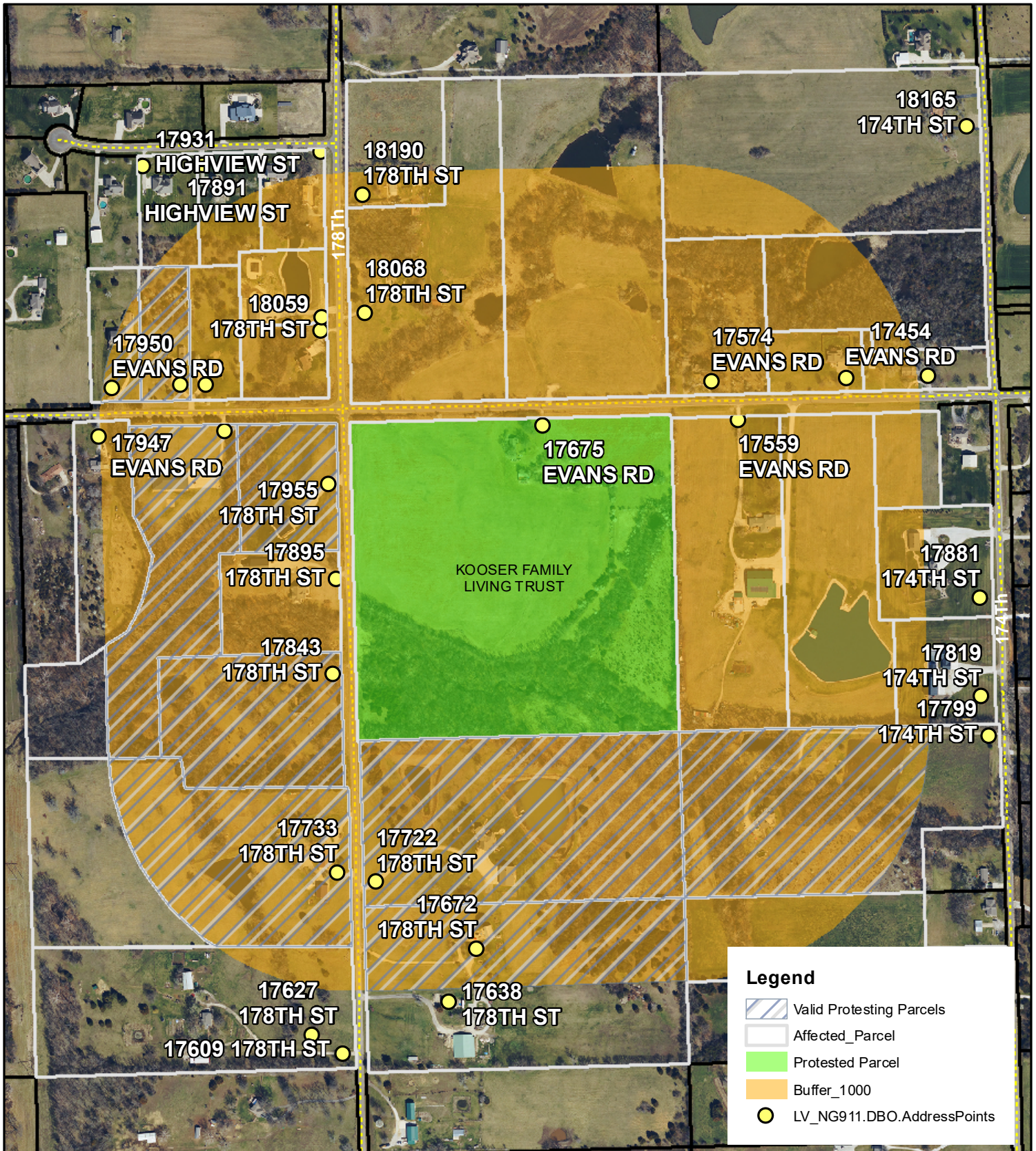
Brenda G Flynn
Anjanette Wilhelm
 Notary Public

My Commission Expires January 11, 2026



Leavenworth County Protest Petition Map

Total Land Area of Buffer: 189.89 Acres
 Land Area Needed for Validity: 37.98 Acres
 Protestors Land Area: 82.94 Acres



RESOLUTION 2024-27

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from RR-5 to R-1 (43) as defined by the Zoning and Subdivision Regulations of Leavenworth County, Kansas on the following described property:

The Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Seventeen (17) Township Eleven (11) South Range Twenty-Two (22) East of the Sixth P.M., Less Right-of-Way, in Leavenworth County, 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 1st day of October, 2024, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing for Case DEV-24-126 upon the granting of such request for a Rezoning on the 13th day of November, 2024; 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 11th day of December, 2024, 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 the findings of fact adopted by the Board of County Commissioners in regular session on the 11th day of December, 2024, and incorporated herein by reference, it is hereby resolved that request for rezoning as described above, also known as 17675 Evans Road, Parcel Identification Number 184-17-0-00-00-003.00, is hereby granted.
2. The Planning and Zoning Department of Leavenworth County, Kansas is hereby ordered to and directed to cause such designations to be made on the official District Map of said County in its custody and to show property herein described to be now zoned R-1 (43). Said District Map previously incorporated by reference by Section 4 of the Zoning and Subdivision Regulations of the Leavenworth County, Kansas is hereby incorporated as part of the Zoning Resolution as amended.
3. This Resolution shall be in full force and effect from and after its adoption and publication in the Leavenworth Times.

Adopted this 11th day of December, 2024
Board of County Commission
Leavenworth, County, Kansas

Jeff Culbertson, Chairman

ATTEST:

Vicky Kaaz, Member

Janet Klasinski, Leavenworth County Clerk

Doug Smith, Member

Mike Smith, Member

Mike Stieben, Member

**Leavenworth County
Request for Board Action
Resolution 2024-29
Rezoning from RR-5 to RR-2.5**

Date: December 11, 2024
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 the Planning Commission's recommendations regarding the rezoning request from RR-5 to RR-2.5 in Case No. DEV-24-128 for Board action.

Analysis: The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of this area as Residential 3 units per acre. The applicant has provided a concept drawing of a potential subdivision developed to RR-2.5 standards. While Staff would typically recommend denial of a request that does not conform to the future land use, Staff recommends approval for the following reasons:

1. The requested use is less dense than the future land use designation.
2. The nearest city is located more than two miles, therefore making the extension of sanitary sewer unlikely.

Planning Commission Recommendation: The Planning Commission voted 4-3 (2 absent) to recommend approval of Case No. DEV-24-128 (Resolution 2024-29) rezoning request from RR-5 to RR-2.5.

Protest Petition: A valid protest petition has been filed with the office of Planning & Zoning for this action. A valid protest requires a 3/4 vote in the affirmative of the elected body to be approved.

Alternatives:

1. Approve case DEV-24-128 (Resolution 2024-29) Rezoning Request from RR-5 to RR-2.5 by overriding the Planning Commission's recommendation with a 3/4 majority vote with Findings of Fact; or

Motion: Chairman, I find that the rezoning request complies with the Golden Factors including factors and move to adopt Resolution 2024-29 and approve the rezoning as outlined in Case DEV-24-128 based on the findings as set forth in the Staff Report and as substantiated by the findings of fact as adopted by the Planning Commission.

2. Deny case DEV-24-128 (Resolution 2024-29) Rezoning Request from RR-5 to RR-2.5 with Findings of Fact; or

Motion: *Chairman, I find that the rezoning request does not comply with Golden Factors (LIST FACTORS) and move to deny Resolution 2024-29 and deny the rezoning as outlined in Case DEV-24-128 based on the findings of facts adopted by the Planning Commission and as set forth in the Staff Report.*

3. Remand the case back to the Planning Commission with a majority vote and a statement specifying the basis for the Board failure to approve or disapprove.

Motion: *Chairman, I move to remand Case No. DEV-24-128 back to the Planning Commission for additional review due to (STATE THE REASON(S) THE BOCC CANNOT APPROVE OR DISAPPROVE THE MATTER).*

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, Planning Commission Minutes

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-128 Lot 1 Smith Corner Rezone

November 13, 2024

REQUEST: Public Hearing Required

- ZONING AMENDMENT SPECIAL USE PERMIT
 TEMPORARY SPECIAL USE PERMIT

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 19575 Mitchell Rd.



APPLICANT/APPLICANT AGENT:

Herring Surveying Company
315 N 5th St.
Leavenworth, KS 66048

PROPERTY OWNER:

GM Investment Properties
18285 Prairie View Rd
Tonganoxie, KS 66086

CONCURRENT APPLICATIONS:

N/A

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:

RESIDENTIAL 3-UNITS PER ACRE

SUBDIVISION: Smith's Corner

LEGAL DESCRIPTION:

Lot 1, Smith's Corner, a subdivision in Leavenworth County, Kansas.

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-128, Rezone for GM Investment Properties, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-128, Rezone for GM Investment Properties, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 4.00 ACRES (5.09 Including R/W)

PARCEL ID NO:
147-26-0-00-00-014.17

BUILDINGS:
N/A

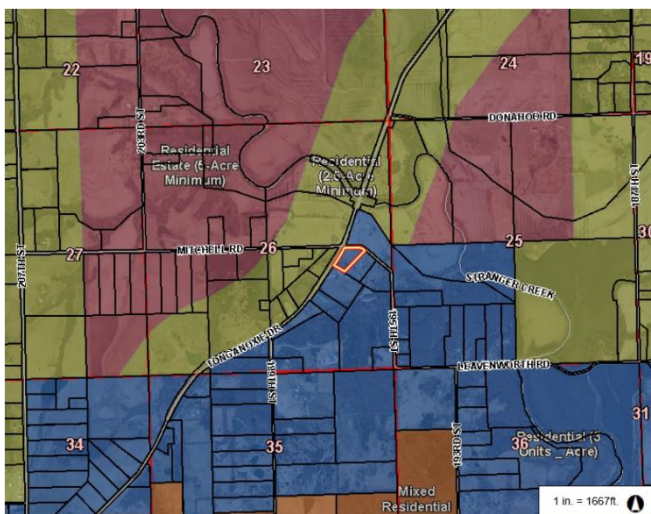
PROJECT SUMMARY:

Request to rezone one parcel at 19575 Mitchell Rd. (PID: 147-26-0-00-00-014.17) from RR-5 to RR-2.5.

ACCESS/STREET:

Tonganoxie Rd. – Arterial, PAVED, ±26' WIDE; Mitchell Rd. – Collector, Gravel, ±28' WIDE

Location Map: FUTURE LAND USE MAP



UTILITIES

SEWER: SEPTIC

FIRE: STRANGER

WATER: RWD 9

ELECTRIC: FREESTATE

NOTICE & REVIEW:

STAFF REVIEW: 11/7/2024

NEWSPAPER NOTIFICATION:

10/23/2024

NOTICE TO SURROUNDING PROPERTY OWNERS:

10/23/2024

FACTORS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</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:	Met	Not Met
1. Character of the Neighborhood: <i>Density:</i> Surrounding parcels range in size from 1 acre to more than 57 acres. The area is not densely populated. <i>Nearby City Limits:</i> Tonganoxie is more than 2 mile to the East. <i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.	X	
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. However, there are lots within the immediate area that are zoned RR-2.5	X	
3. Suitability of the Property for the uses to which is has been restricted: The property is suitable for rural residences and agricultural uses.	X	
4. Extent to which removal of the restrictions will detrimentally affect nearby property: Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains rural residential.	X	
5. Length of time the property has been vacant as zoned: <input checked="" type="checkbox"/> Vacant: This lot has been platted since 2018 and no single family residence permit has not been pulled <input type="checkbox"/> Not Vacant:	X	
6. Relative gain to economic development, public health, safety and welfare: The rezoning does not impact economic development, public health, safety or welfare.	X	
7. Conformance to the Comprehensive Plan: <i>Future Land Use Map:</i> Residential 3 Units Per Acre <i>Section 4 Land Use and Development Plan Strategies:</i> The proposed use is not compatible with the future land use designation.	X	

STAFF COMMENTS:

The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of this area as *Residential 3 units per acre*. The applicant has provided a concept drawing of a potential subdivision developed to RR-2.5 standards. While Staff would typically recommend denial of a request that does not conform to the future land use, Staff recommends approval for the following reasons:

1. The requested use is less dense than the future land use designation.
2. The nearest city is located more than two miles, therefore making the extension of sanitary sewer unlikely.

ATTACHMENTS:

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

~~Payment 400.00~~
~~concept plan~~

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. DEV-24-128 Date Paid _____
Zoning District _____ Comprehensive Plan Land Use Designation _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Joe Herring</u>	NAME <u>GM INVESTMENT PROPERTIES LLC</u> <u>John Mollett</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>18285 PRAIRIE VIEW RD</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Tonganoxie, KS 66086</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>N/A</u>

PROPOSED USE INFORMATION

Proposed Land Use Residential
Current Zoning RR-5 Requested Zoning RR 2.5
Reason for Requesting Rezoning Better use of Lot with conformance to the Future Land Use

PROPERTY INFORMATION

Address of Property 19575 Mitchell Road
Parcel Size 5.0 Acres
Current use of the property Vacant
Present Improvements or structures None
PID 147-26-0-00-00-014.17

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 October 7, 2024 Date 10/7/24

ATTACHMENT A

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner
COUNTY OF LEAVENWORTH
STATE OF KANSAS

We/I John Mollett and G.M Investment Properties LLC

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
19575 Mitchell Rd Tonganoxie KS 66086, 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 7th day of October, 2024.

John Mollett 18285 Prairieview Rd. Tonganoxie Kansas 66086 913-915-8836
Print Name, Address, Telephone


Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this _____ day of _____ 20__, before me, a notary public in and for said County and State came _____ 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 _____

My Commission Expires: _____

(seal)

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 10/03/2024

Janet Klasmaker
COUNTY CLERK

Doc #: 2024R07385
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
10/03/2024 10:36:42 AM
RECORDING FEE: 38.00
PAGES: 2

Continental Title Company: 24470275

Warranty Deed
(Individuals)

This indenture, Made this 2 day of October, 2024, between, **Jason K. Smith, a single person**, of Leavenworth County, in the State of KS, party(ies) of the first part, and **GM Investment Properties, LLC**, of **Leavenworth** County, in the State of **KS**, party(ies) of the second part.

WITNESSETH, that the said party(ies) of the first part, in Consideration of the sum of TEN Dollars and other valuable considerations, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto said party(ies) of the second part, his/her/their successors and/or assigns, all of the following described real estate, situated in the County of **Leavenworth** and State of **Kansas** to wit:

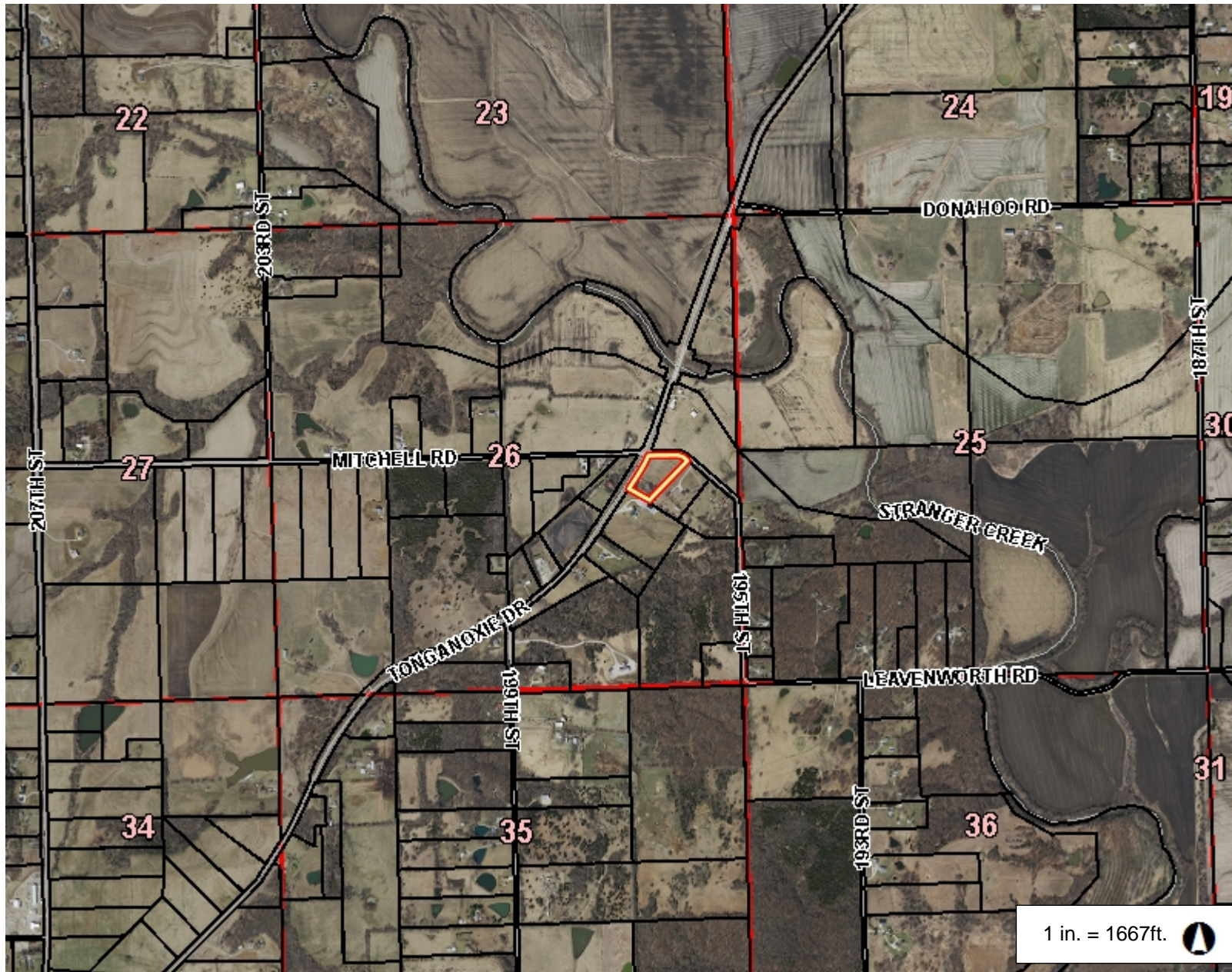
Legal Description: **Lot 1, SMITH'S CORNER, a subdivision in Leavenworth County, Kansas**

Note: Subject to easements, reservations, restrictions, 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 party(ies) of the first part, for itself, and its successors and assigns, does hereby covenant, promise and agree, to and with said party(ies) of the second part, that at the delivery of these presents, it is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the able granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, states, judgments, taxes, assessments and encumbrances, of what nature and kind so ever, and that it will Warrant and Forever Defend the same unto said party(ies) of the second part, his/her/their heirs and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

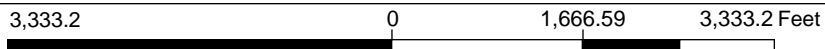
Leavenworth County, KS



Legend

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

1 in. = 1667ft.



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

Notes

Leavenworth County, KS



Legend

- 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
 - PUD

Notes

3,333.2 0 1,666.59 3,333.2 Feet

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



Schweitzer, Joshua

From: Gary Willits <gary.willits@freestate.coop>
Sent: Wednesday, October 16, 2024 6:46 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

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.

Joshua,
FreeState Electric does not have any issues with this property rezone. We can provide electrical service to each of them.
Thank you,
Gary Willits

Gary Willits
Staking Engineer



1-800-794-1989 | www.freestate.coop

From: Line Department <linedepartment@freestate.coop>
Sent: Tuesday, October 15, 2024 9:30 AM
To: Gary Willits <gary.willits@freestate.coop>
Subject: FW: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Tuesday, October 15, 2024 9:29 AM
To: cmagaha@lvsheriff.org; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mark B' <stfdchief1760@gmail.com>; Line Department <linedepartment@freestate.coop>; 'lrwd9@gmail.com' <lrwd9@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

Good Morning,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 19575 Mitchell Road from RR-5 to RR-2.5.

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 October 29, 2024.

Schweitzer, Joshua

From: Mark B <stfdchief1760@gmail.com>
Sent: Tuesday, October 15, 2024 2:01 PM
To: Schweitzer, Joshua
Cc: Magaha, Chuck; Patzwald, Joshua; Van Parys, David; Brown, Misty; McAfee, Joe; Miller, Jamie; Noll, Bill; linedepartment@freestate.coop; lrwd9@gmail.com; PZ
Subject: Re: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

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.

Stranger Township Fire Department has no issues with this application.

Mark Billquist
Stranger Township Fire Chief
913-369-0510

On Tue, Oct 15, 2024 at 9:29 AM Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov> wrote:

Good Morning,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 19575 Mitchell Road from RR-5 to RR-2.5.

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 October 29, 2024.

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

v / r

Joshua J. Schweitzer

Schweitzer, Joshua

From: Rural Water District 9 lvrwd9 <lvrwd9@gmail.com>
Sent: Wednesday, October 30, 2024 2:12 PM
To: Schweitzer, Joshua
Subject: Re: FW: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

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.

At this time LVRWD9 has no concerns with the rezone of DEV -24-128.

On Tue, Oct 15, 2024 at 9:35 AM Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov> wrote:

Ma'am,

Below you will see the information pertaining to the rezoning application that was submitted to our office.

v / r

Joshua J. Schweitzer

Development Planner

Leavenworth County Planning & Zoning

300 Walnut St, Suite 212

Leavenworth County, Kansas 66048

(913) 684-0465

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Tuesday, October 15, 2024 9:29 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mark B' <stfdchief1760@gmail.com>; 'linedepartment@freestate.coop' <linedepartment@freestate.coop>; 'lrvwd9@gmail.com' <lrvwd9@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Wednesday, October 16, 2024 2:01 PM
To: Schweitzer, Joshua
Subject: RE: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

Since the current owner has been in possession of the property we have not had any complaints on it. The storage of junk and vehicles was all cleaned up before the property sold.

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: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Tuesday, October 15, 2024 9:29 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mark B' <stfdchief1760@gmail.com>; 'linedepartment@freestate.coop' <linedepartment@freestate.coop>; 'lrwd9@gmail.com' <lrwd9@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

Good Morning,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 19575 Mitchell Road from RR-5 to RR-2.5.

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 October 29, 2024.

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

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212

Schweitzer, Joshua

From: McAfee, Joe
Sent: Monday, October 21, 2024 2:44 PM
To: Schweitzer, Joshua; Magaha, Chuck; Patzwald, Joshua; Van Parys, David; Brown, Misty; Noll, Bill
Cc: PZ
Subject: RE: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

Joshua,

PW Engineering has reviewed the rezoning request documents. Tonganoxie Drive is a High Volume Arterial and Mitchell Road is a Collector roadway classification. No driveway access to the new lot is available on Tonganoxie Road and the drive access on Mitchell must be 100' from the intersection and 200' from any existing drives on the south side of Mitchell. It is possible but there is a fairly limited envelope for the driveway placement. Otherwise, no other comments.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Tuesday, October 15, 2024 9:29 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mark B' <stfdchief1760@gmail.com>; 'linedepartment@freestate.coop' <linedepartment@freestate.coop>; 'lrwd9@gmail.com' <lrwd9@gmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

Good Morning,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 19575 Mitchell Road from RR-5 to RR-2.5.

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 October 29, 2024.

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

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

PROTEST PETITION

We, the undersigned, in accordance with KSA 12-757, being the owners of record of the property enumerated below, protest the proposed Re-zoning on the property described as Lot 1, Smith's Corner, a subdivision in Leavenworth County, KS

In Leavenworth County, commonly known as 19575 Mitchell Rd, Tonganoxie KS, 66086

For the following reasons:

- 1. Splitting this lot does not fit the character of the neighborhood. All other residential lots in the area are 5 acres and have homes constructed on them. The lot in question is the last buildable lot in the area and will not fit the look and appeal of the neighborhood if split in half.
- 2. The lot in question is barely large enough to split and will require a shared driveway and easement to access the south lot.
- 3. The north lot will be very small once Tonganoxie Drive is widened, and the driveway easement for the south lot is taken in to consideration.

SIGNATURE	ADDRESS	DATE
<i>Bruce Manson</i>	20716 TONGANOXIE DR, TONGANOXIE KS 66086	11/17/2024
<i>Traci Fulton</i>	20732 Tonganoxie Dr, Tonganoxie, KS 66086	11/17/2024
<i>Michelle Griem</i>	19571 Mitchell Rd, Tonganoxie, KS 66086	11/17/2024
<i>Donna Schmitt</i>	19539 Mitchell Rd, Tonganoxie, KS 66086	11/17/2024
<i>Don Dobbins</i>	20749 Tonganoxie Dr, Tonganoxie, KS 66086	11/17/2024
<i>John Dobbins</i>	20749 Tonganoxie Dr, Tonganoxie, KS 66086	11/17/2024
<i>Jeffrey</i>	19690 Mitchell Rd, Tonganoxie, KS 66086	11/18/2024
<i>Missy Calovich</i>	20682 195th St, TONGANOXIE KS 66086	11/18/2024
<i>Charles Beckley</i>	20700 Tonganoxie Road, Tonganoxie, KS 66086	11/18/24
<i>Rachel Beckley</i>	20700 Tonganoxie Rd, Tonganoxie, KS 66086	11/17/2024
<i>Rebecca Dobbins</i>	19731 Mitchell Rd, Tonganoxie, KS 66086	11/19/2024

STATE OF KANSAS)
)
COUNTY OF LEAVENWORTH)

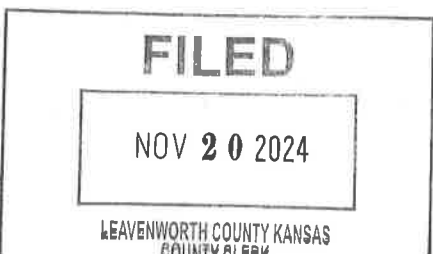
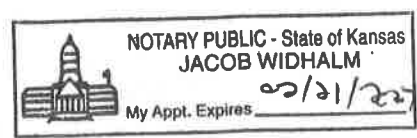
she/h Steven G. Walker of lawful age, being first duly sworn, upon his/ she was the bearer of the above and forgoing protest, and that she/he witnessed the above signatures. her oath states that

Steven G. Walker

Subscribed and sworn before me the 20th day of November, 2024

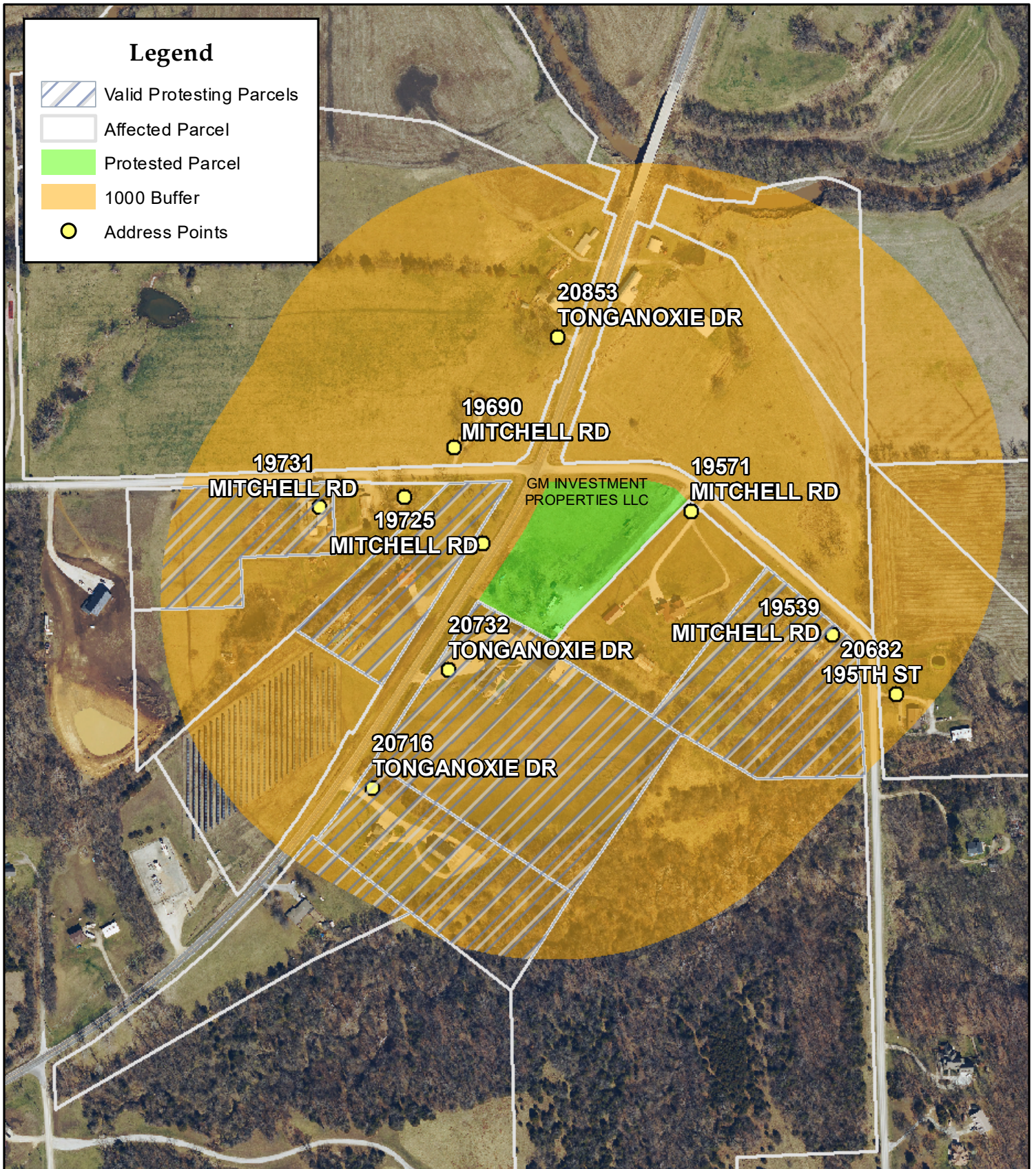
[Signature]
Notary Public

My Commission Expires 2/2/2027



Leavenworth County Protest Petition Map

Total Land Area of Buffer: 112.91 Acres
Land Area Needed for Validity: 22.58 Acres
Protestors Land Area: 36.8 Acres



RESOLUTION 2024-29

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from RR-5 to RR-2.5 as defined by the Zoning and Subdivision Regulations of Leavenworth County, Kansas on the following described property:

Lot 1, Smith Corner, a subdivision in Leavenworth County, Kansas, also known as 19575 Mitchell Rd.

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 8th day of October, 2024, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing for Case DEV-24-128 upon the granting of such request for a Rezoning on the 13th day of November, 2024; 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 11th day of December, 2024, 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 the findings of fact adopted by the Board of County Commissioners in regular session on the 11th day of December, 2024, and incorporated herein by reference, it is hereby resolved that request for rezoning as described above, also known as 19575 Mitchell Rd, Parcel Identification Number 147-26-0-00-00-014.17, is hereby granted.
2. The Planning and Zoning Department of Leavenworth County, Kansas is hereby ordered to and directed to cause such designations to be made on the official District Map of said County in its custody and to show property herein described to be now zoned RR-2.5. Said District Map previously incorporated by reference by Section 4 of the Zoning and Subdivision Regulations of the Leavenworth County, Kansas is hereby incorporated as part of the Zoning Resolution as amended.
3. This Resolution shall be in full force and effect from and after its adoption and publication in the Leavenworth Times.

Adopted this 11th day of December, 2024
Board of County Commission
Leavenworth, County, Kansas

Jeff Culbertson, Chairman

ATTEST:

Vicky Kaaz, Member

Janet Klasinski, Leavenworth County Clerk

Doug Smith, Member

Mike Smith, Member

Mike Stieben, Member