



## APPLICATION FOR SPECIAL USE PERMIT LEAVENWORTH, KANSAS

### GENERAL INSTRUCTIONS

**NOTE:** *Child care in your home for six (6) or less children, including your own children under the age of 14, does not require a Special Use Permit as this is considered a “**home occupation**” which is permitted by the City’s Development Regulations.*

A site plan must accompany the application. This site plan must be drawn to scale and show the relationship of the facility to other uses in the neighborhood and the location and capacity of parking areas to support the operation. If the operation of a child care facility is proposed, a sketch of the building to be used must be drawn to scale showing room layout with dimensions, bathrooms, exits, windows, stairways and the location and size of the play areas.

The location of the property should be shown with the street address, legal description and the real estate code number (may be obtained from the Register of Deeds, Leavenworth County Courthouse).

The applicant must submit a list, prepared and certified by an attorney, registered abstractor or the **GIS Department of Leavenworth County**, giving the legal description and owner's name and address of all property lying within 200 feet of the premise for which the Special Use Permit is being requested.

The zoning information may be obtained from the Planning and Community Development Department, City Hall.

The applicant for a Special Use Permit must be the owner of the property; if jointly held, all co-owners must sign the application. Signatures must be in ink.

If the property is to be leased for a special use, the name and address of the lessee must be shown.

The application will be filed with the City Clerk together with the filing fee of \$350.00, which is non-refundable.

The Planning Commission’s recommendations are forwarded to the City Commission after a 14-day protest period for consensus. The application process is over when the new ordinance is published in the Leavenworth Times.

## Section 2.06 Special Use Permits

### A. Generally

1. The Planning Commission may recommend issuance of special use permits that are expressly authorized to be permitted in a particular zoning district or districts
2. The commission may recommend issuance of a special use permit whenever it finds that:
  - a. The proposed special use complies with all applicable provisions of this ordinance.
  - b. The proposed special use at the specified location will contribute to and promote the economic development, welfare or convenience of the public.
  - c. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
  - d. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will dominate the immediate neighborhood, consideration shall be given to:
    - 1.) The location, nature and height of buildings, structures, walls and fences on the site, and;
    - 2.) The nature and extent of landscaping and screening on the site;
    - 3.) Off-street parking and loading areas whether on the premises or auxiliary to the premises will be provided in accordance with the standards set forth in this ordinance and such areas adjoining residential uses will be located so as to protect such residential uses from any injurious effect;
    - 4.) Adequate utility, drainage, and other necessary facilities have been or will be provided;
    - 5.) Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

B. Additional Requirements:

In recommending a special use, the Planning Commission may impose such conditions, safeguards and restrictions as may be necessary to carry out the general purpose and intent of this ordinance. The following additional conditions shall be a requirement for the approval of the following special uses found below:

**\*If you are wanting to open a child care center\***

Before meeting with any Planning and Zoning official, you need to contact Brenda Hawkins, the Childcare Licensing Surveyor of Leavenworth County, to determine the size of your facility and the number of children you are eligible to watch. She can be reached at 913-250-2012 or [bhawkins@leavenworthcounty.org](mailto:bhawkins@leavenworthcounty.org).

1. Child care center for seven (7) or more children:
  - a. Shall not be located along an arterial street as designated on the Major Street Plan Map unless provided indirect vehicular access to that street, such as with a frontage road.
  - b. Shall provide at least one hundred (100) square feet of open space per child. This open space shall be 100% enclosed by a four (4 ft.) fence or wall.
  - c. Shall provide a loading zone capable of accommodating at least two (2) automobiles for the easy picking up and discharging of passengers.
  - d. Shall conform with all requirements of the State of Kansas and shall acquire a State of Kansas Child Care Center License.
  - e. You must have a high school diploma or a GED.



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**Z03**  
**\$350.00**

# SPECIAL USE PERMIT

CITY OF LEAVENWORTH, KANSAS

Filing Date \_\_\_\_\_

Fees Paid/Date \_\_\_\_\_

Hearing Date \_\_\_\_\_

Publication Date \_\_\_\_\_

As provided in Section 2.06 of the 2011 Development Regulations, application is hereby made for a SPECIAL USE PERMIT for the operation of a:

in accordance with the attached site plan on the following described property:

Address:			
Legal Description:			
Real Estate PID #		Zoning:	

I/We, the undersigned, depose and state we are the owners of the above described property:

Name(s) of Owner (print or type):			
Address:			
Contact No. ( )	Email Address:		
Signature of Owner(s):			

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

Notary Public

My appointment expires: \_\_\_\_\_

If business is operated by someone other than the owner, provide name and address of operator(s).

Name(s) of Applicant:			
Address:			
Contact No: ( )	Email Address:		

**NOTE:** All signatures must be in ink. Signature of owner(s) must be secured and notarized.  
**Check list below...**

- |    |  |
|----|--|
| 1. | Non-Refundable Fee of \$350.00 is due at time of application                               |
| 2. | Attach list of the owners for property within two hundred (200) feet of the above property |
| 3. | Site Plan drawn to scale (See General Instructions)  |
| 4. | Supporting documentation (see General Instructions)  |