

# TEMPORARY SPECIAL USE PERMIT APPLICATION

## Including Fireworks Stands

FOR THE UNINCORPORATED AREA OF  
LEAVENWORTH COUNTY, KANSAS

**A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO SUBMITTAL OF ANY APPLICATION**

**This is an application for a Special Event Permit. This form must be completed and filed in accordance with the Leavenworth County Zoning & Subdivision Regulations. An incomplete application will not be accepted. The non-refundable application fee, as set by the Board of County Commissioners, shall accompany this request.**

**DEADLINE: All application materials shall be submitted at least thirty (30) days prior to the event.**

**Application Requirements** - The following items are required, upon submittal, for a Temporary Special Use Permit:

- a) Payment of application fee.
- b) A completed application form. (**Attachment A**)
- c) Owner Authorization (**Attachment B**)
- d) A site plan that includes facilities used, parking areas, traffic flow, and any other required information.
- e) All required supporting documents, including, but not limited to a Narrative and traffic information, that was detailed by the Planning and Zoning Staff during or after the Pre-application meeting.
- f) In the event that Sheriff/Deputy presence is needed to control traffic, the applicant shall coordinate payment and scheduling directly with the Sheriff's department. This documentation shall be included with the application submittal.
- g) A tax clearance certificate from the state and a paid tax receipt from Leavenworth County.

### Notes

- a) The application shall require review and approval by the Road and Bridge Superintendent if the event is to be held on public roads or public rights-of-way.
- b) Not more than three (3) Temporary Special Use Permits per parcel shall be granted each year. (BOCC Resolution 2015-35; September 24, 2015).
- c) Temporary Special Use Permit Types 4 & 5 must be approved by the Board of County Commissioners.
- d) Review of a submitted application is subject to the Professional Review Fee Reimbursement policy, see **Attachment C**. (BOCC Resolution 2020-46, November 18, 2020)

**Written Narrative Description:** A written narrative description of the proposed use must be submitted that addresses, at minimum:

- A description of the event and the proposed infrastructure needed for the event.
- Any reasons that the proposed event could cause conflict with other parcels surrounding the site in question.
- The steps to be taken to cause the event to be compatible with other parcels near the site in question.
- The hours of operation, traffic routes and expected traffic volumes, staffing levels, methods of operation, and available/proposed off-street parking.
- The number of parking spaces available on the property and the reasoning behind the number provided.
- The duration of the event.
- Any other such reasonable information about the proposed use that would be necessary or helpful for the impact of the proposed event to be fully evaluated and considered.

For more information contact:  
Leavenworth County Department of Planning and Zoning  
300 Walnut St., Suite 212  
Leavenworth, Kansas 66048  
[pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)  
913-684-0465

**APPLICANT INFORMATION**

**Applicant:** \_\_\_\_\_  
**Authorized Agent:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**Company or Group:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_

**EVENT INFORMATION – ALL property owners must be listed on this form.**

**Record Owner of Property:** \_\_\_\_\_  
**Location:** \_\_\_\_\_  
**Type of Event or Use:** \_\_\_\_\_  
**Date of Event or Use:** \_\_\_\_\_  
**Hours of Operation:** \_\_\_\_\_

**Event Type (circle one):**

- Type 1. Fund-raising or non-commercial events for nonprofit religious, educational, or community service organizations; including any on-site signs and structures used in conjunction with the event.  
  
 Operating Budget?  Yes  No      Percent of proceeds to charity: \_\_\_\_\_%
- Type 2. Fund-raising or non-commercial events for for-profit organizations: including any on-site signs and structures used in conjunction with the event
- Type 3. Fireworks stands either non-profit or for-profit: including any on-site signs and structures used in conjunction with the event.
- Type 4. Public or private events intended primarily for entertainment or amusement, such as concerts, festivals, carnivals, circuses or parades, or as temporary “one-time” activities of a generally short durations, particularly such activities as “locational” work by film companies.
- Type 5. The temporary placement of a laydown yard, portable asphalt or concrete plant and attendant materials and equipment during construction work on any public road or public infrastructure. All other temporary uses that are similar to the listed uses in function, traffic-generating capacity, and effects on other land uses.  
  
 Number of Guests: \_\_\_\_\_ Sheriff Approval:  Yes  No  N/A  
 Number of Parking Spaces: \_\_\_\_\_ Number of Vehicles: \_\_\_\_\_  
 Number of Employees/Staff: \_\_\_\_\_

I (We), realize that this application cannot be processed unless it is completely filled in, submitted with all relevant and/or requested documentation and accompanied by the appropriate fee.

\_\_\_\_\_  
Property Owner printed name  
\_\_\_\_\_  
Signature of Property Owner  
(if different from applicant)

\_\_\_\_\_  
Applicant / Authorized Agent printed name  
\_\_\_\_\_  
Signature of Applicant / Authorized Agent

**OWNER AUTHORIZATION**

I/WE \_\_\_\_\_, hereby referred to as the “Undersigned”, being of lawful age, do hereby on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, make the following statements, to wit:

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

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

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

STATE OF KANSAS  
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public

SUBJECT	ISSUED BY	EFFECTIVE DATE	REVISION
<b>Professional Review Fees Reimbursement</b>	Board of County Commissioners	11.25.2020	1.0

**A. PURPOSE:**

Leavenworth County has recently experienced significant increases in growth and development within the unincorporated areas of the County. As such, the County has obtained outside consulting services in order to effectively and efficiently review development applications.

These services have proven to be effective and necessary to the orderly and safe development of Leavenworth County. Due to the increase in developments and the magnitude of many of these developments, the County has incurred significant review fees which have been paid out of the Planning and Zoning Budget and the Public Works Budget. The intention of this policy is to continue to provide quality reviews of development applications while holding the developer/applicant responsible for costs incurred which are greater than \$2,500.

**B. POLICY:**

Development applications submitted to the Planning and Zoning Department shall be assessed an application fee per the adopted Fee Schedule. The application fee is intended to account for the public notification process, initial Staff review and writing of the Staff Report. The applicant shall be responsible for the cost of the Professional Review Fees whenever the fees exceed \$2,500.

**C. PROCEDURES:**

Upon submittal of an application the developer shall pay an application fee. The developer should expect to incur additional fees if the development has unusual conditions that warrant extensive engineering review or is a subdivision with an internal roadway. The applicant will be responsible for paying all incurred fees (over \$2,500) prior to the application for development being executed. Further, in the event an applicant does not pay the fees, the County shall accept no further development applications from said applicant until all delinquent fees have been paid.

Effective 11.25.2020

\_\_\_\_\_  
BOCC Chairman – Doug Smith

\_\_\_\_\_  
11.25.2020  
Date of Adoption