

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

RESOLUTION NO. 05-67

A RESOLUTION DENYING SPECIAL USE PERMIT APPLICATION #0505-503 (STONE) FOR THE OPERATION OF A DOG BREEDING/KENNEL OPERATION IN A "A-2" TRANSITIONAL 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 May 25, 2005 that a public hearing would be held to consider Special Use Permit application #0505-503 (Stone) as required by K.S.A. 12-757 and Article 17, Section 17-5.03 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on June 16, 2005 hold a public hearing for the consideration of Special Use Permit Application #0505-503 for the operation dog breeding / kennel operation in a "A-2" (Transitional Agriculture) Zone; and

WHEREAS, the Planning Commission, after reviewing and considering all reports and testimonies did, by a unanimous vote of those present, deny 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:

That the Special Use Permit is not consistent with the County Zoning Regulations.

That the Special Use Permit is not in conformance with and would further enhance the County Comprehensive Plan.

That as conditioned, the Special Use Permit will not overburden the County roads and other public services.

That as conditioned, the Special Use Permit would unduly affect the character of the surrounding community.

That as conditioned, the Special Use Permit will impact property values of surrounding properties.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby deny Special Use Permit Application #0505-503 (Stone) for the operation of a dog breeding / kennel operation in a "A-2" (Transitional Agriculture) Zone.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 6th day of July 2005. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire #9; /s/ John E. Taylor
Donald E. Waymire John E. Taylor Commissioner District 1 Commissioner District 2
/s/ Roy C. Dunn
Roy C. Dunn Donald C. Hay
Commissioner District 3#9; Commissioner District 4

/s/ Donald R. Stottlemire
Donald R. Stottlemire
Commissioner District 5
Received and recorded this the 6th day of July 2005.

/s/ Shari Perry
Shari Perry
County Clerk