

LEAVENWORTH COUNTY BOARD OF ZONING APPEALS

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, February 14, 2024
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048

www.leavenworthcounty.gov

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

4. **Secretary's Report**

5. **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

6. **Approval of Agenda**

7. **Regular Agenda**

A. Case DEV-24-001 Variance – Fairmount Fire District

Consideration of a Variance request from Article 5, Section 4 of the Leavenworth County Zoning & Subdivision Regulations on the following described property: A tract of land in the Northwest Quarter of Section 26, Township 11 South, Range 22 East of the 6th P.M., Leavenworth, Kansas.

Also known as 16380 158th Street

PID: 187-26-0-00-00-024.00

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Adjournment of the Board of Zoning Appeals

Upcoming meeting dates:

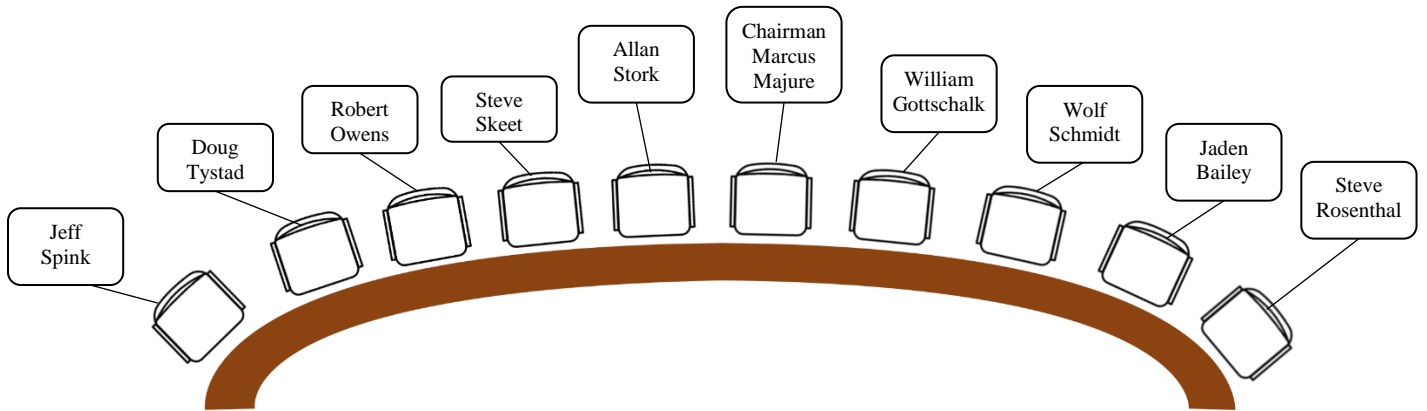
**Wednesday, March 13, 2024, 5:30 PM
Regular Planning Commission Meeting**

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 2024



**LEAVENWORTH COUNTY
BOARD OF ZONING APPEALS
STAFF REPORT**

CASE NO: DEV-24-001 Fairmount Township FD

February 14, 2024

REQUEST: Variance from Zoning and Subdivision Regulations Art 05 Sec 04

STAFF REPRESENTATIVE:
JOHN JACOBSON
DIRECTOR

(PUBLIC HEARING REQUIRED)

SUBJECT PROPERTY: 16380 158th Street



APPLICANT/APPLICANT AGENT:
Tyler Rathe
2624 N. 155th St.
BASEHOR, KS 66007

PROPERTY OWNER:
Fairmount Township
PO Box 136
Basehor, KS 66007

CONCURRENT APPLICATIONS:
N/A

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:
RR-2.5

SUBDIVISION: N/A

FLOODPLAIN: N/A

PROPERTY INFORMATION

PARCEL SIZE: 0.60 Acres

PARCEL ID NO:
187-26-0-00-00-024.00

BUILDINGS:
Existing FD Building

LEGAL DESCRIPTION:

A tract of land in the Northwest Quarter of Section 26, Township 11 South, of Range 22 East of the 6th p.m., Leavenworth County, Kansas.

ACTION OPTIONS:

1. Approve Case DEV-24-001, variance from Article 05, Section 04 required minimum setback from the centerline of the road; or
2. Deny Case No.DEV-24-001, variance from Article 05, Section 04 required setback from the centerline of the road for the following reasons; or
3. Continue the public hearing on the variance at another date, time, and place.

Location Map: Site Visit was conducted and additional pictures are included.



ACCESS/STREET:
158TH STREET: Arterial, ±25' Wide, Paved; METRO AVE: Local, ±25' Wide, Paved

UTILITIES

SEWER: SEPTIC

FIRE: FAIRMOUNT

WATER: RWD#7

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 02/06/2024

NEWSPAPER NOTIFICATION:
01/24/2024

NOTICE TO SURROUNDING
PROPERTY OWNERS:
01/24/2024

FACTORS TO BE CONSIDERED:

A request for a variance may be granted in such individual case upon finding that all of the following conditions have been met (KS Statute 12-759)

1. *The variance requested arises from such condition which is unique and which is not ordinarily found in the same zoning classification, and is created by the zoning regulations and not by an action of the property owner or the applicant*

- The size of this lot is unique in that it is something you would typically find within city limits. As zoning regulations have changed, the property owners' options are limited with the current zoning of this area, which is zoned at RR-2.5 and their lot is less than one (1) acre.
- The uniqueness of this lot was an action not created by the owner/applicant, but that of regulation changes. All Zoning and Subdivision regulations would be met if property was not located upon a corner.

2. *The granting of the variance will not adversely affect the rights of adjacent property owners or residents;*

- Public Works Department made comments that they had no issues with the request. The proposed building would not create any concerns with intersection sight distances and would not cause any conflicts with utility easements. Nor would the proposed building encroach on any of the adjacent property owners.
- There are approximately 11 properties within the immediate area that don't meet minimum lot size based off of current zoning regulations. However, those properties do meet all setback requirements. The only difference between those and the applicant is the subject property is located on a corner lot.

3. *The strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application:*

- The functionality of the proposed building provides a resource to the area that would otherwise be limited. The service area would increase and response time would decrease for the fire district. This would help mitigate property owners with any undue hardships by loss of life or property damages.
- Currently, there is no capability to house personnel at the station and would create a hardship to personnel if the station was operated 24 hours a day.

4. *The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and;*

- The owners/applicants are proactively anticipating future developments, road closures and improvement by creating a 24-hour operation at this property.
- Over the past 5 years within a 12.5-mile perimeter of the property, there have been seven (7) new subdivisions created. Further development is only going to continue, with increasing the service area with continued operations would be beneficial and improve the overall well-being of the public health, safety and general welfare in the area.

5. *Granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations*

- The regulations are intended to provide for a safe and harmonious development of Leavenworth County by setting forth rules and regulations for development and construction of buildings on property. The requested variance does not appear to violate any of these concerns.

STAFF COMMENTS:

The requested variance is for a reduction of the minimum setback from the centerline of the road to construct a building addition on an existing structure. The applicants plan is to staff the station for 24hr operations and in order to do so, the addition would need to be built in order to house staff appropriately. Their request is to reduce the minimum setback from 105ft from centerline of the road to 34ft from the right of way (R/W) line.

ATTACHMENTS:

A: Application / Narrative

B: Zoning Map

C: Memorandums

187-26 024.00

BOARD OF ZONING APPEALS APPLICATION
Leavenworth County Planning and Zoning
300 Walnut, Suite 212
Leavenworth, Kansas 66048
913-684-0465

| | |
|---|--------------------------------|
| Office Use Only | |
| Case No. | DEV-24-001 |
| PID: | 187-26 024.00 |
| Township | Fairmount |
| BZA Hearing Date | |
| ACTION | Variance from required setback |
| Date Received | 01/05/2024 |
| Date Paid | Ø |
| Zoning District | RR 2.5 |
| Comprehensive Plan land use designation | |

| APPLICANT/AGENT INFORMATION | OWNER INFORMATION (If different) |
|---|--------------------------------------|
| NAME <u>Tyler Rathe</u> | NAME <u>Fairmount Township</u> |
| ADDRESS <u>2624 N 155th Street</u> | ADDRESS <u>PO Box 136</u> |
| CITY/ST/ZIP <u>Basehor, KS 66007</u> | CITY/ST/ZIP <u>Basehor, KS 66007</u> |
| PHONE <u>913-205-1563</u> | PHONE <u>913-724-4911</u> |
| EMAIL <u>rathe.t@fairmountfd.org</u> | EMAIL _____ |

GENERAL INFORMATION

Description of Appeal or Variance – Attach narrative addressing the Factor to be Considered (last page of application packet) to this application.

PROPERTY INFORMATION

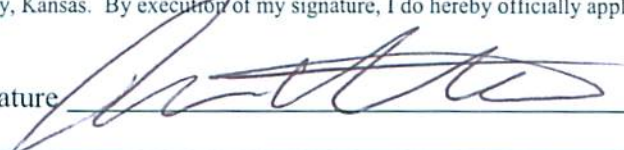
Address of Property 16380 158th Street, Bonner Springs, KS 66012

Parcel size 0.64 acres

Present improvements or structures Metal Building

Current use of the property? Fire Station

I, the undersigned, am the (circle one) owner (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 an appeal/variance as indicated above.

Signature  Date 12-28-23

ATTACHMENT A

LEAVENWORTH COUNTY DEVELOPMENT APPLICATION PERMIT

CASE NUMBER DEV-24-001

PERMIT SUB-TYPE VARIANCE

PID 187-26-0-00-00-024.00 PARCEL SIZE 0.6 AC ZONE RR-2.5
TWSP FAIRMOUNT SCHOOL DIST 458 SDD NO
SUBDIVISION LOT NO BLOCK NO
WATER DIST RWD 7 ELECTRIC EVERGY SEWER DIST n/a
FLOOD PLAIN IN PARCEL NO FLOOD PLAIN ON BUILDING SITE NO
SITE ADDRESS 16380 158th St
SITE CITY Bonner Springs SITE STATE KS SITE ZIP CODE 66012

LAST NAME Fairmount Township Fire Department FIRST NAME Fairmount Township PHONE 913-724-4911
EMAIL rathet@fairmountfd.org
ADDRESS 16380 158th St
CITY Bonner Springs STATE KS ZIP CODE 66012

CONSULTANT Tyler Rathe CONSULTANT PHONE 913-205-1563
CONSULTANT EMAIL rathet@fairmountfd.org

PROPOSED ZONING n/a SUP CATEGORY - USE
VARIANCE REGULATION setback requirement CURRENT USE RESIDENTIAL ROAD ARTERIAL
COMP PLAN USE DESIGNATION UGMA

SUBDIVISION TYPE GROSS ACREAGE COVENANTS NO
MAXIMUM LOT SIZE MINIMUM LOT SIZE OPEN SPACE ACREAGE
LOTS TRACTS TOTAL PARCELS DENSITY

NOTES: Quasi-Governmental with a zero fee.

| | | | | | |
|-------|----------|--------------|---------|---|----------------|
| STAFF | 1/5/2024 | STAFF ACTION | PENDING | <input type="checkbox"/> PUBLIC HEARING | AGENDA AREA |
| PC | | PC ACTION | | | NOTICE PUB |
| BOCC | | BOCC ACTION | | | RESOLUTION PUB |
| BZA | 1/5/2024 | BZA ACTION | PENDING | DURATION | EXPIRATION |

APPLICATION FEE 0.00 TIF 0.00 BOND 0.00 TOTAL FEES \$0.00
CHECK NO CASH CC TIFF CHECK NO

STAFF APPROVAL *M Johnson* DATE 01.05.2024

APPLICANT DATE

FROM

THIS DEED, Made this 14th day of April 1994, between Edith M. Ward, Anna Marie Landauer, Grace Voigt as directors of the Glenwood Community Center, Inc.

TO

of Leavenworth County, in the State of Kansas, of the first part, and Fairmont Township, a governmental entity of Leavenworth County, in the State of Kansas of the second part,

Entered in Transfer Record in my office, this _____ day of _____ 19____ County Clerk.

STATE OF KANSAS, County, } ss. This instrument was filed for record on the _____ day of _____ 19____, at _____ o'clock _____ M., and duly recorded in Book _____ of Deeds, at page _____

WITNESSETH, That parties of the first part, in consideration of the sum of One Dollar and 00/100 Dollars, the receipt of which is hereby acknowledged, do by these presents convey and warrant unto party of the second part, its heirs and assigns, all the following-described real estate situated in the County of Leavenworth and State of Kansas, to-wit:

By _____ Register of Deeds, Deputy. FEES. Register of Deeds, for recording, \$ _____ County Clerk, for transfer, \$ _____ Total, \$ _____

One acre of land lying in the Northwest corner of Section Twenty-six (26), Township Eleven (11), Range Twenty-two (22).

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

To Clear Title. Entered in the Transfer Record in my office on _____ day of _____, 1994

Linda A. Scheer County Clerk

1994 MAY -6 A 10: 03 DORA I. FARMER REGISTER OF DEEDS

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, forever.

And party of the first part, for themselves, their heirs, executors and administrators, do hereby covenant, promise and agree to and with party of the second part that at the delivery of these presents they are lawfully seized in their own right, of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances of what nature or kind soever except;

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

IN WITNESS WHEREOF, parties of the first part have hereunto subscribed their names the day and year first above written.

Edith Ward

Grace Voigt

EDITH M. WARD

GRACE VOIGT

ANNA MARIE LANDAUER

STATE OF KANSAS,

BE IT REMEMBERED, That on this 14th day of February, 1994, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Edith M. Ward, Anna Marie Landauer and Grace Voigt, directors of the Glenwood Community Center, Inc.

who are personally known to me to be the same persons who executed the foregoing deed, and duly acknowledged the execution of the same.

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



1/4

1998

Linda D. Holland

Notary Public.

C C | COc
W | W
C | 2

LEASE AGREEMENT

NOW ON this 12TH day of SEPTEMBER, 1995, come the parties to this agreement for the lease of real property, the Board of Trustees of Fairmount Township, hereinafter referred to as "Township" and the Board of County Commissioners of Leavenworth County, Kansas, hereinafter referred to as "County" and agree to the following terms:

1. Township agrees to lease to the County a parcel of real property located in Leavenworth County, Kansas, said parcel described in Exhibit A attached hereto. The term of this lease shall be for 99 years commencing from the date of the execution of this document. During the term of this lease the Township shall grant to County full, peaceable and uninterrupted occupancy upon said parcel.

2. The County agrees to pay to the Township, in return for this lease of real property, the sum of One Dollar (\$1.00), said sum to be paid upon the execution of this lease agreement.

3. The Township hereby covenants that it is the sole lawful owner of the real property described in Exhibit A and that during the term of this lease Township shall enter into no agreements which shall infringe upon the rights of the County to enjoy the benefits according to the County through this lease.

4. The County may, during the term of this lease, erect and maintain upon the lease premises such structures and buildings as the County desires, provided that the use of such structures and buildings shall be limited to facilities for ambulance services. The County shall retain full title to all structures and buildings erected by the County on the leased premises and may, at any time during the term of the lease, remove such structures and/or buildings from the leased premises. Upon the close of the term of this lease the County shall cause all structures and buildings built by the County upon the leased premises to be removed, provided, that the Township may, pursuant to a future agreement between the parties, purchase such structures and buildings at a price agreed to by the parties.

5. The County shall maintain in good condition any structure or building erected by it upon the leased premises and shall not allow dilapidation, decay or waste to occur to any such structure or building or the leased premises.

6. In the event that the County shall erect upon the leased premises a building for the purpose of providing ambulance services the Township shall be entitled to use, at no charge to the Township, up to Two Thousand Eight Hundred Thirty-five (2,835) square feet of said building for the purpose of providing Township fire protection. The County shall provide all utilities and maintenance for said space utilized by the Township and shall further provide access to adequate restroom facilities. The

BOOK 0719 PAGE 0360

Township shall be responsible for its' own phone services.

7. The County shall maintain insurance on the ambulance building, if built, with the Township being responsible for the insuring of any building contents or equipment it may place or maintain in said building. The Township agrees to reasonably use said building, allowing the County free and unhindered access to said ambulance building at all times. The Township shall be responsible for any damage caused to said ambulance building by its' operations.

8. The County shall, in the event of the erection of any ambulance building upon the leased premises, provide adequate septic or sewerage services for said building. Said septic or sewerage system shall be adequate for said County building and the existing Glenwood Community Center. The Township is hereby granted permission to hook up the existing Glenwood Community Center to said septic or sewerage system if built.

9. The Township shall cause no modification or improvements to be done to any portion of the County ambulance building, if built, upon the leased premises without the express written consent of the County. The Township shall cause no liens, mortgages or encumbrances of any kind to affix to said County building without the express written consent of the County.

10. This lease agreement may be modified only by the written consent of the parties.

WHEREFORE, IT IS SO AGREED this 12TH day of SEPTEMBER, 1995.

Donald Navinsky
Donald Navinsky, Chairman
Board of County Commissioners
of Leavenworth County, Kansas
"County"

Fred Stitt
Fred Stitt, President (Trustee)
Fairmount Township Board
"Township"

State of Kansas

County of Leavenworth

This instrument was acknowledged before me on September 12, 1995

By Donald Navinsky And Fred Stitt (Trustee)

Chairman, Board of County Commissioners
of Leavenworth County, Kansas
"County"

Fairmount Township Board
"township"

Maureen Driver
Notary officer

My appointment expires : 01-31-2000

BOOK 0719 PAGE 0361



EXHIBIT A

A tract of land in the Northwest 1/4 of Section 26, Township 11 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas, being more fully described as follows:

Beginning at the Northwest Corner of the said Northwest 1/4;
Thence (N89d54'30"E) 209.70 feet along the North line of said Northwest 1/4; Thence (S00d00'00"W) 209.70 feet; Thence (S89d54'30"W) 209.70 feet to a point on the West line of said Northwest 1/4; Thence (N00d00'00"E) 209.70 feet to the point of beginning.

Contains 0.74 acres less road right-of-way.

STATE OF KANSAS
COUNTY OF LEAVENWORTH } SS
FILED FOR RECORD }
1996 MAY -1 A 9:25
DORA I. PARMER
REGISTER OF DEEDS
-DEP

BOOK 0719 PAGE 0362

Narrative

Fairmount Township Fire Department would like to expand the current fire station at 16380 158th Street. Currently the station serves as an all volunteer station for emergency response. We intend to staff the station in the future to continue to meet the needs of Fairmount Township as the population increases. To meet those needs, we would like to add living spaces to the station to be able to staff the station 24/7. We would like to add those spaces in a building addition to the north side of the current structure. That addition would be approximately 28 feet by 48 feet. The addition of 48 feet to the north of the structure would not meet the setback requirements of the county. We are asking for a variance to the setback requirement to build this addition.

The location of the addition is where a previous building had been located. The Glenwood Community Center was located on this property prior to its use as a Fire Station. That community center building was demolished in approximately 2009. The current building was used as a county public works building and EMS station prior to being used as a Fire Station. Fairmount Township has had ownership of the building since 2010.

Factors to Be Considered:

(A) That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant;

The variance is requested due to the lot being a corner lot. The setback from 158th Street will remain but the setback from Metro Avenue will not be within requirements. If this was not a corner lot, the setback from the lot line would be within requirements. This unique lot on the corner of 158th and Metro is the reason for the request for variance. Also, this addition is in approximately the same area as the previous building that had been there since 1941 (first aerial images where we could see the old church building were taken in 1941) or before.

(B) That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;

The variance will not affect the rights of any adjacent property owners.

(C) That the strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

Without the variance, the Township may have to look at other options to provide emergency services to the area, such as a change of location. This would be at a substantial cost to the taxpayers of Fairmount Township. We are trying to be good stewards of the tax funds for Fairmount Township by using this property.

(D) That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare;

The variance will not adversely affect any of these items. A staffed station at this location would decrease emergency response times to the area and potentially save lives and property. The response times to the southern portion of Fairmount Township would be reduced by approximately 50%.

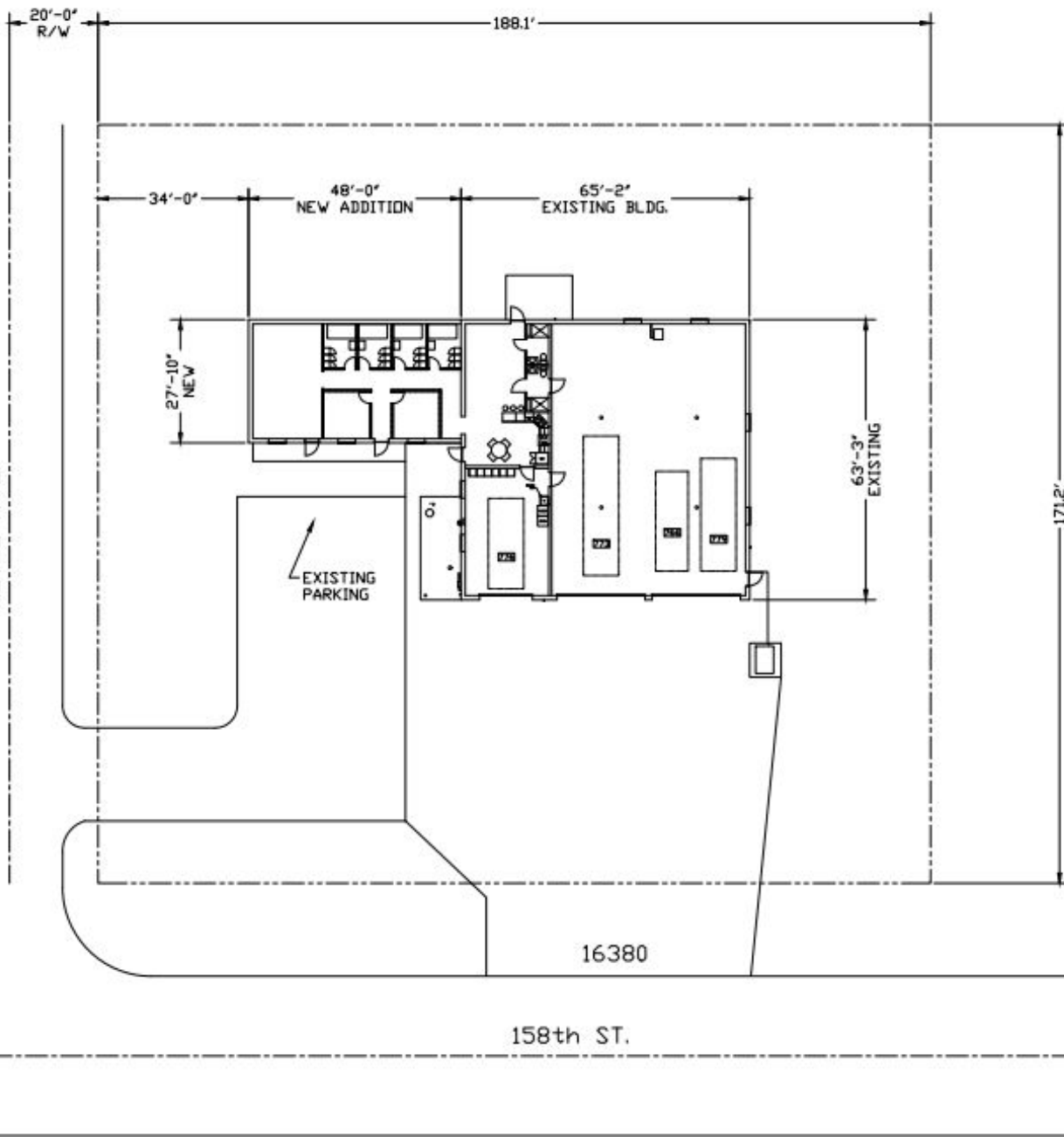
Additionally, there is increased development in the south portion of Fairmount Township. Multiple new subdivisions have been proposed for the area that this fire station would serve. For example, the additional homes on Evans Road at 166th, Kansas Avenue at 163rd, and 158th and Evans would all benefit from a staffed station at this location. Emergency response would also be reduced on common roads for accidents such as K-32, I-70, Kansas Avenue, County Road 2, Evans Road, and 166th street. Also, construction on 155th Street in the City of Basehor is going to influence response times to the citizens of this area. We want to continue to provide high quality emergency services to this area and this variance will allow use to continue that into the future.

(E) That granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.

The general spirit and intent are not opposed. The setback from the main road, 158th Street, will still be within requirements.



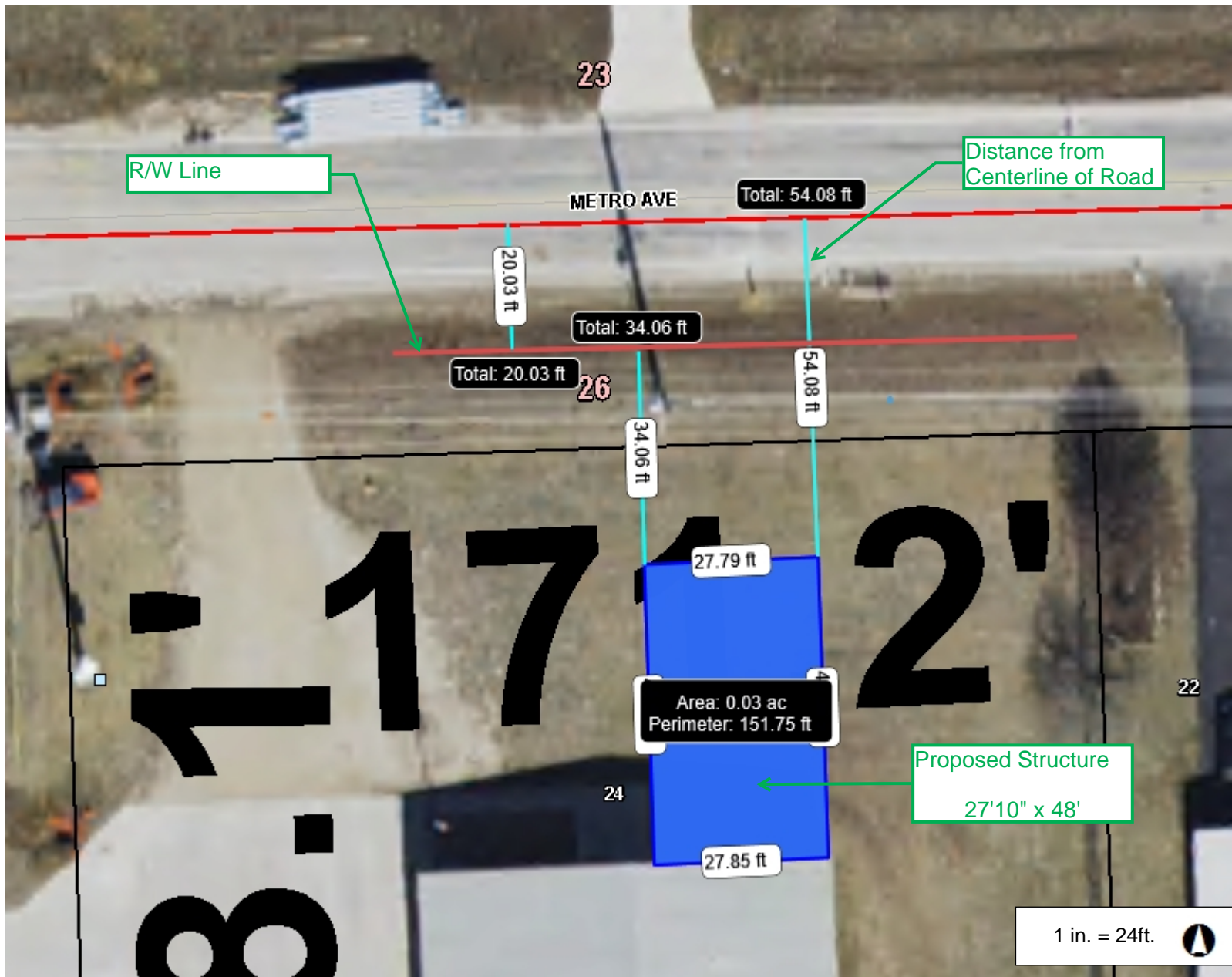
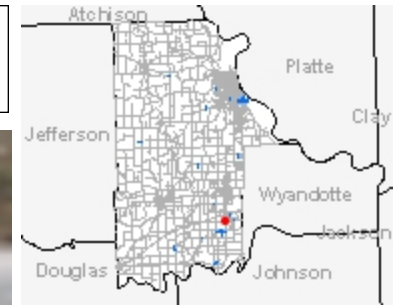
METRO AVE.



FAIRMOUNT TOWNSHIP FIRE DEPT.

| | | | | | |
|-------|------------|--|----------|----------|-------|
| TITLE | | STATION 2 EXPANSION - 16380 158th STREET | | | |
| | | SITE PLAN | | | |
| BY | DATE | SCALE | CADD | DWG. NO. | REV |
| ML | 12/21/2023 | 1" = 30' | STN2 EXP | 1223-01 | 1/3 A |

Leavenworth County, KS



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- ⋮ City Limit Line
- Major Road
- <all other values>
- 70
- Road**
- <all other values>
- PRIVATE
- + Railroad
- Section
- Section Boundaries
- County Boundary

1 in. = 24ft.



47.4 0 23.69 47.4 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

View facing building from Metro Ave



View from existing parking lot



View facing towards existing parking lot



Allison, Amy

From: Anderson, Kyle
Sent: Friday, January 5, 2024 1:29 PM
To: Schweitzer, Joshua
Subject: RE: DEV-24-001 Variance Fairmount Township Fire Department

We have not received any complaints on this property.

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

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

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, January 5, 2024 1:21 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcafee@leavenworthcounty.gov>; 'lingenfelsem@fairmountfd.org' <lingenfelsem@fairmountfd.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-001 Variance Fairmount Township Fire Department

The Department of Planning and Zoning has received a request for a Variance regarding the setback requirement on the above listed case

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by 22 January 2024 by close of business.

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

Thank you,

v / r

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

Allison, Amy

From: Mike Lingenfelser <lingenfelserm@fairmountfd.org>
Sent: Monday, January 8, 2024 9:06 AM
To: Schweitzer, Joshua
Subject: Re: DEV-24-001 Variance Fairmount Township Fire Department

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

Joshua

No issues with the variance.

Mike Lingenfelser, Fire Chief
Fairmount Township Fire Department
2624 N 155th St
Basehor, Kansas 66007
Work-[913-724-4911](tel:913-724-4911)
Cell [913-306-0258](tel:913-306-0258)

On Fri, Jan 5, 2024 at 1:20 PM Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov> wrote:

The Department of Planning and Zoning has received a request for a Variance regarding the setback requirement on the above listed case

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by 22 January 2024 by close of business.

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

Thank you,

v / r

Joshua J. Schweitzer

Development Planner

Leavenworth County Planning & Zoning

300 Walnut St, Suite 212

Allison, Amy

From: McAfee, Joe
Sent: Monday, January 8, 2024 11:23 AM
To: Schweitzer, Joshua
Cc: Noll, Bill; Mitch Pleak; Allison, Amy; Jacobson, John
Subject: RE: DEV-24-001 Variance Fairmount Township Fire Department

Josh,
When Public Works first reviewed the submitted site plan we determined that the north line of the building addition would be located 13.4' from the south right-of-way line of Metro. This would have created utility easement route conflicts and severe sight deficiency at the intersection of Metro and 158th Street. However, after completing further research into the actual 158th Street & Storm plans that were recently constructed it was determined that the applicant's site plan is not correct. Using the 158th Street/Storm planometrics the north line of the building addition will be located 34' south of the Metro right-of-way line, which does not cause conflicts with utility zones. Additionally, the location of the north building wall does not provide any appreciable reduction in intersection sight distance for 158th Street and Metro traffic. With that said, Public Works has no issue with the request for zoning appeal and no further comments on the matter. Please contact me if you have any questions regarding our review.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, January 5, 2024 1:21 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'lingenfelsem@fairmountfd.org' <lingenfelsem@fairmountfd.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-001 Variance Fairmount Township Fire Department

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by 22 January 2024 by close of business.

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

Thank you,

v / r

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

MEMO

To: Melisa Johnson
From: Chuck Magaha
Subject: Variance Fairmount Township
Date: February 5, 2024

Melisa, I have reviewed the request of the variance to Fairmount Township regarding the variance you provided to our office. I have no comments to lend at this time. If you feel I have missed an issue please give a call at 684-0457.



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

February 6, 2024

To: Leavenworth County Planning Commission
From: Planning & Zoning Department
Re: 2024 Comprehensive Plan Annual Review Schedule

Planning Commissioners,

Below is the proposed schedule for the 2024 Annual Review of the Leavenworth County Comprehensive Plan:

March 13, 2024: Planning Commission Study Session
April 10, 2024: Planning Commission Hearing
May 1, 2024: Board of County Commissioner Hearing
May – Dec 2024: Implementation

The Study Session will be held following the regular Planning Commission meeting on March 13th. The schedule may be amended if significant modifications are proposed.

Planning & Zoning Staff

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