

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

RESOLUTION NO. 06-030

A RESOLUTION DENYING SPECIAL USE PERMIT APPLICATION #0603-605 (ASPHALT SALES, INC.) FOR THE OPERATION OF A QUARRY OPERATION TO EXTRACT LIMESTONE IN AN "A-1" AGRICULTURE 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 public hearing would be held to consider Special Use Permit application #0603-605 (Asphalt Sales, Inc.) 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 April 20th, 2006 hold a public hearing for the consideration of Special Use Permit application #0603-605 to permit the operation of a quarry operation to extract limestone; and

WHEREAS, the Planning Commission, after reviewing and considering all reports and testimonies did, by a majority vote of those present, denied 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 location of the proposed quarry is in an area in transition from agricultural uses to an area being developed for residential purposes.
2. That the quarry operation would unduly affect the character of the surrounding community.
3. That the quarry operation would impact property values of the surrounding properties.
4. That the findings necessary to approve a quarry 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 quarry 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 #0603-605 (Asphalt Sales, Inc.) to permit the operation of a quarry operation to extract limestone in a "A-1" Agriculture Zone.

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/ 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 10th day of May, 2006.

Shari Perry

/s/ Shari Perry  
County Clerk