

**APPLICATION INSTRUCTIONS  
FOR A  
SPECIAL USE PERMIT**

The Special Use Permit application must be filed with the City Clerk, along with a filing fee as set by the Tonganoxie City Council (See Table Below). This is a non-refundable amount. The application must be filed and reviewed according to the Planning & Zoning Application and Review schedule in order to be heard a monthly Planning Commission meeting. A public hearing will be held in the manner specified in Section 22 – Special Uses of the Zoning Ordinance for the City of Tonganoxie. *The Planning Commission has the right to impose conditions (including fire, police and building inspections; time limit, permit expiration dates, etc... upon the issuance/approval of the Special Use Permit).* The Governing Body will consider the Planning Commission’s recommendation at the next regular scheduled City Council meeting after a 14 day waiting period. It is not mandatory for the applicant to attend these meetings, however if the Planning Commission or Governing Body have any questions for the applicant there may be a delay in the approval/denial of the Special Use Permit.

<b>SPECIAL/TEMPORARY USE PERMITS</b>	f or R-SF zoning only	<b>\$50.00</b>
<b>ALL OTHER ZONING</b>	Up to 1 Acre	<b>\$150.00</b>
	1.1 to 5 Acres	<b>\$400.00</b>
	5.1 acres and over	<b>Reimburse City for Professional Services</b>

Additional information may be found in the Tonganoxie Zoning and Subdivision Regulations on the website [www.tonganoxie.org](http://www.tonganoxie.org). or contact City Hall – 845-2620 if you have questions.

- The enclosed petition should be dated when it is submitted to the Tonganoxie City Clerk.
- The applicant for a special use permit must be either the owner of the property or the owner’s agent. Documented proof of authorization in the form of a notarized affidavit is required in the case of any agent making application.
- A copy of the deed for the property must be attached to the application. If the property is jointly held, all co-owners must sign the application and all signatures must be in ink.
- The location of the property must be identified by mailing address, legal description, (which is printed on the deed), and real estate tax number or CAMA number, which may be obtained from the Leavenworth County Clerk’s office or [www.leavenworthcounty.org](http://www.leavenworthcounty.org) – Land and Property Services - Appraiser’s office – Parcel Searches – Public Access.
- If the property is to be leased for a special use, the name and address of the lessee must be recorded on the application also.
- Information on existing zoning for the property may be obtained from the City Planner.
- The applicant must obtain a certified list of the property owners located within a 200-foot radius of the boundaries of the property for which the special use permit is requested (excluding right-of-ways). If the property is adjacent to an unincorporated area the property owners list must include property owners within a 1,000 foot radius in the unincorporated area. Any error in this list of property owners will result in re-application accompanied by a second application fee to be paid by the applicant and a new public hearing will be scheduled. The certified list may be obtained from the Leavenworth GIS Department 913-684-0449 or 913-684-0443.
- A site plan must accompany the application. This site plan must be drawn to scale and must show the relationship of the new or existing facility to other uses and structures in the area.

If the operation of any type of business is proposed, it will be necessary to locate the building on the site plan and should also include the location and capacity of the parking area that will support the operation. The site plan must show the dimensions of the property and structures and their relationship to each other.

- A copy of state, county and local business licenses if applicable.
- Outdoor signs must meet conditions as specified in Section 25 of the Zoning Ordinances of Tonganoxie.
- Inspections by the City Police Department-369-3754, City Fire Department-845-9494 and the City Building Inspector-845-2620 if applicable

*Additional Information Needed if the Special Use Permit is for a Child Care Facility:* If the operation of a child care facility is proposed the following information must also be included:

- A sketch of the building to be used must be drawn to scale showing the room layout with dimensions, bathrooms, exits, fire escapes, windows, stairways and the location and size of the play areas.
- A site plan of the lot drawn to scale must be submitted. It should include the dimensions of the property lines, location of parking for drop off and pick-up of the children, outdoor structures and play areas and any existing screening or fencing.
- A copy of the state, county and local business licenses. **NOTE:** The state and county have licensing and registration requirements for daycare facilities. Please call the Leavenworth County Health Department at 913-250-2000 for more information.
- Maximum number of children licensed for the property.
- Annual Inspection by the City Fire Department-845-9494.

# SPECIAL USE PERMIT APPLICATION

## Filing Fee Required

In Accordance with Section 22-013, of the City of Tonganoxie's Zoning Ordinances, an application is hereby made for a Special Use Permit:

Date application filed: \_\_\_\_\_ Permit No.: \_\_\_\_\_

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone #: \_\_\_\_\_ (Home) \_\_\_\_\_ (Work)

\_\_\_\_\_ (Cell) \_\_\_\_\_ (E-mail Address)

Property Owner(s): \_\_\_\_\_ Phone \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Name of business proposed: \_\_\_\_\_

Address of business: \_\_\_\_\_

Description of business: \_\_\_\_\_

Hours of operation: \_\_\_\_\_ Days: Mon Tue Wed Thu Fri Sat Sun

# of employee's \_\_\_\_\_ Family members? \_\_\_\_\_ Live on site? \_\_\_\_\_

If business is to be operated by someone other than the applicant or owner, give name and address:

\_\_\_\_\_  
\_\_\_\_\_

Briefly describe the present use and character of the property: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Briefly describe the requested/proposed use of the property \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Briefly describe what effect the requested use will have on the property and the surrounding area:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Property Owner Signature if different from applicant

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AFFIDAVIT

CITY OF TONGANOXIE  
COUNTY OF LEAVENWORTH  
STATE OF KANSAS

WE, \_\_\_\_\_ AND \_\_\_\_\_  
(Print)

AND \_\_\_\_\_ AND \_\_\_\_\_  
(Print)

being duly sworn, depose and say that we are the owners of said property involved in this petition and that the foregoing signatures, statements, and answers herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Signed and entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the County of Leavenworth, Kansas

\_\_\_\_\_

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

## Special Use Permit Applicant Checklist

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**Filing Fee** \_\_\_\_\_

**Parcel ID #** \_\_\_\_\_

**Parcel Size** \_\_\_\_\_

**Current Zoning of Property** \_\_\_\_\_

**Deed with legal description attached** \_\_\_\_\_

**Completed affidavit attached** \_\_\_\_\_

**Building Sketch with room layout** \_\_\_\_\_

**Outdoor Play Areas and Lot Dimensions** \_\_\_\_\_

**Location of Parking** \_\_\_\_\_

**State and/or County License** \_\_\_\_\_

**Number of Children Allowed** \_\_\_\_\_

**Local Business License** \_\_\_\_\_

**Fire Department Inspection** \_\_\_\_\_

**Police Department Inspection** \_\_\_\_\_

**City Building Inspection** \_\_\_\_\_

**Site plan attached with location of business indicated** \_\_\_\_\_

**Certified List of Property Owners within 200-foot radius** \_\_\_\_\_

**Outdoor Sign Permit if applicable** \_\_\_\_\_