

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

RESOLUTION NO. 07-019

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #0702-718 (NEW HORIZON RANCH, INC.) TO PERMIT THE OPERATION OF AN OUTDOOR LIGHTED RIDING ARENA IN AN "A-1" AGRICULTURE ZONING DISTRICT

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 February 22nd, 2007 that a public hearing would be held to consider Special Use Permit application #0702-718 (New Horizon Ranch) as required by K.S.A. 12-757 and Article 17, Section 17-3 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on March 15th, 2007 hold a public hearing for the consideration of Special Use Permit Application #0702-718 for the operation of an outdoor lighted riding arena in an "A-1" (Agriculture) Zone; and

WHEREAS, the Planning Commission, after reviewing and considering all reports and testimonies did, by a unanimous vote of those present, approved said Special Use Permit based on certain findings and subject to certain conditions; 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 Special Use Permit is consistent with the County Zoning Regulations.
2. That the Special Use Permit is in conformance with and would further enhance the County Comprehensive Plan.
3. That as conditioned, the Special Use Permit will not overburden the County roads and other public services.
4. That as conditioned, the Special Use Permit will not unduly affect the character of the surrounding community.
5. That as conditioned, the Special Use Permit will not impact property values of surrounding properties.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does

hereby approve Special Use Permit Application #0702-718 (New Horizon Ranch) to permit the operation of an outdoor lighted riding arena in an "A-1" Agriculture Zone as follows:

Section 1: Special Use Permit #0702-718 (New Horizon Ranch) is granted for the following described property:

Tract: The South Half (S ½) of the Southeast Quarter (SE ¼) of Section 8, Township 18 South, Range 21 East, containing 80 acres, more or less, Franklin County, Kansas. The riding arena and related facilities shall be limited to the Northeasterly 3 acres.

Section 2: The real property described above shall be authorized to operate an outdoor lighted riding arena pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That the construction of any new buildings and/or additions shall comply with the County Building Code.
2. That all portable toilets may be used but shall comply with the Franklin County Sanitation Code and any requirements of the Kansas Department of Health and Environment. Such facilities shall be maintained by a licensed sanitation hauler on a regular basis and monthly reports shall be submitted to the Franklin County Environmental Health Department.
3. That all off-street parking for the lighted outdoor riding arena and stable facilities shall be maintained with an all weather surface. Special event parking shall be permitted on the grass/pasture area serving the outdoor riding arena.
4. That all vehicle driveways shall be maintained with an all weather surface.
5. That the access must comply with the minimum standards of Franklin County onto Vermont Road.
6. Outdoor lighting shall be installed so as to be directed onto the riding arena and shall not shine onto adjoining properties and not create a hazard or nuisance to the traveling public.
7. That there shall be no public announcement system.
8. That the activities shall be limited to the offering of assisted activities to the public who face physical challenges and disabilities and who experience emotional, learning and behavioral difficulties or disabilities as well as youth-at-risk patrons.
9. That the Special Use Permit shall become null and void by operation of law if the Special Use Permit has not been initiated and utilized by commencing the activity at the specified site within one (1) year of the date of approval.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 4th day of April 2007. This action shall become effective upon publication in the official county newspaper.

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

/s/ John E. Taylor
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 4th day of April 2007.

Shari Perry

/s/ Shari Perry
County Clerk