

LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, October 8, 2025
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048
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. **Regular Agenda**
 - A. Case DEV-25-083/084 – Ernieboy Lane CAE Preliminary and Final Plat**
Consideration of a preliminary and final plat request on the following described property: a tract of land in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas
Also known as 16730 McIntyre Road
PID: 108-33-0-00-00-016.02
 - B. Case DEV-25-095 – Oelschlaeger Trust Rezone**
Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning on the following described property: Tracts of land in the Southwest Quarter of Section 30, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas
Also known as 18735 & 00000 Metro Ave.
PID: 189-30-0-00-00-002.00 & 184-19-0-00-00-005.00
 - C. Case DEV-25-104 All-in Enterprises Rezone**
Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning on the following described property: Tract of land in the Northwest Quarter of Section 28, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas
Also known as 16164 174th St.
PID: 188-28-0-00-00-009.00

Adjournment of Planning Commission

Upcoming meeting dates:

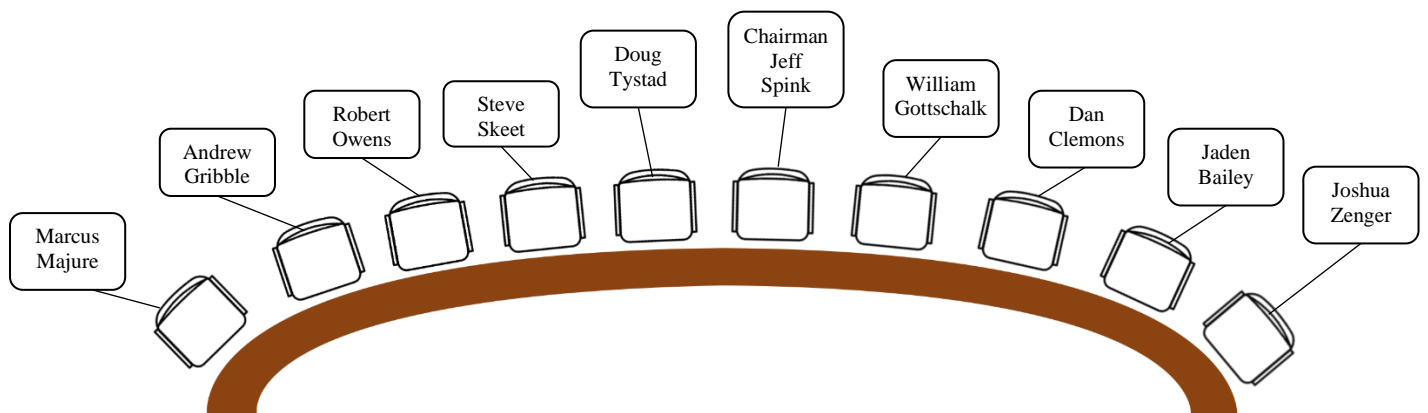
**Wednesday, November 12, 2025, 5:30 PM
Regular Planning Commission Meeting**

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 Dawn Chamberlain – 913-684-0465

Planning Commission Seating Chart 2025



LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
September 10, 2025

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: Joshua Zenger, Jaden Bailey, Dan Clemons, William Gottschalk, Chairman Jeff Spink, Doug Tystad, Steve Skeet, Andrew Gribble and Marcus Majure.

Members absent: Robert Owens

Staff present: John Jacobson-Director, Amy Allison-Deputy Director, Josh Schweitzer-Development Planner, Jon Khalil-Deputy County Counselor

Member Oath of Office

Newly-appointed Commissioner Andrew Gribble was sworn in.

Approval of Minutes

Commissioner Majure motioned to approve the minutes. Commissioner Gottschalk seconded.

ROLL CALL VOTE - Motion to approve the minutes passed 6/0 (2 abstained, 1 absent).

Secretary's Report. Amy Allison stated there were two items on the Consent Agenda. Ms. Allison also mentioned if approved as is, action will proceed to BOCC. Ms. Allison added there are two exception items on the Regular Agenda and Planning Commission training.

Approval of Agenda

Commissioner Zenger motioned to approve the agenda and Commissioner Majure seconded.

ROLL CALL VOTE - Motion to approve the motion passed 8/0.

Declarations None.

Regular Agenda

- A. **Case DEV-25-085/086. Maples Meadows** Consideration of a Preliminary and Final Plat for a tract of land in the Southeast Quarter of Section 22, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas. Also known as 21453 203rd Street

Amy Allison stated the case is a request for a preliminary and final plat approval. The applicants are requesting to sub-divide the parcel into two lots which would split approximately 5 acres in the southeast corner. Ms. Allison stated that the lot depth to lot width requirement would not be met relating to Lot 1. The applicant has provided a narrative for the exception request.

Commissioner Tystad inquired if the applicant would be providing access from Lot 1 to Lot 2. Ms. Allison indicated that the applicant could potentially grant an access easement; however, 203rd Street is a local road and driveway separation is based on line of sight. Ms. Allison further added that the existing easement on the property is for utilities.

Commissioner Tystad motioned to approve and Commissioner Gottschalk seconded.

ROLL CALL VOTE - Motion to approve the exception passed 8/0.

Commissioner Clemons motioned to approve the preliminary and final plat and Commissioner Tystad seconded.

ROLL CALL VOTE - Motion to approve passed 8/0.

- B. Case DEV-25-090. Boundary Line Adjustment – Knittel-Pace** Consideration of an exception of a boundary line adjustment for tracts of land in the Southwest Quarter of Section 15, Township 11 South, Range 20 East of the 6th P.M., AND a tract of land in the northwest Quarter of Section 15, Township 11, Range 20 East of the 6th P.M., Leavenworth County, Kansas. Also known as 26044 & 00000 Evans Road.

Josh Schweitzer stated the applicants are requesting an exception from the zoning and subdivision regulations Article 50, Section 40.3.i, which is the lot-width to lot-depth requirement for tracts 2 and 3 on the proposed boundary line adjustment. Mr. Schweitzer added that both lots exceed the 1:4 ratio by approximately 650 feet and currently one of the parent tracts is not compliant for not meeting road frontage requirements. Mr. Schweitzer continued that if the exception is approved, it would bring all three tracts into compliance.

Commissioner Bailey motioned to approve the exception and Commissioner Skeet seconded.

ROLL CALL VOTE - Motion to approve passed 8/0.

Planning Commissioner Training (off record).

Commissioner Tystad motioned for adjournment and Commissioner Clemons seconded.

Adjournment of Planning Commission at 5:44pm.

Upcoming meeting dates:

Wednesday, October 8, 2025, 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 Dawn Chamberlain – 913-364-5750

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-25-083/084 Ernieboy Lane CAE

October 8, 2025

REQUEST: *Consent Agenda*

☒ Preliminary Plat ☒ Final Plat

STAFF REPRESENTATIVE:

Amy Allison
Deputy Director

SUBJECT PROPERTY: 16730 McIntyre Road



APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING
315 N. 5th Street
Leavenworth, KS 66048

PROPERTY OWNER:

Jason & Lori Erzen
16730 McIntyre Road
Leavenworth, KS 66048

CONCURRENT APPLICATIONS:

NONE

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:

Residential (3-units per acre)

LEGAL DESCRIPTION:

A tract of land in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-25-083/084, Preliminary & Final Plat for Ernieboy Lane, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-25-083/084, Preliminary & Final Plat for Ernieboy Lane, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 10 ACRES

PARCEL ID NO:

108-33-0-00-00-016.02

BUILDINGS:

Single-family residence and accessory structures

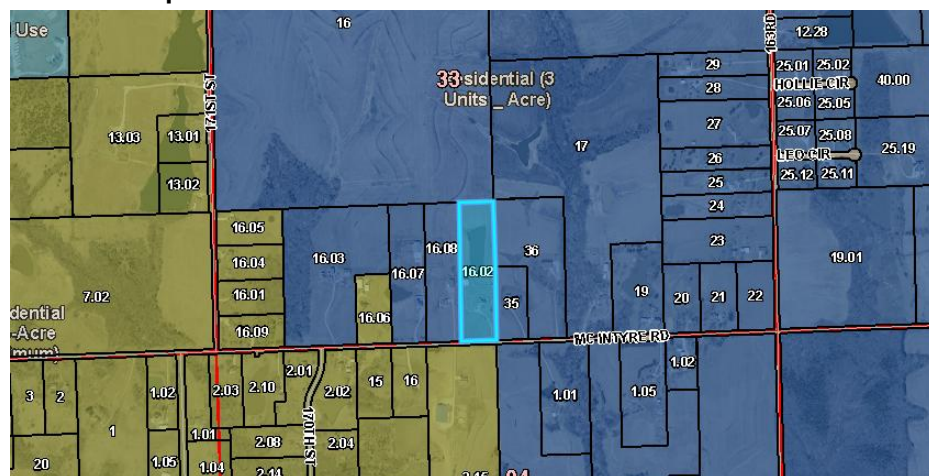
PROJECT SUMMARY:

Request for preliminary and final plat approval to subdivide 16730 McIntyre Road into a two-lot cross access easement subdivision.

ACCESS/STREET:

McIntyre Road - Local, Paved ± 22'

Location Map: FUTURE LAND USE DESIGNATION



STANDARDS TO BE CONSIDERED:			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	X	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards		X
	An exception from Article 50, Section 40.3.d., Section 40.3.h. & Section 40.3.i. must be approved.		
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing to divide a 10-acre parcel into a two (2) lot Cross Access Easement subdivision. 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 will be approximately 5.02 acres in size and Lot 2 is proposed to be 5.06 acres. Both parcels will access McIntyre Road through a private driveway. Said private roadway and easement will be the responsibility of the owners for the construction and maintenance of the drive. An HOA is proposed to be created to maintain the CAE. The proposed lot layout does not comply with Art. 50 Section 40.3.d. Lot Design and 40.3.i. Lot-Width to Lot-Depth requirements. The proposed lots have multiple line breaks, exceeding the 2-line break standard. Both lots exceed the 1:1 lot-width to lot-depth minimum requirement by 4.9:1 and 4.45:1 respectively. Exceptions will need to be granted for both. Additionally, the proposed split will result in an accessory structure on a lot without a principal structure. An exception from Art. 50 Section 40.3.h. must be granted for this application. The applicant has provided the necessary easements for existing utilities within the property. This tract does have multiple codes & restrictions that were filed on the property as an agreement between previous owners. The applicant is proposing to void all previous codes and restrictions filed.

EXCEPTIONS:

The applicant has requested an exception from Article 50, Section 40.3.d. – Lot Design. The criteria for the acceptance of an exception are as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

Motion: Chairman, I find that all three criteria for an exception to Article 50, Section 40.3.d. Lot Design (have/have not) been met and I move to approve an exception from Article 50, Section 40.3.d. Lot Design, as submitted by the application.

The applicant has requested an exception from Article 50, Section 40.3.h. – Non-conforming Structure. The criteria for the acceptance of an exception are as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

Motion: Chairman, I find that all three criteria for an exception to Article 50, Section 40.3.h. Non-conforming Structure (have/have not) been met and I move to approve an exception from Article 50, Section 40.3.h. Non-conforming Structure, as submitted by the application.

The applicant has requested an exception from Article 50, Section 40.3.i. – Lot-Width to Lot-Depth. The criteria for the acceptance of an exception are as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

Motion: Chairman, I find that all three criteria for an exception to Article 50, Section 40.3.i. Lot-Width to Lot-Depth (have/have not) been met and I move to approve an exception from Article 50, Section 40.3.i. Lot-Width to Lot-Depth, as submitted by the application.

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. If the infrastructure is not available to support fire hydrants, a letter from the Water District stating such must be provided prior to any building permit being issued.
5. Ernieboy Lane is hereby approved as a Cross Access Easement (C.A.E) Subdivision. The installation and maintenance of the C.A.E private drive is the responsibility of the members of the Home Owners Association per the approved HOA agreement. Leavenworth County does not accept any liability or maintenance of the proposed private drive.
6. An exception from Article 50, Section 40.3.d. Lot Design for Lots 1 & 2 have been approved.
7. An exception from Article 50, Section 40.3.h. Nonconforming structure has been approved for Lot 2.
8. An exception from Article 50, Section 40.3.i. Lot-Depth to Lot-Width has been approved for Lots 1 & 2.
9. The developer must comply with the following memorandums:
 - Memo – RWD #8, dated July 30, 2025
 - Memo – Survey, dated October 1, 2025
 - Memo – Planning & Zoning, dated October 2, 2025

Proposed Plat Motions:

Approve: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations based on the recommendations of the Planning staff and the findings set forth in the staff report. I hereby, move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-25-083/084.

Denial: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision regulations (list Article and Section #) and move to recommend denial of Case DEV-25-083/084 to the Board of County Commissioners.

Table: Chairman, I move to table Case DEV-25-083/084 to (DATE AND TIME) requesting additional information for (STATE THE REASONS).

ATTACHMENTS:

A: Application & Narrative

B: Zoning Map

C: Road Map (A minimum of 1/4 mile)

D: Memorandums

Payment
Water?

~~FINAL &~~

PRELIMINARY PLAT APPLICATION

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

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

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>Jason and Lori Ernzen</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>16730 McIntyre Road</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL: <u>herringsurveying@outlook.com</u>	EMAIL: <u>N/A</u>

GENERAL INFORMATION

Proposed Subdivision Name: ERNIEBOY LANE

Address of Property: 16730 McIntyre Road

PID: 108-33-0-00-00-016.02 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>10 AC</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>5 Ac</u>
Maximum Lot Size: <u>5 AC</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 8</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>High Prairie</u>	Electric Provider: <u>Freestate</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	Cross-Access Easement Requested: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning & Subdivision Regulations.</i>	1.	
	2.	
	3.	
	4.	
	5.	

Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if yes, what is the panel number: _____	
I, the undersigned, am the owner, <u>duly authorized agent</u> , 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: <u>Joe Herring - digitally signed 7-24-25</u>	Date: <u>7-24-25</u>

ATTACHMENT A

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

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

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>Jason and Lori Ernzen</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS <u>16730 McIntyre Road</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Leavenworth, KS 66048</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL : <u>herringsurveying@outlook.com</u>	EMAIL <u>N/A</u>

GENERAL INFORMATION

Proposed Subdivision Name: ERNIEBOY LANE

Address of Property: 16730 McIntyre Road

PID: 108-33-0-00-00-016.02 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>10 AC</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>5 Ac</u>
Maximum Lot Size: <u>5 AC</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 8</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>High Prairie</u>	Electric Provider: <u>Freestate</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	Cross-Access Easement Requested: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning & Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	


Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if yes, what is the panel number: _____	
I, the undersigned, am the owner, <u>duly authorized agent</u> , 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: <u>Joe Herring - digitally signed 7-24-25</u>	Date: <u>7-24-25</u>

ATTACHMENT A

Entered in the transfer record in my office this

24th day of May, 2013

Janet Klaminski By Bechy Enl
County Clerk


* 2 0 1 3 R 0 4 9 6 2 2 *
Doc #: 2013R04962
STACY R. DRISCOLL/REGISTER OF DEEDS
LEAVENWORTH COUNTY
RECORDED ON
05/24/2013 03:52PM
RECORDING FEE: 12.00
INDEBTEDNESS: 0.00
PAGES: 2

McCaffree – Short Title Company, Inc.
(913) 651-7100

**STATUTORY WARRANTY DEED
JOINT TENANCY
File No. 23352**

Jeffrey D. Wagner, a single person and Tracey R. Wagner, a single person

of Leavenworth County, Kansas,

Convey and Warrant to:

Jason T. Ernzen and Lori A. Ernzen, Husband and Wife

as joint tenants with the right of survivorship and not as tenants in common, of Leavenworth County, Kansas,

Real Property described as follows:

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 22 EAST, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89° 16' 10" EAST FOR A DISTANCE OF 2319.34 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE TRUE POINT OF BEGINNING; THENCE NORTH 00° 03' 18" EAST FOR A DISTANCE OF 1326.89 FEET; THENCE NORTH 89° 10' 21" EAST FOR A DISTANCE OF 331.52 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 03' 46" WEST FOR A DISTANCE OF 1327.45 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89° 16' 10" WEST FOR A DISTANCE OF 331.33 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING, LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, IN LEAVENWORTH COUNTY, KANSAS.

Subject to restrictions, reservations, assessments, and easements, if any, now affecting said property. Said property situated in Leavenworth County, Kansas, and for the sum of one dollar and other good and valuable considerations.

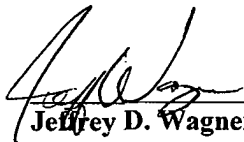
TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever. And Grantor, for himself, his heirs, successors and assigns, does hereby covenant, promise and agree, to and with Grantees, that at the

cnv 0430
12
mchf

McCaffree – Short Title Company, Inc.
(913) 651-7100

delivery of these presents he is lawfully seized in his own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments taxes, assessments and encumbrances, of what nature and kind whatsoever, subject to Grantor's reservation set forth herein, and that he will WARRANT AND FOREVER DEFEND the same unto Grantees, as Joint Tenants and to the survivor of them, as not as tenants in common, and to the heirs and assigns of such survivor forever, and all and every person or persons whomsoever lawfully claiming or to claim the same.

Dated this 23rd day of May, 2013.



Jeffrey D. Wagner



Tracey R. Wagner

State of KANSAS)
County of LEAVENWORTH) SS:

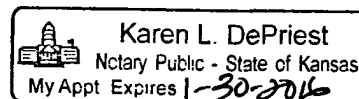
BE IT REMEMBERED, that on this 23rd day of May, 2013 before me, a Notary Public in and for said county and state, came **Jeffrey D. Wagner, a single person and Tracey R. Wagner, a single person**, personally known to be the same person who executed the foregoing instrument, and duly acknowledged the execution of the same.

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



Notary Public Karen L. DePriest

My COmmission Expires: January 30, 2016



AFFIDAVIT

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

We/I Jason Ernzen and Lori Ernzen

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
16730 McIntyre Road Leavenworth, Kansas, and that we authorize the
following people or firms to act in our interest with the Leavenworth County Planning
and Zoning Department for a period of one calendar year. Additionally, all statements
herein contained in the information herewith submitted are in all respects true and correct
to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

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

2)

Signed and entered this 13 day of June, 2025.

913-306-4819

Jason Ernzen / Lori Ernzen 16730 McIntyre Road 913-306-1242
Print Name, Address, Telephone

Jason Ernzen
Signature

Lori A. Ernzen

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

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

NOTARY PUBLIC _____

My Commission Expires: _____

(seal)

Allison, Amy

From: Shauna Snyder <shauna.snyder@freestate.coop>
Sent: Wednesday, July 23, 2025 7:16 AM
To: PZ
Cc: herringsurveying@outlook.com
Subject: FW: ERNIE BOY LANE - SERVICE VERIFICATION R17327
Attachments: ERNIEBOY LANE - Ernzen CAE Plat.pdf

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.

FreeState Electrical Cooperative will provide power to an additional lot, per the attached land division information, at 16730 McIntyre Rd (Ernie Boy Lane), parcel R17327, for Jason and Lori Ernzen.

Shauna Snyder
Work Order Coordinator



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

From: Joe Herring
Sent: Tuesday, July 22, 2025 11:18 AM
To: Shauna Snyder
Subject: Fw: ERNIE BOY LANE

Warning: This message originated outside of the FEC organization. Do not click links or open attachments unless you have validated the sender and know the content is safe. <="" span="">

Please provide the standard letter stating that you can provide service the proposed land division. I have also included Melissa Johnson on the email in case you want to include her in the email reply.

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!



High Prairie Township Fire Department Leavenworth County, Kansas

25093 187th Street, Leavenworth, Kansas 66048

7/22/25

To whom it may concern:

High Prairie Township Fire Department is able to provide service to the proposed land division at 16730 McIntyre Rd.

Jeff Simpson
Fire Chief
High Prairie Township Fire Department
25093 187th Street
Leavenworth, Kansas 66048
Cell:913-683-1383
Station:913-297-0001
E-mail: jsimpson@highprairietownship.org

Rural Water District #8

P.O. Box 246
Leavenworth, KS 66048
Phone: 913-796-2164
Email: rwd8lv@gmail.com

July 30, 2025

Jason T & Lori A Ernzen
Leavenworth Planning and Zoning:

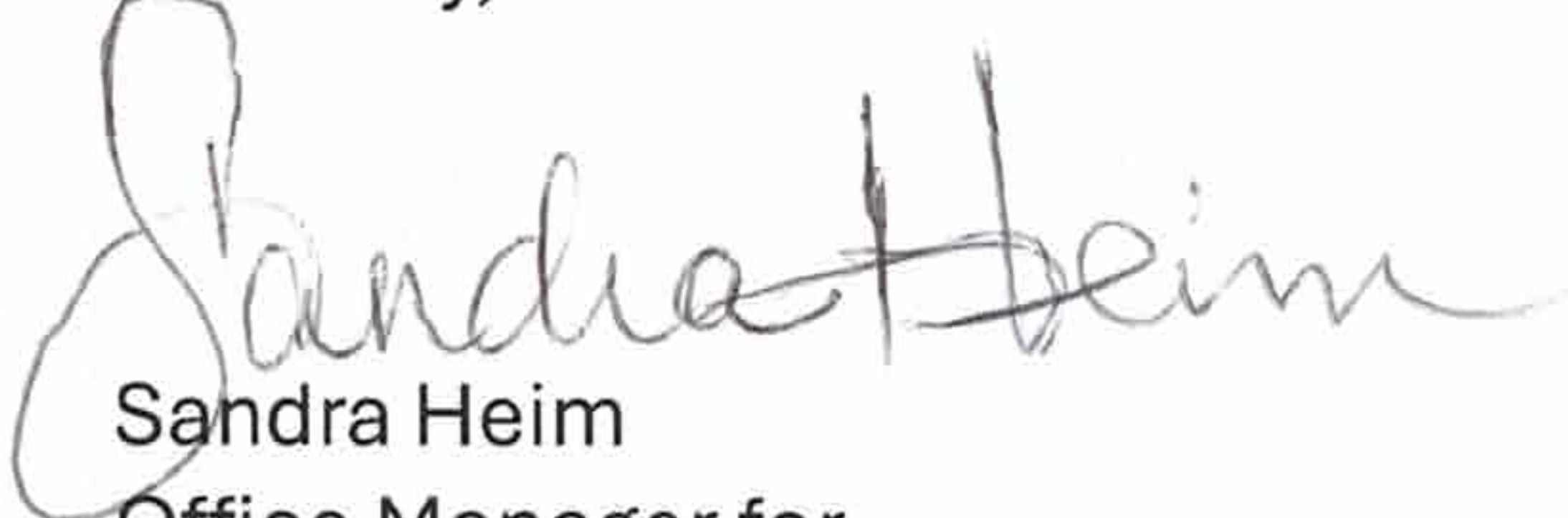
Rural Water District #8 has been contacted about water service to: Parcel # R17327 located at 16730 McIntyre Rd, Leavenworth, KS 66048.

Rural Water District #8 will agree to provide water once the following requirements have been submitted.

1. Applicants must attend a board meeting to request water service from the Rural Water District #8.
2. An engineer review of the area requested must be conducted and approved by the engineer.
3. The fee of \$5,500 for the right to connect to Rural Water District #8 must be paid upon approval along with the fee of \$125.00 for the engineer review and the installation fee of \$2,000.00.
4. Provide a copy of the warranty deed to prove ownership of the property.

Meetings are held on the first Thursday of the month at 25563 Tonganoxie Rd Leavenworth, KS 66048 at 7:00 p.m. Please call the office at 913-796-2164, to be placed on the meeting agenda.

Sincerely,



Sandra Heim
Office Manager for
Rural Water District #8
Board of Directors

"Serving our members quality water since 1967"



ARTICLE 56 – EXCEPTIONS

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted conditions; or that these conditions would result in inhibiting the achievement of the objectives of these regulations; the Planning Commission may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations or interfering with carrying out the Comprehensive Plan.

In recommending such variance or exception, the Planning Commission shall find the following:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.

Exception for Width to Depth and Irregular Shape for Lots 1 and 2, Accessory Structure on Lot 1 without Residence

1) The owners wish to deed their daughter land so she can build next to her parents. Property is 10 acres at RR-5 zoning with a future of zone of 3 Unit per acres which could allow a rezone to R1-43 which would remove the need to have the majority of the exceptions, leaving width to depth only on Lot 2. The surrounding neighborhood has made it apparent at the county meetings that they are not in support of rezoning and prefer the RR-5 zoning and size of all tracts. The property can be divided via a Cross Access Easement while not imposing any negative issues for the neighbors.

2) Yes it is necessary, keeps zoning the same and also allows the daughter the ability to finance her home.

3) It will not be detrimental to the public welfare or injurious to adjacent property. County regulations allow for an ADU to be constructed as the property exists today. By performing a CAE Plat the owners will not be creating a second access point onto McIntyre road.

HOME OWNER'S ASSOCIATION
ERNIEBOY LANE
LEAVENWORTH COUNTY, KANSAS

This Home Owner's Association is for ERNIEBOY LANE a Cross Access Easement Subdivision over:

A tract of land in the South half of the Southwest Quarter of Section 33, Township 9 South, Range 22 East, more fully described as follows: commencing at the Southwest corner of said Southwest Quarter; thence North 89 degrees 16' 10" East for a distance of 2319.34 feet along the South line of said Southwest Quarter of the true point of beginning; thence North 00 degrees 03' 18" East for a distance of 1326.89 feet; thence North 89 degrees 10' 21" East for a distance of 331.52 feet to the East line of said Southwest Quarter; thence South 00 degrees 03' 46" West for a distance of 1327.45 feet to the Southeast corner of said Southwest Quarter; thence South 89 degrees 16' 10" West for a distance of 331.33 feet along the South line of said Southwest Quarter to the point of beginning, in Leavenworth County, Kansas.

Said ERNIEBOY LANE creates an area known as a Cross Access Easement (C.A.E.).

Said area is to be shared and used by all owners/parties within ERNIEBOY LANE for the rights of access and for utilities to be allowed to service all Lots.

All Lot Owners are responsible for 50% of the total cost of maintenance of the C.A.E. area.

The Home Owner's Association is comprised of the owners of Lots 1 and 2, ERNIEBOY LANE.
All Lots will each have a single vote per Lot in determining the maintenance issues.

To change any portion of this Home Owners Association document a majority vote must occur.

Maintenance of the cross access easement, is the sole responsibility of the developer and/or future property owners of the properties that the cross access easement provides access to. The cross access easements is not a public right-of-way and will in no way be maintained by Leavenworth County.

All previous recorded deed restrictions, listed in Deed Book 733 Page 1380, Book 734 Pages 863 and 865, are removed and do not affect said ERNIEBOY LANE.

ERNIEBOY LANE

A Cross Access Easement Subdivision in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
ERNZEN, JASON T & LORI A
16730 MCINTYRE RD
LEAVENWORTH, KS 66048
PID NO. 108-33-0-00-00-016.02

RECORD DESCRIPTION:

A tract of land in the South half of the Southwest Quarter of Section 33, Township 9 South, Range 22 East, more fully described as follows: commencing at the Southwest corner of said Southwest Quarter; thence North 89 degrees 16' 10" East for a distance of 2319.34 feet along the South line of said Southwest Quarter of the true point of beginning; thence North 00 degrees 03' 18" East for a distance of 1326.89 feet; thence North 89 degrees 10' 21" East for a distance of 331.52 feet to the East line of said Southwest Quarter; thence South 00 degrees 03' 46" West for a distance of 1327.45 feet to the Southeast corner of said Southwest Quarter; thence South 89 degrees 16' 10" West for a distance of 331.33 feet along the South line of said Southwest Quarter to the point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

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) All Lots only have Access to McIntyre Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances.
- 7) Exception to regulation Article 50, Section 40.3.i. Lot-width for Lots 1 and 2 granted this plat.
- 8) Exception to regulation Article 50, Section 40.3.d. Irregular Lot layout
- 9) Exception to regulation Article 50, Section 40.3.h. Accessory Structure without principal residence
- 10) 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
- 11) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

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 - 1' : 431162, 10.08 Acres, more or less, Incl. R/W
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2013R04962
- 12) Utility Companies -
 - Water - RWD 8
 - Electric - Freestate
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title File Number 49056 dated July 21, 2025.
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0250G 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) Existing Structures, if any, shown in approximate location.
- 17) Fence Lines do not necessarily denote the boundary line for the property.
- 18) Reference Surveys:
 - DJP - D.J. Remington Survey dated 1997
 - JAH - J.A. Herring Survey Doc # 2018S020
 - Survey work for Grey Family
 - North Majure Acres Doc 2023P00026
 - Guenther & Barker Estates Doc 2021P00013
 - NEH - Norman E. Holmes Survey dated 1976

LEGEND:

- - 1/2" Bar Set with Cap No.1296
- - 1/2" Bar Found, unless otherwise noted.
- () - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement dedicated this plat
- ⊕ - Centerline
- ⊕ - Section Line
- BM - Benchmark
- POB - Point of Beginning
- POC - Point of Commencing
- //// - 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

HILL, AUSTIN B & OSWALD, RACHEL
PID #108-33...006.08

BARKER, VICKY J & LARRY J
PID #108-33...035

GUENTHER, BRIAN R
PID #108-33...036

KNETTER BROTHERS INC
PID #108-33...016

11X
Center of
Sec. 33-9-22
5/8" Rebar

(2649.17' NEH)
N 01°11'41" W 2654.54'

15" CMP

1/2" Rebar Cap 1296
2' Offset East
7+26

5 01°11'41" E 1327.04'
138.55'
20' U/E & D/E

16.94

137.96

60.43

137.96

60.43

137.96

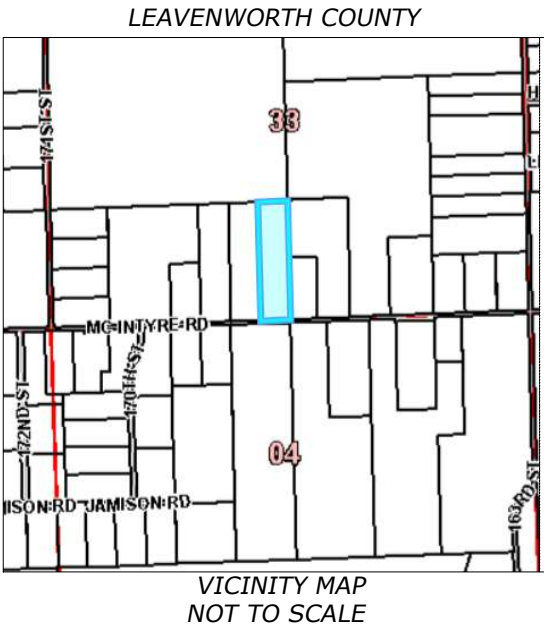
60.43

137.96

60.43

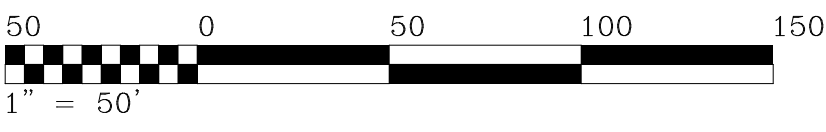
137.96

60.43



Scale 1" = 50'

Job # K-25-1911
July 22, 2025 Rev. 9-30-25



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of June through July 2025 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

ERNIEBOY LANE

A Cross Access Easement Subdivision in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
ERNZEN, JASON T & LORI A
16730 MCINTYRE RD
LEAVENWORTH, KS 66048
PID NO. 108-33-0-00-00-016.02

RECORD DESCRIPTION:

A tract of land in the South half of the Southwest Quarter of Section 33, Township 9 South, Range 22 East, more fully described as follows: commencing at the Southwest corner of said Southwest Quarter; thence North 89 degrees 16' 10" East for a distance of 2319.34 feet along the South line of said Southwest Quarter of the true point of beginning; thence North 00 degrees 03' 18" East for a distance of 1326.89 feet; thence North 89 degrees 10' 21" East for a distance of 331.52 feet to the East line of said Southwest Quarter; thence South 00 degrees 03' 46" West for a distance of 1327.45 feet to the Southeast corner of said Southwest Quarter; thence South 89 degrees 16' 10" West for a distance of 331.33 feet along the South line of said Southwest Quarter to the point of beginning, in Leavenworth County, Kansas.

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: ERNIEBOY LANE.

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.

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lot 2 for the benefit of Lots 1 and 2. Maintenance is to be shared between the owners of said Lots 1 and 2. Home Owner's Association (H.O.A.) recorded at the Leavenworth County Register of Deeds Office Doc # 2025R

IN TESTIMONY WHEREOF,

We, the undersigned owners of ERNIEBOY LANE, have set our hands this _____ day of _____, 2025.

Jason T. Ernzen
Lori A. Ernzen

NOTARY CERTIFICATE:

Be it remembered that on this _____ day of _____, 2025, before me, a notary public in and for said County and State came Jason T. Ernzen and Lori A. Ernzen, husband and wife, 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 ERNIEBOY LANE this _____ day of _____, 2025.

Secretary
John Jacobson

Chairman
Jeff Spink

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 ERNIEBOY LANE this _____ day of _____, 2025.

Chairman
Mike Smith

County Clerk
Attest: Fran Keppler

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) All Lots only have Access to McIntyre Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances. Doc #2025R
- 7) Exception to regulation Article 50, Section 40.3.i. Lot-width for Lots 1 and 2 granted this plat.
- 8) Exception to regulation Article 50, Section 40.3.d. Irregular Lot layout
- 9) Exception to regulation Article 50, Section 40.3.h. Accessory Structure without principal residence
- 10) 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
- 11) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

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 - 1 : 431162, 10.08 Acres, more or less, Incl. R/W
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2013R04962
- 12) Utility Companies -
 - Water - RWD 8
 - Electric - Freestate
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title File Number 49056 dated July 21, 2025.
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0250G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
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 - All rear yard setbacks - 40' (Accessory - 15')
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 - JAH - J.A. Herring Survey Doc # 2018S020
 - Survey work for Grey Family
 - North Majure Acres Doc 2023P00026
 - Guenther & Barker Estates Doc 2021P00013
 - NEH - Norman E. Holmes Survey dated 1976

REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. _____ on this _____ day of _____, 2025 at _____ o'clock ____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

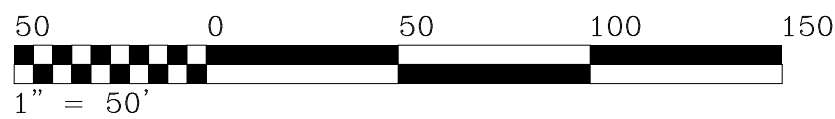
POC
09Z
SW COR SW 1/4
Sec. 33-9-22
- 5/8" Rebar w/ Alum. Cap

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" = 50'



LEGEND:
● - 1/2" Bar Set with Cap No.1296
○ - 1/2" Bar Found, unless otherwise noted.
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
CL - Centerline
S - Section Line
BM - Benchmark
POB - Point of Beginning
POC - Point of Commencing
///// - No Vehicle Entrance Access
NS - Not Set this survey per agreement with client

PID #108-33...016

11X
Center of
Sec. 33-9-22
5/8" Rebar

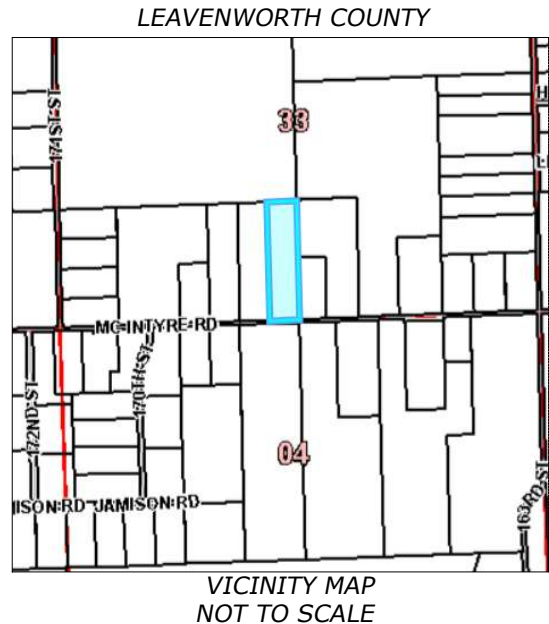
(2654.90' DJP)
(2649.17' NEH)
N 01°11'41" W 2654.54'

PID #108-33...036
Lot 2
Guenther & Barker Estates Doc 2021P00013

LOT 2
5.06 Acres
more or less
Incl. R/W

PID #108-33...035
Lot 1
Guenther & Barker Estates Doc 2021P00013

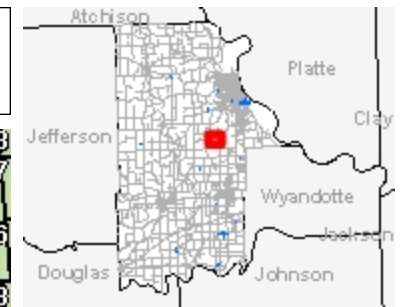
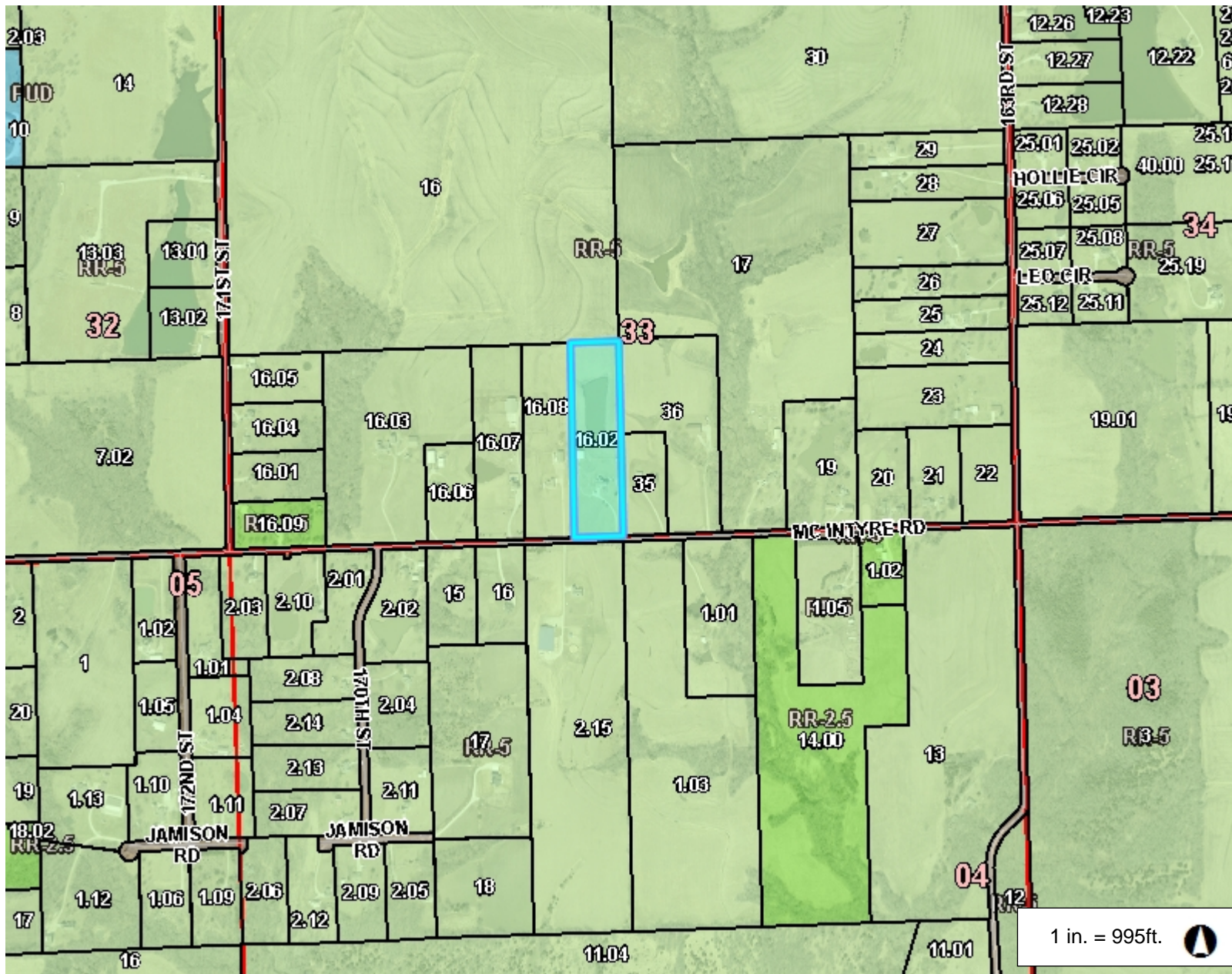
LOT 1
5.02 Acres
more or less
Incl. R/W



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of June through July 2025 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

DEV-25-083/084 Ernieboy Lane



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- <all other values>
- PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3

Notes

1,990.7 0 995.37 1,990.7 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

Allison, Amy

From: Dedেকে, Andrew <adedeke@lvsheriff.org>
Sent: Thursday, July 31, 2025 9:31 AM
To: Allison, Amy
Subject: RE: RE: DEV-25-083/084 Preliminary and Final Plat – Ernieboy Lane

No concerns from the sheriff's office.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, July 30, 2025 4:21 PM
To: Dedেকে, Andrew <adedeke@lvsheriff.org>
Subject: FW: RE: DEV-25-083/084 Preliminary and Final Plat – Ernieboy Lane

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: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, July 30, 2025 4:20 PM
To: 'Magaha, Chuck' <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; 'Dedeke, Andrew'; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>; San, Soma <SSan@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-25-083/084 Preliminary and Final Plat – Ernieboy Lane

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot Cross Access Easement Subdivision at 16730 McIntyre Road.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, August 13, 2025.

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

Thank you,

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

Disclaimer

This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed

Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, August 5, 2025 1:31 PM
To: Allison, Amy
Subject: RE: RE: DEV-25-083/084 Preliminary and Final Plat – Ernieboy Lane

We have not received any complaints on this property, and it appears that the septic system currently installed will remain on the same property as the home it services.

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

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

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, July 30, 2025 4:20 PM
To: 'Magaha, Chuck' <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; 'Dedeke, Andrew'; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>; San, Soma <SSan@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-25-083/084 Preliminary and Final Plat – Ernieboy Lane

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

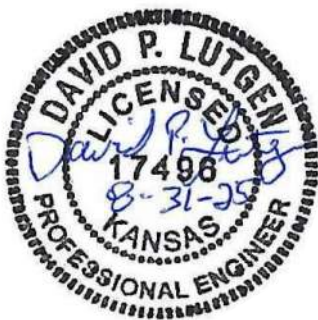
Thank you,

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

Disclaimer

09-04-25
No Further
Comment

Ernieboy Lane
Leavenworth County Kansas
Drainage Report
July 26, 2025
Revised August 31, 2025



Allison, Amy

From: Khalil, Jon
Sent: Friday, September 26, 2025 11:21 AM
To: Allison, Amy; Brown, Misty
Subject: Re: RE: DEV-25-083/084 Ernieboy Lane DRAFT Review Comments

Amy,

I believe these have all of the language in them required by the regulations.

Sincerely,

Jon Khalil
Deputy County Counselor
Leavenworth County, Kansas 66048
t. 913 684 0412
f. 913 684 0410
jkhalil@leavenworthcounty.gov

CONFIDENTIALITY NOTICE: This email and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify us immediately by return email or phone and promptly delete this message and its attachments from your computer system. We do not waive attorney-client or work product privilege by the transmission of this message.

NOTE: Email is not a secure method of communication. Any email that is sent to you or by you may be copied and held by various computers as it is transmitted. Persons not participating in our communication may intercept our communications by improperly accessing your computer or this law firm's computers—or even some computer unconnected to either of us that the email may have passed through. I am communicating to you via email because you have consented to receive communications via this medium. If you change your mind and want future communications to be sent in a different fashion, please let me know at once.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Friday, September 26, 2025 10:11 AM
To: Khalil, Jon <jkhalil@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>
Subject: FW: RE: DEV-25-083/084 Ernieboy Lane DRAFT Review Comments

Please find the homeowners association restrictions attached for the proposed CAE. Let me know if anything needs to be added or modified to comply with our regs.

Thanks!

From: Joe Herring <herringsurveying@outlook.com>
Sent: Thursday, September 25, 2025 3:32 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Cc: PZ <pz@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Subject: Re: RE: DEV-25-083/084 Ernieboy Lane DRAFT Review Comments

See attached

Adjust CAE layout - Lot 1 has some on the CAE and rest on McIntyre.
Chicken Shed will be moved
Barn does not have a bathroom

Allison, Amy

From: McAfee, Joe
Sent: Wednesday, October 1, 2025 11:17 AM
To: Allison, Amy; Noll, Bill; 'Mitch Pleak'; Baumchen, Daniel
Subject: RE: Ernie Boy

We do not have any comments. It already cleared our last review. Outstanding comments were from other reviews. All good to go.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, October 1, 2025 11:15 AM
To: McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Subject: RE: Ernie Boy

Good Morning All,

Joe submitted updated Ernieboy Lane plats yesterday, should have received an email. Joe, the approved ones you sent back were from the September 25th submittal. The plat has changed since then. Let me know if you have any comments for the September 30th resubmittal.

Thanks!

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

Disclaimer

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

From: McAfee, Joe <JMcAfee@leavenworthcounty.gov>
Sent: Wednesday, October 1, 2025 10:57 AM
To: Allison, Amy <AAllison@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Subject: RE: Ernie Boy

Amy,
PW Engineering has no comment. Approved PP FP attached.

ERNIEBOY LANE

A Cross Access Easement Subdivision in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
ERNZEN, JASON T & LORI A
16730 MCINTYRE RD
LEAVENWORTH, KS 66048
PID NO. 108-33-0-00-00-016.02

RECORD DESCRIPTION:

A tract of land in the South half of the Southwest Quarter of Section 33, Township 9 South, Range 22 East, more fully described as follows: commencing at the Southwest corner of said Southwest Quarter; thence North 89 degrees 16' 10" East for a distance of 2319.34 feet along the South line of said Southwest Quarter of the true point of beginning; thence North 00 degrees 03' 18" East for a distance of 1326.89 feet; thence North 89 degrees 10' 21" East for a distance of 331.52 feet to the East line of said Southwest Quarter; thence South 00 degrees 03' 46" West for a distance of 1327.45 feet to the Southeast corner of said Southwest Quarter; thence South 89 degrees 16' 10" West for a distance of 331.33 feet along the South line of said Southwest Quarter to the point of beginning, in Leavenworth County, Kansas.

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: ERNIEBOY LANE.

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.

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lot 2 for the benefit of Lots 1 and 2. Maintenance is to be shared between the owners of said Lots 1 and 2. Home Owner's Association (H.O.A.) recorded at the Leavenworth County Register of Deeds Office Doc # 2025R

IN TESTIMONY WHEREOF,

We, the undersigned owners of ERNIEBOY LANE, have set our hands this _____ day of _____, 2025.

Jason T. Ernzen
Lori A. Ernzen

NOTARY CERTIFICATE:

Be it remembered that on this _____ day of _____, 2025, before me, a notary public in and for said County and State came Jason T. Ernzen and Lori A. Ernzen, husband and wife, 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 ERNIEBOY LANE this _____ day of _____, 2025.

Secretary
John Jacobson
Chairman
Jeff Spink

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 ERNIEBOY LANE this _____ day of _____, 2025.

Chairman
Mike Smith
County Clerk
Attest: Fran Keppler

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) All Lots only have Access to McIntyre Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances. Doc #2025R
- 7) Exception to regulation Article 50, Section 40.3.i. Lot-width for Lots 1 and 2 granted this plat.
- 8) Exception to regulation Article 50, Section 40.3.d. Irregular Lot layout
- 9) Exception to regulation Article 50, Section 40.3.h. Accessory Structure without principal residence
- 10) 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
- 11) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

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 - 1 : 431162, 10.08 Acres, more or less, Incl. R/W
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
Project Benchmark (BM) - SE COR SW 1/4 Section 33 - 1/2" Rebar - Elev - 964'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2013R04962
- 12) Utility Companies -
 - Water - RWD 8
 - Electric - Freestate
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title File Number 49056 dated July 21, 2025.
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0250G 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) Existing Structures, if any, shown in approximate location.
- 17) Fence Lines do not necessarily denote the boundary line for the property.
- 18) Reference Surveys:
 - DJP - D.J. Pennington Survey dated 1997
 - JAH - J.A. Herring Survey Doc # 2018S020
 - Survey work for Grey Family
 - North Majure Acres Doc 2023P00026
 - Guenther & Barker Estates Doc 2021P00013
 - NEH - Norman E. Holmes Survey dated 1976

REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2025 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

POC
09Z
SW COR SW 1/4
Sec. 33-9-22
- 5/8" Rebar w/ Alum. Cap

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

LEGEND:
● - 1/2" Bar Set with Cap No.1296
○ - 1/2" Bar Found, unless otherwise noted.
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
CL - Centerline
S - Section Line
BM - Benchmark
POB - Point of Beginning
POC - Point of Commencing
///// - No Vehicle Entrance Access
NS - Not Set this survey per agreement with client

Per my comment 2025.09.02
Label all Bearings from
description on drawing or provide
new surveyors description

Add Record Bearing of
N 00-03-18 E

PID #108-33...016.08

Add record bearing

Add record bearing

Add record bearing

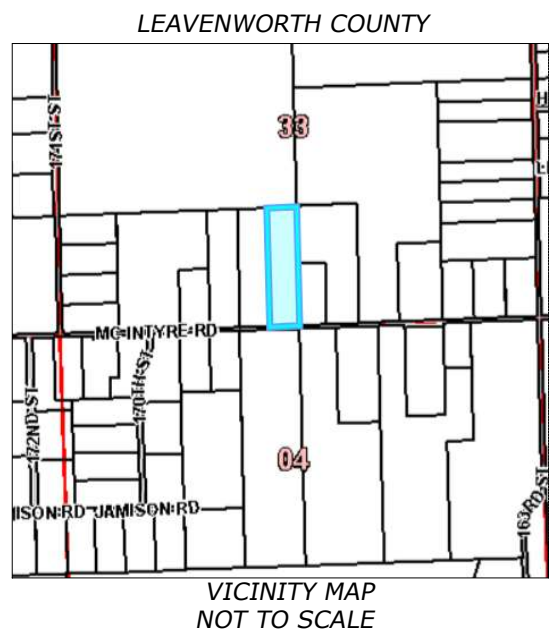
LOT 2
5.06 Acres
more or less
Incl. R/W

Provide LSRR

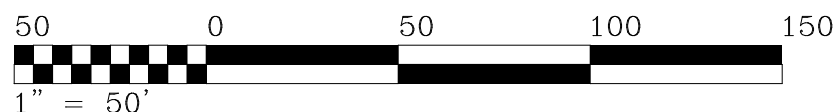
Add record bearing

PID #108-33...036
Lot 2
Guenther & Barker Estates Doc 2021P00013

PID #108-33...035
Lot 1
Guenther & Barker Estates Doc 2021P00013



Job # K-25-1911
July 22, 2025 Rev. 9-30-25



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of June through July 2025 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

ERNIEBOY LANE

A Cross Access Easement Subdivision in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
ERNZEN, JASON T & LORI A
16730 MCINTYRE RD
LEAVENWORTH, KS 66048
PID NO. 108-33-0-00-00-016.02

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A tract of land in the South half of the Southwest Quarter of Section 33, Township 9 South, Range 22 East, more fully described as follows: commencing at the Southwest corner of said Southwest Quarter; thence North 89 degrees 16' 10" East for a distance of 2319.34 feet along the South line of said Southwest Quarter of the true point of beginning; thence North 00 degrees 03' 18" East for a distance of 1326.89 feet; thence North 89 degrees 10' 21" East for a distance of 331.52 feet to the East line of said Southwest Quarter; thence South 00 degrees 03' 46" West for a distance of 1327.45 feet to the Southeast corner of said Southwest Quarter; thence South 89 degrees 16' 10" West for a distance of 331.33 feet along the South line of said Southwest Quarter to the point of beginning, in Leavenworth County, Kansas.

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IN TESTIMONY WHEREOF,

We, the undersigned owners of ERNIEBOY LANE, have set our hands this _____ day of _____, 2025.

Jason T. Ernzen
Lori A. Ernzen

NOTARY CERTIFICATE:

Be it remembered that on this _____ day of _____, 2025, before me, a notary public in and for said County and State came Jason T. Ernzen and Lori A. Ernzen, husband and wife, 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 ERNIEBOY LANE this _____ day of _____, 2025.

Secretary
John Jacobson

Chairman
Jeff Spink

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County Engineer - Mitch Pleak

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Chairman
Mike Smith

County Clerk
Attest: Fran Keppler

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ZONING:

RR 5 - Rural Residential 5

NOTES:

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- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - 1 : 431162, 10.08 Acres, more or less, Incl. R/W
- 5) Basis of Bearing - KS SPC North Zone 1501.
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2013R04962
- 12) Utility Companies -
 - Water - RWD 8
 - Electric - Freestate
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title File Number 49056 dated July 21, 2025.
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0250G dated July 16, 2015
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 - Guenther & Barker Estates Doc 2021P00013
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REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. _____ on this _____ day of _____, 2025 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

POC
09Z
SW COR SW 1/4
Sec. 33-9-22
- 5/8" Rebar w/ Alum. Cap

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

LEGEND:
● - 1/2" Bar Set with Cap No.1296
○ - 1/2" Bar Found, unless otherwise noted.
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
CL - Centerline
S - Section Line
BM - Benchmark
POB - Point of Beginning
POC - Point of Commencing
///// - No Vehicle Entrance Access
NS - Not Set this survey per agreement with client

PID #108-33...016

11X
Center of
Sec. 33-9-22
5/8" Rebar

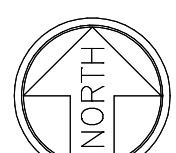
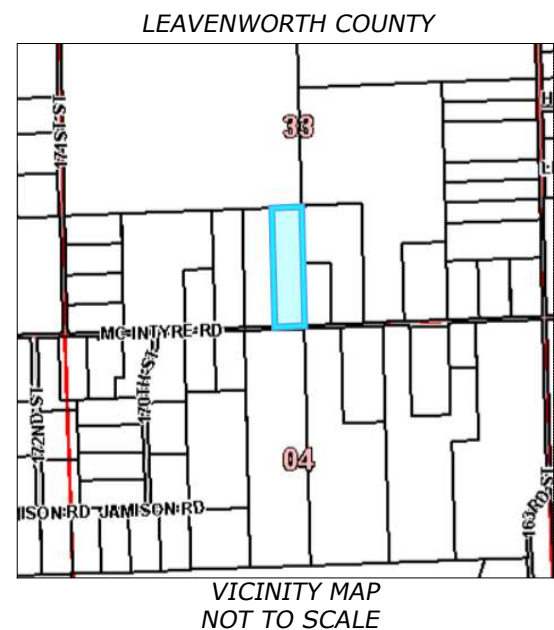
(2654.90' DJP)
(2649.17' NEH)
N 01°11'41" W 2654.54'

PID #108-33...036
Lot 2
Guenther & Barker Estates Doc 2021P00013

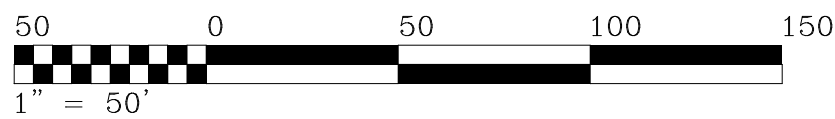
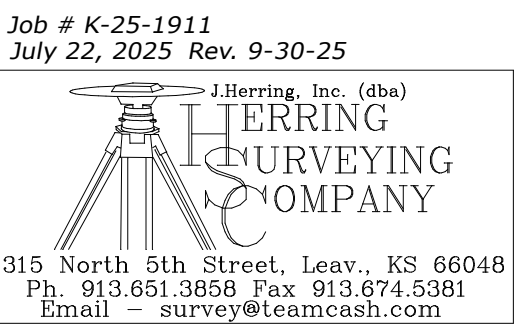
LOT 2
5.06 Acres
more or less
Incl. R/W

PID #108-33...035
Lot 1
Guenther & Barker Estates Doc 2021P00013

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



Scale 1" = 50'



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of June through July 2025 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

A Cross Access Easement Subdivision in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

REVIEWED
aallison , 10/2/2025, 1:54:40 PM

PREPARED FOR:
ERNZEN, JASON T & LORI A
16730 MCINTYRE RD
LEAVENWORTH, KS 66048
PID NO. 108-33-0-00-00-016.02

RECORD DESCRIPTION:

A tract of land in the South half of the Southwest Quarter of Section 33, Township 9 South, Range 22 East, more fully described as follows: commencing at the Southwest corner of said Southwest Quarter; thence North 89 degrees 16' 10" East for a distance of 239.34 feet along the South line of said Southwest Quarter to the point of beginning; thence South 00 degrees 03' 46" West for a distance of 1327.45 feet to the Southeast corner of said Southwest Quarter; thence South 00 degrees 03' 46" West for a distance of 331.52 feet to the East line of said Southwest Quarter; thence South 00 degrees 03' 46" West for a distance of 1327.45 feet to the Southeast corner of said Southwest Quarter; thence North 89 degrees 16' 10" East for a distance of 239.34 feet to the South line of said Southwest Quarter to the point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

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-vegetative of all disturbed areas shall be completed within 45 days after final grading.
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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 = 431162, 10.08 Acres, more or less, Incl. R/W
- 5) Basis of Bearing = KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD83
Project Benchmark (BM) = SE COR SW 1/4 Section 33 - 1/2" Rebar - Elev. = 9614'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2013R04962
- 12) Utility Companies -
 - Water - RWD 8
 - Electric - Freestate
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title File Number 49056 dated July 21, 2025.
- 14) Property is not in a Special Flood Hazard Area per FEMA FIR Map 2013C0250G dated July 16, 2015
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 - All rear yard setbacks - 40' (Accessory - 15')
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 - Survey work for Grey Family
 - North Majure Acres Dec 2023P00026
 - Guenther & Barker Estates Doc 2021P00013
 - NEH - Norman E. Holmes Survey dated 1976

LEGEND:

- - 1/2" Bar Set with Cap No. 1296
 (/) - Road Bar Found, unless otherwise noted.
 (/) - Record / Deeded Distance
 U/E - Utility Easement
 D/E - Drainage Easement
 B.S.L. - Building Setback Line
 R/W - Permanent Dedicated Roadway Easement dedicated this plat
 - Centerline
 - Section Line
 BM - Benchmark
 POB - Point of Beginning
 POC - Point of Commencing
 //// - No Vehicle Entrance Access
 NS - Not Set this survey per agreement with client
 ○ - Power Pole
 X ——— - Fence Line
 OHP ——— - Overhead Power Lines
 ——— - Underground Telephone/Fiber Optic Line
 ◇ - Gas Valve
 ⌘ - Water Meter/Valve
 ⊕ - Telephone Pedestal
 W ——— - 6" Water Line - location as per district
 ~~~~~ - Tree/Brush Line

HILL,AUSTIN B & OSWALD,RACHEL  
PID #108-33...006.08

## EAsessment

remove

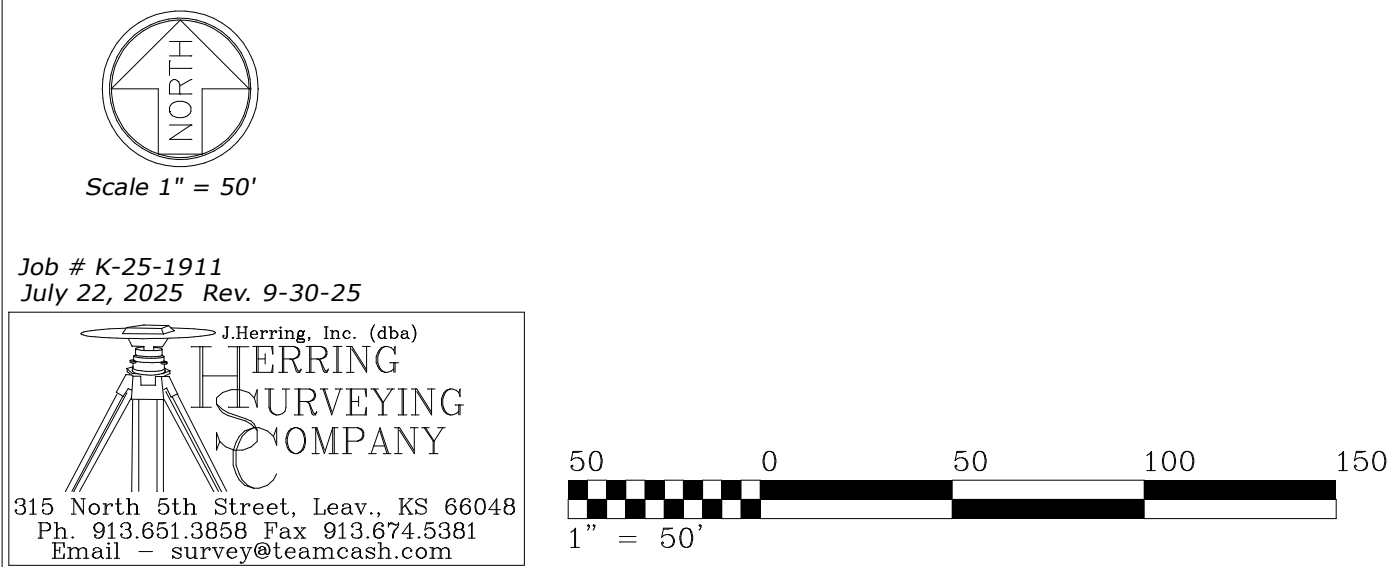


Cap

1 1/4 CORNER  
3-9-22  
" Rebar Cap 1296

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of June through July 2025 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296





**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

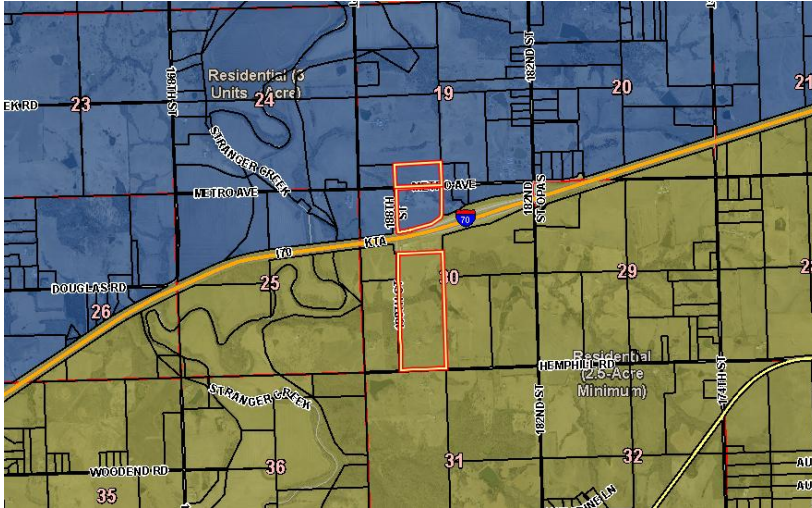
CASE NO: DEV-25-095 Oelschlaeger Rezone

October 8, 2025

**REQUEST: *Public Hearing Required***

☒ ZONING AMENDMENT                      ☐ SPECIAL USE PERMIT  
☐ TEMPORARY SPECIAL USE PERMIT

**SUBJECT PROPERTY:** 18735 Metro Ave & 00000 Metro Ave  
**FUTURE LAND USE MAP:** Residential (3 units per acre) & Residential (2.5 acre min)



**LEGAL DESCRIPTION:**

A tract of land in the East Half of the Southwest Quarter of Section 30, Township 11 South, Range 22 East of the Sixth P.M. and a tract of land in the south half of the Southeast Quarter of the Southwest Quarter of Section 19, Township 11 South, Range 22 East of the 6<sup>th</sup> P.M., Leavenworth County, Kansas

**STAFF RECOMMENDATION: APPROVAL**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-25-095, Rezone for Oelshlaeger Trust, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-25-095, Rezone for Oelshlaeger Trust, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PROJECT SUMMARY:**

Request to rezone two parcels at 18735 & 00000 Metro Avenue from RR-5 to RR-2.5 (PID: 189-30-0-00-00-002.00 & 184-19-0-00-00-005.00).

**Location Map:**



**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

**APPLICANT/APPLICANT AGENT:**

JOE HERRING  
HERRING SURVEYING  
COMPANY

**PROPERTY OWNER:**

Frances L Oelschlaeger Trust  
15852 182<sup>nd</sup> Street  
Tonganoxie KS 66086

**CONCURRENT APPLICATIONS:**  
N/A

**LAND USE**

ZONING: RR-5

FUTURE LAND USE

DESIGNATION: Residential (3-units per acre) and Residential (2.5-acre min)

SUBDIVISION: N/A

FLOODPLAIN: Zone A

**PROPERTY INFORMATION**

PARCEL SIZE: 19.6, 33.6 & 98.3 ACRES

PARCEL ID NO:  
184-19-0-00-00-005.00 & 189-30-0-00-00-002.00

**BUILDINGS:**

Two single family residences and accessory structures

**ACCESS/STREET:**

Metro Avenue & 188<sup>th</sup> Street  
Local, Gravel, ±20' WIDE

**UTILITIES**

SEWER: SEPTIC

FIRE: Stranger

WATER: Suburban Water & RWD 7

ELECTRIC: Evergy

**NOTICE & REVIEW:**

STAFF REVIEW: N/A

NEWSPAPER NOTIFICATION:  
9/17/2025

NOTICE TO SURROUNDING  
PROPERTY OWNERS:  
9/17/2025

| <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 Rezone request:</i></b>                                                                                                                                                                                                                                                                                | <b>Met</b> | <b>Not Met</b> |
| <b>1. Character of the Neighborhood:</b><br><i>Density: Surrounding parcels range in size from five acres to more than 100 acres. The area is not densely populated.</i><br><br><i>Nearby City Limits: Basehor is more than three miles to the northeast.</i><br><br><i>Initial Growth Management Area: This parcel is located within the Rural Growth Area.</i>                                                                                             | X          |                |
| <b>2. Zoning and uses of nearby property:</b><br><i>Adjacent Uses: Most of the adjacent parcels are residential and agricultural in nature.</i><br><br><i>Adjacent Zoning: Parcels to the north, west, south and southeast are zoned RR-5. Properties to the northeast are zoned RR-2.5</i>                                                                                                                                                                  | X          |                |
| <b>3. Suitability of the Property for the uses to which it has been restricted:</b><br><i>The property is suitable for rural residences and agricultural uses.</i>                                                                                                                                                                                                                                                                                           | X          |                |
| <b>4. Extent to which removal of the restrictions will detrimentally affect nearby property:</b><br><i>Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains rural residential.</i>                                                                                                                                                                                                                                      | X          |                |
| <b>5. Length of time the property has been vacant as zoned:</b><br><input checked="" type="checkbox"/> <i>Vacant:</i><br><input checked="" type="checkbox"/> <i>Not Vacant: Two residences are located on one of the parcels.</i>                                                                                                                                                                                                                            | X          |                |
| <b>6. Relative gain to economic development, public health, safety and welfare:</b><br><i>The rezoning does not impact economic development, public health, safety or welfare. In the event the parcel were to be developed as a rural subdivision, twice as many homes could potentially be constructed which may have a positive impact on economic development.</i>                                                                                       | X          |                |
| <b>7. Conformance to the Comprehensive Plan:</b><br><i>Future Land Use Map: Residential 3 Units Per Acre &amp; Residential (2.5-acre min)</i><br><i>Section 4 Land Use and Development Plan Strategies: The proposed use is compatible with the future land use designation for the southern parcel. The northern parcel is not compatible with the future land use designation however, the proposed zoning is a lower density than what is identified.</i> | X          | X              |

#### **STAFF COMMENTS:**

The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of this area as *Residential 3 units per acre and Residential (2.5 acre min)*. While Staff would typically recommend denial of a request that does not conform to the future land use, Staff recommends approval for the following reasons:

1. The requested use is less dense than the future land use designation.
2. The nearest city is located more than three miles to the northeast, therefore making extension of sanitary sewer (necessary for 3 units/acre) unlikely.

#### **ATTACHMENTS:**

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

## REZONING APPLICATION

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

Office Use Only

Township: \_\_\_\_\_ Date Received: \_\_\_\_\_  
Planning Commission Date \_\_\_\_\_  
Case No. \_\_\_\_\_ Date Paid \_\_\_\_\_  
Zoning District \_\_\_\_\_ Comprehensive Plan Land Use Designation \_\_\_\_\_

### APPLICANT/AGENT INFORMATION

NAME \_\_\_\_\_ Joe Herring  
ADDRESS \_\_\_\_\_ 315 North 5th Street  
CITY/ST/ZIP \_\_\_\_\_ Leavenworth, KS 66048  
PHONE \_\_\_\_\_ 913-651-3858  
EMAIL \_\_\_\_\_ herringsurveying@outlook.com  
CONTACT PERSON \_\_\_\_\_ Joe

### OWNER INFORMATION (If different)

NAME \_\_\_\_\_ OELSCHLAEGE, FRANCES L; TRUST  
ADDRESS \_\_\_\_\_ 15852 182ND ST  
CITY/ST/ZIP \_\_\_\_\_ Tonganoxie, KS 66086  
PHONE \_\_\_\_\_ N/A  
EMAIL \_\_\_\_\_ N/A  
CONTACT PERSON \_\_\_\_\_ Joe

### PROPOSED USE INFORMATION

Proposed Land Use \_\_\_\_\_ Ag & Rural Residential  
Current Zoning \_\_\_\_\_ RR-5 Requested Zoning \_\_\_\_\_ RR - 2.5  
Reason for Requesting Rezoning \_\_\_\_\_ Divide off smallest tract around an accessory dwelling unit, estate planning, and to  
\_\_\_\_\_ match and continue the adjacent RR 2.5 zoning

### PROPERTY INFORMATION

Address of Property \_\_\_\_\_ 18735 METRO AVE  
Parcel Size \_\_\_\_\_ 34 Acres & 20 Acres  
Current use of the property \_\_\_\_\_ AG & Rural Residential  
Present Improvements or structures \_\_\_\_\_ Residences and Ag Structures  
PID \_\_\_\_\_ 189-30-0-00-00-002 & 184-19-0-00-00-005

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

Signature \_\_\_\_\_ Joe Herring - digitally signed 8-16-25 Date \_\_\_\_\_ 8-16-25

ATTACHMENT A

C/CO  
11  
12

No Consideration Warranty Deed  
to a Revocable Living Trust

## WARRANTY DEED TO REVOCABLE LIVING TRUST

THIS WARRANTY DEED TO A REVOCABLE LIVING TRUST is made by and between GRANTOR and GRANTEE set forth below. GRANTOR, without consideration and in accordance with K.S.A. 79-1437 (e)(7), does hereby Grant and Convey unto GRANTEE and GRANTEE'S successors, the following described property, to have and to hold, together with all the rights, privileges, appurtenances and immunities thereto belonging or pertaining unto GRANTEE and to GRANTEE's successors forever; the GRANTOR hereby covenanting that GRANTOR is lawfully seized of an estate in fee of the PROPERTY herein conveyed; that GRANTOR will warrant and defend the title to the PROPERTY unto GRANTEE and unto GRANTEE's successors forever against the lawful claims and demands of all persons whomsoever. IN WITNESS WHEREOF, GRANTOR has executed this instrument the date indicated below.

NOTE: The PROPERTY conveyed by this Warranty Deed is according to the recorded plat thereof (if platted) and subject to all easements, restrictions, reservations and covenants of record, if any, and further subject to any existing zoning regulations, located in Leavenworth County, Kansas.

---

### DEED LEGAL DESCRIPTION:

THE EAST HALF (E1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 11, SOUTH, RANGE 22 EAST OF SIXTH P.M., CONTAINING 80 ACRES, MORE OR LESS; ALSO: EIGHTY (80) ACRES OF LAND OFF THE EAST SIDE OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 30, TOWNSHIP 11, SOUTH, RANGE 22, EAST OF 6TH P.M.; ALSO: THE SOUTH HALF (S1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 19, TOWNSHIP 11, SOUTH, RANGE 22 EAST OF 6TH P.M., CONTAINING 20 ACRES MORE OR LESS. EXCEPTING LAND TAKEN FOR KANSAS TURNPIKE PROJECT FROM THE ABOVE DESCRIBED PROPERTY AND MORE PARTICULARLY DESCRIBED AS ABOVE SET FORTH.

---

DEED GRANTEE  
Status

**FRANCES L. OELSCHLAEGER**  
**TRUSTEE UNDER THE FRANCES L. OELSCHLAEGER**  
**REVOCABLE LIVING TRUST**

DATED:

MARCH 5, 1997





## OWNER AUTHORIZATION

I/WE Mike Celschlaeger / Daniel H. Celschlaeger (hereafter referred to as the "Undersigned", being of lawful age, do hereby on this 8 day of August, 2025, make the following statements, to wit:

1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property  
  
See Exhibit A attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize Joe Herring Survey (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, 18135 Metro Ave (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

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

Owner

Owner

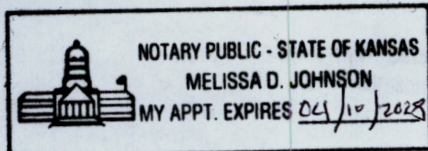
STATE OF KANSAS  
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 8<sup>th</sup> day of August, 2025,

by Michael & Daniel Celschlaeger

My Commission Expires:

Notary Public Melissa D. Johnson





## **REVOCABLE TRUST AGREEMENT**

For use with the Living Trust only (this Certificate of The Living Trust Agreement is intended to be used in lieu of a copy of the actual Trust Agreement it represents more specifically identified below).

**CERTIFICATE OF THE REVOCABLE LIVING TRUST AGREEMENT FOR:**

**FRANCES L. OELSCHLAEGER REVOCABLE LIVING TRUST**

**DATE TRUST EXECUTED: MARCH 5, 1997**

THIS CERTIFIES THAT the below noted person on the date above indicated, did execute a THE LIVING TRUST agreement as Grantor therein. The Trust Agreement establishes a REVOCABLE LIVING TRUST which shall be construed and administered, and the validity of the Trust Agreement shall be determined, in accordance with the laws of the State of Kansas.

THIS FURTHER CERTIFIES THAT paragraph (D) "Trustee Authority" of the Trust Agreement provides as follows: "The statutes and general rules of the law confer powers upon the Trustee. In addition to those powers, the Trustee is expressly given the authority: To retain any and all property received from Grantor(s); To invest and reinvest the Trust Principal; To exercise all rights and privileges to convert investments into other investments, including the power of sale of any asset (specifically including the power to sell, mortgage and lease real estate) constituting the Trust Principal; To employ agents, attorneys and any other persons whose services may reasonably be required in connection with administration of the Trust Principal from time to time, and to pay them reasonable compensation; To vote in person or by proxy on any stocks or other securities held in this Living Trust; To borrow from Trustee or from others, for any purpose connected with the protection, preservation and improvement of the Trust Principal, when Trustee deems it advisable and as security to pledge any property attributable to this Living Trust; To pay any and all expenses, costs, fees (including Trustee's own fees, if any), taxes, penalties or other charges attributable to this Living Trust; and To make, execute, acknowledge and deliver any and all legal documents necessary or proper to carry out the provisions of this Living Trust, including, but not limited to, the execution of all title documents to real and personal property (specifically including vehicle titles). The powers and intents enumerated in Exhibit "A" of this Living Trust Agreement are specifically incorporated by reference as an integral part of this paragraph. The Trustee is given full and complete power and authority over the Trust Principal and property and each and every part thereof as any individual owning similar property or securities in his own right might, could or would have. The Trustee shall use ordinary business judgement in the exercise of the foregoing grant of powers, authority and discretion, and shall not be liable or responsible for any losses that might result therefrom."

THIS FURTHER CERTIFIES THAT paragraph (N) "Third Parties of the Trust Agreement" provides as follows: "This Living Trust is created with the express understanding that any third party acting in good faith and affected by all or any part of the property comprising the Trust Principal shall be under no liability whatsoever to see to its proper administration, and upon the



transfer of the right, title and interest in and to such property by any Trustee hereunder, said third parties shall conclusively treat the transferee as the sole owner of such property. Until such third parties shall receive from some person interested in this Living Trust, written notice of any death or other event upon which the right to receive such property or payment may depend, such third parties shall incur no liability for payments made in good faith to persons whose interests shall have been affected by such event. Such third parties shall be protected in acting in good faith upon any notice or other instrument or document (specifically including a Certificate of Living Trust signed by Grantor and Notarized) believed by them to be genuine and to have been signed or presented by the proper party or parties. In the event more than one Trustee is acting hereunder at the same time, then each Trustee shall be considered as a Co-Trustee with all other Trustees so acting; and such third parties shall be fully authorized to effect transactions upon the instructions of any Trustee acting alone, unless specifically instructed in writing otherwise."

THIS FURTHER CERTIFICATES THAT paragraph (S) Trustees of the Trust Agreement designated the following persons as Trustees. If either one of the First Successor Co-Trustees is unable, resigns or fails to act as Trustee, Second Successor Trustee shall take his place as First Successor Co-Trustee:

TRUSTEE:

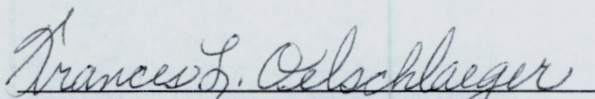
**FRANCES L. OELSCHLAEGER**

FIRST SUCCESSOR CO-TRUSTEES:

**DANIEL K. OELSCHLAEGER and  
MICHAEL S. OELSCHLAEGER, provided,  
however if one or more of the First Successor Co-  
Trustees is unable to serve, then JEFFREY R.  
OELSCHLAEGER shall serve as a Successor Co-  
Trustee**

IN WITNESS WHEREOF, this Certificate of Trust has been executed by the Trust Grantor this  
5<sup>th</sup> day of March, 1997.

GRANTOR:

  
**FRANCES L. OELSCHLAEGER**

NOTARY - GRANTOR

State of Kansas       )  
                                  ) ss:  
County of Douglas    )

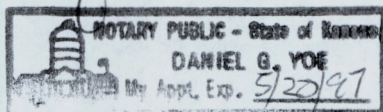


On this 5th day of March, 1997, before the undersigned Notary Public in and for said County and State, personally appeared **FRANCES L. OELSCHLAEGER**, "Grantor", who acknowledged executing the foregoing "Certificate of the Living Trust" as Grantor's free and voluntary act for the purposes therein expressed.

Daniel G. Yoe

NOTARY PUBLIC

My Commission Expires:



ATTORNEY CERTIFICATION: I certify that the Living Trust represented by this Certificate was prepared under my supervision and executed on the date noted above.

Daryl Graves

Attorney-at-Law

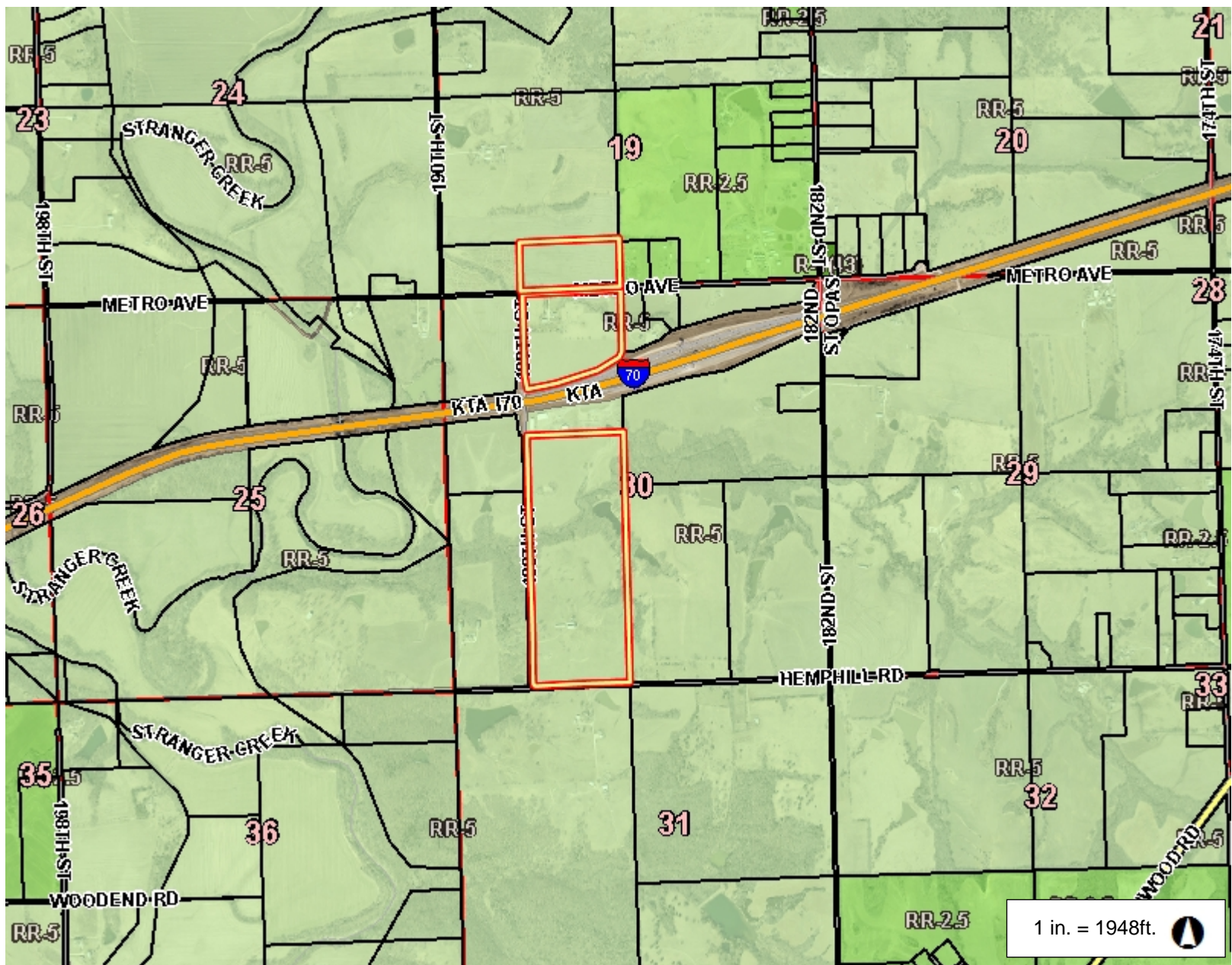
3-5-97

Date





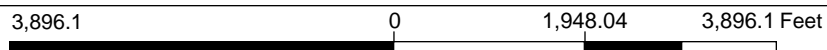
# DEV-25-095 Rezone



### Legend

- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- <all other values>
- PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3
- PUD

## Notes



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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Allison, Amy

---

**From:** Dedeke, Andrew <adedeke@lvsheriff.org>  
**Sent:** Monday, August 18, 2025 4:45 PM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-25-095 Rezone - Oelschlaeger Trust

No objections.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Monday, August 18, 2025 4:25 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Dedeke, Andrew <adedeke@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'designgroupshawnee@evergy.com' <designgroupshawnee@evergy.com>; 'travis@suburbanwaterinc.com' <travis@suburbanwaterinc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; 'djacobson@ksturnpike.com' <djacobson@ksturnpike.com>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>  
**Cc:** PZ <pz@leavenworthcounty.gov>  
**Subject:** RE: DEV-25-095 Rezone - Oelschlaeger Trust

**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.

Good Afternoon,

The Department of Planning and Zoning has received an application to rezone the parcels at 18735 & 00000 Metro Ave (184-19-0-00-00-002.00 & 184-19-0-00-00-005.00) from RR-5 to RR-2.5.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, September 2, 2025.

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

Thank you,

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

### Disclaimer

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

## Allison, Amy

---

**From:** Mark B <stfdchief1760@gmail.com>  
**Sent:** Monday, August 18, 2025 4:40 PM  
**To:** Allison, Amy  
**Cc:** Magaha, Chuck; Anderson, Kyle; Miller, Jamie; Dedeker, Andrew; Brown, Misty; Khalil, Jon; Mitch Pleak; Noll, Bill; McAfee, Joe; designgroupshawnee@evergy.com; travis@suburbanwaterinc.com; trish@suburbanwaterinc.com; djacobson@ksturnpike.com; PZ  
**Subject:** Re: DEV-25-095 Rezone - Oelschlaeger Trust

Stranger Township Fire Department has no issues with this application.

I believe there are fire hydrants in the area.

Let me know if you have any questions.

Mark Billquist  
Stranger Township Fire Chief

On Mon, Aug 18, 2025 at 2:24 PM Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)> wrote:

Good Afternoon,

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Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, August 19, 2025 9:22 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-25-095 Rezone - Oelschlaeger Trust

This property had a violation in 2022 for starting construction of a home without a building permit. Once notified the property owners quickly brought the property into compliance by obtaining a floodplain permit and building permit.

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

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

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Monday, August 18, 2025 4:25 PM  
**To:** 'Magaha, Chuck' <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; 'Dedeke, Andrew' <adedeke@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'designgroupshawnee@evergy.com' <designgroupshawnee@evergy.com>; 'travis@suburbanwaterinc.com' <travis@suburbanwaterinc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; 'djacobson@ksturnpike.com' <djacobson@ksturnpike.com>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>  
**Cc:** PZ <pz@leavenworthcounty.gov>  
**Subject:** RE: DEV-25-095 Rezone - Oelschlaeger Trust

Good Afternoon,

The Department of Planning and Zoning has received an application to rezone the parcels at 18735 & 00000 Metro Ave (184-19-0-00-00-002.00 & 184-19-0-00-00-005.00) from RR-5 to RR-2.5.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, September 2, 2025.

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

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning



## Allison, Amy

---

**From:** Trish Peterson <trish@suburbanwaterinc.com>  
**Sent:** Tuesday, August 19, 2025 12:36 PM  
**To:** Allison, Amy; 'Magaha, Chuck'; Anderson, Kyle; Miller, Jamie; 'Dedeke, Andrew'; Brown, Misty; Khalil, Jon; 'Mitch Pleak'; Noll, Bill; McAfee, Joe; 'designgroupshawnee@evergy.com'; Travis Miles; 'djacobson@ksturnpike.com'; 'stfdchief1760@gmail.com'  
**Cc:** PZ  
**Subject:** RE: DEV-25-095 Rezone - Oelschlaeger Trust

Suburban Water has no objections to this application.

*Trish Peterson*

Accountant  
Suburban Water, Inc.  
[www.suburbanwaterinc.com](http://www.suburbanwaterinc.com)  
913-724-1800 X 2

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Monday, August 18, 2025 4:25 PM  
**To:** 'Magaha, Chuck' <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; 'Dedeke, Andrew' <adedeke@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'designgroupshawnee@evergy.com' <designgroupshawnee@evergy.com>; Travis Miles <Travis@suburbanwaterinc.com>; Trish Peterson <trish@suburbanwaterinc.com>; 'djacobson@ksturnpike.com' <djacobson@ksturnpike.com>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>  
**Cc:** PZ <pz@leavenworthcounty.gov>  
**Subject:** RE: DEV-25-095 Rezone - Oelschlaeger Trust

Good Afternoon,

The Department of Planning and Zoning has received an application to rezone the parcels at 18735 & 00000 Metro Ave (184-19-0-00-00-002.00 & 184-19-0-00-00-005.00) from RR-5 to RR-2.5.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, September 2, 2025.

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

Thank you,

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

## Allison, Amy

---

**From:** McAfee, Joe  
**Sent:** Wednesday, August 20, 2025 11:02 AM  
**To:** Allison, Amy; 'Magaha, Chuck'; Anderson, Kyle; Miller, Jamie; 'Dedeke, Andrew'; Brown, Misty; Khalil, Jon; 'Mitch Pleak'; Noll, Bill; 'designgroupshawnee@evergy.com'; 'travis@suburbanwaterinc.com'; 'trish@suburbanwaterinc.com'; 'djacobson@ksturnpike.com'; 'stfdchief1760@gmail.com'  
**Cc:** PZ  
**Subject:** RE: RE: DEV-25-095 Rezone - Oelschlaeger Trust

Amy,  
PW Engineering has no comment on the rezone.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Monday, August 18, 2025 4:25 PM  
**To:** 'Magaha, Chuck' <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; 'Dedeke, Andrew' <adedeke@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'designgroupshawnee@evergy.com' <designgroupshawnee@evergy.com>; 'travis@suburbanwaterinc.com' <travis@suburbanwaterinc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; 'djacobson@ksturnpike.com' <djacobson@ksturnpike.com>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>  
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If you have any questions or need additional information, please contact me at (913) 684-0465 or at [pzmail@leavenworthcounty.gov](mailto:pzmail@leavenworthcounty.gov).

Thank you,

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

### Disclaimer

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

# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Rezoning Oelschlaeger  
**Date:** August 29, 2025

Amy, I have reviewed the request of the rezoning from the Frances Oelschlaeger Trust, regarding the rezoning of the parcel you provided to our office from a RR5 to a RR2.5. If this will turn into a subdivision I will comment on the new application. I have no comments to lend at this time. If you feel I have missed an issue please give a call at 684-0457.

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-25-104 All-In Enterprises Rezone

October 9, 2025

**REQUEST: *Public Hearing Required***

☒ ZONING AMENDMENT                      ☐ SPECIAL USE PERMIT  
☐ TEMPORARY SPECIAL USE PERMIT

**SUBJECT PROPERTY:** 16164 174<sup>th</sup> St.



**STAFF REPRESENTATIVE:**

JOSHUA SCHWEITZER  
Development Planner

**APPLICANT/APPLICANT AGENT:**

Joe Herring  
Herring Surveying Company

**PROPERTY OWNER:**

All-In Enterprises LLC  
17123 158<sup>th</sup> St.  
Basehor, KS 66007

**CONCURRENT APPLICATIONS:**  
N/A

**LAND USE**

ZONING: RR-5 to RR-2.5

FUTURE LAND USE  
DESIGNATION: RR-2.5

SUBDIVISION: N/A

FLOODPLAIN: N/A

**LEGAL DESCRIPTION:**

Tract of land in the Southwest quarter of the Northwest quarter of Section 28, Township 11 South, Range 22 East of the 6<sup>th</sup> PM, in Leavenworth County, Kansas

**STAFF RECOMMENDATION: APPROVAL**

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-25-104, Rezone for All-In Enterprises, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-25-104, Rezone for All-In Enterprises, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 39.70 ACRES

PARCEL ID NO:  
188-28-0-00-00-009

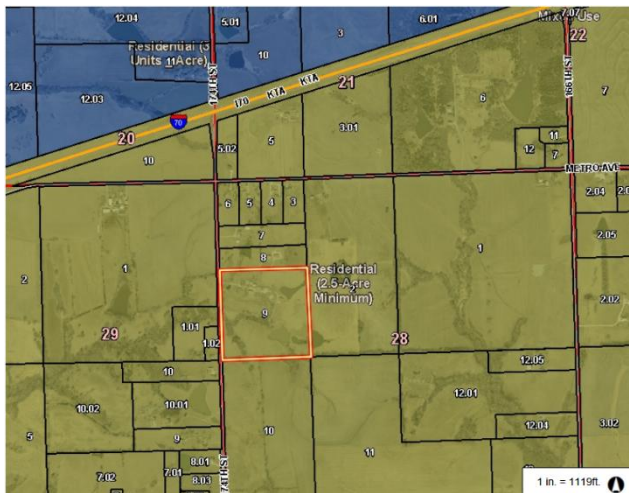
BUILDINGS:  
Existing Houses & Outbuildings

**PROJECT SUMMARY:**

Request to rezone parcel at 16164 174<sup>th</sup> St. (PID: 188-28-0-00-00-009).

ACCESS/STREET:  
174<sup>th</sup>, Local, Gravel, ±24'

**Location Map: Future Land Use Designation Map**



**UTILITIES**

SEWER: SEPTIC

FIRE: Fairmount

WATER: RWD #7

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW: 9/26/2025

NEWSPAPER NOTIFICATION:  
9/11/2025

NOTICE TO SURROUNDING  
PROPERTY OWNERS:  
9/17/2025



| <b>FACTORS TO BE CONSIDERED:</b> <i>Type content in each if necessary (delete this afterwards)</i>                                                                                                                                                                                                                                                                     |            |                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------|
| <b>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Rezone request:</b>                                                                                                                                                                                                 | <b>Met</b> | <b>Not Met</b> |
| <b>1. Character of the Neighborhood:</b><br><i>Density:</i> Surrounding parcels range in size from 2.5 acres to more than 144 acres. The area is not densely populated.<br><br><i>Nearby City Limits:</i> Basehor is more than two miles to the northeast.<br><br><i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.          | X          |                |
| <b>2. Zoning and uses of nearby property:</b><br><i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature.<br><br><i>Adjacent Zoning:</i> All adjacent properties are zoned RR-5 & RR-2.5.                                                                                                                                        | X          |                |
| <b>3. Suitability of the Property for the uses to which it has been restricted:</b><br>The property is suitable for rural residences and agricultural uses.                                                                                                                                                                                                            | X          |                |
| <b>4. Extent to which removal of the restrictions will detrimentally affect nearby property:</b><br><i>Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains rural residential.</i>                                                                                                                                                | X          |                |
| <b>5. Length of time the property has been vacant as zoned:</b><br><input type="checkbox"/> Vacant:<br><input checked="" type="checkbox"/> Not Vacant: Has existing houses and outbuildings                                                                                                                                                                            | X          |                |
| <b>6. Relative gain to economic development, public health, safety and welfare:</b><br>The rezoning does not impact economic development, public health, safety or welfare. In the event the parcel were to be developed as a rural subdivision, an additional number homes could potentially be constructed which may have a positive impact on economic development. | X          |                |
| <b>7. Conformance to the Comprehensive Plan:</b><br><i>Future Land Use Map:</i> Rural Residential – 2.5 acre<br><i>Section 4 Land Use and Development Plan Strategies:</i> The proposed use is compatible with the future land use designation.                                                                                                                        | X          |                |

#### **STAFF COMMENTS:**

The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. Surrounding parcels are residential and agricultural in nature but are primarily 5 acres or greater in size. The property directly to the south was recently rezoned to RR-2.5. The Comprehensive Plan identifies the future land use of this area as RR-2.5. When taking all factors into account, staff is supportive of the request.

#### **PROPOSED MOTIONS:**

1. Approve case DEV-25-104, a request to rezone the property at 16164 174<sup>th</sup> St. (as presented) from RR-5 to RR-2.5 with Findings of Fact with a majority vote; or

*Motion: Chairman, I find that the rezoning request complies with the Golden Factors and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-25-104 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

2. Deny case DEV-25-104, a request to rezone the property at 16164 174<sup>th</sup> St. (as presented) from RR-5 to RR-2.5 without Findings of Fact with a majority vote; or

*Motion: Chairman, I find that the rezoning request does not comply with Golden Factors (LIST FACTORS) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-25-104.*

3. Table the case to a date and time certain for additional information.

*Motion: Chairman, I move to table Case No. DEV-25-104 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Map

C: Memorandums

## REZONING APPLICATION

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

Office Use Only

Township: \_\_\_\_\_ Date Received: \_\_\_\_\_  
Planning Commission Date \_\_\_\_\_  
Case No. \_\_\_\_\_ Date Paid \_\_\_\_\_  
Zoning District \_\_\_\_\_ Comprehensive Plan Land Use Designation \_\_\_\_\_

### APPLICANT/AGENT INFORMATION

NAME Joe Herring  
ADDRESS 315 North 5th Street  
CITY/ST/ZIP Leavenworth, KS 66048  
PHONE 913-651-3858  
EMAIL herringsurveying@outlook.com  
CONTACT PERSON Joe

### OWNER INFORMATION (If different)

NAME ALL-IN ENTERPRISES LLC  
ADDRESS 17123 158th Street  
CITY/ST/ZIP Basehor, KS 66007  
PHONE N/A  
EMAIL N/A  
CONTACT PERSON Joe

### PROPOSED USE INFORMATION

Proposed Land Use AG & Rural Residential  
Current Zoning RR-5 Requested Zoning RR-2.5  
Reason for Requesting Rezoning Match future land use - divide property into future development

### PROPERTY INFORMATION

Address of Property 16160 / 16164 174th Street  
Parcel Size 40 Acres  
Current use of the property AG & Rural Residential  
Present Improvements or structures Residences and Ag Structures  
PID 188-28-0-00-00-009

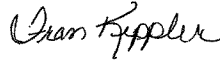
I, the undersigned am the (*owner*), (*duly authorized agent*), (*Circle One*) of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for rezoning as indicated above.

Signature Joe Herring - digitally signed 9-9-25 Date 9-9-25

ATTACHMENT A



ENTERED IN TRANSFER RECORD IN  
MY OFFICE THIS DAY 07/28/2025



COUNTY CLERK

DOC #: 2025R05437  
TERRILOIS MASHBURN  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
07/28/2025 08:52:01 AM  
RECORDING FEE: 55.00  
PAGES: 3

MAIL TO:

All-In Enterprises, LLC, a Kansas limited liability company  
17123 158th St  
Basehor, KS 66007

## KANSAS WARRANTY DEED

Dated July 22, 2025

Grantor: Cody Maxwell\* and J & M DeSoto Rentals LLC

\*, a single person

Grantee: All-In Enterprises, LLC, a Kansas limited liability company

Grantee's Mailing Address: 17123 158th St, Basehor, KS 66007

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

In consideration of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, the Grantor GRANTS, BARGAINS, WARRANTS, AND CONVEYS to Grantee the following described premises, to-wit:

**TRACT 1:**

**The Southwest 1/4 of the Northwest 1/4 of Section 28, Township 11 South, Range 22 East of the Sixth P.M., Leavenworth County, Kansas.**


**TRACT 2:**

**Lot 16, ELLIS-SCHMIDT ADDITION, a subdivision in the City of DeSoto, Johnson County, Kansas; also known as Tract A, on the Survey recorded March 22, 2017 in Book 201703, Page 006205.**

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

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



 Security 1<sup>st</sup> Title | 3139970 | docs\_midwest/recordable\_docs/ks/ks\_warranty\_deed.html

# Limited Liability Company Articles of Organization

## **The name of the Limited Liability Company:**

All-In Enterprises, LLC

File date: 12/01/2017

File time: 16:22:23

Business Entity ID Number: 8851446

## **Registered Office in Kansas:**

- 17123 158 St
- Basehor, Kansas
- 66007

## **Name of the resident agent at the registered office:**

Joseph A Rawie

## **Mailing address for official mail:**

- All-In Enterprises, LLC
- 17123 158 St
- Basehor, KS
- 66007 USA

## **Name of the organizer(s):**

Joseph A. Rawie

Michelle A. Rawie

I/We declare under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct.

Execution date: 12/01/2017

The signature(s) of the organizer(s):

Joseph A. Rawie  
Joseph A. Rawie

Michelle A. Rawie  
Michelle A. Rawie



I, Kris W. Kobach, Secretary of State of Kansas, do hereby certify that this is the true and correct copy of the original document filed electronically on 12/01/2017.

Kris W. Kobach

Kansas Secretary of State

Memorial Hall, 1st floor - 120 SW 10th Ave. - Topeka, Kansas 66612-1594  
phone: (785) 296-4564 - email: [kssos@sos.ks.gov](mailto:kssos@sos.ks.gov) - url: <http://www.sos.ks.gov/>



AFFIDAVIT

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

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I JOSEPH A. RAWIE and MICHELLE A. RAWIE

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 16160 / 16164 174<sup>TH</sup> BANNER 40 ACRES, 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 1<sup>ST</sup> day of SEPTEMBER 2025

JOSEPH A. RAWIE 17123 158<sup>TH</sup> BASSHOCK KS - 66007  
Print Name, Address, Telephone 913-915-7389

Signature Joseph A. Rawie

STATE OF KANSAS )

) SS

COUNTY OF LEAVENWORTH )

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

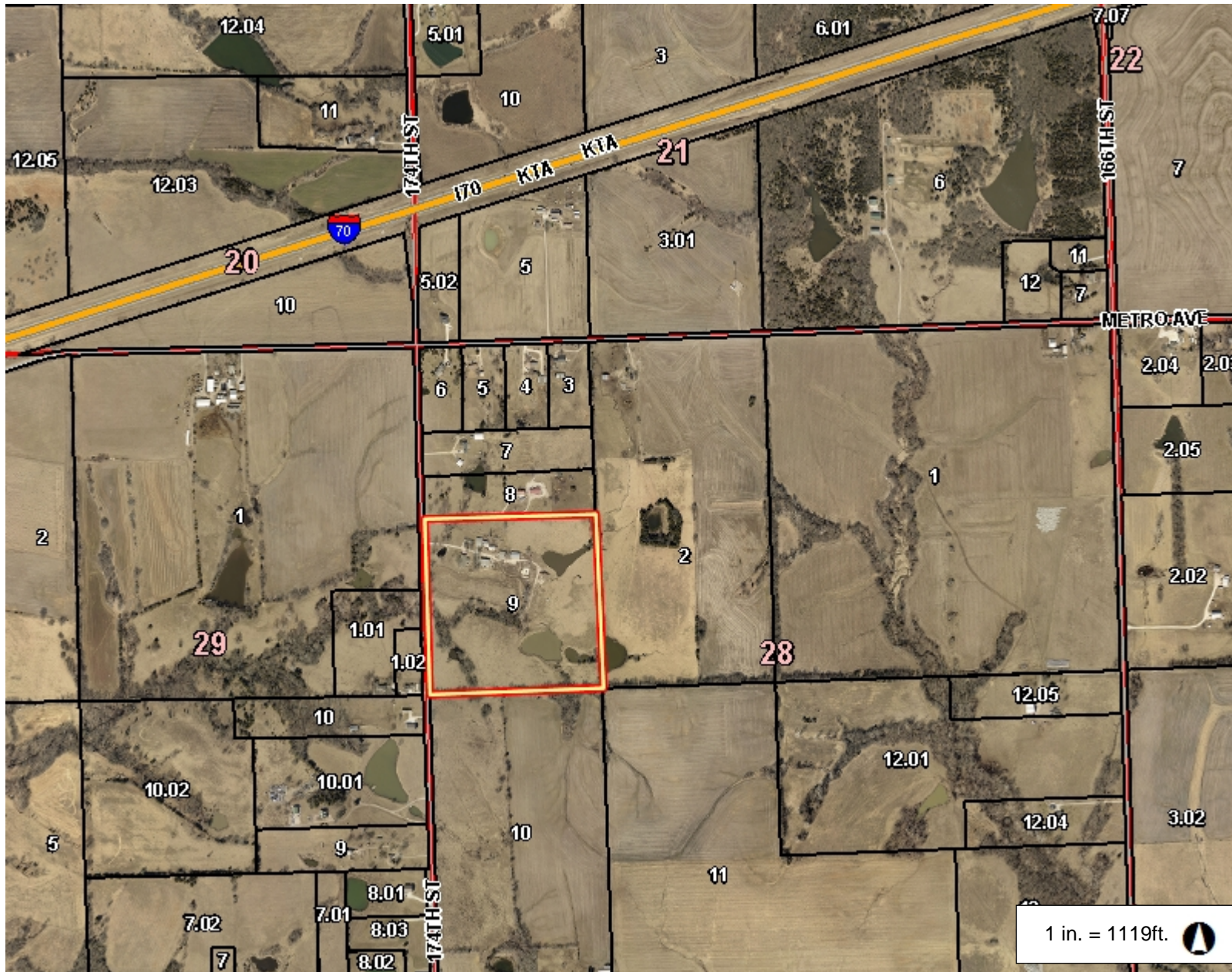
NOTARY PUBLIC \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(seal)



# Leavenworth County, KS



## Legend

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

## Notes

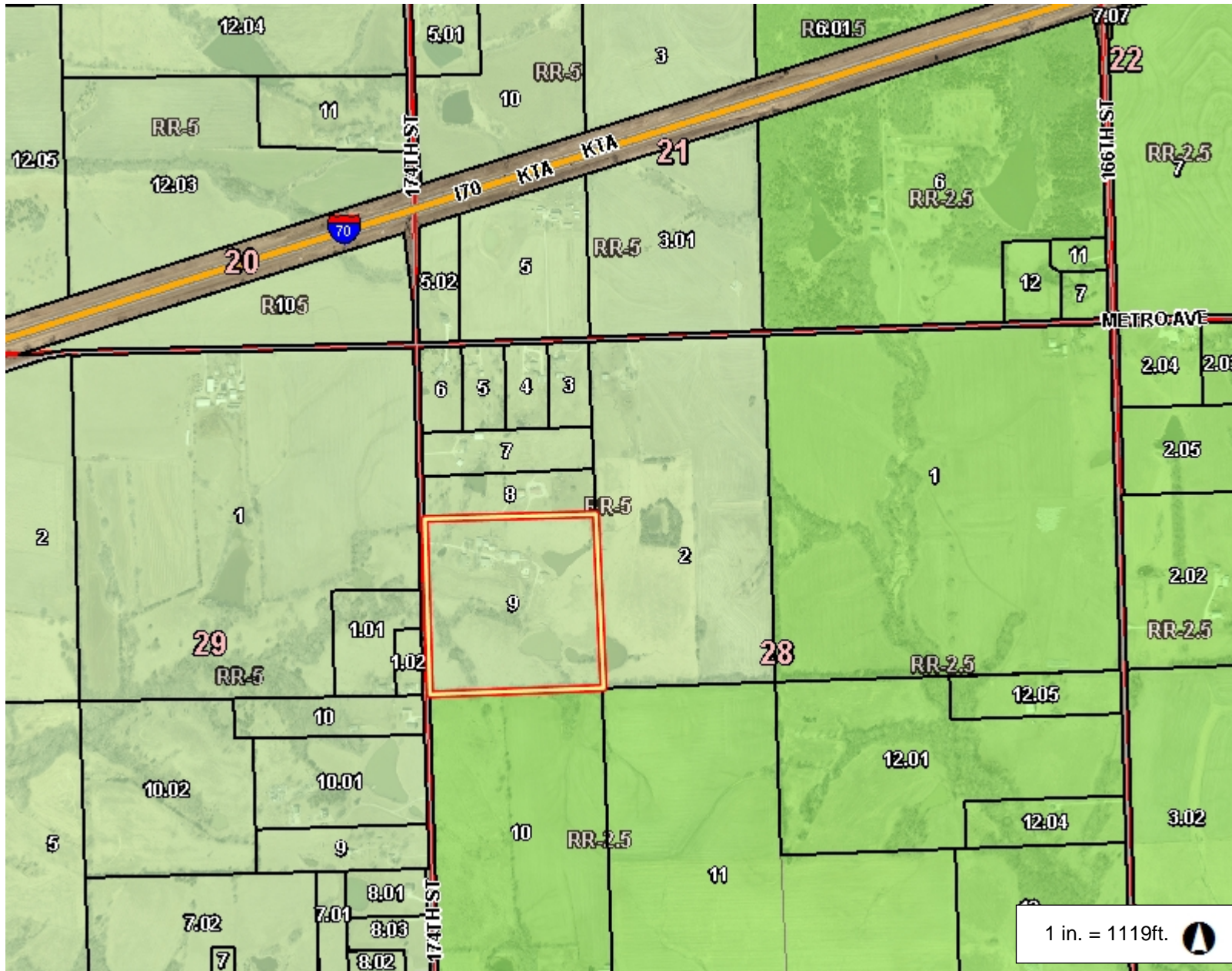
2,237.2 0 1,118.61 2,237.2 Feet

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION



# Leavenworth County, KS



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- +
- Railroad
- Section
- Section Boundaries
- Zoning
  - B-1
  - B-2
  - B-3
  - I-1
  - I-2
  - I-3
  - MXD
  - PC
  - PI
  - PR-1
  - PR-2
  - PR-3
  - PUD

1 in. = 1119ft.



2,237.2 0 1,118.61 2,237.2 Feet

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## Notes



Aug 11, 2025 - 3:25pm - USER staylor  
F:\Civil 3D Projects\Joe Rowe\174th Street Residential 2508-821\CAD\Design\ D-Base 2025-08-05 OPT 3.dwg



Know what's below.  
Call before you dig.



Milburn Civil Engineering, LLC

MILBURN CIVIL ENGINEERING, LLC  
33135 W 83RD ST  
DE SOTO, KS 66018  
913-583-0367

# PROJECT

PLANS

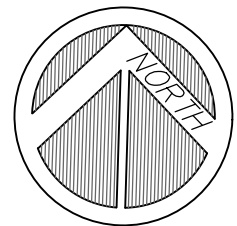
ADDRESS  
CITY, ST

DATE \_\_\_\_\_ MM/DD/YYYY  
DESIGNED BY \_\_\_\_\_  
CHECKED BY \_\_\_\_\_

REVISIONS \_\_\_\_\_ REVISIONS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CONCEPT PLAN

C102



GRAPHIC SCALE



( SCALE IN FEET )

PRELIMINARY-NOT FOR CONSTRUCTION





## Schweitzer, Joshua

---

**From:** Mike Lingenfelter <lingenfeltersm@fairmountfd.org>  
**Sent:** Thursday, September 25, 2025 10:10 AM  
**To:** Schweitzer, Joshua  
**Subject:** Re: FW: DEV-25-104 Rezone for All-in Enterprises

Joshua

The Fairmount Township Fire Department has no issues with their plans as long as streets and fire hydrants meet the code.

*Mike Lingenfelter, Fire Chief*  
*Fairmount Township Fire Department*  
*2624 N 155th St*  
*Basehor, Kansas 66007*  
*Work-913-724-4911*  
*Cell 913-306-0258*

On Thu, Sep 25, 2025 at 10:04 AM Schweitzer, Joshua <[JSchweitzer@leavenworthcounty.gov](mailto:JSchweitzer@leavenworthcounty.gov)> wrote:

Resending this email out to see if either of you wanted to provide comments for the above mentioned case.

v / r

Joshua J. Schweitzer

Development Planner

Leavenworth County Planning & Zoning

300 Walnut St, Suite 212

Leavenworth County, Kansas 66048

(913) 684-0465

---

**From:** Schweitzer, Joshua <[JSchweitzer@leavenworthcounty.gov](mailto:JSchweitzer@leavenworthcounty.gov)>  
**Sent:** Thursday, September 11, 2025 10:01 AM  
**To:** Magaha, Chuck <[cmagaha@lvsheriff.org](mailto:cmagaha@lvsheriff.org)>; 'adedeke@lvsheriff.org' <[adedeke@lvsheriff.org](mailto:adedeke@lvsheriff.org)>; Miller, Jamie <[JMiller@leavenworthcounty.gov](mailto:JMiller@leavenworthcounty.gov)>; Brown, Misty <[MBrown@leavenworthcounty.gov](mailto:MBrown@leavenworthcounty.gov)>; Khalil, Jon <[jkhaliil@leavenworthcounty.gov](mailto:jkhaliil@leavenworthcounty.gov)>; Noll, Bill <[BNoll@leavenworthcounty.gov](mailto:BNoll@leavenworthcounty.gov)>; McAfee, Joe <[JMcAfee@leavenworthcounty.gov](mailto:JMcAfee@leavenworthcounty.gov)>; 'Mitch Pleak' <[mpleak@olsson.com](mailto:mpleak@olsson.com)>; 'lingenfeltersm@fairmountfd.org' <[lingenfeltersm@fairmountfd.org](mailto:lingenfeltersm@fairmountfd.org)>; 'designgroupshawnee@evergy.com' <[designgroupshawnee@evergy.com](mailto:designgroupshawnee@evergy.com)>; 'jalayne leavenworthrwd7.com' <[jalayne@leavenworthrwd7.com](mailto:jalayne@leavenworthrwd7.com)>  
**Cc:** PZ <[pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)>  
**Subject:** DEV-25-104 Rezone for All-in Enterprises

Good Morning,

The Department of Planning and Zoning has received an application for a rezoning regarding the property at 16164 174<sup>th</sup> St. from RR-5 to RR-2.5.

## Schweitzer, Joshua

---

**From:** McAfee, Joe  
**Sent:** Tuesday, September 16, 2025 11:33 AM  
**To:** Schweitzer, Joshua; Brown, Misty; Khalil, Jon; Noll, Bill; 'Mitch Pleak'  
**Cc:** PZ  
**Subject:** RE: DEV-25-104 Rezone for All-in Enterprises

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Josh,  
PW Engineering has no comment on the rezone.

---

**From:** Schweitzer, Joshua  
**Sent:** Thursday, September 11, 2025 10:01 AM  
**To:** Magaha, Chuck ; 'adedeke@lvsheriff.org' ; Miller, Jamie ; Brown, Misty ; Khalil, Jon ; Noll, Bill ; McAfee, Joe ; 'Mitch Pleak' ; 'lingenfelserm@fairmountfd.org' ; 'designgroupshawnee@evergy.com' ; 'jalayne leavenworthrwd7.com'  
**Cc:** PZ  
**Subject:** DEV-25-104 Rezone for All-in Enterprises

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

v / r

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



## Schweitzer, Joshua

---

**From:** Anderson, Kyle  
**Sent:** Wednesday, September 17, 2025 1:59 PM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-25-104 Rezone for All-in Enterprises

We have not received any complaints on this property. If the new owners are still operating a business on the property they will need a Special Use Permit (Old owners had SUP).

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.*

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**Sent:** Thursday, September 11, 2025 10:01 AM  
**To:** Magaha, Chuck ; 'adedeke@lvsheriff.org' ; Miller, Jamie ; Brown, Misty ; Khalil, Jon ; Noll, Bill ; McAfee, Joe ; 'Mitch Pleak' ; 'lingenfelserm@fairmountfd.org' ; 'designrgroupshawnee@evergy.com' ; 'jalayne leavenworthrwd7.com'  
**Cc:** PZ  
**Subject:** DEV-25-104 Rezone for All-in Enterprises

Good Morning,

The Department of Planning and Zoning has received an application for a rezoning regarding the property at 16164 174<sup>th</sup> St. from RR-5 to RR-2.5.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by September 25, 2025.

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

v / r

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

## Schweitzer, Joshua

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**From:** jalayne leavenworthrwd7.com <jalayne@leavenworthrwd7.com>  
**Sent:** Thursday, September 11, 2025 10:12 AM  
**To:** Schweitzer, Joshua; Magaha, Chuck; 'adedeke@lvsheriff.org'; Miller, Jamie; Brown, Misty; Khalil, Jon; Noll, Bill; McAfee, Joe; 'Mitch Pleak'; 'lingenfelserm@fairmountfd.org'; 'designgroupshawnee@evergy.com'  
**Cc:** PZ  
**Subject:** Re: DEV-25-104 Rezone for All-in Enterprises

Leavenworth Rural Water District # 7 has no issues with this.

If have any further concerns, please contact us at [manager@leavenworthrwd7.com](mailto:manager@leavenworthrwd7.com) or [913-645-1636](tel:913-645-1636)

### Jalayne Turner

Jalayne Turner  
Office Manager  
LVRWD # 7  
P O Box 257  
2451 S. 142nd St.  
Bonner Springs, KS 66012-0257  
913-441-1205 Office  
[www.lvrwd7.com](http://www.lvrwd7.com)

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**From:** Schweitzer, Joshua  
**Sent:** Thursday, September 11, 2025 10:01 AM  
**To:** Magaha, Chuck ; 'adedeke@lvsheriff.org' ; Miller, Jamie ; Brown, Misty ; Khalil, Jon ; Noll, Bill ; McAfee, Joe ; 'Mitch Pleak' ; 'lingenfelserm@fairmountfd.org' ; 'designgroupshawnee@evergy.com' ; jalayne leavenworthrwd7.com  
**Cc:** PZ  
**Subject:** DEV-25-104 Rezone for All-in Enterprises

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

## Schweitzer, Joshua

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**From:** Dedেকে, Andrew <adedeke@lvsheriff.org>  
**Sent:** Thursday, September 11, 2025 10:43 AM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-25-104 Rezone for All-in Enterprises

No concerns from this office.

Andy

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**From:** Schweitzer, Joshua  
**Sent:** Thursday, September 11, 2025 10:01 AM  
**To:** Magaha, Chuck ; Dedেকে, Andrew ; Miller, Jamie ; Brown, Misty ; Khalil, Jon ; Noll, Bill ; McAfee, Joe ; 'Mitch Pleak' ; 'lingenfelserm@fairmountfd.org' ; 'designgroupshawnee@evergy.com' ; 'jalayne leavenworthrwd7.com'  
**Cc:** PZ  
**Subject:** DEV-25-104 Rezone for All-in Enterprises

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v / r

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