

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

RESOLUTION NO. 06-029

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #0603-604 (FRANKLIN COUNTY MENTAL HEALTH CLINIC, INC.) FOR THE EXPANSION OF THE PROFESSIONAL OFFICE BUILDINGS IN A "C-2" HIGHWAY COMMERCIAL 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 March 29th, 2006 that a public hearing would be held to consider Special Use Permit application #0603-604 (Franklin County Mental Health Clinic, Inc.) 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 April 20th, 2006 hold a public hearing for the consideration of Special Use Permit Application #0603-604 for the expansion of the professional office buildings in an "C-2" (Highway Commercial) Zone; and

WHEREAS, the Planning Commission, after reviewing and considering all reports and testimonies did, by a unanimous vote of those present, approve 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 #0603-604 (Franklin County Mental Health Clinic, Inc.) to permit the expansion of the professional office buildings in an "C-2" Highway Commercial Zone as follows:

Section 1: Special Use Permit #0603-604 (Franklin County Mental Health Clinic, Inc.) is granted for the following described property:

Beginning at a ½" iron pin at the Southwest (SW) Corner of the Southwest Quarter (SW ¼) of Section 14, Township 17 South, Range 19 East of the 6th P.M.; THENCE North 02 degrees 18 minutes 32 seconds West for a distance of 719 feet along the West line of said Southwest Quarter (SW ¼) to a ½" iron pin, the TRUE POINT OF BEGINNING; THENCE North 87 degrees 41 minutes 28 seconds East for a distance of 1066.83 feet to a ½" iron pin; THENCE North 30 degrees 39 minutes 51 seconds East for a distance of 1172.80 feet to a ½" iron pin; THENCE North 06 degrees 56 minutes 37 seconds West for a distance of 362.41 feet to a ½" iron pin on the South right of way of Highway I-35; THENCE South 57 degrees 34 minutes 56 seconds West for a distance of 229.65 feet along said right of way to a concrete right of way marker; THENCE along a curve to the right having a radius of 2019.86 feet and an arc length of 757 feet (record) 756 feet (measured) being subtended by a chord of South 55 degrees 01 minutes 09 seconds West for a distance of 751.59 feet along said right of way to a concrete right of way marker; THENCE South 65 degrees 44 minutes 21 seconds West for a distance of 910.52 feet to a ½" iron pin on said West line, said point being South 02 degrees 18 minutes 32 seconds East for a distance of 483.80 feet along said West line to the TRUE POINT OF BEGINNING, containing 26.63 acres, more or less, in Franklin County Kansas.

Section 2: The real property described above shall be authorized to operate a professional office facility and mental health clinic pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That the professional office facility and mental health clinic shall obtain and adhere to all of the licensing requirements of the State of Kansas.
2. That the sanitation facilities shall comply with the Franklin County Sanitation Code and any requirements of the Kansas Department of Health and Environment.
3. That the professional office facility and mental health clinic shall comply with all requirements of the Franklin County Building Code.
4. That all buildings or modifications to existing buildings shall be subject to the provisions and requirements of the Franklin County Building Codes.
5. That an on-site loading/unloading space for the clinic van, etc. be provided and clearly marked.
6. That all parking spaces be clearly defined.
7. That the hours of operation will be 8:00 a.m. – 8:00 p.m., Monday through Thursday and 8:00 a.m. – 5:00 p.m. on Fridays.
8. Minor additions or changes may be approved by the Planning Director. However, any substantial modifications to clinic operations or additions to the structure shall require an amended Special Use Permit
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 10th day of Ma  
y 2006. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire  
Donald E. Waymire

Commissioner District 1

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

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

/s/ John E. Taylor  
John E. Taylor

Commissioner District 2

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

Received and recorded this the 10th day of May 2006.

Shari Perry  
County Clerk

/s/ Shari Perry