

*(Summary Published in the Leavenworth Times on November 25, 2022)*

**ORDINANCE NO. 8199**

**AN ORDINANCE ALLOWING A SPECIAL USE FOR A RESIDENTIAL HOME STAY TO BE LOCATED AT 771 OTTAWA STREET IN THE CITY OF LEAVENWORTH, KANSAS.**

**WHEREAS**, under the 2016 Development Regulations of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to locate special uses in each zoning district by ordinance within said City; and

**WHEREAS**, the City Planning Commission, after fully complying with the requirements of the Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 3rd day of October, 2022 in the Commission Room, 1<sup>st</sup> Floor of City Hall, 100 N. 5<sup>th</sup> Street, Leavenworth, Kansas, the official date and time set as was published in the Leavenworth Times newspaper and mailed to all property owners within 200 feet of the said property on the 8<sup>th</sup> day of September 2022; and

**WHEREAS**, upon a motion made, duly seconded, and passed, the Planning Commission adopted findings of fact and recommended approval of the request for a Residential Home Stay at 771 Ottawa Street, Leavenworth, Kansas.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:**

**Section 1.** That a special use permit be issued for a Residential Home Stay on the following described property:

LOTS 21 AND 22, BLOCK 112 IN WESTERN ADDITION TO THE CITY OF LEAVENWORTH, ALSO THE FRACTIONIN DAY AND MACAULAY'S SUBDIVISION WHICH LIES BETWEEN THE SOUTH LINE OF OTTAWA STREET AND THE NORTH LINE OF SAID LOTS 21 AND 22 IN SAID BLOCK 112 IN SAID WESTERN ADDITION, AND ADJOINING SAID LOTS ON THE NORTH AND BEGINNING OF THE SAME WIDTH ALL ACCORDING TO THE PLAT OF SAID WESTERN ADDITION AND DAY AND MACAULAY'S SUBDIVISION ON RECORD IN THE OFFICE OF THE REGISTER OF DEEDS, LEAVENWORTH COUNTY, KANSAS ALL IN LEAVENWORTH COUNTY, KANSAS.

More commonly referred to as: 771 Ottawa Street, Leavenworth Kansas.

**Section 2.** That this special use permit is subject to the following:

- a.) A Lodging Permit shall be obtained from the City of Leavenworth Office of the City Clerk each year and payment of Transient Guest Taxes as required to the City of Leavenworth.
- b.) The Special Use Permit shall become null and void upon the sale of the property.

- c.) The property shall be used for the boarding of one limited-term boarder (individual or family) only, and shall not function as an event venue, to include the hosting of parties attended by individuals not listed on the lease agreement.
- d.) Any guests of the property must park in the driveway or garage of the home.
- e.) Any police response to the subject property shall be reported to the City Commission, which may result in revocation of the Special Use Permit.

**Section 3:** That this Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper of the City of Leavenworth, Kansas, as provided by law.

Passed by the Leavenworth City Commission on this 22<sup>nd</sup> day of November, 2022.

/s/ Camalla M. Leonhard \_\_\_\_\_  
Camalla M. Leonhard, Mayor

ATTEST:

/s/ Sarah Bodensteiner \_\_\_\_\_  
Sarah Bodensteiner, CMC, City Clerk