

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

RESOLUTION NO. 07-036

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #0704-739 (SALTY DOG HOLDING COMPANY, LLC) TO PERMIT THE OPERATION OF AN DOG KENNEL/BREEDING FACILITY 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 April 27th, 2007 that a public hearing would be held to consider Special Use Permit application #0704-739 (Salty Dog Holding Company, LLC) 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 May 17th, 2007 hold a public hearing for the consideration of Special Use Permit Application #0704-739 for the operation of a dog kennel/breeding operation 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 #0704-739 (Salty Dog Holding Company, LLC) to permit the operation of a dog kennel/breeding operation in an "A-1" Agriculture Zone as follows:

Section 1: Special Use Permit #0704-739 (Salty Dog Holding Company, LLC) is granted for the following described property:

Tract 1: The Southwest Quarter of Section 19, Township 15 South, Range 20 East of the 6th P.M., Franklin County Kansas; EXCEPT all that part of said fractional Southwest Quarter lying Northwesterly of the Easterly right of way of the A.T. & S.F. Railway

Tract 2: The fractional Northwest Quarter of Section 30, Township 15 South, Range 20 East of the 6th P.M., Franklin County Kansas; EXCEPT the following previously surveyed tract filed in the office of the County Engineer at page 1181; Beginning at the Southwest Corner of the Northwest Quarter of Section 30, Township 15 South, Range 20 East of the 6th P.M.; THENCE North 00 degrees 00 minutes 00 seconds East 1835.00 feet along the West line of said Quarter Section; THENCE North 89 degrees 51 minutes 25 seconds East 415.50 feet parallel with the South line of said Quarter Section; THENCE South 00 degrees 00 minutes 00 seconds East 1835.00 feet parallel with the West line of said Quarter Section; THENCE South 89 degrees 51 minutes 25 seconds West 415.50 feet along said South line to the POINT OF BEGINNING. Containing 17.50 acres, more or less, including road right of way as recorded.

Section 2: The real property described above shall be authorized to operate a dog kennel/breeding operation pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That the Special Use Permit is granted for the hobby kennel operation. Any additional uses will require approval of an amended Special Use Permit.
2. That the kennel operation shall be limited to twenty-five (25) adult dogs.
3. That the applicant shall comply with the requirements of the State of Kansas.
4. That the kennel shall be maintained in sanitary condition subject to the approval of the County Sanitarian and the Kansas Department of Health and Environment.
5. That the applicant shall employ measures to prevent problem barking and shall remove any dog/s that cannot be controlled.
6. That the Special Use Permit shall be null and void by operation of law if the Special Use Permit has not been initiated and utilized by commencing the activity or use at the site specified in said permit within one (1) year of the date of approval.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 6th day of June 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 6th day of June 2007.

Shari Perry

/s/ Shari Perry

County Clerk