

**BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 07-012

A RESOLUTION DENYING SPECIAL USE PERMIT APPLICATION #0701-700 (RADIG) FOR THE OPERATION OF A DOG BREEDING/KENNEL OPERATION IN A "R-E" RESIDENTIAL ESTATE ZONE

WHEREAS, Franklin County, Kansas is a county municipal government, organized pursuant to K.S.A. 19-101; and

WHEREAS, The Franklin County Board of County Commissioners did adopt Resolution # 23-91 creating the Franklin County Planning Commission as provided in K.S.A. 12-744; and

WHEREAS, the Franklin County Planning Commission did publish notice on January 24th, 2007, that public hearing would be held to consider Special Use Permit application #0701-700 (Radig) as required by K.S.A. 12-757 and Article 17, Section 17-3.01 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on February 15th, 2007 hold a public hearing for the consideration of Special Use Permit Application #0701-700 (Radig) to operate a dog breeding/kennel operation; and

WHEREAS, the Planning Commission, after reviewing and considering all reports and testimonies did by a unanimous vote of those present, denied said Special Use Permit based on certain findings; and

WHEREAS, the Board of County Commissioners of Franklin County, after duly reviewing the recommendation of the Planning Commission together with all public comments for and against said Special Use Permit finds:

1. That the location of the proposed dog breeding/kennel operation is in an area in transition from agricultural uses to an area being developed for residential purposes and as proposed would be too close to adjacent residential development.
2. That the dog kennel/breeding operation would unduly affect the character of the surrounding community.
3. That the dog kennel/breeding operation would impact property values of the surrounding properties.
4. That the findings necessary to approve a dog kennel/breeding operation cannot be made and therefore would not be consistent with the intent of Section 4-3.01 of the County Zoning Regulations.
5. That approval of a Special Use Permit for the operation of a dog kennel/breeding operation would not further nor enhance the objectives and policies of the Franklin County Comprehensive Plan.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby deny Special Use Permit Application #0701-700 (Radig) to permit the operation of a dog kennel/breeding operation in an "R-E" Residential Estate Zone.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 7th day of March

h 2007. This action shall become effective upon publication in the official county newspaper.

/s/ Karen S. Farrell
Karen S. Farrell
Commissioner District 1

Absent
John E. Taylor
Commissioner District 2

/s/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

/s/ Donald C. Hay
Donald C. Hay
Commissioner District 4

/s/ Donald R. Stottlemire
Donald R. Stottlemire
Commissioner District 5

Received and recorded this the 7th day of March 2007.

Shari Perry

/s/ Shari Perry
County Clerk