

## LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, April 12, 2023  
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048

[www.leavenworthcounty.gov](http://www.leavenworthcounty.gov)

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

4. **Approval of Minutes**

5. **Secretary's Report**

6. **Declarations: (if necessary)**

- A. Declarations of receipt of communications by Planning Commissioners
- B. Disclosure of ex-parte communications for each hearing item
- C. Declarations of abstention from specific agenda items by a Commissioner

7. **Approval of Agenda**

8. **Consent Agenda**

**A. Case DEV-23-040 & 041 Pioneer Acres**

Consideration of an application for a Preliminary and Final Plat on the following described property: A tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6<sup>th</sup> P.M., Leavenworth County, Kansas.

**18209 166<sup>th</sup> Street (PID: 182-09-0-00-00-018.07)**

9. **Regular Agenda**

**B. Case DEV-22-100 Highland Meadows**

Consideration of a Preliminary Plat for Highland Meadows on the following described property: A tract of land in the fractional Southwest Quarter of Section 7 and the Fractional Northwest Quarter of Section 18, Township 11 South, Range 21 East of the 6<sup>th</sup> P.M., Leavenworth County, Kansas.

**Also known as 00000 Sandusky Road & 00000 234<sup>th</sup> Street  
(PID: 193-07-0-00-00-006.00 & 194-18-0-00-00-007.00)**

**C. Case DEV-23-031 & 032 Summit Farms**

Consideration of a Preliminary and Final Plat on the following described property: A tract of land located in the West Half of Section 22, Township 12, Range 20 East of the 6<sup>th</sup> P.M., Leavenworth County, Kansas.

**Also known as 00000 258<sup>th</sup> Street (PID: 215-22-0-00-00-020.01)**

**D. Case DEV-23-027 Rock Hard Yard Art**

Consideration of an application for a Special Use Permit for Retail Sales and Service for Rock Hard Yard Art, an outdoor yard art retail business on the following described property: All that part of the East ½ of the Southeast ¼ of Section 15, Township 12 South, Range 21 East of the 6<sup>th</sup> P.M., Leavenworth County, Kansas.

**Also known as 20624 Golden Road (PID: 225-15-0-00-00-010.00)**

**E. Case DEV-23-037 Text Amendment Table of Uses**

Consideration of an Amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations – Article 19 – Table of Uses.

**Adjournment of Planning Commission**

**Upcoming meeting dates:**

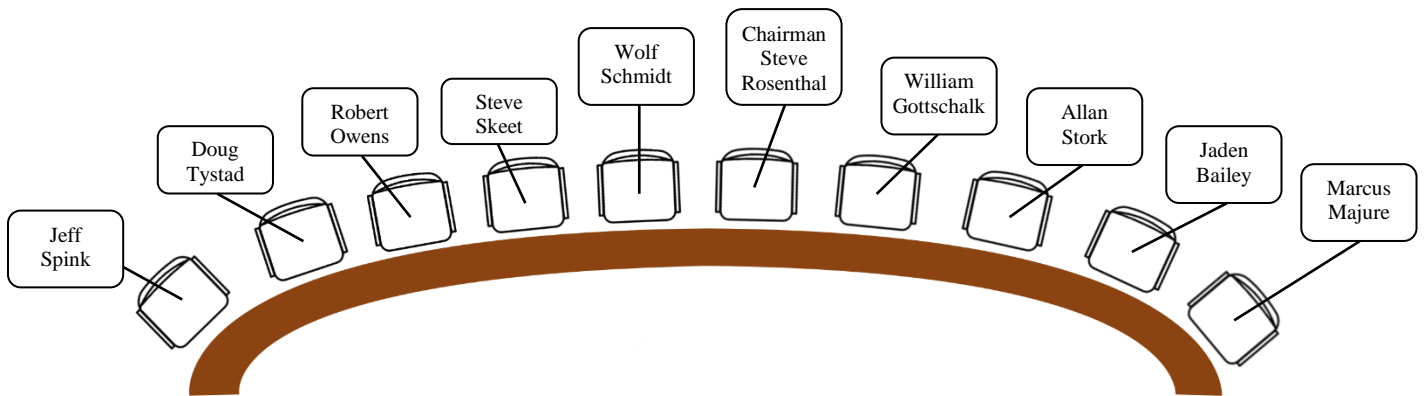
- **Wednesday, May 10, 2023, 5:30 PM**  
**Regular Planning Commission Meeting**

**For More Information**

If you have any questions or need to make special arrangements for a meeting, please call or stop by the Planning and Zoning Department.

Contact Stephanie Sloop – 913-684-0465

**Planning Commission Seating Chart 2023**



# Leavenworth County Planning Commission

April 12, 2023 Case Map  
Revised: April 5, 2023

## Zoning

	B-1; B-2; B-3
	I-1; I-2; I-3
	PUD; R-1; R-1(15); R-1(43); R-2
	RR-2.5
	RR-5

**DEV-22-100**  
Preliminary Plat  
Highland  
Meadows

**DEV-22-100**  
Prelim & Final Plat  
Pioneer Acres

**DEV-23-031 & 032**  
Prelim & Final Plat  
Summit Farms

**DEV-23-027**  
Special Use Permit  
Rock Hard Yard Art



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

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

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

**Pledge of Allegiance**

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

**Members absent:** Doug Tystad

**Staff present:** Amy Allison-Deputy Director, Stephanie Sloop-Planning Coordinator, David Van Parys-Senior County Counselor

**Minutes:**

**Commissioner Schmidt made a motion to approve the minutes. Commissioner Bailey seconded the motion.**

**ROLL CALL VOTE - Motion to approve the minutes passed, 7/0 (1 Absent & 1 Abstain)**

**Secretary's Report:**

Amy Allison gave the secretary's report going over the agenda, letting the commission know that there were four items on the consent agenda, and the approval of the agenda would be the approval of those cases.

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

**ROLL CALL VOTE - Motion to approve the agenda passed, 7/0 (1 Abstention, 1 Absent)**

**Case DEV-23-012 & 013 Preliminary and Final Plat – Stranger Point  
Consideration of a Preliminary and Final Plat – Stranger Point on the following described property: A tract of land in the South half of the Southwest Quarter of Section 25, Township 10 South, Range 21 East of the 6<sup>th</sup> P.M., in Leavenworth County, Kansas.**

Amy Allison gave the staff report for the above-listed case.

Chairman Rosenthal asked if there were any questions or discussions from the board. The applicant/agent was invited to come forward. Mr. Herring, Herring Survey came forward to describe the request and answer any questions from the board.

Chairman Rosenthal said that he would accept a motion.

**Commissioner Stork motioned to approve Case DEV-23-012 & 013 a Preliminary and Final Plat – Stranger Point. Commissioner Bailey seconded the motion.**

**ROLL CALL VOTE - Motion to approve passed 8/0, (1 absent)**

The Board of County Commissioners will consider this item no earlier than **March 22, 2023, at 9:00 A.M** in the Leavenworth County Courthouse.

**Case DEV-22-156 – Special Use Permit - Lexeco**

**Consideration of an application for a Special Use Permit for an Extraction of Raw Materials and Landfill use on the following described property: A tract of land in the Northeast Quarter of Section 33, Township 8 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas.**

The applicant requested to table the item in order to obtain an updated permit from KDOT.

Chairman Rosenthal said that he would accept a motion.

**Commissioner Schmidt motioned to table Case DEV-22-156 – Special Use Permit – Lexeco to May 10, 2023. Commissioner Gottschalk seconded the motion.**

**ROLL CALL VOTE - Motion to approve passed 8/0, (1 absent)**

**Planning Commission adjourned at 5:41 p.m.**

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**The Board of Zoning Appeals meeting called to order at 5:41 p.m.**

**Members present:** Steve Skeet, William Gottschalk, Wolf Schmidt, Jeff Spink, Marcus Majure, Brad Owens and Steve Rosenthal

**Staff present:** Amy Allison-Deputy Director, Stephanie Sloop-Planning Coordinator, David Van Parys-Senior County Counselor

**Case DEV-23-022 Variance - Farley**

**Consideration of an application for a Variance from Article 5, Section 4 of the Zoning and Subdivision Regulations on the following described property: A tract of land in the Southwest Quarter (SW ¼) Section 12, Township 10 South, of Range 20, East of the 6<sup>th</sup> p.m., Leavenworth County, Kansas.**

Amy Allison gave the staff report for the above-listed case.

Chairman Rosenthal asked if there were any questions or discussions from the board. Hearing none the public hearing was opened and the applicant/agent was invited to come forward. The applicant came forward to describe the request and answer any questions from the board. Discussion was had between the Board of Zoning Appeals and staff.

Chairman Rosenthal asked if there was anyone present wishing to speak in favor or opposition. Public comment was given in opposition. The public comment portion of the hearing was closed.

Chairman Rosenthal reminding the Board that they were the final decision for Variance requests also stating that he would accept a motion if there were no further discussion. Discussion ensued.

**Commissioner Schmidt motioned to approve Case DEV-23-022 a Variance on Road Frontage and Commissioner Spink seconded the motion.**

**ROLL CALL VOTE - Motion to approve the request passed 6/0**

**The meeting was adjourned at 6:12 p.m.**

**LEAVENWORTH COUNTY PLANNING COMMISSION  
MINUTES OF THE Work Session  
March 15, 2023**

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

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

**Pledge of Allegiance**

**Members present:** William Gottschalk, Marcus Majure, Steve Rosenthal, and Doug Tystad

**Members absent:** Robert Owens, Jeff Spink, Wolf Schmidt, Allan Stork, Steve Skeet, and Jaden Bailey

**Staff present:** Amy Allison-Deputy Director, Stephanie Sloop-Planning Coordinator, David Van Parys-Senior County Counselor

**Work Session:**

Amy Allison gave a presentation on the history of zoning.

**The meeting was adjourned at 6:32 p.m.**

DRAFT

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-23-040/041 Pioneer Acres

April 12, 2023

REQUEST: **Consent Agenda**  
 Preliminary Plat                       Final Plat

**STAFF REPRESENTATIVE:**  
 AMY ALLISON  
 DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 18209 166<sup>TH</sup> STREET

**APPLICANT/APPLICANT AGENT:**  
 JOE HERRING  
 HERRING SURVEYING

**PROPERTY OWNER:**  
 ALLAN F AND MARION SUE STORK  
 16678 EVANS RD  
 BASEHOR, KS 66007

**CONCURRENT APPLICATIONS:**  
 NONE

**LAND USE**

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:

**LEGAL DESCRIPTION:**

A tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6<sup>th</sup> P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-040/041, Preliminary & Final Plat for Pioneer Acres, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-040/041, Preliminary & Final Plat for Pioneer Acres, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

6.8 ACRES

PARCEL ID NO:

182-09-0-00-00-018.07

BUILDINGS:

SINGLE FAMILY RESIDENCE,  
 ACCESSORY STRUCTURES

**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 18209 166<sup>th</sup> Street as Lots 1 of the Pioneer Acres Subdivision.

ACCESS/STREET:

166<sup>TH</sup> STREET - COUNTY COLLECTOR,  
 PAVED ± 24’;

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: FAIRMOUNT

WATER: SUBURBAN WATER

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:

3/31/2023

NEWSPAPER NOTIFICATION:

4/4/2023

NOTICE TO SURROUNDING  
 PROPERTY OWNERS:

N/A

<b>STANDARDS TO BE CONSIDERED:</b>			
<i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i>		<b>Met</b>	<b>Not Met</b>
35-40	<b>Preliminary Plat Content</b>	X	
40-20	<b>Final Plat Content</b>	X	
41-6	<b>Access Management</b>	X	
41-6.B.a-c.	<b>Entrance Spacing</b>	n/a	
41-6.C.	<b>Public Road Access Management Standards</b>	n/a	
43	<b>Cross Access Easements</b>	N/A	
50-20	<b>Utility Requirements</b>	X	
50-30	<b>Other Requirements</b>	X	
50-40	<b>Minimum Design Standards</b>	X	
50-50	<b>Sensitive Land Development</b>	N/A	
50-60.	<b>Dedication of Reservation of Public Sites and Open Spaces</b>	N/A	

**STAFF COMMENTS:**

The applicant is proposing to plat a 6.8-acre parcel into one lot. The original parcel was divided via a non-compliant Certificate of Survey. The applicant is subdividing the property to bring it back into compliance. The Subdivision is classified as a Class A subdivision with all lots lying within the Urban Growth Boundary of the City of Basehor. Additionally, the property is within 660' of the Ginger Creek Sewer District. The City of Basehor has provided comment that there is no existing agreement between the County and the City and therefore will not place any requirements on the subdivision. Additionally, Aaron Yoakum, Buildings and Grounds, has reviewed the Ginger Creek Sewer District and determined there is no capacity for extension at this time nor was the property within the original boundaries of the sewer district. Since the City of Basehor is not requiring the property to hook into City sewers nor is there capacity for extension from Ginger Creek, Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system (see condition 3). The proposed lot will be 6.8 acres in size. The lot meets the requirements for the RR-2.5 zoning district. There is an existing house and accessory structures on the property. The preliminary plat notes that those structures are proposed to be demolished. The house is located within the proposed utility and drainage easement along the north boundary line. The applicant has provided a notation on the face of the plat that would not allow for any expansion of the house to further encroach on the easement. The property has an existing entrance off of 166<sup>th</sup> street. Suburban Water, Inc. has notified staff that an existing waterline is in the vicinity of the property and can service the property. The current line does not have the capacity to support a fire hydrant. Staff is generally in support.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. The developer must comply with the following memorandums:
  - a. Memo – Travis Miles, Suburban Water Inc., April 5, 2023

**ATTACHMENTS:**

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





ENTERED IN TRANSFER RECORD IN  
MY OFFICE THIS DAY 02/16/2023

*Janet Klasmaker*  
COUNTY CLERK

Doc #: 2023R01014  
TERRILOIS MASHBURN  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
02/16/2023 10:27:27 AM  
RECORDING FEE: 38.00  
PAGES: 2

Continental Title Company: 23445915

**Warranty Deed**  
(Joint Tenants)

This indenture, Made this 14 day of February, 2023 between, Keith E. Miller and Melissa A. Miller, a married couple of Miami County, in the State of Kansas, party(ies) of the first part, and Allan Stork and Marion Stork, a married couple, As Joint Tenants with right of Survivorship and not as Tenants in Common, of Leavenworth County, in the State of KS, party(ies) of the second part:

WITNESSETH, that the said party 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 parties of the second part, the survivor's heirs and assigns, all of the following described real estate, situated in the County of Leavenworth and State of Kansas to wit:

Legal Description: Tract A:

A tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01°42'58" East for a distance of 1225.63 feet along the East line of said Southeast corner to the true point of beginning; thence continuing South 01°42'58" East for a distance of 450.00 feet along said East line; thence South 88°04'56" West for a distance of 661.00 feet and along the North line of HEARTLAND ESTATES and SUNNY SIDE ESTATES; thence North 01°42'58" West for a distance of 444.52 feet; thence North 87°36'27" East for a distance of 661.05 feet to the point of beginning, subject to covenants, easements and restrictions of record.

Tract B:

A tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast quarter; thence South 01°42'58" East for a distance of 1225.63 feet along the East line of said Southeast corner; thence South 87°36'27" West for a distance of 661.05 feet to the true point of beginning; thence South 01°42'58" East for a distance of 444.52 feet to the North line of SUNNY SIDE ESTATES; thence South 88°04'56" West for a distance of 658.46 feet and along the North line of said SUNNY SIDE ESTATES to the Northwest corner of said SUNNY SIDE ESTATES; thence South 87°54'46" West for a distance of 1318.56 feet to the West line of said Southeast Quarter; thence North 01°50'58" West for a distance of 1162.95 feet; thence North 87°36'27" East for a distance of 946.80 feet; thence South 01°42'59" East for a distance of 730.94 feet; thence North 87°36'27" East for a distance of 1033.07 feet to the point of beginning, subject to covenants, easements and restrictions of record.



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

We/I Allan F. Stork and \_\_\_\_\_

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 18209 146th St Basehor KS 66007, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

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

2) Signed and entered this 23 day of January, 2023

Allan F. Stork 14678 Evans Rd Basehor KS 66007 217-519-1987  
Print Name, Address, Telephone

Allan F. Stork  
Signature

STATE OF KANSAS )  
                                  ) SS  
COUNTY OF LEAVENWORTH )

Be it remember that on this 23<sup>rd</sup> day of January 2023 before me, a notary public in and for said County and State came Allan F. Stork 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 Katy Torneden

My Commission Expires: 01-27-2025

(seal)



# CERTIFICATE OF SURVEY

Tracts of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

Doc # 2022090  
 TRISTEE HARRING  
 REGISTER OF DEEDS  
 LEAVENWORTH COUNTY, KANSAS  
 RECORDED ON:  
 01/01/2023 04:14:39 PM  
 RECORDED PAGE: 12-00  
 PAGES: 1

PREPARED FOR:  
 Keith E. Miller  
 1417 N. 28th Street  
 Leavenworth, KS 66045  
 PID NO. 182-09-00-018-07

**RECORD DESCRIPTION:**  
 Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 12, 2022, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast corner to the TRUE POINT OF BEGINNING; thence contrary South 01 degrees 42'58" East for a distance of 450.00 feet along said East line; thence South 88 degrees 04'55" West for a distance of 661.00 feet and along the North line of HEARTLAND ESTATES and the North line of SUNNY SIDE ESTATES to the Northwest corner of said SUNNY SIDE ESTATES; thence South 87 degrees 54'46" West for a distance of 1318.55 feet to the West line of said Southeast Quarter; thence North 01 degrees 50'39" West for a distance of 1162.95 feet; thence North 87 degrees 36'27" East for a distance of 946.80 feet; thence North 01 degrees 42'58" East for a distance of 730.94 feet; thence North 87 degrees 36'27" East for a distance of 1694.12 feet to the point of beginning.  
 Together with and subject to covenants, easements, and restrictions of record.  
 Said property contains 42.53 acres, more or less, including road right of way.  
 Error of Closure: 1 - 194694

**SURVEY DESCRIPTION:**  
**TRACT A**  
 Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast corner to the TRUE POINT OF BEGINNING; thence contrary South 01 degrees 42'58" East for a distance of 450.00 feet along said East line; thence South 88 degrees 04'55" West for a distance of 661.00 feet and along the North line of HEARTLAND ESTATES and SUNNY SIDE ESTATES; thence North 01 degrees 42'58" West for a distance of 444.51 feet; thence North 87 degrees 36'27" East for a distance of 661.05 feet to the point of beginning.  
 Together with and subject to covenants, easements, and restrictions of record.  
 Said property contains 6.79 acres, more or less, including road right of way.  
 Error of Closure: 1 - 295635

**TRACT B**  
 Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast corner; thence South 87 degrees 36'27" West for a distance of 661.05 feet to the TRUE POINT OF BEGINNING; thence South 01 degrees 42'58" East for a distance of 444.51 feet to the North line of SUNNY SIDE ESTATES; thence South 88 degrees 04'55" West for a distance of 658.46 feet and along the North line of said SUNNY SIDE ESTATES to the Northwest corner of said SUNNY SIDE ESTATES; thence South 87 degrees 54'46" West for a distance of 1318.55 feet to the West line of said Southeast Quarter; thence North 01 degrees 50'39" West for a distance of 1162.95 feet; thence North 87 degrees 36'27" East for a distance of 946.80 feet; thence South 01 degrees 42'58" East for a distance of 730.94 feet; thence North 87 degrees 36'27" East for a distance of 1033.07 feet to the point of beginning.  
 Together with and subject to covenants, easements, and restrictions of record.  
 Said property contains 35.74 acres, more or less.  
 Error of Closure: 1 - 153425

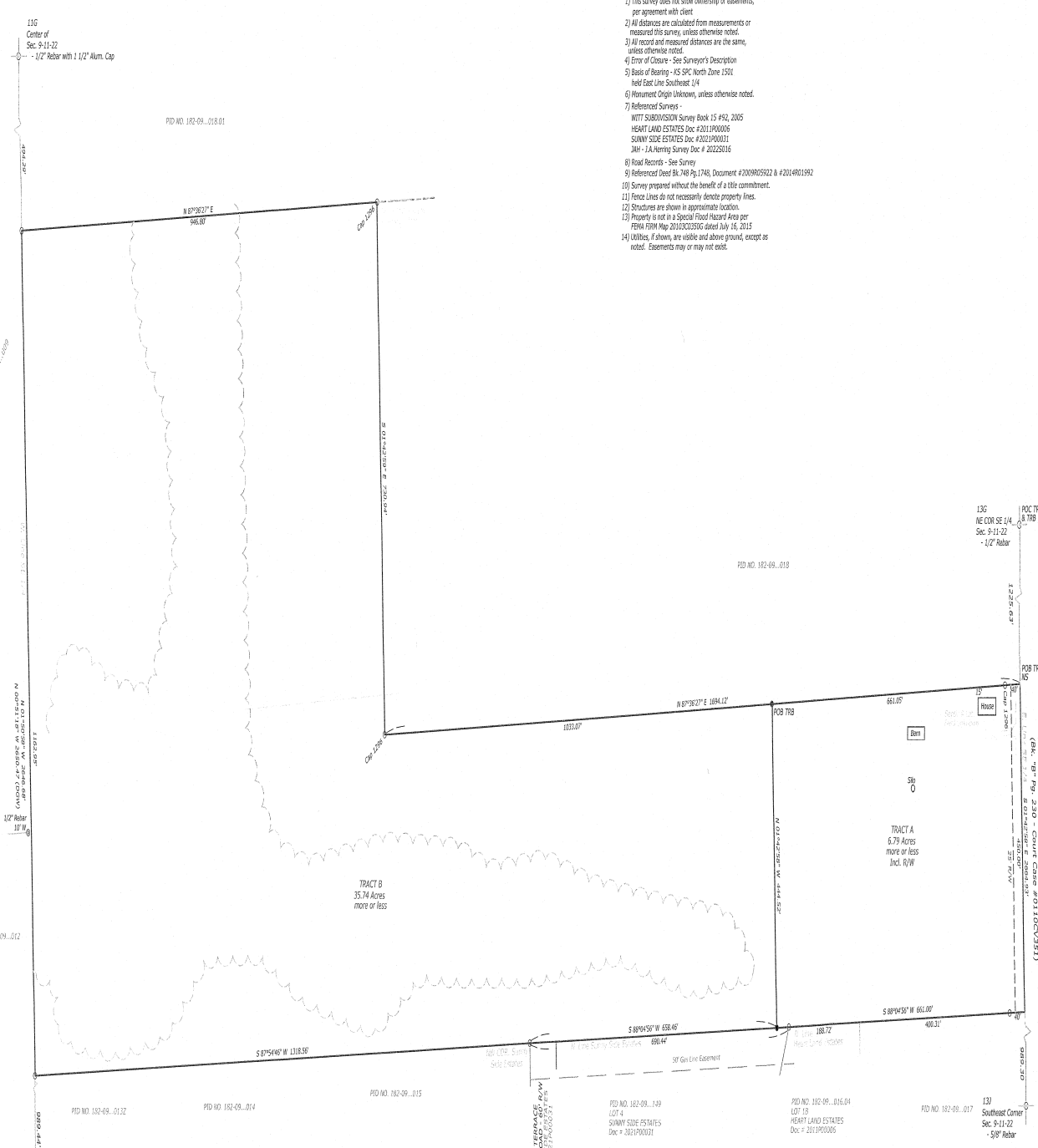
**COUNTY SURVEYOR DISCLAIMER:**  
 This survey does not necessarily meet the Leavenworth County Planning and Zoning requirements for a conforming tract sale and therefore may NOT be a bailable tract of land. Prospective purchasers should contact the County Planning and Zoning Office of Leavenworth County to determine if any tract shown herein is a bailable tract.

I hereby certify that this plat meets the requirements of K.S.A. 58-2025. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field notation is implied. This review is for survey information only.

*Daniel Baunacher, PS 1133*  
 Daniel Baunacher, PS 1133  
 County Surveyor

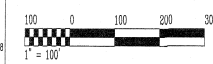
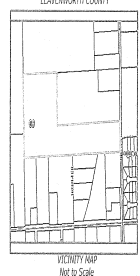
Job # K-22-1558 - 2023  
 January 23, 2023 Rev. 2/1/23

**HERRING SURVEYING COMPANY**  
 815 North 5th Street, Leavenworth, KS 66048  
 Ph. 816.851.8888 Fax 816.874.5306  
 Email = survey@herringks.com



- NOTES:**
- 1) This survey does not show ownership or easements, per agreement with client.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All record and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Surveyor's Description
  - 5) Basis of Bearing - KS SPC North Zone 1501
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Referenced Surveys -  
 WITT SUBDIVISION Survey Book 15 #92, 2005  
 HEARTLAND ESTATES Doc # 2021P00006  
 SUNNY SIDE ESTATES Doc # 2021P00011  
 340 - J.A. Herring Survey Doc # 2022S016
  - 8) Road Records - See Survey
  - 9) Referenced Deed #8-748 Pg.1748, Document # 2009025922 & # 2014R01992
  - 10) Survey prepared without the benefit of a title commitment.
  - 11) Fence Lines do not necessarily denote property lines.
  - 12) Structures are shown in approximate location.
  - 13) Property is not in a Special Flood Hazard Area per FEMA Flood Map 20102020350G dated July 16, 2015
  - 14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.

- LEGEND:**
- - 1/2" Rebar Set with Cap No. 1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - PDB - Point of Beginning
  - - True/Brass Line
  - NS - Not Set this Survey per agreement with client



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of January 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
 PS # 1296

# PIONEER ACRES

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
STORK, ALLAN F & MARION SUE  
16678 EVANS ROAD  
BASEHOR, KS 66007  
PID NO. 182-09-00-00-018.07

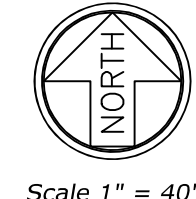
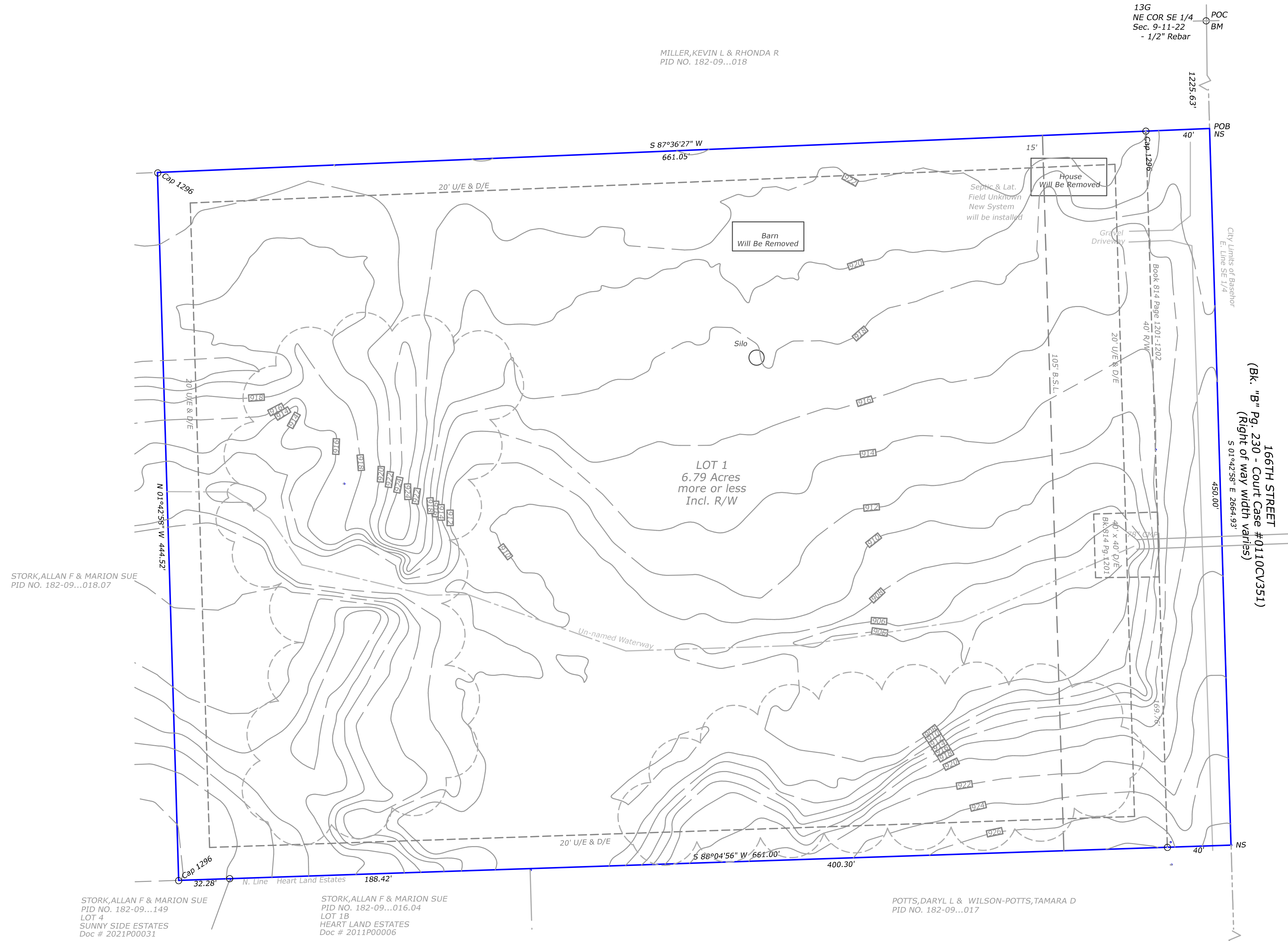
RECORD DESCRIPTION:  
Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast corner to the TRUE POINT OF BEGINNING; thence continuing South 01 degrees 42'58" East for a distance of 450.00 feet along said East line; thence South 88 degrees 04'56" West for a distance of 661.00 feet and along the North line of HEARTLAND ESTATES and SUNNY SIDE ESTATES; thence North 01 degrees 42'58" West for a distance of 444.52 feet; thence North 87 degrees 36'27" East for a distance of 661.05 feet to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 6.79 acres, more or less, including road right of way.  
Error of Closure: 1 - 259636

- RESTRICTIONS:
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
  - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
  - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
  - 4) Lots are subject to the current Access Management Policy
  - 5) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks
  - 6) No off-plat restrictions.

- LEGEND:
- - 1/2" Rebar Set with Cap No. 1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - - Concrete Base around Point
  - △ - PK Nail Found in Place
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement
  - BM - Benchmark
  - NS - Not Set this survey per agreement with client
  - A - Arc Distance
  - R - Arc Radius
  - B - Chord Bearing
  - C - Chord Distance
  - //// - No Vehicle Entrance Access
  - NS - Not Set this survey per agreement with client
  - - Power Pole
  - X - Fence Line
  - OHP - Overhead Power Lines
  - T - Underground Telephone/Fiber Optic Line
  - ◇ - Gas Valve
  - ▲ - Water Meter/Valve
  - ⊞ - Telephone Pedestal
  - W - 6" Water Line - location as per district
  - ~ - Tree/Brush Line

ZONING:  
RR 2.5 - Rural Residential 2.5

- NOTES:
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Error of Closure Calculations
  - 5) Basis of Bearing - KS SPC North Zone 1301
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Existing and Proposed Lots for Residential Use.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD83  
Project Benchmark (BM) - NE COR SE 1/4 Section 9 - Elev - 932.27'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2023R01014
  - 12) Utility Companies  
- Water - Suburban  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas
  - 13) Reference Continental Title File Number 23445915 updated January 25, 2023
  - 14) Property is not in a Special Flood Hazard Area per FEMA FIRMS Map 20103C0327G dated July 16, 2015
  - 15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')
  - 16) Distances to and of structures, if any, are +- 1'.
  - 17) Easements as per referenced Title Commitment are shown hereon, if any.  
Gas Line Easement Book 325 Page 321, Blanket over South 20 acres of Tract Existing Gas Line South of surveyed property.
  - 18) Fence Lines do not necessarily denote the boundary line for the property.
  - 19) Reference Surveys:  
WITT SUBDIVISION Survey Book 15 #92, 2005  
HEART LAND ESTATES Doc # 2011P00006  
SUNNY SIDE ESTATES Doc # 2021P00031  
JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009  
Heart Land Estates Lot Split Doc #2020S026

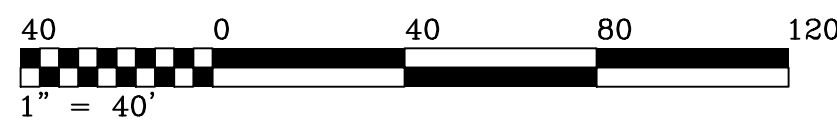


Scale 1" = 40'

Job # K-23-1558  
March 11, 2023 Rev. 3/29/23



315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@herringks.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS - 1296

# PIONEER ACRES

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
STORK, ALLAN F & MARION SUE  
16678 EVANS ROAD  
BASEHOR, KS 66007  
PID NO. 182-09-0-00-00-018.07

**RECORD DESCRIPTION:**  
Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 01 degrees 42'58" East for a distance of 450.00 feet along said East line; thence South 88 degrees 04'56" West for a distance of 661.00 feet and along the North line of HEARTLAND ESTATES and SUNNY SIDE ESTATES; thence North 01 degrees 42'58" West for a distance of 444.52 feet; thence North 87 degrees 36'27" East for a distance of 661.05 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 6.79 acres, more or less, including road right of way. Error of Closure: 1 - 259636

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: PIONEER ACRES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of PIONEER ACRES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Allan F. Stork  
Marion Sue Stork

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Allan F. Stork and Marion Sue Stork, a married couple, to me personally known to be the same persons who executed the foregoing 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)

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of PIONEER ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary John Jacobson  
Chairman Steven Rosenthal  
PID NO. 182-09...018.07

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of PIONEER ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman Vicky Kaaz  
County Clerk Attest: Janet Klasinski

**REGISTER OF DEED CERTIFICATE:**  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor

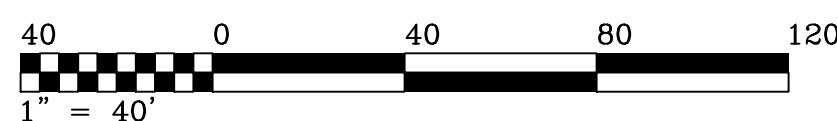


Scale 1" = 40'

Job # K-23-1558  
March 11, 2023 Rev. 3/28/23



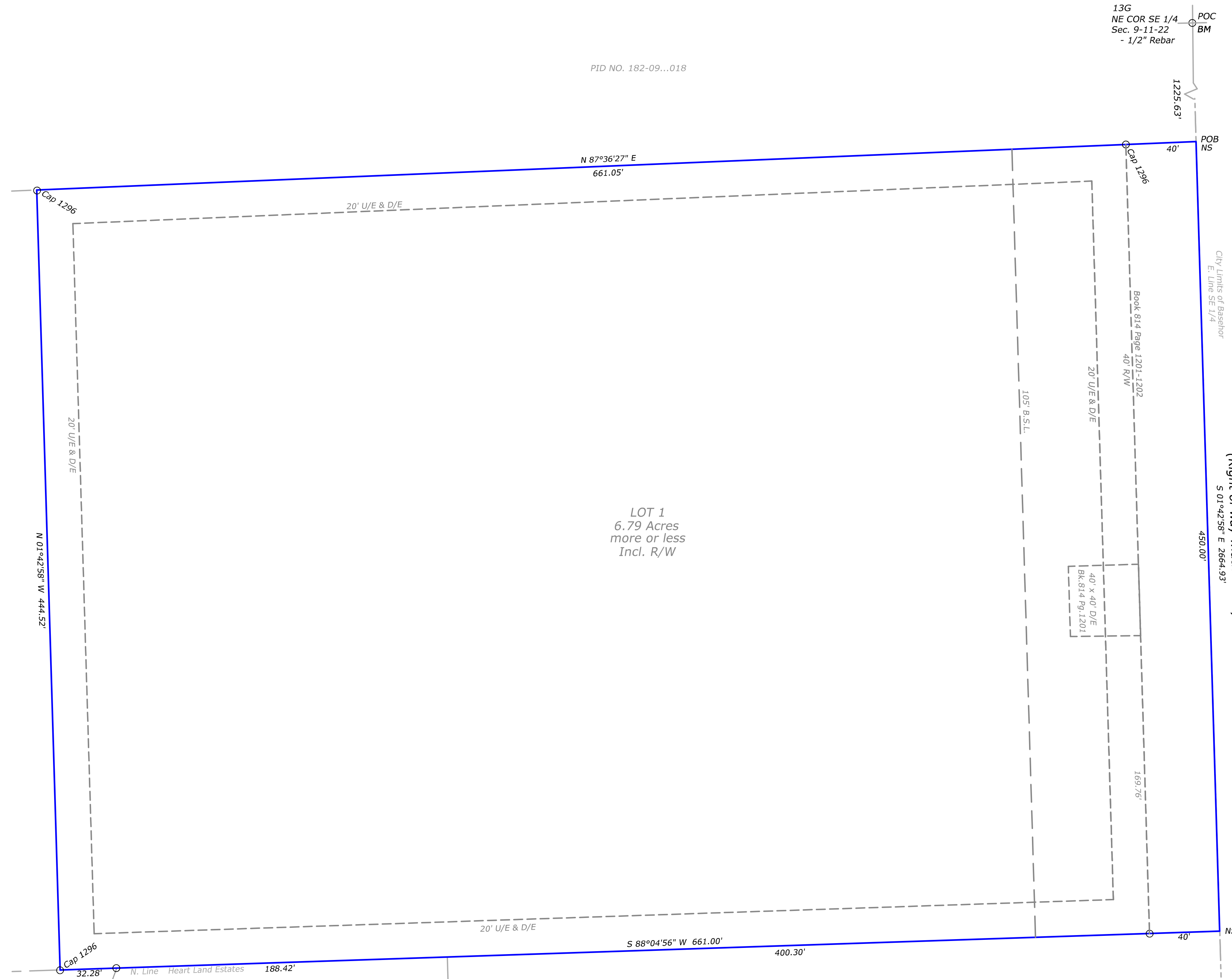
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@jeancash.com



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- 6) No off-plat restrictions.

PID NO. 182-09...018



LOT 1  
6.79 Acres  
more or less  
Incl. R/W

- LEGEND:**
- - 1/2" Rebar Set with Cap No. 1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - - Concrete Base around Point
  - △ - PK Nail Found in Place
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  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement
  - BM - Benchmark
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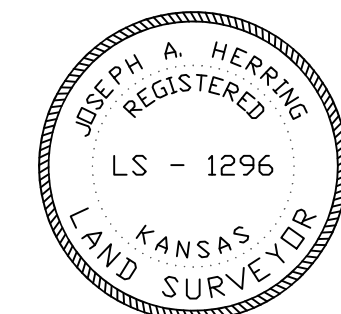
**ZONING:**  
RR 2.5 - Rural Residential 2.5

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    - Electric - Evergy
    - Sewer - Septic / Lagoon
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    - HEART LAND ESTATES Doc # 2011P00006
    - SUNNY SIDE ESTATES Doc # 2021P00031
    - JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009
    - Heart Land Estates Lot Split Doc #2020S026

(Bk. "B" Pg. 230 - Court Case #0110CV351)  
166TH STREET  
Right of Way Width Varies  
S 01°42'58" E 2664.93'  
450.00'



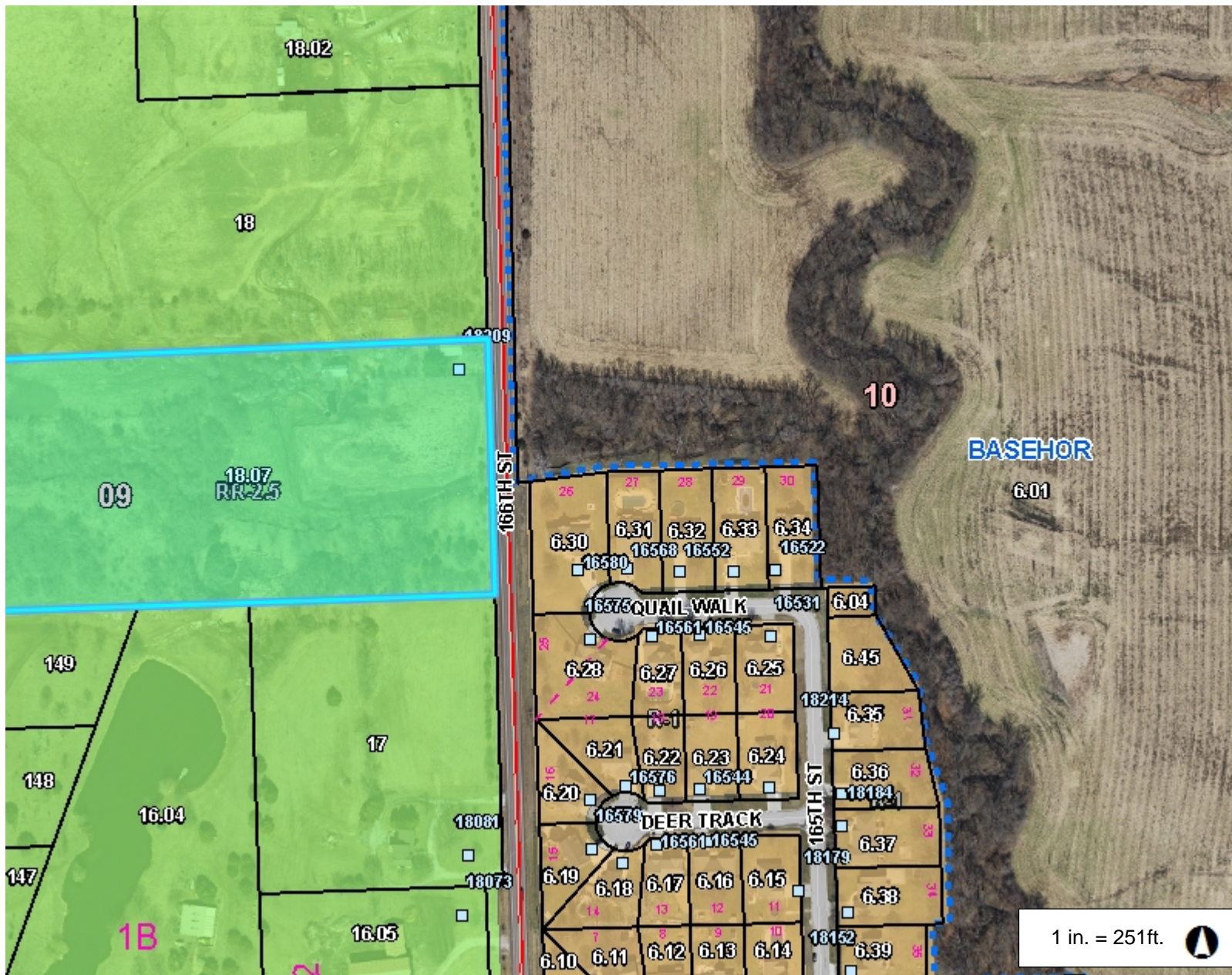
133  
Southeast Corner  
Sec. 9-11-22  
- 5/8" Rebar



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

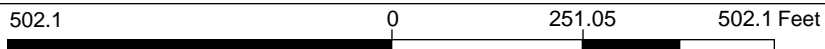
# DEV-23-040/041 Pioneer Acres



### Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- ⋮ City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + 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. = 251ft.



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, March 21, 2023 8:25 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

We have not received any complaints on this property. It appears that the septic system that services the home will remain on the same property as the home after the BLA is completed.

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

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, March 17, 2023 3:29 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'butchbollin@yahoo.com' <butchbollin@yahoo.com>; 'DesignGroupShawnee@evergy.com' <DesignGroupShawnee@evergy.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; 'Krystal A. Voth' <kvoth@cityofbasehor.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a one-lot subdivision at 18209 166th St (PID 182-09-0-00-00-018.07).

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 Friday, March 25, 2023.

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

Thank you,

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

## Allison, Amy

---

**From:** Kyle Burkhardt <Kyle.Burkhardt@evergy.com>  
**Sent:** Friday, March 24, 2023 3:07 PM  
**To:** Allison, Amy; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Van Parys, David; 'butchbollin@yahoo.com'; 'Travis@suburbanwaterinc.com'; 'Krystal A. Voth'  
**Cc:** PZ  
**Subject:** RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

Internal Use Only

Evergy has no issues with the following request.

Thank you

### Kyle Burkhardt

Evergy  
TD Designer II  
785-508-2408  
[Kyle.Burkhardt@evergy.com](mailto:Kyle.Burkhardt@evergy.com)



---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, March 17, 2023 3:29 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'butchbollin@yahoo.com' <butchbollin@yahoo.com>; Design Group Shawnee <DesignGroupShawnee@evergy.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; 'Krystal A. Voth' <kvoth@cityofbasehor.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

**\*\*WARNING:** This email originated from an external source outside of Evergy. Think before you click on links or attachments!\*\*

---

Good Afternoon,

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Thank you,

## Allison, Amy

---

**From:** Yoakam, Aaron  
**Sent:** Monday, March 27, 2023 3:18 PM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

No the future capacity is completed, and it is also not in the original agreement.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Monday, March 27, 2023 2:55 PM  
**To:** Yoakam, Aaron <AYoakam@leavenworthcounty.gov>  
**Subject:** FW: RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

Good Afternoon Aaron,

The attached subdivision is within 660' of the Giger Creek Subdivision/sewer district. Is there capacity at this sewer district at this time?

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

---

**From:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>  
**Sent:** Friday, March 17, 2023 3:29 PM  
**To:** Magaha, Chuck <[cmagaha@lvsheriff.org](mailto:cmagaha@lvsheriff.org)>; Miller, Jamie <[JMiller@leavenworthcounty.gov](mailto:JMiller@leavenworthcounty.gov)>; Patzwald, Joshua <[jpatzwald@lvsheriff.org](mailto:jpatzwald@lvsheriff.org)>; Van Parys, David <[DVanParys@leavenworthcounty.gov](mailto:DVanParys@leavenworthcounty.gov)>; 'butchbollin@yahoo.com' <[butchbollin@yahoo.com](mailto:butchbollin@yahoo.com)>; 'DesignGroupShawnee@evergy.com' <[DesignGroupShawnee@evergy.com](mailto:DesignGroupShawnee@evergy.com)>; 'Travis@suburbanwaterinc.com' <[Travis@suburbanwaterinc.com](mailto:Travis@suburbanwaterinc.com)>; 'Krystal A. Voth' <[kvoth@cityofbasehor.org](mailto:kvoth@cityofbasehor.org)>  
**Cc:** PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
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Thank you,



# City of Basehor

2620 N 155<sup>th</sup> Street, Basehor, KS 66007  
913-724-1370 info@cityofbasehor.org

February 16, 2023

Joe Herring  
315 N. 5<sup>th</sup> Street  
Leavenworth, KS 66048

Subject: Potential Land Division near 166<sup>th</sup> Street – Pioneer Acres

Dear Leavenworth County, Kansas Planning Department,

Thank you for reaching to us regarding the property generally located at 1566<sup>h</sup> and Evans Road, a property outside of the city limits of Basehor. We appreciate the opportunity for input.

The City of Basehor does not have an interlocal agreement with Leavenworth County regarding the Urban Growth Boundary, as that was unanimously denied by our Governing Body in 2019. As a result, the City of Basehor does not have jurisdiction over the subject property.

The current Basehor Comprehensive Plan can be found here:

<https://www.cityofbasehor.org/DocumentCenter/View/1199/2019-Comprehensive-Plan>

We have a draft of an updated Comprehensive Plan that can be found here:

<https://confluence.mysocialpinpoint.com/basehorplanning/comprehensive/>

We have also linked the most recently approved ordinance related to sanitary sewer systems – Ordinance No. 861. It can be found here: <https://www.cityofbasehor.org/DocumentCenter/View/2252/Ordinance-No-861?bidId=>. Coupled with the ordinance, we have additional maps and details found here: <https://storymaps.arcgis.com/stories/07244af52c4b4c9f8daba38d0514b14b>. The area in question with additional details can be found on pages 8&9 of the presentation.

Beyond what is included in the information mentioned above, the City of Basehor does not and will not have a formal position on the application presented to the Leavenworth County Planning Department.

Respectfully,

Krystal A. Voth, CFM  
Planning & Zoning Director  
City of Basehor  
913-724-1370

# PIONEER ACRES

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
STORK, ALLAN F & MARION SUE  
16678 EVANS ROAD  
BASEHOR, KS 66007  
PID NO. 182-09-0-00-00-018.07

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"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of PIONEER ACRES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Allan F. Stork  
Marion Sue Stork

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Allan F. Stork and Marion Sue Stork, a married couple, to me personally known to be the same persons who executed the foregoing 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)

APPROVALS  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of PIONEER ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary John Jacobson  
Chairman Steven Rosenthal  
PID NO. 182-09...018.07

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of PIONEER ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman Vicky Kaaz  
County Clerk Attest: Janet Klasinski

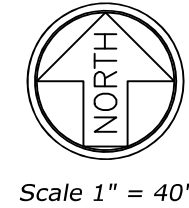
REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

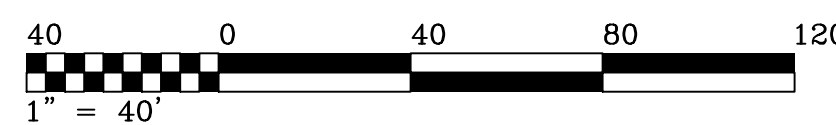
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Reviewed 2023.03.29 No Comments

Daniel Baumchen, PS#1363  
County Surveyor



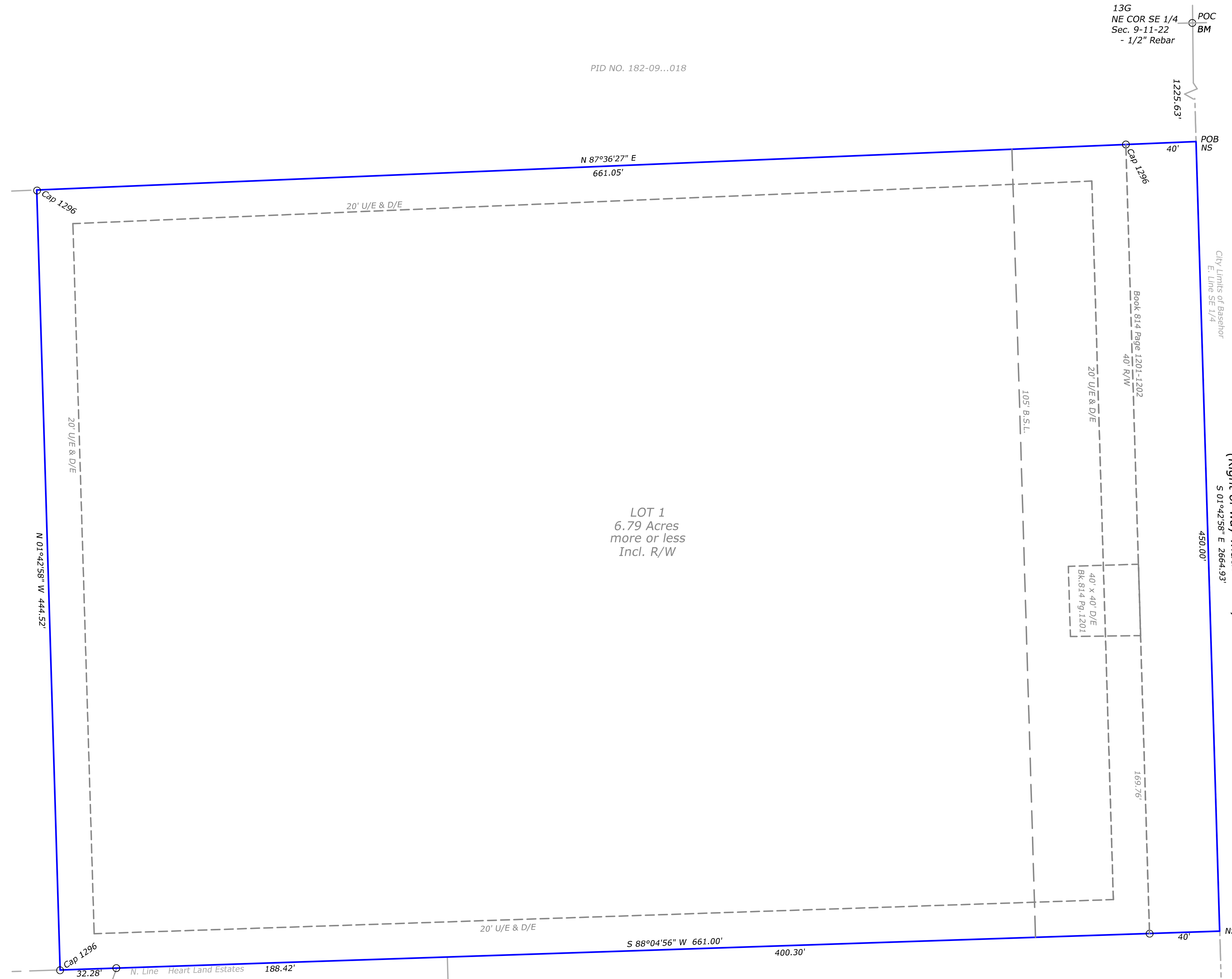
Job # K-23-1558  
March 11, 2023 Rev. 3/28/23



### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks
- 6) No off-plat restrictions.

PID NO. 182-09...018

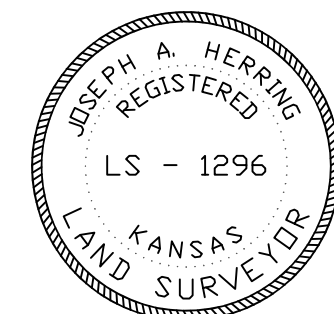


LOT 1  
6.79 Acres  
more or less  
Incl. R/W

- LEGEND:
- - 1/2" Rebar Set with Cap No. 1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - - Concrete Base around Point
  - △ - PK Nail Found in Place
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement
  - BM - Benchmark
  - NS - Not Set this survey per agreement with client
  - A - Arc Distance
  - R - Arc Radius
  - B - Chord Bearing
  - C - Chord Distance
  - //// - No Vehicle Entrance Access
  - NS - Not Set this survey per agreement with client

ZONING:  
RR 2.5 - Rural Residential 2.5

- NOTES:
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Error of Closure Calculations
  - 5) Basis of Bearing - KS SPC North Zone 1301
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Existing and Proposed Lots for Residential Use.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD83
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2023R01014
  - 12) Utility Companies -
    - Water - Suburban
    - Electric - Evergy
    - Sewer - Septic / Lagoon
    - Gas - Propane / Natural Gas
  - 13) Reference Continental Title File Number 23445915 updated January 25, 2023
  - 14) Property is not in a Special Flood Hazard Area per FEMA FIRN Map 20103C0327G dated July 16, 2015
  - 15) Building Setback Lines as shown hereon or noted below
    - All side yard setbacks - 15' (Accessory - 15')
    - All rear yard setbacks - 40' (Accessory - 15')
  - 16) Distances to and of structures, if any, are +- 1'.
  - 17) Easements as per referenced Title Commitment are shown hereon, if any. Gas Line Easement Book 325 Page 321, Blanket over South 20 acres of Tract Existing Gas Line South of surveyed property.
  - 18) Fence Lines do not necessarily denote the boundary line for the property.
  - 19) Reference Surveys:
    - WITT SUBDIVISION Survey Book 15 #92, 2005
    - HEART LAND ESTATES Doc # 2011P00006
    - SUNNY SIDE ESTATES Doc # 2021P00031
    - JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009
    - Heart Land Estates Lot Split Doc #2020S026



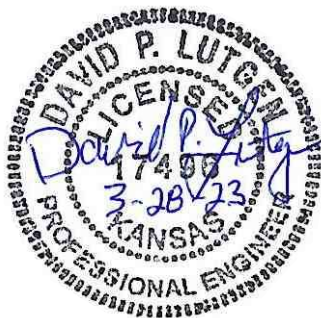
I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

03.29.23

No Further Comment.

Pioneer Acres  
Leavenworth County Kansas  
Drainage Report  
March 13, 2023  
Revised March 28, 2023



# PIONEER ACRES

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
STORK, ALLAN F & MARION SUE  
16678 EVANS ROAD  
BASEHOR, KS 66007  
PID NO. 182-09-0-00-00-018.07

**RECORD DESCRIPTION:**  
Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 01 degrees 42'58" East for a distance of 450.00 feet along said East line; thence South 88 degrees 04'56" West for a distance of 661.00 feet and along the North line of HEARTLAND ESTATES and SUNNY SIDE ESTATES; thence North 01 degrees 42'58" West for a distance of 444.52 feet; thence North 87 degrees 36'27" East for a distance of 661.05 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 6.79 acres, more or less, including road right of way. Error of Closure: 1 - 259636

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: PIONEER ACRES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of PIONEER ACRES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Allan F. Stork  
Marion Sue Stork

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Allan F. Stork and Marion Sue Stork, a married couple, to me personally known to be the same persons who executed the foregoing 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)

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of PIONEER ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary John Jacobson  
Chairman Steven Rosenthal  
PID NO. 182-09...018.07

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of PIONEER ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman Vicky Kaaz  
County Clerk Attest: Janet Klasinski

**REGISTER OF DEED CERTIFICATE:**  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor

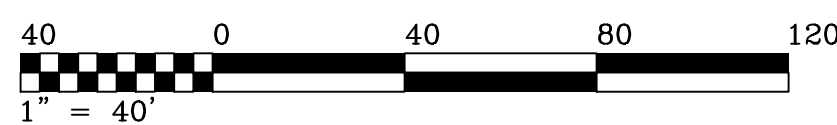


Scale 1" = 40'

Job # K-23-1558  
March 11, 2023 Rev. 3/28/23



315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@jeancash.com

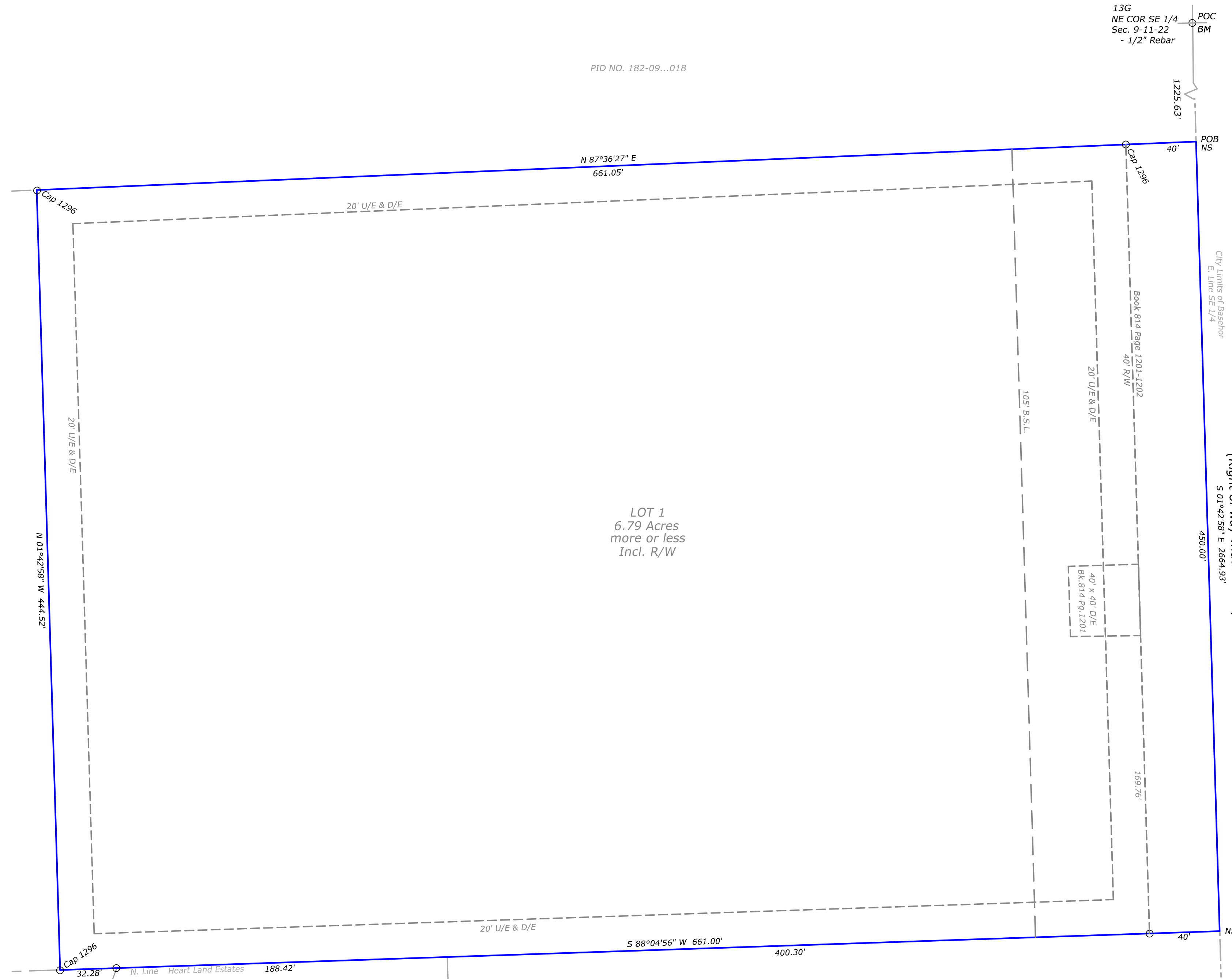


1" = 40'

### RESTRICTIONS:

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- 6) No off-plat restrictions.

PID NO. 182-09...018



PID NO. 182-09...149  
LOT 4  
SUNNY SIDE ESTATES  
Doc # 2021P00031

PID NO. 182-09...016.04  
LOT 1B  
HEARTLAND ESTATES  
Doc # 2011P00006

PID NO. 182-09...017



VICINITY MAP  
NOT TO SCALE

**03-29-23  
OLSSON REVIEW  
No Further  
Comment**

**LEGEND:**  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base around Point  
△ - PK Nail Found in Place  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client

**ZONING:**  
RR 2.5 - Rural Residential 2.5

- NOTES:**
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Error of Closure Calculations
  - 5) Basis of Bearing - KS SPC North Zone 1301
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Existing and Proposed Lots for Residential Use.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD83  
Project Benchmark (BM) - NE COR SE 1/4 Section 9 - Elev - 932.27'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2023R01014
  - 12) Utility Companies -  
- Water - Suburban  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas
  - 13) Reference Continental Title File Number 23445915 updated January 25, 2023
  - 14) Property is not in a Special Flood Hazard Area per FEMA FIRN Map 20103C0327G dated July 16, 2015
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WITT SUBDIVISION Survey Book 15 #92, 2005  
HEARTLAND ESTATES Doc # 2011P00006  
SUNNY SIDE ESTATES Doc # 2021P00031  
JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009  
Heart Land Estates Lot Split Doc #2020S026

(Bk. "B" Pg. 230 - Court Case #0110CV351)  
166TH STREET  
E. Line SE 1/4  
S 01°42'58" E 2664.93'  
450.00'

13G  
NE COR SE 1/4  
Sec. 9-11-22  
- 1/2" Rebar

POB  
NS  
1225.63'

Cap 1296

20' U/E & D/E

105' B.S.L.

20' U/E & D/E

160' R/W

40' x 40' (150)

160' R/W

160' R/W

160' R/W

160' R/W

160' R/W

160' R/W

160' R/W

160' R/W

160' R/W

160' R/W

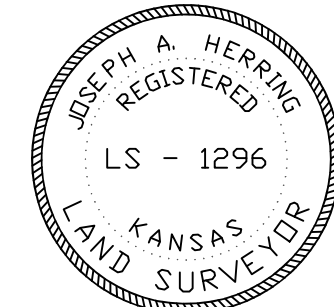
160' R/W

160' R/W

160' R/W

160' R/W

160' R/W



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



# PIONEER ACRES

A Minor Subdivision in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

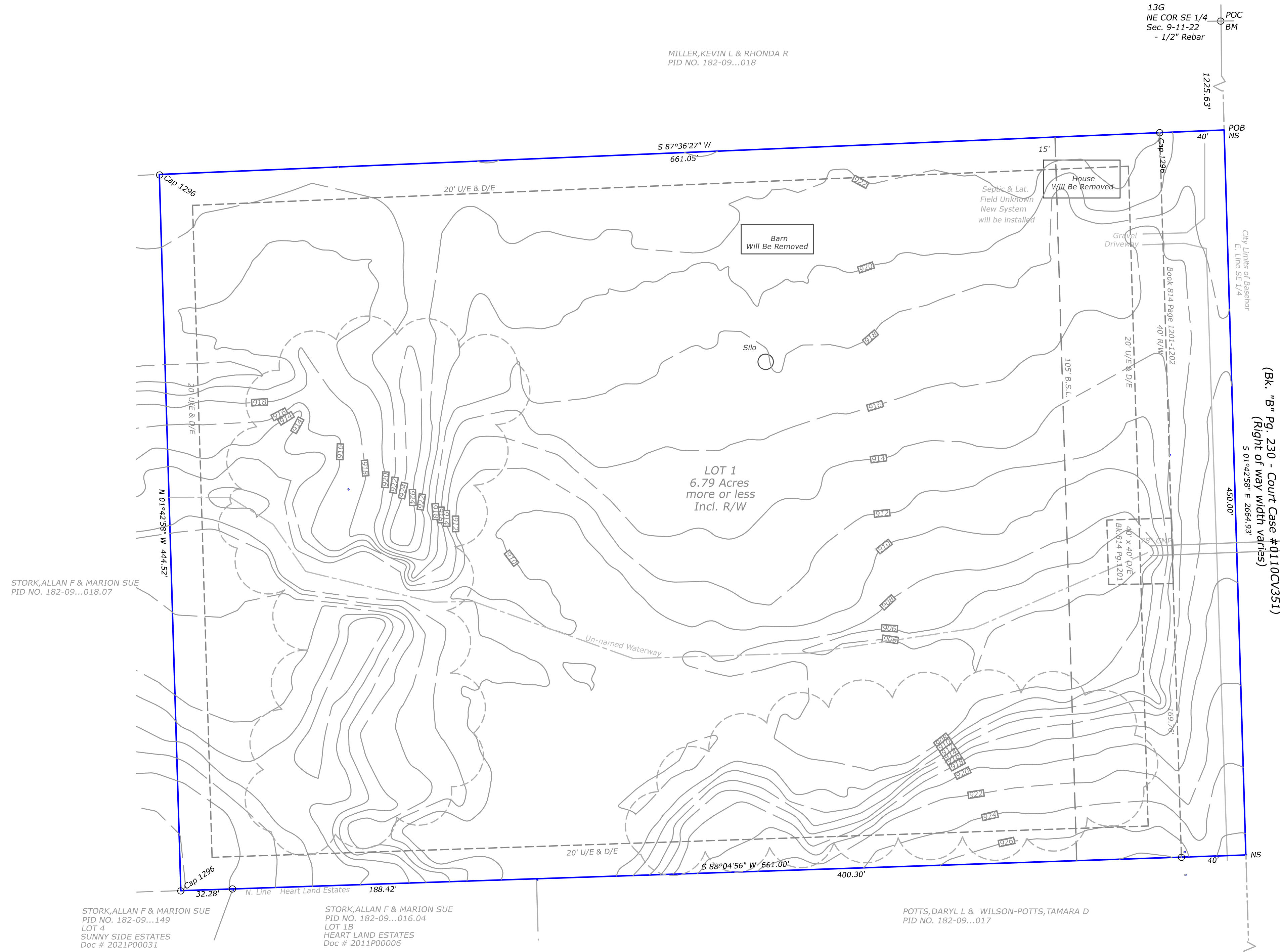
PREPARED FOR:  
STORK, ALLAN F & MARION SUE  
16678 EVANS ROAD  
BASEHOR, KS 66007  
PID NO. 182-09-00-00-018.07

RECORD DESCRIPTION:  
Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 01 degrees 42'58" East for a distance of 450.00 feet along said East line; thence South 88 degrees 04'56" West for a distance of 661.00 feet and along the North line of HEARTLAND ESTATES and SUNNY SIDE ESTATES; thence North 01 degrees 42'58" West for a distance of 444.52 feet; thence North 87 degrees 36'27" East for a distance of 661.05 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 6.79 acres, more or less, including road right of way. Error of Closure: 1 - .259636

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks
- 6) No off-plat restrictions.

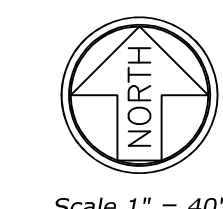
**03-31-23**  
**OLSSON REVIEW**  
**No Further Comment**



- LEGEND:
- - 1/2" Rebar Set with Cap No. 1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - - Concrete Base around Point
  - △ - PK Nail Found in Place
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement
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  - A - Arc Distance
  - R - Arc Radius
  - B - Chord Bearing
  - C - Chord Distance
  - //// - No Vehicle Entrance Access
  - NS - Not Set this survey per agreement with client
  - - Power Pole
  - X - Fence Line
  - OHP - Overhead Power Lines
  - T - Underground Telephone/Fiber Optic Line
  - ◇ - Gas Valve
  - ⊠ - Water Meter/Valve
  - ⊞ - Telephone Pedestal
  - W - 6" Water Line - location as per district
  - ~ - Tree/Brush Line

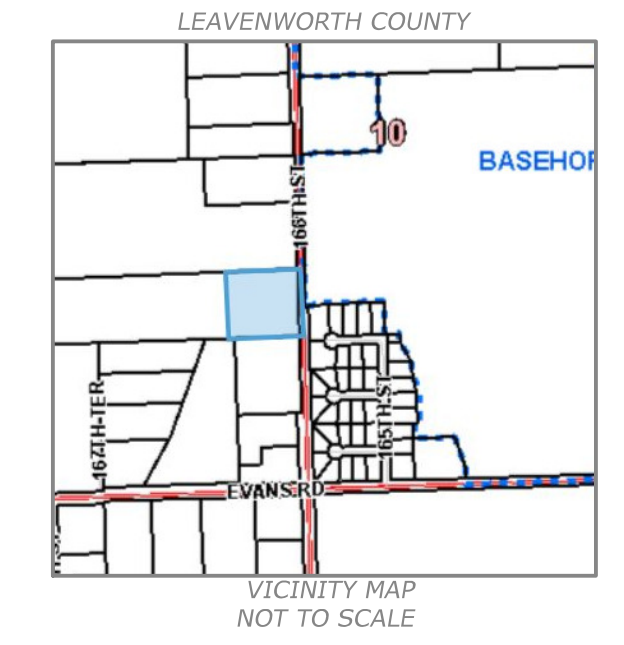
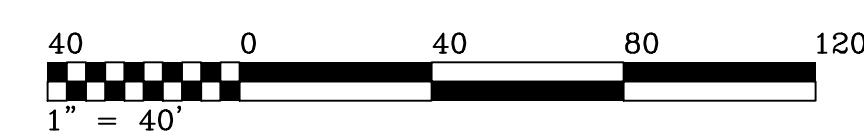
ZONING:  
RR 2.5 - Rural Residential 2.5

- NOTES:
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Error of Closure Calculations
  - 5) Basis of Bearing - KS SPC North Zone 1301
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Existing and Proposed Lots for Residential Use.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD88  
Project Benchmark (BM) - NE COR SE 1/4 Section 9 - Elev - 932.27'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2023R01014
  - 12) Utility Companies:  
- Water - Suburban  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas
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SUNNY SIDE ESTATES Doc # 2021P00031  
JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009  
Heart Land Estates Lot Split Doc #2020S026



Scale 1" = 40'

Job # K-23-1558  
March 11, 2023 Rev. 3/29/23  
J. Herring, Inc. (dba)  
**J. HERRING**  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@jeancash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

## Allison, Amy

---

**From:** Travis Miles <Travis@suburbanwaterinc.com>  
**Sent:** Wednesday, April 5, 2023 2:07 PM  
**To:** Allison, Amy; Trish Peterson  
**Subject:** Re: RE: DEV-23-040/041 Preliminary and Final Plat – Pioneer Acres

**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,

Suburban Responses to Pioneer Acres

a. Does the water district have existing service lines in the vicinity of the proposed plat boundary to provide potable water to the lots of the subdivision?

**Suburban does have an existing 4" PVC Water Main in the vicinity of the proposed plat.**

b. What is the size and location of the water line(s) and fire hydrants that are adjacent to this property?

**Suburban does have an existing 4" PVC Water Main in the vicinity of the proposed plat.**

c. Would the water district allow fire hydrants to be installed on the existing service line(s) in the area of the proposed plat boundary?

**Suburban will NOT allow fire hydrants to be installed on the existing main. Offsite improvements would be required to provide fire protection or the addition of a fire hydrant. At this time Suburban will not require offsite improvements, as long as an existing meter connection is located on the property. If new metered connection is required or additional development happens on the remaining parcel that the tract/plat is being split from, offsite improvements will be required by Suburban.**

d. Does the water district have plans to upgrade the service in this vicinity to such a level that fire hydrants can be installed in the foreseeable future, or within a set number of years? If so, what would the improvements consist of?

**Not at this time, unless further development is proposed in the area that would require improvements to be made.**

**Travis J Miles**

*CEO/President*

Suburban Water, Inc.

1216 N 155<sup>th</sup> Street, PO BOX 588

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-22-100 Highland Meadows

April 12, 2023

REQUEST: **Regular Agenda**  
 Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**  
 AMY ALLISON  
 DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 00000 Sandusky Road

**APPLICANT/APPLICANT AGENT:**  
 JOE HERRING  
 HERRING SURVEYING

**PROPERTY OWNER:**  
 Orison, LLC  
 1204 State Ave, Ste A  
 Tonganoxie, KS 66086

**CONCURRENT APPLICATIONS:**  
 NONE

**LAND USE**

ZONING: RR-2.5

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

**LEGAL DESCRIPTION:**

Tracts of land in the fractional Southwest Quarter of Section 7 and the fractional Northwest Quarter of Section 18, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** TABLE ITEM

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-22-100, Preliminary Plat for Highland Meadows, with or without conditions; or
2. Recommend denial of Case No. DEV-22-100, Preliminary Plat for Highland Meadows, for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:  
 96.25 ACRES

PARCEL ID NO:  
 193-07-0-00-00-006.00 & 194-18-0-00-00-007.00

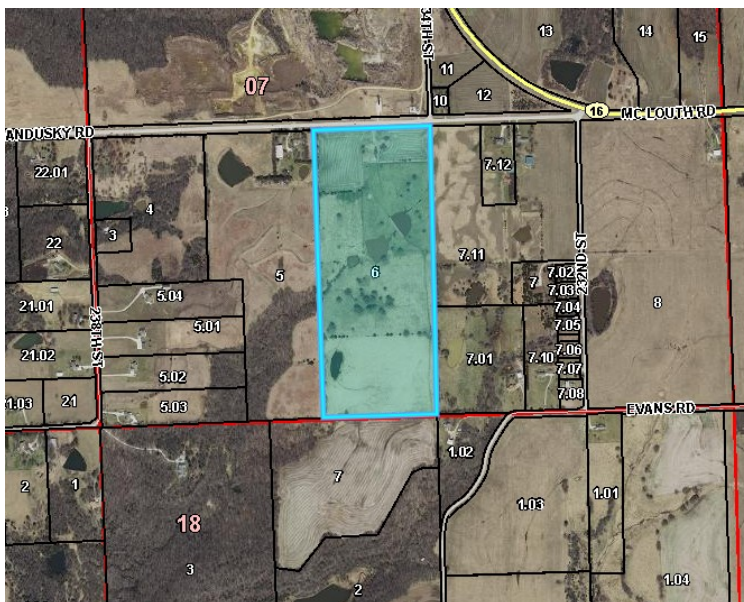
BUILDINGS:  
 N/A

**PROJECT SUMMARY:**

Request for preliminary plat approval to subdivide property located at 00000 Sandusky Road (PID 193-07-0-00-00-006.00 & 194-18-0-00-00-007.00) as Lots 1 through 36 of Highland Meadows.

ACCESS/STREET:  
 SANDUSKY ROAD - COUNTY COLLECTOR, PAVED ± 24’;

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: TONGANOXIE TWSP FD

WATER: RWD 6

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:  
 4/5/2023

NEWSPAPER NOTIFICATION:  
 4/4/2023

NOTICE TO SURROUNDING  
 PROPERTY OWNERS:  
 N/A

<b>STANDARDS TO BE CONSIDERED:</b>			
<i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i>		<b>Met</b>	<b>Not Met</b>
35-40	<b>Preliminary Plat Content</b>	X	
40-20	<b>Final Plat Content</b>	N/A	
41-6	<b>Access Management</b>	X	
41-6.B.a-c.	<b>Entrance Spacing</b>	X	
41-6.C.	<b>Public Road Access Management Standards</b>	X	
43	<b>Cross Access Easements</b>	N/A	
50-20	<b>Utility Requirements</b>	X	
50-30	<b>Other Requirements</b>		X
	Missing Grading Plans for Lots 6, 8, 12 and 32		
50-40	<b>Minimum Design Standards</b>		X
	Lot 23 does not meet the minimum frontage, Lots 24 & 25 do not meet the frontage once the future roadway is installed, the block standards require a maximum of 1200 ft. which staff does not support an exception for as the proposed length is well over double the maximum set. Anything over 750 ft., the Planning Commission can require pedestrian easements to be installed.		
50-50	<b>Sensitive Land Development</b>	N/A	
50-60.	<b>Dedication of Reservation of Public Sites and Open Spaces</b>	N/A	

**STAFF COMMENTS:**

Staff feels that the proposed layout has multiple issues that will need to be addressed as well as further documentation requested by Public Works. At this time, staff recommends tabling the item to a future date to allow the applicant to amend the layout and provide the requested documentation.

**ATTACHMENTS:**

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

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-23-031/032 Summit Farms

April 12, 2023

REQUEST: **Consent Agenda**  
 Preliminary Plat                       Final Plat

**STAFF REPRESENTATIVE:**  
 AMY ALLISON  
 DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 00000 254<sup>TH</sup> STREET

**APPLICANT/APPLICANT AGENT:**  
 JOE HERRING  
 HERRING SURVEYING

**PROPERTY OWNER:**  
 MATTHEW FRANCIS  
 SUMMIT FARMS LLC  
 10000 HOLLINGSWORTH ROAD  
 KANSAS CITY, KS 66109

**CONCURRENT APPLICATIONS:**  
 NONE

**LAND USE**

ZONING: RR-5

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

**LEGAL DESCRIPTION:**

A tract of land located in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: A PORTION OF THE PROPERTY IS LOCATED IN ZONE A

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-031/032, Preliminary & Final Plat for Summit Farms, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-031/032, Preliminary & Final Plat for Summit Farms, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:  
 35 ACRES

PARCEL ID NO:  
 215-22-0-00-00-020.01

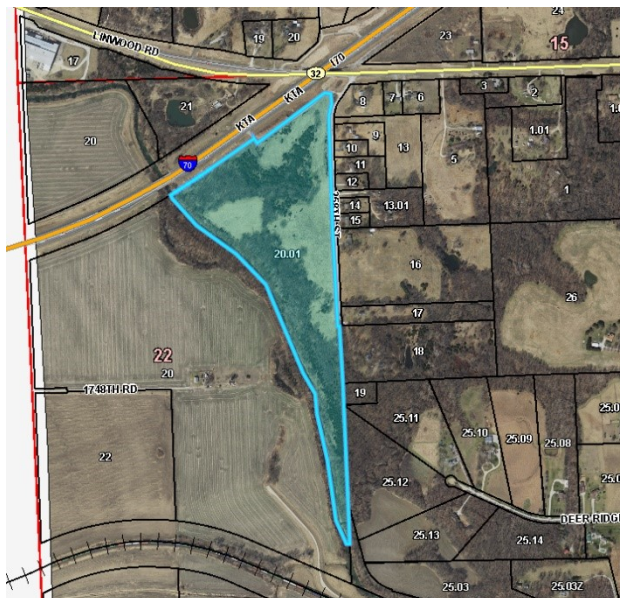
BUILDINGS:  
 N/A

**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 00000 258<sup>th</sup> Street (PID 215-22-0-00-00-020.01) as Lots 1 through 4 of Summit Farms.

ACCESS/STREET:  
 258<sup>TH</sup> STREET - COUNTY LOCAL,  
 GRAVEL ± 20';

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: RENO

WATER: RWD 10

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:  
 3/31/2023

NEWSPAPER NOTIFICATION:  
 4/4/2023

NOTICE TO SURROUNDING  
 PROPERTY OWNERS:  
 N/A

<b>STANDARDS TO BE CONSIDERED:</b>			
<i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i>		<b>Met</b>	<b>Not Met</b>
35-40	<b>Preliminary Plat Content</b>	X	
40-20	<b>Final Plat Content</b>	X	
41-6	<b>Access Management</b>	X	
41-6.B.a-c.	<b>Entrance Spacing</b>	N/A	
41-6.C.	<b>Public Road Access Management Standards</b>	N/A	
43	<b>Cross Access Easements</b>	N/A	
50-20	<b>Utility Requirements</b>	X	
50-30	<b>Other Requirements</b>	X	
50-40	<b>Minimum Design Standards</b>		X
	Exception required from Article 50-Section 40.3.i. for Lots 1 & 4		
50-50	<b>Sensitive Land Development</b>	N/A	
50-60.	<b>Dedication of Reservation of Public Sites and Open Spaces</b>	N/A	

**STAFF COMMENTS:**

The applicant is proposing to divide a 35-acre parcel into four lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lot 1 is proposed to be 10.04 acres. Lot 2 is 6.78 acres. Lot 3 will be 5.18 acres and Lot 4 will be 13.06 acres. Lots 2 and 3 comply with the RR-5 zoning district standard but Lots 1 & 4 will need an exception to the lot-depth to lot-width requirements. Both lots have floodplain that runs along the west property lines. Lot 4 is also a uniquely shaped lot due to the original configuration of the parcel. Floodplain is located on this parcel. Any future development must comply with the County's floodplain regulations. The property abuts I-70 on the north side. The required landscape buffer strip has been included on the face of the plat. KTA did review the application and notified staff that a right-of-way expansion project is planned for the future. The subdivision will access off an existing local road (258<sup>th</sup> Street) and the proposed lots meet the Access Management standards for driveways. RWD 10 has been in communication with the applicant and indicated that a water line extension would be required. Staff is generally in support.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. The developer must comply with the following memorandums:
  - a. Email – RWD#10, April 5, 2023

**ATTACHMENTS:**

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



PRELIMINARY &  
**FINAL PLAT APPLICATION**  
 Leavenworth County Planning and Zoning Department,  
 300 Walnut St., Suite 212  
 County Courthouse  
 Leavenworth, Kansas 66048  
 913-684-0465

Office Use Only

PID: \_\_\_\_\_  
 Township: \_\_\_\_\_  
 Planning Commission Meeting Date: \_\_\_\_\_  
 Case No. \_\_\_\_\_ Date Received/Paid: \_\_\_\_\_  
 Zoning District \_\_\_\_\_  
 Comprehensive Plan land use designation \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

**OWNER INFORMATION**

NAME: Herring Surveying Company NAME: Summits Farms LLC - Matthew Francis  
 MAILING ADDRESS: 315 N. 5th Street MAILING ADDRESS 10000 Hollingsworth Road  
 CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Kansas City, Kansas 66109  
 PHONE: 913-651-3858 PHONE: N/A  
 EMAIL : herringsurveying@outlook.com EMAIL N/A

**GENERAL INFORMATION**

Proposed Subdivision Name: SUMMIT FARMS  
 Address of Property: 00000 254th Street  
 Urban Growth Management Area: N/A

**SUBDIVISION INFORMATION**

Gross Acreage: 45 Acres	Number of Lots: 5	Minimum Lot Size: 5 Acres
Maximum Lot Size: 13 Acres	Proposed Zoning: RR-5	Density: N/A
Open Space Acreage: N/A	Water District: RWD 10	Proposed Sewage: Septic
Fire District: Reno	Electric Provider: Evergy	Natural Gas Provider: Propane
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local</u> - Collector - Arterial - State - Federal	

Is any part of the site designated as Floodplain?  Yes  No if yes, what is the panel number: 20103C0360G

I, the undersigned, am the owner duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 2/28/2023 Date: 2-28-23

**ATTACHMENT A**





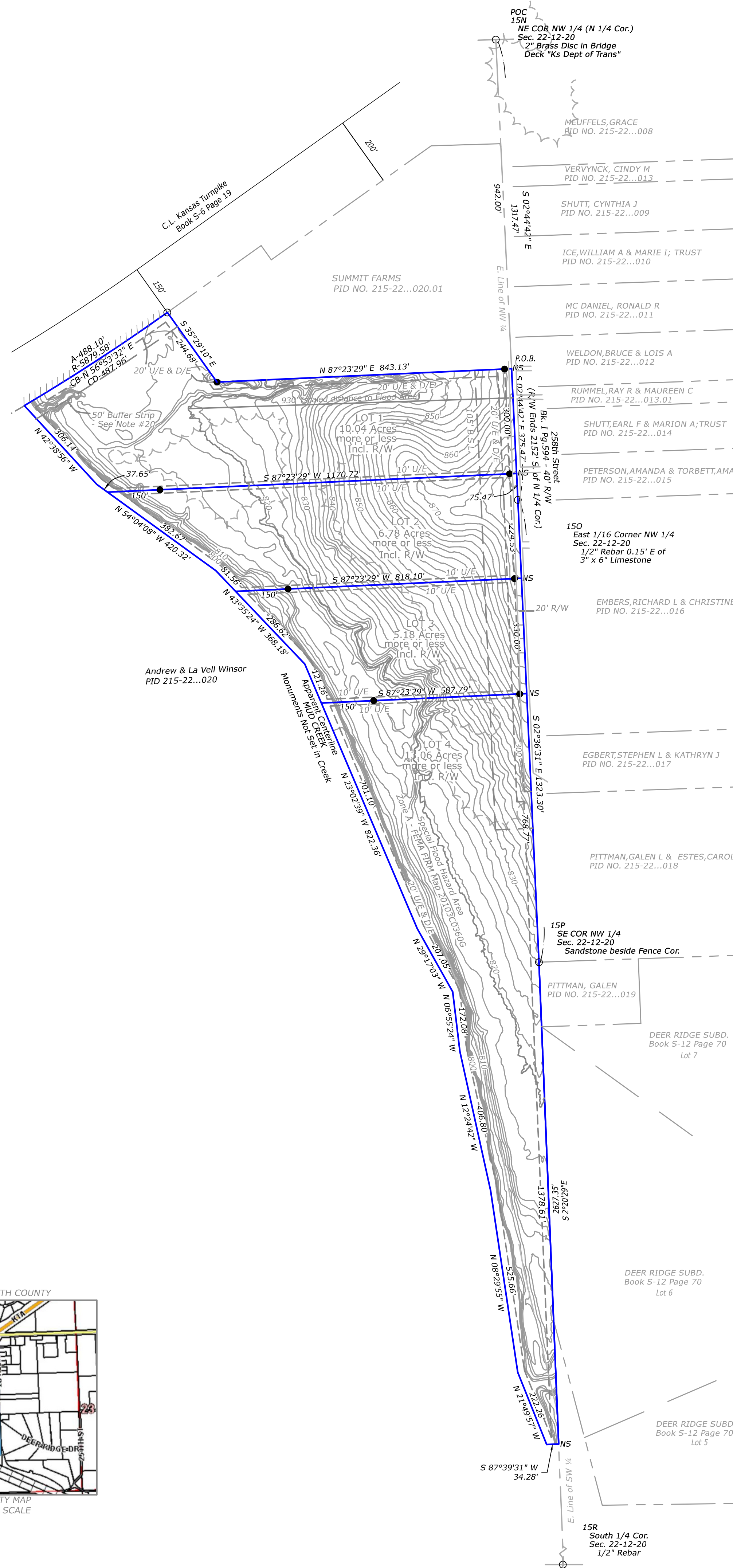
# SUMMIT FARMS

A Minor Subdivision in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
SUMMIT FARMS  
10000 HOLLINGSWORTH RD  
KANSAS CITY, KS 66109  
PID # 215-22-0-00-00-020.01

**RECORD DESCRIPTION:**  
A tract of land located in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring on March 4, 2023, more fully described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section 22; Thence South 2 degrees 44'42" East for a distance of 942.00 feet along the East line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 2 degrees 44'42" East for a distance of 375.47 feet along the East line of the Northeast Quarter of said Northwest Quarter to the Southeast corner of the North Half of said Northwest Quarter; thence South 2 degrees 36'31" East for a distance of 1323.30 feet along the East line of the Southeast Quarter of said Northwest Quarter to the Southeast corner of said Northwest Quarter; thence South 2 degrees 20'29" East for a distance of 1378.61 feet along the East line of the Southwest Quarter of said Section 22; thence South 87 degrees 39'31" West 34.28 feet to the apparent centerline of Mudd Creek; thence North 21 degrees 49'57" West for a distance of 222.26 feet along said centerline; thence North 08 degrees 29'55" West for a distance of 525.66 feet along said centerline; thence North 12 degrees 24'42" West for a distance of 406.80 feet along said centerline; thence North 06 degrees 55'24" West for a distance of 172.08 feet along said centerline; thence North 29 degrees 17'03" West for a distance of 207.05 feet along said centerline; thence North 23 degrees 02'39" West for a distance of 822.36 feet along said centerline; thence North 43 degrees 35'24" West for a distance 368.18 feet along said centerline; thence North 54 degrees 04'08" West for a distance of 420.32 feet along said centerline; thence North 42 degrees 36'56" West for a distance of 306.14 feet to the Southerly right-of-way of the Kansas Turnpike; thence along a non-tangent curve to the left having a radius of 5879.58 feet and an arc length of 486.10 feet along said Southerly right of way, being subtended by a chord bearing North 56 degrees 53'32" East and a chord distance of 487.96 feet; thence South 35 degrees 29'10" East for a distance of 244.68 feet; thence North 87 degrees 23'29" East for a distance of 843.13 to the point of beginning, Together with and subject to covenants, easements, and restrictions of record. Said property contains 35.07 acres, more or less, including road right of way. Error of Closure = 1 : 672578

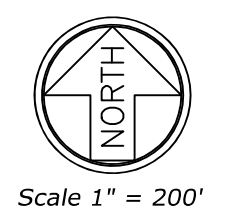


- LEGEND:**
- - 1/2" Rebar Set with Cap No.1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - POB - Point of Beginning
  - POC - Point of Commencing
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement
  - BM - Benchmark
  - NS - Not Set this survey per agreement with client
  - A - Arc Distance
  - R - Arc Radius
  - CB - Chord Bearing
  - CD - Chord Distance
  - //// - No Vehicle Entrance Access
  - NS - Not Set this survey per agreement with client
  - - Power Pole
  - X - Fence Line
  - OHP - Overhead Power Lines
  - T - Underground Telephone/Fiber Optic Line
  - ◇ - Gas Valve
  - ⊕ - Water Meter/Valve
  - ⊞ - Telephone Pedestal
  - W - 6" Water Line - location as per district
  - ~ - Tree/Brush Line

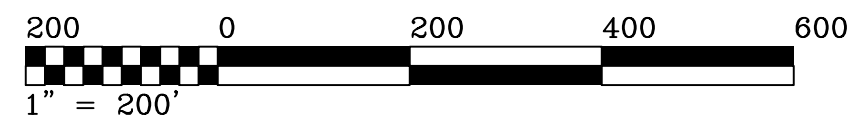
- RESTRICTIONS:**
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
  - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
  - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
  - 4) Lots are subject to the current Access Management Policy
  - 5) Any buildings to be constructed in or near the special flood hazard zone shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit.
  - 6) An exception has been granted for Lot width to Lot depth ratio on Lot 1 and Lot 4
  - 7) No off-plat restrictions.

**ZONING:**  
RR 5 - Rural Residential 5

- NOTES:**
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Error of Closure Calculations
  - 5) Basis of Bearing - KS SPC North Zone 1501
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Proposed Lots for Residential Use.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD83  
Project Benchmark (BM) - N 1/4 Cor SEction 22 - Elev - 900.8'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2022R02408
  - 12) Utility Companies  
- Water - Water District 10  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas
  - 13) Reference Chicago Title Insurance Company File No. TX0017032 dated February 8, 2023.  
- Southwestern Bell Easement Book 385 Page 416 is a blanket easement in nature and is not shown hereon.  
- Kansas Power and Light Easement Book 339 Page 247 is a blanket easement in nature and is not shown hereon.
  - 14) Property is in a Special Flood Hazard Area Zone A per FEMA FIRM Map 20103C0360G dated July 16, 2015
  - 15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')
  - 16) Distances to and of structures, if any, are +- 1'.
  - 17) Easements as per referenced Title Commitment are shown hereon, if any.
  - 18) Fence Lines do not necessarily denote the boundary line for the property.
  - 19) Reference Surveys:  
APT - A.P.Tanking Survey Doc #2022S037  
JAH - J.A. Herring Survey Doc # 2022S091 & 2023S015  
DEER RIDGE SUBD. Book S-12 Page 70
  - 20) 50' Buffer Strip reserved for the planting of trees or shrubs by owner or developer; the building of structures is prohibited. Current area is heavily treed and in an existing special flood hazard area, if clearing of this area occurs, mature trees to remain in place.



Scale 1" = 200'



Job # K-22-1656  
March 5, 2023 Rev. 3/31/23  
J. Herring, Inc. (dba)  
**HERRING SURVEYING & COMPANY**  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@herringinc.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# SUMMIT FARMS

A Minor Subdivision in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
SUMMIT FARMS  
10000 HOLLINGSWORTH RD  
KANSAS CITY, KS 66109  
PID # 215-22-0-00-00-020.01

**RECORD DESCRIPTION:**  
A tract of land located in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring on March 4, 2023, more fully described as follows: Commencing at the Northeast corner of the Northwest Quarter of said Section 22; Thence South 2 degrees 44'42" East for a distance of 942.00 feet along the East line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 2 degrees 44'42" East for a distance of 375.47 feet along the East line of the Northeast Quarter of said Northwest Quarter to the Southeast corner of the North Half of said Northwest Quarter; thence South 2 degrees 36'31" East for a distance of 1323.30 feet along the East line of the Southeast Quarter of said Northwest Quarter to the Southeast corner of said Northwest Quarter; thence South 2 degrees 20'29" East for a distance of 1378.61 feet along the East line of the Southwest Quarter of said Section 22; thence South 87 degrees 39'31" West 34.28 feet to the apparent centerline of Mud Creek; thence North 21 degrees 49'57" West for a distance of 222.26 feet along said centerline; thence North 08 degrees 29'55" West for a distance of 525.66 feet along said centerline; thence North 12 degrees 24'42" West for a distance of 406.80 feet along said centerline; thence North 06 degrees 55'24" West for a distance of 172.08 feet along said centerline; thence North 29 degrees 17'03" West for a distance of 207.05 feet along said centerline; thence North 23 degrees 02'39" West for a distance of 822.36 feet along said centerline; thence North 43 degrees 35'24" West for a distance of 368.18 feet along said centerline; thence North 54 degrees 04'08" West for a distance of 420.32 feet along said centerline; thence North 42 degrees 38'56" West for a distance of 306.14 feet to the Southern right-of-way of the Kansas Turnpike; thence along a non-tangent curve to the left having a radius of 5879.58 feet and an arc length of 488.10 feet along said Southern right-of-way, being subtended by a chord bearing North 56 degrees 53'32" East and a chord distance of 487.96 feet; thence South 35 degrees 29'10" East for a distance of 244.68 feet; thence North 87 degrees 23'29" East for a distance of 843.13 to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 35.07 acres, more or less, including road right of way. Error of Closure = 1 : 672578

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: SUMMIT FARMS.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

**IN TESTIMONY WHEREOF,**  
We, the undersigned owners of SUMMIT FARMS, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew Francis, Member of Summit Farms, LLC

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew Francis, Member of Summit Farms, LLC, to me personally known to be the same persons who executed the foregoing 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)

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SUMMIT FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary John Jacobson Chairman Steven Rosenthal

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of SUMMIT FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

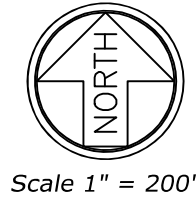
Chairman Vicky Kaaz County Clerk Attest: Janet Klasinski

**REGISTER OF DEED CERTIFICATE:**  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

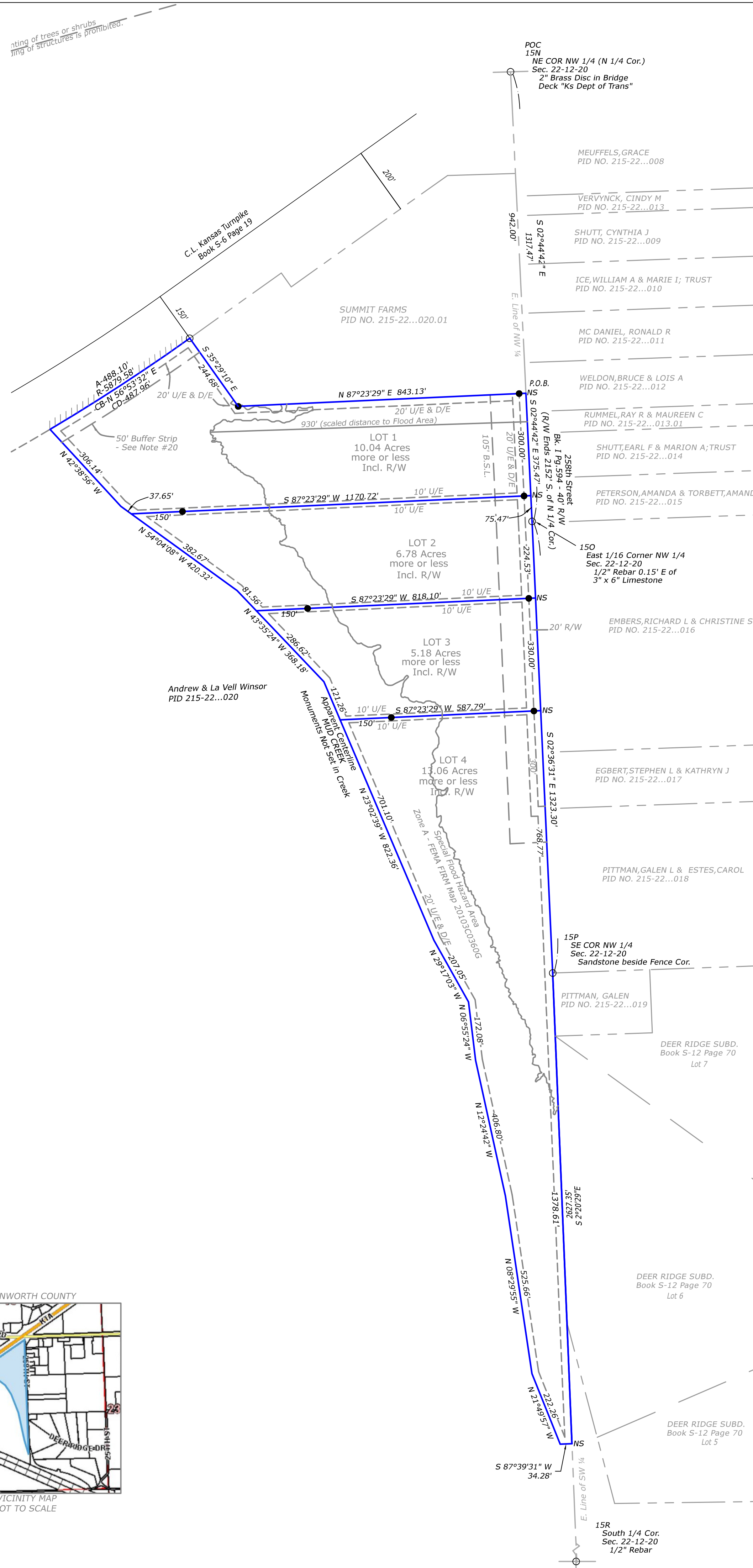
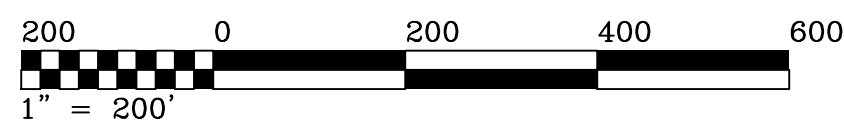
Register of Deeds - TerriLois G. Mashburn

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor



Job # K-22-1656  
March 5, 2023 Rev. 3/31/23  
J. Herring, Inc. (dba)  
HERRING SURVEYING & COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5381  
Email - survey@jeancash.com

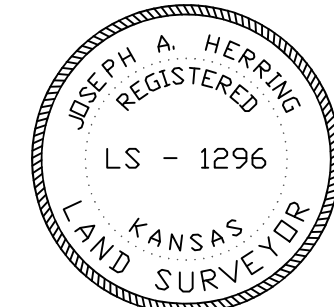


- LEGEND:**
- - 1/2" Rebar Set with Cap No.1296
  - - 1/2" Rebar Found Cap No.1314
  - POB - Point of Beginning
  - POC - Point of Commencing
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
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  - BM - Benchmark
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- RESTRICTIONS:**
- All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
  - An Engineered Waste Disposal System may be required due to poor soil conditions.
  - Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
  - Lots are subject to the current Access Management Policy.
  - Any buildings to be constructed in or near the special flood hazard zone shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit.
  - An exception has been granted for Lot width to Lot depth ratio on Lot 1 and Lot 4
  - No off-plat restrictions.

**ZONING:**  
RR 5 - Rural Residential 5

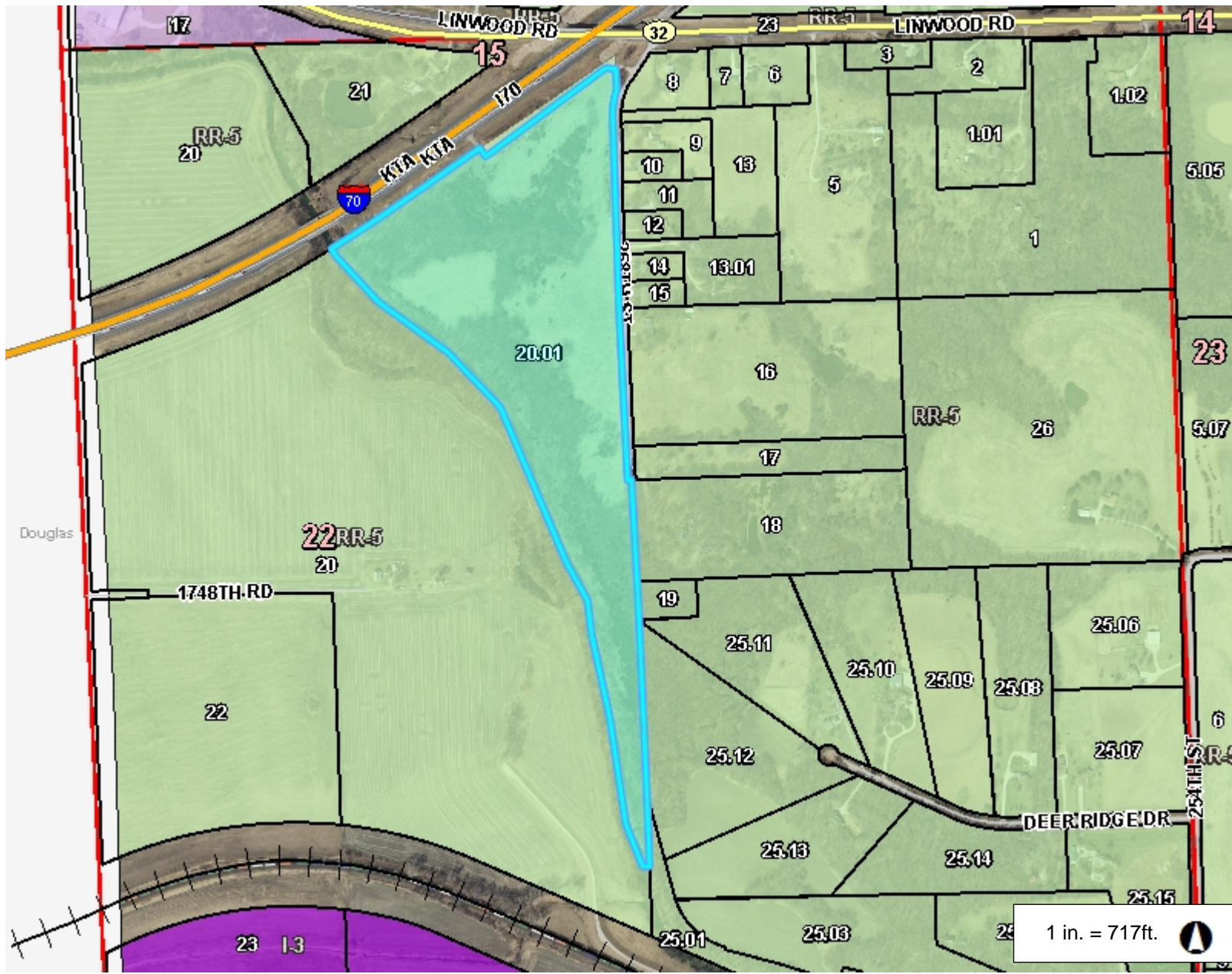
- NOTES:**
- This survey does not show ownership.
  - All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - All recorded and measured distances are the same, unless otherwise noted.
  - Error of Closure - See Error of Closure Calculations
  - Basis of Bearing - KS SPC North Zone 1501
  - Monument Origin Unknown, unless otherwise noted.
  - Proposed Lots for Residential Use.
  - Road Record - See Survey
  - Benchmark - NAVD83 Project Benchmark (BM) - N 1/4 Cor Section 22 - Elev - 900.8'
  - Easements, if any, are created hereon or listed in referenced title commitment.
  - Reference Recorded Deed Doc # 2014R02408
  - Utility Companies
    - Water - Water District 10
    - Electric - Evergy
    - Sewer - Septic / Lagoon
    - Gas - Propane / Natural Gas
  - Reference Chicago Title Insurance Company File No. TX0017032 dated February 8, 2023.
    - Southwestern Bell Easement Book 385 Page 416 is a blanket easement in nature and is not shown hereon.
    - Kansas Power and Light Easement Book 339 Page 247 is a blanket easement in nature and is not shown hereon.
  - Property is in a Special Flood Hazard Area Zone A per FEMA FIRM Map 20103C0360G dated July 16, 2015
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    - All side yard setbacks - 15' (Accessory - 15')
    - All rear yard setbacks - 40' (Accessory - 15')
  - Distances to and of structures, if any, are +- 1'.
  - Easements as per referenced Title Commitment are shown hereon, if any.
  - Fence Lines do not necessarily denote the boundary line for the property.
  - Reference Surveys:
    - APT - A.P.Tanking Survey Doc #2022S037
    - JAH - J.A. Herring Survey Doc # 2022S091 & 2023S015
    - DEER RIDGE SUBD. Book S-12 Page 70
  - 50' Buffer Strip reserved for the planting of trees or shrubs by owner or developer; the building of structures is prohibited. Current area is heavily treed and in an existing special flood hazard area, if clearing of this area occurs, mature trees to remain in place.



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

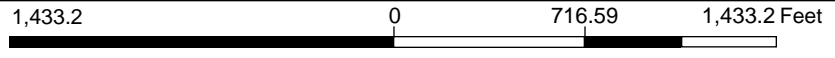
# DEV-23-031/032 Summit Farms



### Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
- 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
  - R-1

1 in. = 717ft.



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:** David Jacobson <DJacobson@ksturnpike.com>  
**Sent:** Friday, March 17, 2023 9:56 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-23-031/032 Preliminary and Final Plat – Summit Farms

**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.

Thank you for the information.

I want to provide comments on potential improvements along I-70 (KTA) that will likely impact the property.

KTA is currently developing preliminary plans for the future widening of I-70 to six-lanes from Lawrence (MM 205) to Bonner Springs (MM 224). The construction timeline is not set at this time.

Preliminary plans indicate that additional right-of-way will likely need to be acquired from the property that is the subject of your email.

Let me know if you have any questions or require additional information.

### David E. Jacobson, P.E.

Kansas Turnpike Authority | Director of Engineering  
3939 SW Topeka Blvd. | Topeka, KS 66609  
w: 785.274.3650  
m: 785.224.9106



---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, March 14, 2023 10:54 AM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'LTorneden@RTFD21.com' <LTorneden@RTFD21.com>; 'designgrouponlawrencesservicecenter@evergy.com' <designgrouponlawrencesservicecenter@evergy.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'Steven Taylor [KDOT]' <Steven.Taylor@ks.gov>; David Jacobson <DJacobson@ksturnpike.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-031/032 Preliminary and Final Plat – Summit Farms

**CAUTION:** This email is from an external source. Think before clicking links, opening attachments, or providing information in response.

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for 4-lot subdivision on the property at 00000 258th Street (PID 215-22-0-00-00-020.01).

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, March 22, 2023.

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, March 21, 2023 8:14 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-031/032 Preliminary and Final Plat – Summit Farms

We have not received any complaint on this property. We are also not aware of any septic systems currently installed on the property.

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

---

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**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-031/032 Preliminary and Final Plat – Summit Farms

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If you have any questions or need additional information, please contact me at (913) 684-0465 or at [AAllison@LeavenworthCounty.org](mailto:AAllison@LeavenworthCounty.org).

Thank you,

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

## Allison, Amy

---

**From:** Boone Heston <Boone.Heston@evergy.com>  
**Sent:** Tuesday, March 21, 2023 2:40 PM  
**To:** Allison, Amy  
**Subject:** FW: DEV-23-031/032 Preliminary and Final Plat – Summit Farms  
**Attachments:** 2023.03.01 Application Pre.pdf; 2023.03.06 Final REVIEW.pdf; 2023.03.06 Prelim REVIEW.pdf; 2023.03.01 Application Final.pdf

Internal Use Only

Good afternoon,

This plat looks good for all of Evergy's concerns.

Thanks,

Boone Heston  
Evergy  
Supervisor, Field Design  
Lawrence Service Center  
[Boone.Heston@evergy.com](mailto:Boone.Heston@evergy.com)  
O 785-508-2590

---

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**Sent:** Tuesday, March 14, 2023 10:54 AM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'LTorneden@RTFD21.com' <LTorneden@RTFD21.com>; Design Group Lawrence Service Center <designgrouplawrenceservicecenter@evergy.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'Steven Taylor [KDOT]' <Steven.Taylor@ks.gov>; 'djacobson@ksturnpike.com' <djacobson@ksturnpike.com>  
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**\*\*WARNING: This email originated from an external source outside of Evergy. Think before you click on links or attachments!\*\***

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

03.31.23

Drainage Study Approved. No further comments.



Summit Farms

Leavenworth County Kansas

Drainage Report

February 16, 2023

Revised March 30, 2023



# SUMMIT FARMS

A Minor Subdivision in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
SUMMIT FARMS  
10000 HOLLINGSWORTH RD  
KANSAS CITY, KS 66109  
PID # 215-22-0-00-00-020.01

**RECORD DESCRIPTION:**  
A tract of land located in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring on March 4, 2023, more fully described as follows: Commencing at the Northeast corner of the Northwest Quarter of said Section 22; Thence South 2 degrees 44'42" East for a distance of 942.00 feet along the East line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 2 degrees 44'42" East for a distance of 375.47 feet along the East line of the Northeast Quarter of said Northwest Quarter to the Southeast corner of the North Half of said Northwest Quarter; thence South 2 degrees 36'31" East for a distance of 1323.30 feet along the East line of the Southeast Quarter of said Northwest Quarter to the Southeast corner of said Northwest Quarter; thence South 2 degrees 20'29" East for a distance of 1378.61 feet along the East line of the Southwest Quarter of said Section 22; thence South 87 degrees 39'31" West 34.28 feet to the apparent centerline of Mud Creek; thence North 21 degrees 49'57" West for a distance of 222.26 feet along said centerline; thence North 08 degrees 29'55" West for a distance of 525.66 feet along said centerline; thence North 12 degrees 24'42" West for a distance of 406.80 feet along said centerline; thence North 06 degrees 55'24" West for a distance of 172.08 feet along said centerline; thence North 29 degrees 17'03" West for a distance of 207.05 feet along said centerline; thence North 23 degrees 02'39" West for a distance of 822.36 feet along said centerline; thence North 43 degrees 35'24" West for a distance of 368.18 feet along said centerline; thence North 54 degrees 04'08" West for a distance of 420.32 feet along said centerline; thence North 42 degrees 38'56" West for a distance of 306.14 feet to the Southern right-of-way of the Kansas Turnpike; thence along a non-tangent curve to the left having a radius of 5879.58 feet and an arc length of 498.10 feet along said Southern right-of-way, being subtended by a chord bearing North 56 degrees 53'32" East and a chord distance of 487.96 feet; thence South 35 degrees 29'10" East for a distance of 244.68 feet; thence North 87 degrees 23'29" East for a distance of 843.13 to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 35.07 acres, more or less, including road right of way. Error of Closure = 1 : 672578

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: SUMMIT FARMS.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of SUMMIT FARMS, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew Francis, Member of Summit Farms, LLC

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew Francis, Member of Summit Farms, LLC, to me personally known to be the same persons who executed the foregoing 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)

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SUMMIT FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary John Jacobson Chairman Steven Rosenthal

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of SUMMIT FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

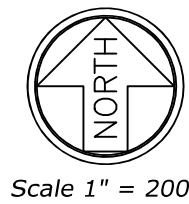
Chairman Vicky Kaaz County Clerk Attest: Janet Klasinski

**REGISTER OF DEED CERTIFICATE:**  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

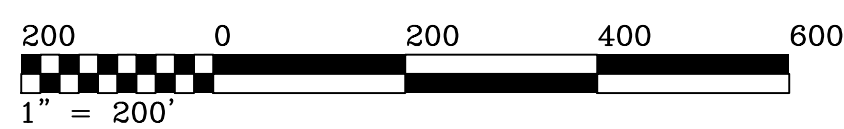
Register of Deeds - TerriLois G. Mashburn

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor



Job # K-22-1656  
March 5, 2023 Rev. 3/31/23  
J. Herring, Inc. (dba) HERRING SURVEYING COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5381  
Email - survey@jeancash.com



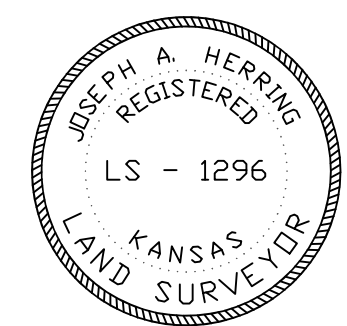
**LVCO PE Approved**  
03/31/2023

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**ZONING:**  
RR 5 - Rural Residential 5

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  - 5) Basis of Bearing - KS SPC North Zone 1501
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  - 9) Benchmark - NAVD83 Project Benchmark (BM) - N 1/4 Cor Section 22 - Elev - 900.8'
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    - Sewer - Septic / Lagoon
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    - APT - A.P.Tanking Survey Doc #2022S037
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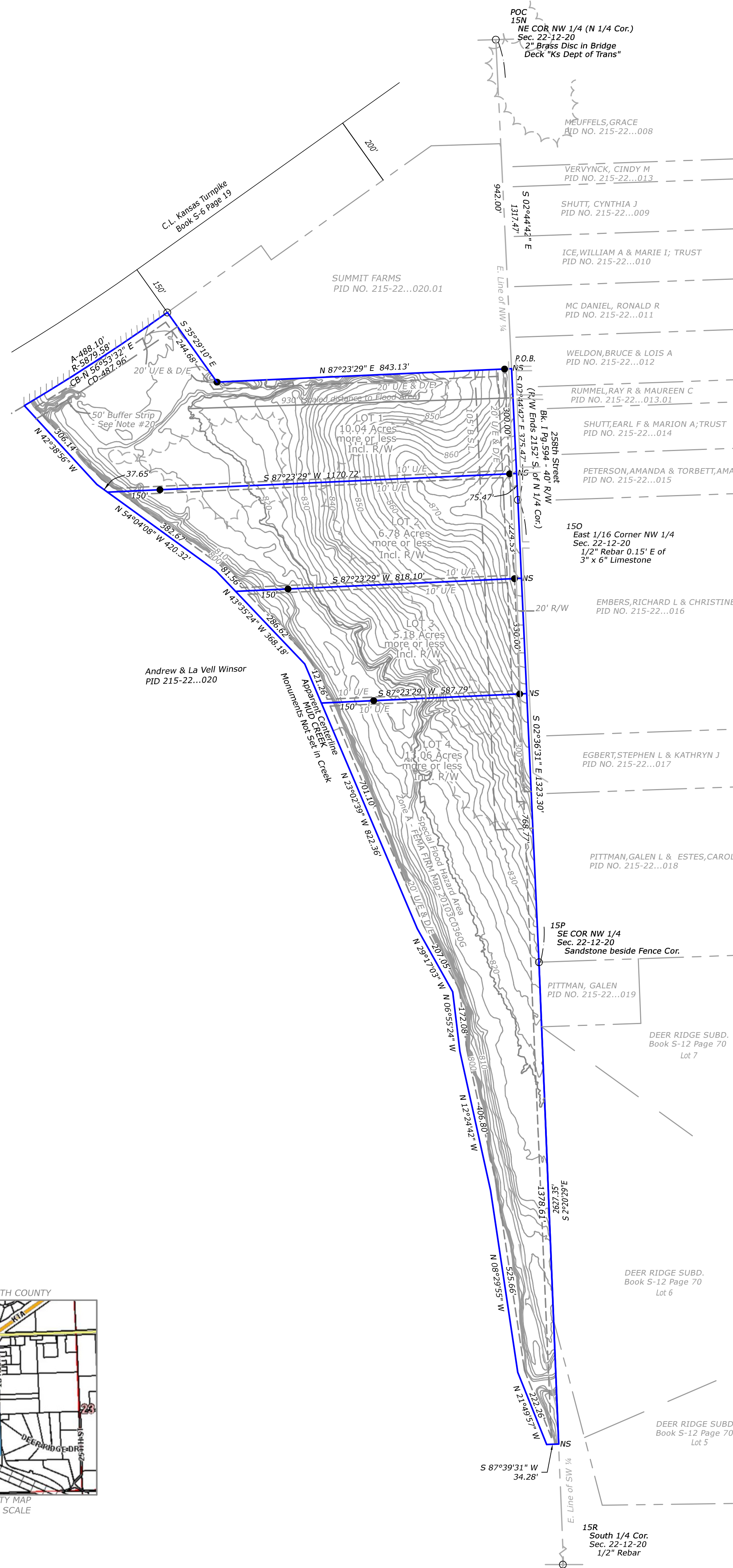
# SUMMIT FARMS

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## PRELIMINARY PLAT

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SUMMIT FARMS  
10000 HOLLINGSWORTH RD  
KANSAS CITY, KS 66109  
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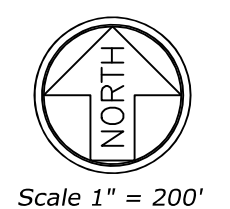
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  - - Power Pole
  - X - Fence Line
  - OHP - Overhead Power Lines
  - T - Underground Telephone/Fiber Optic Line
  - ◇ - Gas Valve
  - ⊕ - Water Meter/Valve
  - ⊞ - Telephone Pedestal
  - W - 6" Water Line - location as per district
  - ~ - Tree/Brush Line

- RESTRICTIONS:**
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
  - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
  - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
  - 4) Lots are subject to the current Access Management Policy
  - 5) Any buildings to be constructed in or near the special flood hazard zone shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit.
  - 6) An exception has been granted for Lot width to Lot depth ratio on Lot 1 and Lot 4
  - 7) No off-plat restrictions.

**ZONING:**  
RR 5 - Rural Residential 5

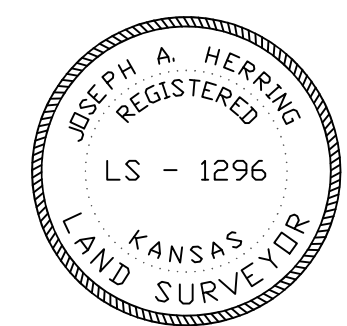
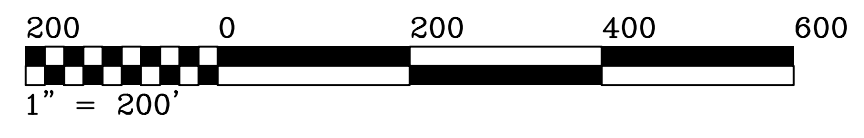
- NOTES:**
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Error of Closure Calculations
  - 5) Basis of Bearing - KS SPC North Zone 1501
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Proposed Lots for Residential Use.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD83  
Project Benchmark (BM) - N 1/4 Cor SEction 22 - Elev - 900.8'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2022R02408
  - 12) Utility Companies  
- Water - Water District 10  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas
  - 13) Reference Chicago Title Insurance Company File No. TX0017032 dated February 8, 2023.  
- Southwestern Bell Easement Book 385 Page 416 is a blanket easement in nature and is not shown hereon.  
- Kansas Power and Light Easement Book 339 Page 247 is a blanket easement in nature and is not shown hereon.
  - 14) Property is in a Special Flood Hazard Area Zone A per FEMA FIRM Map 20103C0360G dated July 16, 2015
  - 15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')
  - 16) Distances to and of structures, if any, are +- 1'.
  - 17) Easements as per referenced Title Commitment are shown hereon, if any.
  - 18) Fence Lines do not necessarily denote the boundary line for the property.
  - 19) Reference Surveys:  
APT - A.P.Tanking Survey Doc #2022S037  
JAH - J.A. Herring Survey Doc # 2022S091 & 2023S015  
DEER RIDGE SUBD. Book S-12 Page 70
  - 20) 50' Buffer Strip reserved for the planting of trees or shrubs by owner or developer; the building of structures is prohibited. Current area is heavily treed and in an existing special flood hazard area, if clearing of this area occurs, mature trees to remain in place.

**LVC0 PE Approved**  
04/03/2023



Scale 1" = 200'

Job # K-22-1656  
March 5, 2023 Rev. 3/31/23  
J. Herring, Inc. (dba)  
**HERRING SURVEYING & COMPANY**  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5381  
Email - survey@herringcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# SUMMIT FARMS

A Minor Subdivision in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
SUMMIT FARMS  
10000 HOLLINGSWORTH RD  
KANSAS CITY, KS 66109  
PID # 215-22-0-00-00-020.01

**RECORD DESCRIPTION:**  
A tract of land located in the West Half of Section 22, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring on March 4, 2023, more fully described as follows: Commencing at the Northeast corner of the Northwest Quarter of said Section 22; Thence South 2 degrees 44'42" East for a distance of 942.00 feet along the East line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 2 degrees 44'42" East for a distance of 375.47 feet along the East line of the Northeast Quarter of said Northwest Quarter to the Southeast corner of the North Half of said Northwest Quarter; thence South 2 degrees 36'31" East for a distance of 1323.30 feet along the East line of the Southeast Quarter of said Northwest Quarter to the Southeast corner of said Northwest Quarter; thence South 2 degrees 20'29" East for a distance of 1378.61 feet along the East line of the Southwest Quarter of said Section 22; thence South 87 degrees 39'31" West 34.28 feet to the apparent centerline of Mud Creek; thence North 21 degrees 49'57" West for a distance of 222.26 feet along said centerline; thence North 08 degrees 29'55" West for a distance of 525.66 feet along said centerline; thence North 12 degrees 24'42" West for a distance of 406.80 feet along said centerline; thence North 06 degrees 55'24" West for a distance of 172.08 feet along said centerline; thence North 29 degrees 17'03" West for a distance of 207.05 feet along said centerline; thence North 23 degrees 02'39" West for a distance of 822.36 feet along said centerline; thence North 43 degrees 35'24" West for a distance of 368.18 feet along said centerline; thence North 54 degrees 04'08" West for a distance of 420.32 feet along said centerline; thence North 42 degrees 38'56" West for a distance of 306.14 feet to the Southern right-of-way of the Kansas Turnpike; thence along a non-tangent curve to the left having a radius of 5879.58 feet and an arc length of 488.10 feet along said Southern right-of-way, being subtended by a chord bearing North 56 degrees 53'32" East and a chord distance of 487.96 feet; thence South 35 degrees 29'10" East for a distance of 244.68 feet; thence North 87 degrees 23'29" East for a distance of 843.13 to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 35.07 acres, more or less, including road right of way. Error of Closure = 1 : 672578

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: SUMMIT FARMS.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of SUMMIT FARMS, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew Francis, Member of Summit Farms, LLC

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew Francis, Member of Summit Farms, LLC, to me personally known to be the same persons who executed the foregoing 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)

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SUMMIT FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary John Jacobson Chairman Steven Rosenthal

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of SUMMIT FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman Vicky Kaaz County Clerk Attest: Janet Klasinski

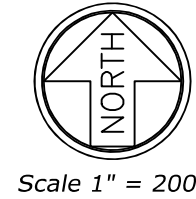
**REGISTER OF DEED CERTIFICATE:**  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

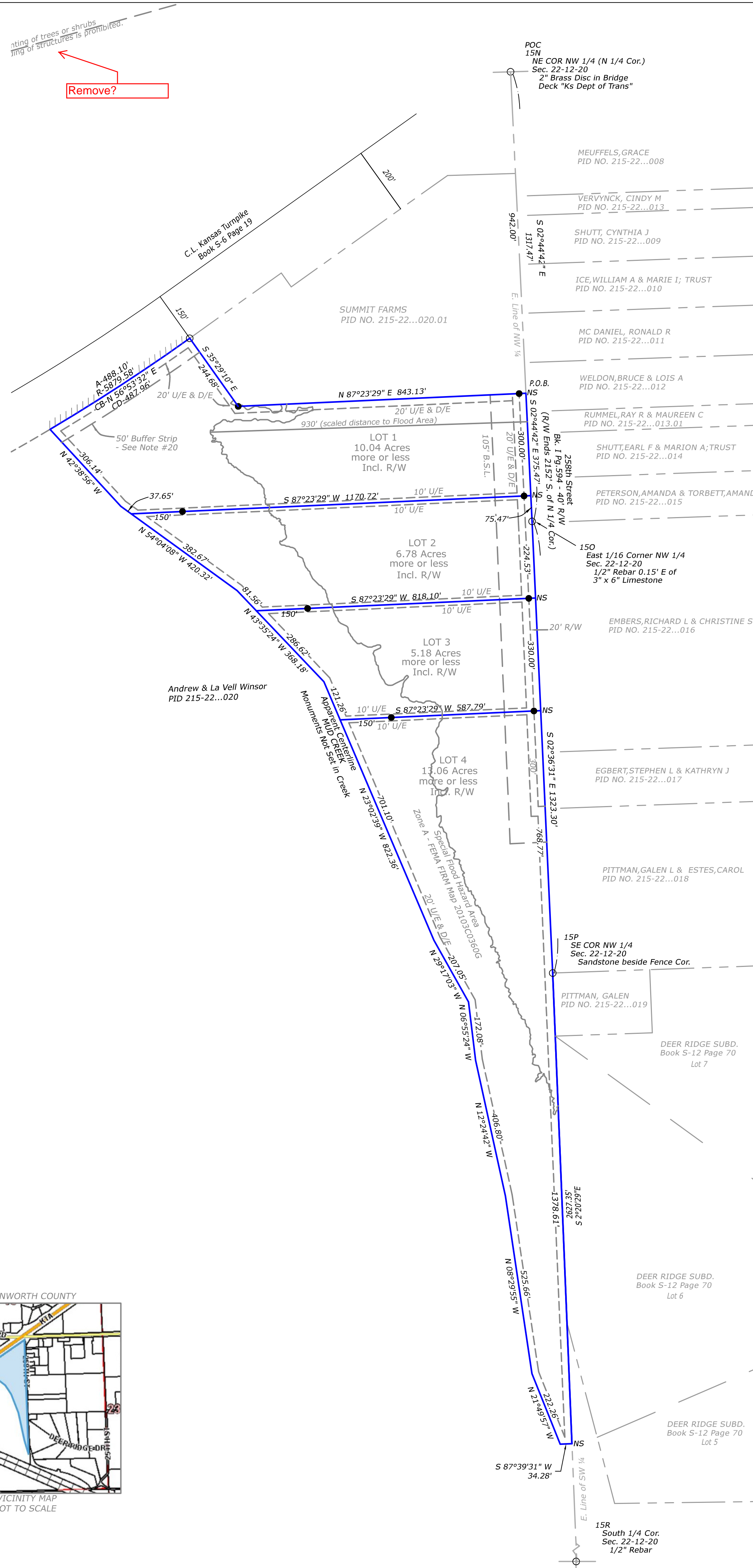
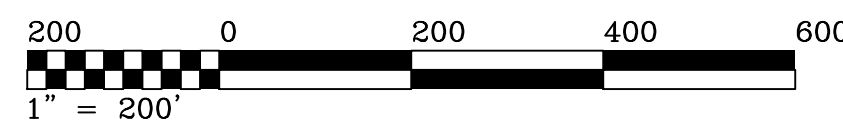
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Reviewed 2023.03.31 No Comments

Daniel Baumchen, PS#1363  
County Surveyor



Job # K-22-1656  
March 5, 2023 Rev. 3/31/23  
J. Herring, Inc. (dba)  
HERRING SURVEYING & COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@deancash.com

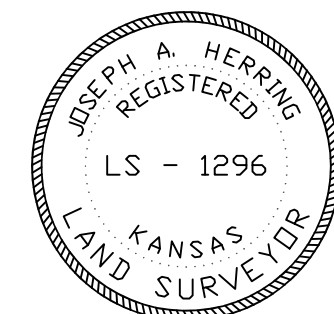


**LEGEND:**  
● - 1/2" Rebar Set with Cap No.1296  
○ - 1/2" Rebar Found Cap No.1314  
POB - Point of Beginning  
POC - Point of Commencing  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
CB - Chord Bearing  
CD - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client

**RESTRICTIONS:**  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) Any buildings to be constructed in or near the special flood hazard zone shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit.  
6) An exception has been granted for Lot width to Lot depth ratio on Lot 1 and Lot 4  
7) No off-plat restrictions.

**ZONING:**  
RR 5 - Rural Residential 5

**NOTES:**  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Error of Closure Calculations  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Proposed Lots for Residential Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD83  
Project Benchmark (BM) - N 1/4 Cor Section 22 - Elev - 900.8'  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc # 2014R02408  
12) Utility Companies  
- Water - Water District 10  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
13) Reference Chicago Title Insurance Company File No. TX0017032 dated February 8, 2023.  
- Southwestern Bell Easement Book 385 Page 416 is a blanket easement in nature and is not shown hereon.  
- Kansas Power and Light Easement Book 339 Page 247 is a blanket easement in nature and is not shown hereon.  
14) Property is in a Special Flood Hazard Area Zone A per FEMA FIRMS Map 20103C0360G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Distances to and of structures, if any, are +- 1'.  
17) Easements as per referenced Title Commitment are shown hereon, if any.  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
APT - A.P.Tanking Survey Doc #2022S037  
JAH - J.A. Herring Survey Doc # 2022S091 & 2023S015  
DEER RIDGE SUBD. Book S-12 Page 70  
20) 50' Buffer Strip reserved for the planting of trees or shrubs by owner or developer; the building of structures is prohibited. Current area is heavily treed and in an existing special flood hazard area, if clearing of this area occurs, mature trees to remain in place.



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of February 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

## Allison, Amy

---

**From:** LVCO RWD10 <RWD10@conleysandu.com>  
**Sent:** Wednesday, April 5, 2023 2:13 PM  
**To:** LVCO RWD10  
**Cc:** Allison, Amy; PZ; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Van Parys, David; LTorneden@RTFD21.com; designgrouplawrencesservicecenter@evergy.com; Steven Taylor [KDOT]; djacobson@ksturnpike.com  
**Subject:** Re: DEV-23-031/032 Preliminary and Final Plat – Summit Farms

**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.

From Leavenworth Rural Water District 10:

No concerns about being able to service these new lots. However, a line upgrade will be required at the expense of the developer. Steve Conley has already been in contact with developer.

On Tuesday, March 14, 2023 at 10:54:09 AM UTC-5 Allison, Amy wrote:

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for 4-lot subdivision on the property at 00000 258th Street (PID 215-22-0-00-00-020.01).

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, March 22, 2023.

If you have any questions or need additional information, please contact me at [\(913\) 684-0465](tel:9136840465) or at [Aallison@LeavenworthCounty.org](mailto:Aallison@LeavenworthCounty.org).

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-23-027 Rock Hard Yard Art

April 12, 2023

**REQUEST: *Public Hearing Required***

- Zoning Amendment                       Special Use Permit  
 Temporary Special Use Permit

**STAFF REPRESENTATIVE:**

AMY ALLISON  
DEPUTY DIRECTOR

**SUBJECT PROPERTY: 20624 GOLDEN ROAD**



**APPLICANT/APPLICANT AGENT:**

JENNIFER STEWART  
ROCK HARD YARD ART  
20624 GOLDEN RD  
LINWOOD, KS 66052

**PROPERTY OWNER:**

SEE APPLICANT

**CONCURRENT APPLICATIONS:**

N/A

**LAND USE**

ZONING: RR-2.5

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

**LEGAL DESCRIPTION:**

All that part of the East ½ of the Southeast ¼ of Section 15, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, lying South of the Kansas City Kaw Valley Railroad right of way now abandoned and is now Kansas Highway K-32, less any part thereof taken or used for road purposes.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION: DENIAL**

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-, Special Use Permit for Rock Hard Yard Art for a Retail Sales & Services Business, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-, Special Use Permit for Rock Hard Yard Art for a Retail Sales & Services Business, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 4.7 ACRES

PARCEL ID NO:  
225-15-0-00-010.00

BUILDINGS:  
EXISTING: SINGLE FAMILY HOUSE &  
ACCESSORY STRUCTURES

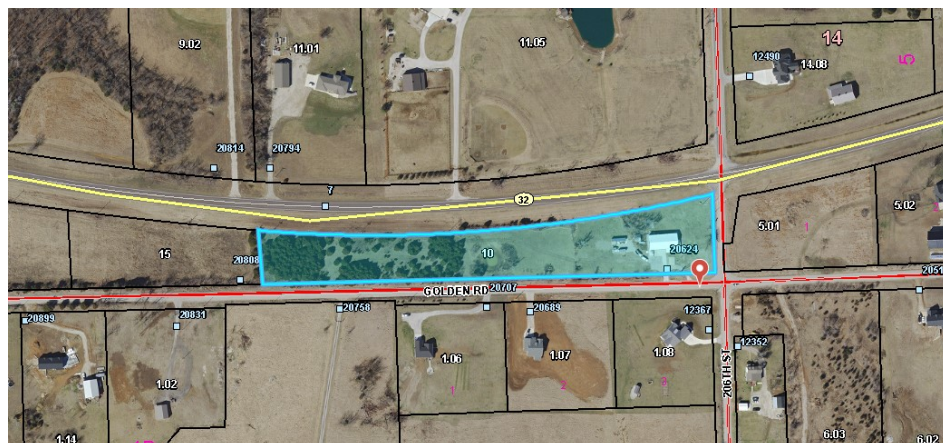
**PROJECT SUMMARY:**

Request for Special Use Permit to operate a Retail Sales & Services Business for Rock Hard Yard Art on the property located at 20624 Golden Road.

**ACCESS/STREET:**

GOLDEN ROAD  
COUNTY LOCAL  
±25' WIDE, PAVED

**Location Map:**



**UTILITIES**

SEWER: SEPTIC

FIRE: SHERMAN

WATER: RWD #10

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW: 3/13/2023

NEWSPAPER NOTIFICATION:  
3/21/2023

NOTICE TO SURROUNDING  
PROPERTY OWNERS:  
3/21/2023

<b>FACTORS TO BE CONSIDERED:</b>		
<b><i>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Special Use Permit request:</i></b>	<b>Met</b>	<b>Not Met</b>
<p><b>1. Character of the Neighborhood:</b>  <i>Density: Surrounding properties range in size from 2.5 to 61 acres.</i></p> <p><i>Nearby City Limits: The City of Linwood is approximately a ¼ mile to the East.</i></p> <p><i>Initial Growth Management Area: This parcel is not located within the Urban Growth Area.</i></p>	✓	
<p><b>2. Zoning and uses of nearby property:</b>  <i>Adjacent Uses: Most of the adjacent parcels are residential in nature.</i></p> <p><i>Adjacent Zoning: Adjacent parcels are zoned RR-2.5 and one parcel is zoned PUD. The property was approved for a machine shop that may still be in operation. Two properties with Special Use Permits are located within ¼ mile, Leach Auto Repair and Carver Event Barn.</i></p>	✓	
<p><b>3. Suitability of the Property for the uses to which it has been restricted:</b>  <i>The property is 4.7 acres in size with three frontages; K-32 (no access), 206<sup>th</sup> Street and Golden Road. Both 206<sup>th</sup> Street and Golden Road are paved County Local roads. The property abuts a State Highway. The proposed use is for an outdoor yard art sales business with the entire business being located within the front yard of the property (Golden Rd frontage). The applicant has provided a site plan that shows 8 parking spaces for potential clients. The display area is fenced in, as shown in the attached photos.</i></p> <p><i>The property has been a single-family residence since the 1940s. Due to its shape, it would be difficult to use the property for agricultural purposes. The proposed use is permitted with a Special Use Permit in the RR-2.5 district.</i></p>	✓	
<p><b>4. Extent to which removal of the restrictions will detrimentally affect nearby property:</b>  <i>The use is unlikely to detrimentally impact neighboring parcels.</i></p> <p><i>Noise: Additional noise may be anticipated due to the outdoor activities. The applicant will utilize a tractor to load and unload the merchandise. Staff recommends placing a condition that all noise shall be limited to 60 dBs, as measured from the property line.</i></p> <p><i>Traffic: Additional traffic is anticipated for the application. Customers will visit the site. The applicant predicts 10 additional trips on days of operation which would increase traffic by 120 trips per month. The owner is the only employee of the business. No off-premises employees are proposed. The proposed traffic did not require a traffic impact study to be performed.</i></p> <p><i>Lighting: The applicant indicated that security lighting will be used on the premises. Staff recommends placing a condition that all lighting shall be 0.00 foot-candles, as measured from the property line.</i></p> <p><i>Outdoor Storage: The applicant is proposing to have an outdoor display area where their merchandise is stored. This storage area is visible from the Golden Road right-of-way. An existing tree line screens some of the display area however no additional screening is proposed. Staff recommends additional</i></p>	✓ (Condition 13)  ✓  ✓ (Condition 12)  ✓ (Condition 9)	

<p><i>screening, either via fence or landscaping be installed to screen from the right-of-way.</i></p> <p><i>Parking: The site plan shows parking for up to 10 spaces. Staff recommends that the proposed parking on the circle drive be removed as it would block vehicular movement on the property. The site plan shows an additional 8 spaces which meets the county's parking standards.</i></p> <p><i>Visitors/Employees: The applicant anticipates approximately 5 visitors a day during the hours of operation (Friday through Sunday, 10 am to 4 pm). They are not proposing any additional off-site employees.</i></p> <p><i>Waste: The applicant does not store chemicals, lubricants, oils or other chemicals on the property for the business. Any waste generated from the property must be disposed of in compliance with all applicable local, state and federal laws.</i></p>	<p style="text-align: center;">✓ (Condition 11)</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓ (Condition 14)</p>	
<p><b>5. Length of time the property has been vacant as zoned:</b>  <input type="checkbox"/> Vacant:  <input checked="" type="checkbox"/> Not Vacant: <i>A single family house has been on the property since the 1940s.</i></p>	<p style="text-align: center;">✓</p>	
<p><b>6. Relative gain to economic development, public health, safety and welfare:</b>  <i>The proposed application would allow for another business to be located within Leavenworth County. There does not appear to be any detrimental effects to the public health, safety or welfare.</i></p>	<p style="text-align: center;">✓</p>	
<p><b>7. Conformance to the Comprehensive Plan:</b>  <i>Future Land Use Map: The property is designated as Residential (2.5-acre Min).</i></p> <p><i>Section 4 Land Use and Development Plan Strategies: The proposed use is not compatible with the future land use designation.</i></p>		<p style="text-align: center;">✓</p>

**STAFF COMMENTS:**

The applicant is requesting a Special Use Permit for a Retail Sales & Services business. The proposed use is an outdoor yard art retail business. All business operations are proposed to be outdoors with a display area for merchandise. No screening is proposed aside from an existing tree line along Golden Road. The property currently has a single-family residence with accessory structures. The business is already in operation. Upon receiving a violation letter, the applicant contacted the department and began the Special Use Permit process.

The general hours of operation are proposed to be Friday-Sunday from 10:00 AM until 4:00PM. The property owner anticipated an average of 5 visitors per day. The applicant will use a tractor to load and unload the merchandise. No commercial vehicles will visit the site for delivery of merchandise. Applicant stated that all merchandise is transported to the property via personal vehicle. Signage is proposed for this application. Per the information provided, the sign would require a sign permit. No bathroom access is proposed with this application. The proposed use is allowed with a special use permit. Staff recommends denial as this proposal does not match the Comprehensive Plan.

**STAFF RECOMMENDED CONDITIONS:**

1. The Special Use Permit shall be subject to the written narrative and site plan provided on February 17, 2023 and additional information provided on March 6, 2023.
2. The business shall operate from 10:00AM until 4:00PM, Friday through Sunday.
3. Outdoor storage of materials shall be screened from view with either landscaping or fencing.
4. The fencing and landscaping shall remain in working and appropriate order.
5. An updated site plan removing the two parking spaces from the circle drive shall be provided to the Planning & Zoning Department prior to Special Use Permit taking effect.



6. The applicant must comply with the following memorandums:
  - a. Kansas Department of Transportation – Steve Taylor, dated February 22, 2023
7. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
8. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations. No Attention-getting device shall be permitted with this approval.
9. No on-street parking shall be allowed.
10. Any light generated from the proposed business shall be limited to 0 foot-candles, as measured from the property line.
11. Any noise generated from the proposed business shall be limited to 60 dBs, as measured from the property line.
12. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
13. Applicant shall not cause or allow any public nuisance to exist on the subject property
14. That the Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. Rock Hard Yard Art, and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.
15. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
16. After approval of this SUP by the Board of County Commissioners all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office before the Special Use Permit shall take effect.

**ATTACHMENTS:**

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

**SPECIAL USE PERMIT APPLICATION**

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

**FEB 17 2023**

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>ROCK HARD YARD ART</u>	NAME _____
ADDRESS <u>20624 GOLDEN RD</u>	ADDRESS _____
CITY/ST/ZIP <u>LINWOOD KS 66052</u>	CITY/ST/ZIP _____
PHONE <u>913-221-2289</u>	PHONE _____
EMAIL <u>ROCKHARDYARDART@GMAIL.COM</u>	EMAIL _____
CONTACT PERSON <u>JENNIFER STEWART</u>	CONTACT PERSON _____

PROPERTY INFORMATION	
PID: <u>225150000010000</u>	Zoning District: <u>RR-2.5</u>
Address of property <u>20624 GOLDEN RD</u>	Parcel size <u>4.7 ACRES</u>
Current use of the property <u>RESIDENTIAL</u>	
Does the owner live on the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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

Signature Jennifer Stewart Date 02/15/2023

**ATTACHMENT A**

**PROPOSED SPECIAL USE PERMIT INFORMATION**

Name of Business ROCK HARD YARD ART

Existing and Proposed Structures RESIDENTIAL BUILDING

Number of structures used for Special Use Permit 0

Will the use require parking?  Yes  No      How many parking spaces are proposed/available? 10

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

Reason for requesting a Special Use Permit: REQUIRED BY COUNTY

**Estimated Traffic**

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

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

Daily 10      Weekly 30      Monthly 120

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

Daily 0      Weekly 0      Monthly 0

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

Passenger:    Months \_\_\_\_\_      Weeks \_\_\_\_\_      Days \_\_\_\_\_

Commercial:    Months \_\_\_\_\_      Weeks \_\_\_\_\_      Days \_\_\_\_\_

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

THROUGHOUT THE DAY DURING BUSINESS HOURS

What is the anticipated route(s) from the nearest State Highway to the Site? KANSAS 32 TO 206TH STREET, SOUTH TO GOLDEN ROAD, WEST TO BUSINESS LOCATION AT 20624 GOLDEN ROAD

**Special Use Permit Renewal**

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

N/A

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

# **ROCK HARD YARD ART BUSINESS NARRATIVE**

Location: 20624 Golden Rd, Linwood, KS 66052

Current use: Residential

Proposed Use: Residential with yard art retail business in the yard. I'd like to sell concrete statues, metal art and pottery yard decor.

Employees/Hours of operation: I will be open Fridays, Saturdays and Sundays, 10am to 4pm, April through November. I will have no additional employees, and intend to run this as a side income from my traditional full time employment.

Signs: The current sign I am planning is a 4' by 8' pallet sign with the name ROCK HARD YARD ART and a temporary open flag, displayed only during business hours to let passersby know the yard art is available for purchase. It will be placed at the corner of 206<sup>th</sup> and Kansas 32 Highway. I'm not planning a permanent sign as this is my primary residence and don't want the additional cost.

Chemicals used/lubricants/oils/fluids/odors: these categories will not apply. I'm simply operating as a retailer, not a manufacturer of the yard art to be sold.

Sewage disposal: I will not offer public restrooms. This is an outdoor business.

Water supply: Additional water will not be required. This is simply an outdoor decor retail business.

Noise/sound: I intend to only be open on weekends during the day. This should not cause additional noise to distress the neighbors.

Outdoor displays/accessory buildings: I will have a few large concrete and metal art statues visible from Kansas 32 Highway on display on a rotating basis as they are sold. On the site plan, the inventory available for purchase will be displayed within a fenced in area to the west of the residential building. Only one of the existing accessory buildings will be used.

Equipment: I have a tractor to help customers load concrete statues in their vehicles. It's currently stored in the residential building.

Alcohol Service: I will not serve alcohol or any beverages.

Dust control: I live on a dust abatement roadway that was poorly chip and sealed. There is no controlling the dust that naturally occurs. This business will not add to that uncontrollable dust.

Emergency/Safety: I will have fire extinguishers readily available near the display area. I have a weather radio. In the event of forecast severe weather during normal business hours, I will close the business to customers as I will not have a tornado shelter. I have the contact numbers to emergency response saved in my personal mobile device.

Security Lighting: I will have security lighting installed along with security cameras.

Parking: As indicated on the site plan, I believe the current set up of my large driveway has sufficient off street parking for 10 vehicles.

Traffic: There will be no employees driving to the site and I do not intend to have inventory delivered. I intend to drive to the wholesalers to collect inventory myself in my personal vehicle. I will not offer delivery to avoid the wear and tear on my personal vehicles.

Future plans: Should this take off, I would like to expand my business hours to add an additional day, (probably Thursdays) during the week to capitalize on the traffic that travels along Kansas 32 Highway.

## ROCK HARD YARD ART

1. REVISED PLANS NEEDED – Update site plan to show the dimensions of the area designated for outdoor display and the parking area. Include location and dimension of parking stalls.
  - A. See attached document
2. REVISED PLANS NEEDED – The narrative indicated that one accessory structure will be used for the purposes of the proposed business. Please show the location of the accessory structure and update the narrative to indicate what will be stored in the accessory structure.
  - A. See attached document. The accessory structure will house overstock and not accessible to customers.
3. REVISED PLANS NEEDED – Future Plans suggest that the business may be extended into Thursdays. If that is your long-term plan, Staff recommends amending your business days and hours to reflect that. That type of change would require amending your special use permit at a later date.
  - A. Upon further reflection, Thursdays will not be a future endeavor. We will only be open Fridays, Saturdays and Sundays, from 10a-4p.
4. ADDITIONAL INFORMATION REQUIRED – The narrative indicated that there is outdoor storage of finished products. Will this be screened from the public right-of-way? Please provide pictures of current display area.
  - A. See attached document.
5. CONDITION OF APPROVAL - Any noise generated from the business operation shall not exceed 65 dB at the property line.
  - A. No noise will be generated other than the use of the tractor, which also maintains the property.

## PUBLIC WORKS COMMENTS

1. From the application, the SUP has estimated daily traffic of 10 trips. Page 2 of the narrative indicates off street parking for 10 vehicles. 10 trips equate to 5 vehicles. 10 parking stalls would indicate 20 trips at peak hours. Verify. If daily trips are different from the submitted application, revise the weekly and monthly trips on the application also.
  - A. The application has the correct estimate of daily traffic. My home has a large existing driveway/parking area to accommodate the four doors of the garage and allow for turn around room for my vehicles. The 5 vehicles/day estimate is the average daily traffic during open business days in 2022, even accounting for days when there were 0 vehicles.
2. From the application, the SUP has no estimated traffic for commercial vehicles. Narrative indicates the use of a tractor to load concrete statues. Is a commercial vehicle used to deliver inventory to the site for the business? If a commercial vehicle is used, revise application to account for said trips.
  - A. No commercial vehicles will be used. The tractor on the narrative is a farm tractor that is also used to maintain the property. My personal vehicle will be used to collect inventory from suppliers. We will not expect any deliveries for the business.
3. Page 1 of the narrative states no additional employees. Is the applicant the only employee? If not, is employee(s) trips coming to the SUP site accounted for in the application? If employee(s) are not accounted for in the application, revise the weekly and monthly trips.

A. There will be no employees.

4. Is the designated parking area existing or is the parking area being expanded?

A. The designated parking area is existing.

5. Page 2 of the narrative describes expansion of hours in the future. The additional expansion would be Thursdays. Page 1 of the narrative describes days of business on Fridays, Saturdays, and Sundays. Is it the intent to include Thursday as a business day with the SUP application? If so, please revise page 1 of the narrative to include Thursday and verify estimated trips in the application to include Thursday business.

A. Upon further reflection, Thursdays will not be a future endeavor. We will only be open Fridays, Saturdays and Sundays, from 10a-4p.

Initial Public Work Comments (Comments may change based on the review of the above requested additional information):

1. Page 1 of the narrative discusses a sign and temporary open flag. A separate application will be required for signage.

A. The sign will be a banner that will be strung between two posts that is removable and only displayed during business hours.

**EXISTING  
STRUCTURE**

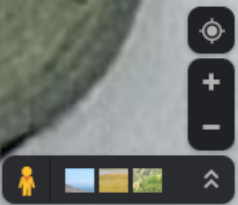
**DISPLAY AREA  
88' X 40'**

**PARKING SPOTS AVAILABLE FROM  
EXISTING DRIVEWAY  
EACH SPOT IS 11' X 20'**

Rock Hard Yard Art  
Gift shop

*Your paragraph text*

Google







View from Golden Rd



SPINNERS  
SMALL \* \$120  
MEDIUM \* \$140  
LARGE \* \$160

View in front of display  
area



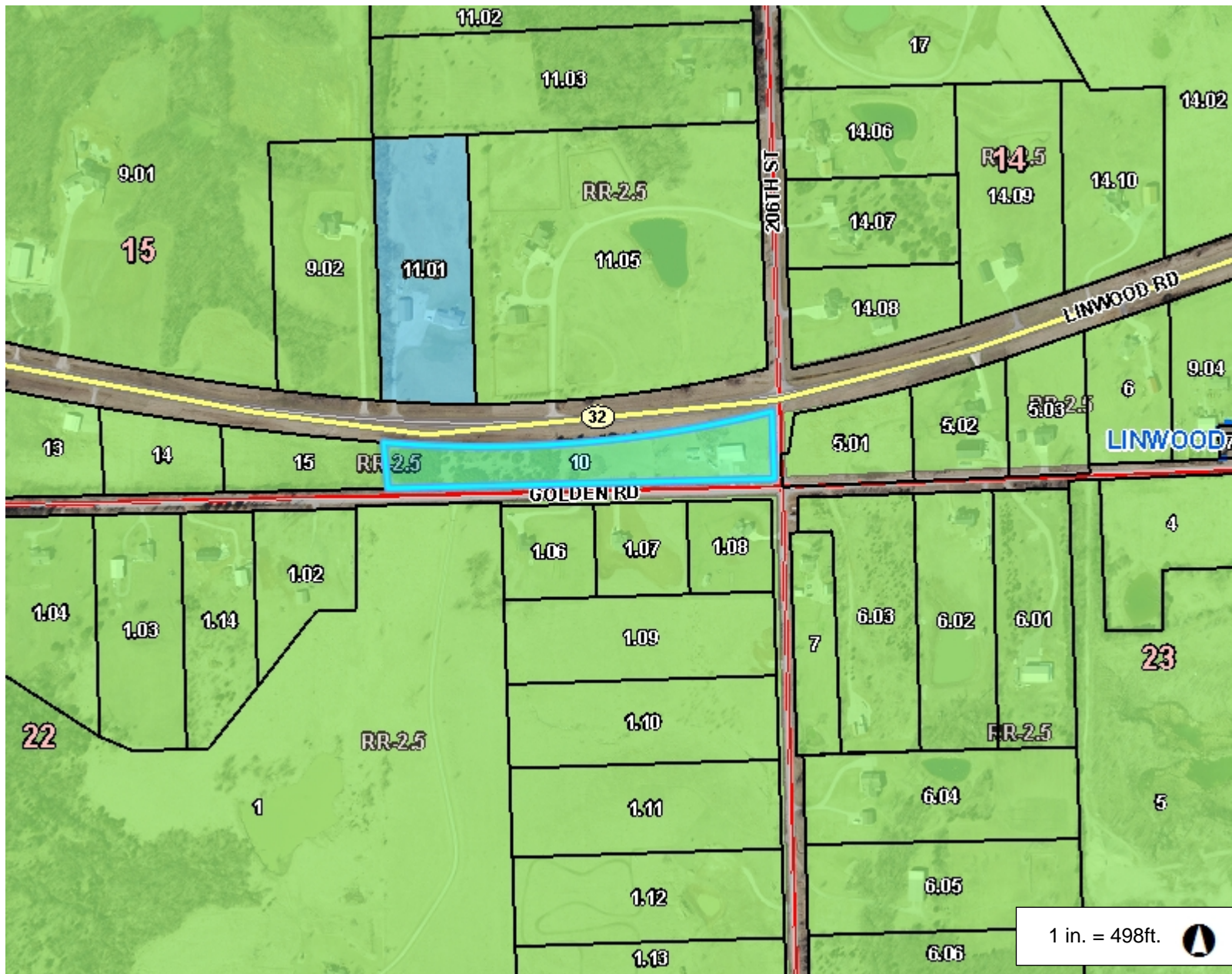
**PUBLIC HEARING**  
 CASE NUMBER *DEV-23-027*  
 REQUESTING *Special Use Permit -*  
*Retail Sales & Services*  
 HEARING DATE *Wed. April 12, 2023 @ 5:30 pm*  
PUBLIC HEARING AT LEAVENWORTH COUNTY COURTHOUSE  
 300 WALNUT STREET, LEAVENWORTH, KANSAS 66048  
 LEAVENWORTH COUNTY PLANNING & ZONING DEPARTMENT  
 913-684-0465 pz@leavenworthcounty.gov

SPEED  
LIMIT  
35





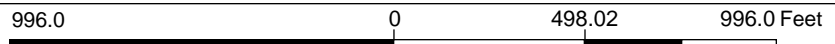
# DEV-23-027 Rock Hard Yard Art



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
- 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
  - R-1

1 in. = 498ft.



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

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**From:** Anderson, Kyle  
**Sent:** Tuesday, February 21, 2023 2:51 PM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

Our office received a phone call concerning a business operating without a SUP. After a site check, it was discovered that the business had grown beyond what was discussed in April of 2022 when they withdrew their original SUP application. A letter explaining this was mailed to the property owners. They quickly called us for an explanation and applied for the Special Use Permit. It does not appear there was intent to operate around the regulations. The business just grew quickly and there was a slight miscommunication in the point at which the permit would be needed.

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

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, February 21, 2023 1:45 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'Andrew Holder' <aholder@fpsslaw.com>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'stfrchief@yahoo.com' <stfrchief@yahoo.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'Steven Taylor [KDOT]' <Steven.Taylor@ks.gov>; 'designgrouplawrencesservicecenter@evergy.com' <designgrouplawrencesservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

Good Afternoon,

The Department of Planning and Zoning has received an application for a Special Use Permit regarding a retail sales business at 20624 Golden Road. The request is for a lawn art business.

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, March 1, 2023.

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

Thank you,

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

## Allison, Amy

---

**From:** Boone Heston <Boone.Heston@evergy.com>  
**Sent:** Wednesday, February 22, 2023 3:16 PM  
**To:** Allison, Amy  
**Subject:** FW: DEV-23-027 Special Use Permit – Lawn Art Retail Business  
**Attachments:** 2023.02.17 Application.pdf; 2023.02.17 Site Map.pdf; 2023.02.17 Narrative.pdf

Internal Use Only

Good afternoon,

No concerns on this from Evergy.

Thanks,

Boone Heston  
Evergy  
Supervisor, Field Design  
Lawrence Service Center  
[Boone.Heston@evergy.com](mailto:Boone.Heston@evergy.com)  
O 785-508-2590

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, February 21, 2023 1:45 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'Andrew Holder' <aholder@fpsslaw.com>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'stfrchief@yahoo.com' <stfrchief@yahoo.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'Steven Taylor [KDOT]' <Steven.Taylor@ks.gov>; Design Group Lawrence Service Center <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

**\*\*WARNING:** This email originated from an external source outside of Evergy. Think before you click on links or attachments!\*\*

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Good Afternoon,

The Department of Planning and Zoning has received an application for a Special Use Permit regarding a retail sales business at 20624 Golden Road. The request is for a lawn art business.

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



## Allison, Amy

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**From:** Steven Taylor [KDOT] <Steven.Taylor@ks.gov>  
**Sent:** Wednesday, February 22, 2023 11:25 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

**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.

All signage, displays, flags, etc. will be placed on permittees property and not within KDOT R/W.

Steve Taylor  
Kansas Department of Transportation  
Utility Coordinator  
District 1 Area 3  
650 north K-7 Highway  
Bonner Springs, Ks.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, February 21, 2023 1:45 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'Andrew Holder' <aholder@fpsslaw.com>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'stfrchief@yahoo.com' <stfrchief@yahoo.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; Steven Taylor [KDOT] <Steven.Taylor@ks.gov>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

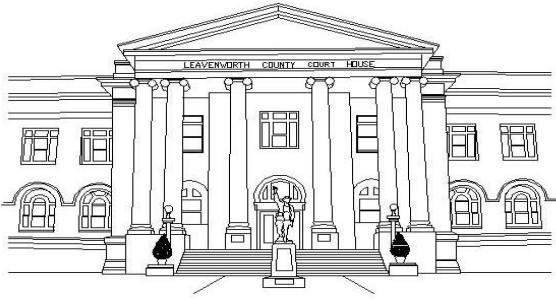
Good Afternoon,

The Department of Planning and Zoning has received an application for a Special Use Permit regarding a retail sales business at 20624 Golden Road. The request is for a lawn art business.

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, March 1, 2023.

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

Thank you,



# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

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March 9, 2023

### **Lawn Art Retail Business SUP DEV-23-027 – Public Works Review**

The Public Works Department have reviewed the following documents:

- 2023.02.17 SUP Application.
- 2023.02.17 Narrative.
- 2023.02.17 Site Map
- 2023.03.06 Photos (2 Each)
- 2023.03.06 Site Map Update
- 2023.03.06 SUP Additional Information

Below are comments from the received documents listed above. Direct any questions to Amy Allison at [aallison@leavenworthcounty.gov](mailto:aallison@leavenworthcounty.gov).

206<sup>th</sup> Street and Golden Road are hard surfaced roadways.

Review of aerial images doesn't indicate any concerns with sight distance.

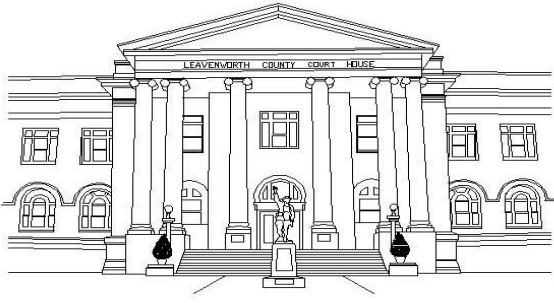
### **Comment Responses:**

1. Olsson Comment (2.28.23): From the application, the SUP has estimated daily traffic of 10 trips. Page 2 of the narrative indicates off street parking for 10 vehicles. 10 trips equate to 5 vehicles. 10 parking stalls would indicate 20 trips at peak hours. Verify. If daily trips are different from the submitted application, revise the weekly and monthly trips on the application also.

Applicant Response (3.06.23): The application has the correct estimate of daily traffic. My home has a large existing driveway/parking area to accommodate the four doors of the garage and allow for turn around room for my vehicles. The 5 vehicles/day estimate is the average daily traffic during open business days in 2022, even accounting for days when there were 0 vehicles.

Olsson Response (3.09.23): No further comment.

2. Olsson Comment (2.28.23): From the application, the SUP has no estimated traffic for commercial vehicles. Narrative indicates the use of a tractor to load concrete statues. Is a commercial vehicle used to deliver inventory to the site for the business? If a commercial vehicle is used, revise application to account for said trips.



# COUNTY OF LEAVENWORTH

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300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

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Applicant Response (3.06.23): No commercial vehicles will be used. The tractor on the narrative is a farm tractor that is also used to maintain the property. My personal vehicle will be used to collect inventory from suppliers. We will not expect any deliveries for the business.

Olsson Response (3.09.23): No further comment.

3. Olsson Comment (2.28.23): Page 1 of the narrative states no additional employees. Is the applicant the only employee? If not, is employee(s) trips coming to the SUP site accounted for in the application? If employee(s) are not accounted for in the application, revise the weekly and monthly trips.

Applicant Response (3.06.23): There will be no employees.

Olsson Response (3.09.23): No further comment.

4. Olsson Comment (2.28.23): Is the designated parking area existing or is the parking area being expanded?

Applicant Response (3.06.23): The designated parking area is existing.

Olsson Response (3.09.23): No further comment.

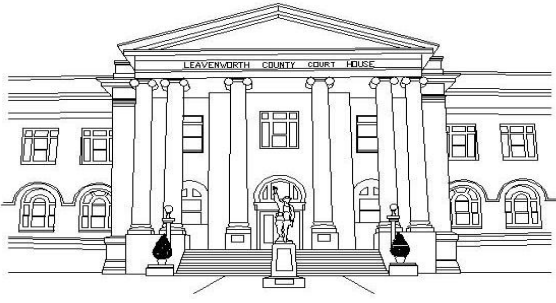
5. Olsson Comment (2.28.23): Page 2 of the narrative describes expansion of hours in the future. The additional expansion would be Thursdays. Page 1 of the narrative describes days of business on Fridays, Saturdays, and Sundays. Is it the intent to include Thursday as a business day with the SUP application? If so, please revise page 1 of the narrative to include Thursday and verify estimated trips in the application to include Thursday business.

Applicant Response (3.06.23): Upon further reflection, Thursdays will not be a future endeavor. We will only be open Fridays, Saturdays and Sundays, from 10a-4p.

Olsson Response (3.09.23): No further comment.

6. Olsson Comment (2.28.23): Page 1 of the narrative discusses a sign and temporary open flag. A separate application will be required for signage.

Applicant Response (3.06.23): The sign will be a banner that will be strung between two posts that is removable and only displayed during business hours.



# COUNTY OF LEAVENWORTH

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Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

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Olsson Response (3.09.23): Verify with Planning and Zoning Department if a sign application is required.

## Allison, Amy

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**From:** Van Parys, David  
**Sent:** Tuesday, April 4, 2023 12:12 PM  
**To:** Allison, Amy; Brown, Misty  
**Subject:** RE: DEV-23-027 SUP Conditions

Amy, Thanks for sending this for review. I would like to suggest that the conditions for all SUPs include language making the creation or maintenance of a public nuisance on the property grounds for revocation of the permit, consenting to the entry onto the subject premises by county staff to conduct inspections to ensure compliance and outlining the possibility of revocation of the permit for non-compliance with all or any of the conditions. The proposed Whiskey Ridge SUP contains these, I believe.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, April 4, 2023 10:59 AM  
**To:** Brown, Misty <MBrown@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>  
**Subject:** DEV-23-027 SUP Conditions

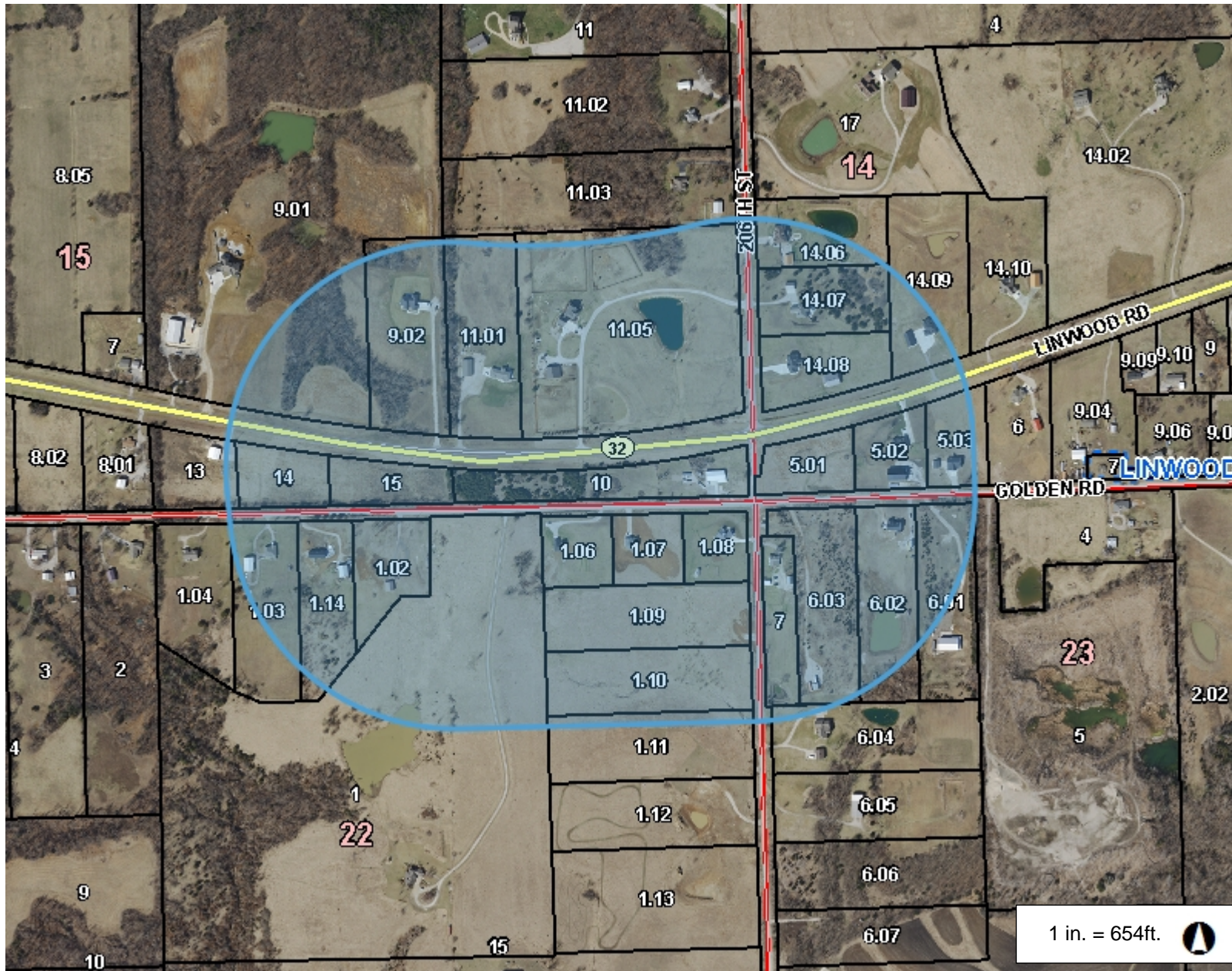
Good Morning DVP and Misty,

Attached is the draft staff report and conditions for an upcoming Special Use Permit case. I know we typically don't have legal review until before the BOCC meeting but figured you may want to start reviewing at this stage to insure that all conditions have been addressed and written well.

Let me know if you have any questions.  
Thanks!


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

# Notification Map



## Legend

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

1 in. = 654ft. 

1,308.1 0 654.07 1,308.1 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

# Leavenworth Times Affidavit of Publication

County of Leavenworth  
State of Kansas  
NOTICE OF PUBLIC  
HEARING

Notice is hereby given for the Leavenworth County Planning Commission to hold a public hearing regarding an application (DEV-23-027) for a Special Use Permit for Retail Sales & Service for Rock Hard Yard Art, an outdoor yard art retail business; such use being listed in Article 19, Table of Uses, in the Leavenworth County Zoning and Subdivision Regulations.

The Special Use Permit (DEV-23-027) request is for the following described property:

All that part of the East 1/4 of the Southeast 1/4 of Section 15, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, lying South of the Kansas City Kaw Valley Railroad right of way now abandoned and is now Kansas Highway K-32, less any part thereof taken or used for road purposes.

Request submitted by Jennifer Stewart

Address: 20624 Golden Road, Linwood KS 66052  
Parcel ID number: 225-15-0-00-00-010.00

The hearing will be held on Wednesday the 12th day of April, 2023 at 5:30 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.

We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, April 11, 2023.

Amy Allison, Secretary  
Leavenworth County Planning Commission Publish by 3/22/2023

Published in the Leavenworth Times, March 21, 2023.

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

Publication was made on the 21<sup>st</sup> day of March, 2023.

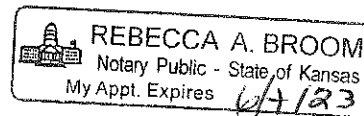
WITNESS my hand this 21st day of March, 2023.

Tammy Lawson  
Legal Representative

Subscribe and sworn before me, this 21 day of Mar, 2023.

Rebecca A. Broom  
Notary Public

My Commission Expires: 6/7/23



**Leavenworth County  
Planning Commission  
Language Amendment  
Table of Uses: Public Utility Discrepancies**  
*\*Public Hearing Required\**

**Staff Report – Planning Commission**

**April 12, 2023**

**GENERAL INFORMATION:**

**Applicant:** Leavenworth County Planning & Zoning

**Planner:** Amy Allison

**ANALYSIS:**

It has come to the attention of the Planning & Zoning Department that a few discrepancies exist within the current Land Use Table. The majority of the inconsistencies pertains to Public and Private Utilities. In the below table, staff has identified all of the various land use categories which pertain to public and private utilities, as well as the zoning districts in which they are allowed, permitted by a special use permit or not permitted at all.

**Water Towers**

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Public Utilities: drinking water towers and standpipes, drinking water treatment facilities, drinking water treatment monofills, drinking water well houses, wastewater lift stations, wastewater treatment facilities	A						A	A				A
Public/Private utility substation including, but not limited to: cable, electric, fiber optics, natural gas, oil or petroleum products, telephone, and water tower	S	S	S	S	S	S	A	A	S	S	S	A

**Electric Substations**

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Public Utilities: Electric Substation	S						A	A				
Public/Private utility substation including, but not limited to: cable, electric, fiber optics, natural gas, oil or petroleum products, telephone, and water tower	S	S	S	S	S	S	A	A	S	S	S	A
	S	S	S	S	S	A	A	A	S	S	S	S



Electrical Substations												
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After reviewing the history of the current land use table, staff has determined that when the Land Use Table was amended in 2020, some uses were added or changed. However, it appears that other similar land uses were not amended or removed accordingly. Based on research, staff has determined that the below list of uses reflects the intention of the 2020 amendments. It is Staff's recommendation that the Planning Commission recommend approval of the following list and either remove or amend the remaining land use categories to eliminate any conflicts within the table.

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Electrical Substations	S	S	S	S	S	A	A	A	S	S	S	S
Public Utilities: Electric Substation	S	-	-	-	-	-	A	A	-	-	-	-
Public Utilities: drinking water towers and standpipes, drinking water treatment facilities, drinking water treatment monofills, drinking water well houses, wastewater lift stations, wastewater treatment facilities	A						A	A				A
Public/Private utility substation including, but not limited to: cable, electric, fiber optics, natural gas, oil or petroleum products, telephone, and private water towers	S	S	S	S	S	S	A	A	S	S	S	A

**STAFF RECOMMENDATION:**

The staff recommends approval of Case No.DEV-23-037, proposed amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations.

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-037, proposed amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations, to the Board of County Commission, with Findings of Fact; or
2. Recommend denial of Case No. DEV-23-037, proposed amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

**ATTACHMENTS:**

Correspondence

## Allison, Amy

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**From:** Allison, Amy  
**Sent:** Friday, March 10, 2023 8:02 AM  
**To:** Loughry, Mark; Van Parys, David  
**Subject:** FW: Evergy Honey Creek Substation

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**From:** Chris Carey <ccarey@ppbenv.com>  
**Sent:** Friday, March 10, 2023 7:15 AM  
**To:** Sloop, Stephanie <SSloop@leavenworthcounty.gov>  
**Cc:** Daniel Newman <dnewman@ppbenv.com>; Christopher Burger <cburger@stevensbrand.com>; Jessica Keck <jessica.keck@evergy.com>; Allison, Amy <AAllison@leavenworthcounty.gov>  
**Subject:** Evergy Honey Creek Substation

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Ms. Sloop,

Thank you for preparing the email below regarding the discrepancy in Leavenworth County's zoning regulations and Table of Uses. As you know, we represent Evergy related to the proposed Honey Creek Substation located just south of Tonganoxie in Leavenworth County. Based on the Table of Uses published on your website, which indicates in two places that an electrical substation can be approved by a Special Use Permit at the subject property, Evergy has expended considerable resources to acquire an option to purchase the property, perform land purchase due diligence activities, and develop its Special Use Permit Application (i.e., site planning, land survey, and civil engineering). Accordingly, Evergy kindly requests that Leavenworth County revise the one discrepancy in its regulations to match the other two sections as soon as possible. The growing demand for electricity in Leavenworth County will need this clarity.

Evergy believes the proposed property is ideally suited for its new substation and intends to pursue a Special Use Permit for this property from Leavenworth County. Once you have the opportunity to make the correction to your zoning regulations, please advise which category you recommend that Evergy submit its Special Use Permit application.

Thanks for your prompt attention to this matter. If you have any questions, please contact me or Jessica Keck with Evergy.

Best regards,

-Chris



**Chris Carey, P.G.**  
**Managing Partner, Geologist**

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Topeka, Kansas 66603  
**w:** [ppbenv.com](http://ppbenv.com)  
**e:** [ccarey@ppbenv.com](mailto:ccarey@ppbenv.com)

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**From:** Sloop, Stephanie <[SSloop@leavenworthcounty.gov](mailto:SSloop@leavenworthcounty.gov)>  
**Date:** Thursday, February 23, 2023 at 11:08 AM  
**To:** Ty Vaughn <[tvaughn@ppbenv.com](mailto:tvaughn@ppbenv.com)>  
**Cc:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>  
**Subject:** [EXTERNAL]RE: [EXTERNAL]RE: SUP Submittal Deadlines & Meeting Dates

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Ty,

In our prior conversation, I referred to the use category Public Utilities: Electric Substation, which is not allowed in the Mixed Use Zoning District. However, as you pointed out, we have a conflict in our table with a similar use of Electric Substations that allows them with a Special Use Permit.

Our Legal Counsel has advised our department to prepare a report for the consideration of the Board of County Commissioners to review our Table of Uses.

At this time, our office would not be able to support a Special Use Permit for the parcel you inquired about, and our recommendation would be denial.

Thank you,

Stephanie Sloop

Public Relations and Planning Coordinator  
Planning and Zoning  
Leavenworth County Courthouse  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
(913) 364-5750 ph



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**From:** Ty Vaughn <[tvaughn@ppbenv.com](mailto:tvaughn@ppbenv.com)>  
**Sent:** Thursday, February 23, 2023 9:48 AM

**To:** Sloop, Stephanie <[SSloop@leavenworthcounty.gov](mailto:SSloop@leavenworthcounty.gov)>  
**Subject:** Re: [EXTERNAL]RE: SUP Submittal Deadlines & Meeting Dates

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I was just looking at the table of uses and noticed there are two Electric substations listed (line 49 and 101). Line 49 allows Special Use Permit on MXD. But let me know what you figure out. Thanks!

**Ty Vaughn**  
Permitting Specialist  
ppB enviro-solutions  
620-212-8085

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**From:** Sloop, Stephanie <[SSloop@leavenworthcounty.gov](mailto:SSloop@leavenworthcounty.gov)>  
**Date:** Thursday, February 23, 2023 at 9:31 AM  
**To:** Ty Vaughn <[tvaughn@ppbenv.com](mailto:tvaughn@ppbenv.com)>  
**Subject:** [EXTERNAL]RE: SUP Submittal Deadlines & Meeting Dates

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Send me the location, here is my email.

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**From:** Johnson, Melissa <[MJohnson@leavenworthcounty.gov](mailto:MJohnson@leavenworthcounty.gov)>  
**Sent:** Thursday, February 23, 2023 9:23 AM  
**To:** PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
**Subject:** Fwd: SUP Submittal Deadlines & Meeting Dates

----- Forwarded message -----  
**From:** Ty Vaughn <[tvaughn@ppbenv.com](mailto:tvaughn@ppbenv.com)>  
**Date:** Feb 23, 2023 7:50 AM  
**Subject:** SUP Submittal Deadlines & Meeting Dates  
**To:** "Johnson, Melissa" <[MJohnson@leavenworthcounty.gov](mailto:MJohnson@leavenworthcounty.gov)>  
**Cc:**

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Good morning,

We are working with Evergy on a substation SUP application. I believe the submittal deadline we are needing to meet is May 19 for the June 14 Planning Commission meeting. Is this correct? And if so, what would be the Board of County Commissioners meeting date for this application?

Thanks!



**Ty Vaughn**  
**Permitting Specialist**

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