

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

BOOK 290 PAGE 636

RESOLUTION NO. 19- 03

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #1811-1633 (HIS WAY MINISTRIES) AMENDING SPECIAL USE PERMIT #SX-0012 (HIS WAY MINISTRIES) TO INCLUDE THE CONSTRUCTION AND USE OF FIVE (5) NEW VISITOR/GUEST CABINS, RECREATION FACILITY EQUIPMENT STORAGE SHED AND PRAYER CHAPEL 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 November 20, 2018 that public hearing would be held to consider Special Use Permit application #1811-1633 (His Way Ministries) as required by K.S.A. 12-757 and Article 19, Section 19-3.04 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on December 20, 2018 hold a public hearing for the consideration of Special Use Permit application #1811-1633 to amend Special Use Permit #SX-0012 to include the construction and use of five (5) new visitor/guest cabins, recreation facility, equipment storage shed and prayer chapel in an "A-1" (Agriculture) Zone; and

WHEREAS, the Franklin County Board of County Commissioners did adopt Zoning Regulations on August 14th, 2002 which included Article 19, Section 19-1 through 19-5 setting out the procedures and basis for review in considering a Special Use Permit, including the following criteria:

- a. Whether the use is in compliance with, and would further enhance, the implementation of the adopted Comprehensive Plan;
- b. Whether the use complies with the purpose and intent of the adopted Zoning Regulations;
- c. Whether the use complies with other adopted standards of the County;
- d. Whether the use fits the character of the neighborhood;
- e. Whether the use would be unduly detrimental to surrounding properties and uses;
- f. The suitability of the subject property for the proposed use;
- g. Approval of mitigation measures to minimize impacts to surrounding properties or services;
- h. Recommendation of Professional Staff; 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 the surrounding properties
6. That, as conditioned, the Special Use Permit will comply with all other County Codes and Regulations
7. That the subject property is suitable for the proposed use.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby approve Special Use Permit Application #1811-1633 (His Way Ministries) as follows:

Section 1: Special Use Permit #1811-1633 (His Way Ministries) is granted for the following described property:

A tract of land in the Southeast Quarter of Section 15, Township 18 South, Range 18 East of the Sixth P.M., Franklin County, Kansas, more particularly described as follows:

Beginning at the Southwest Corner of the Southeast Quarter of said Section 15; THENCE North 00 degrees 25 minutes 40 seconds West 1487.72 feet on the West line of the Southeast Quarter to a ½" iron bar; THENCE North 90 degrees 00 minutes 00 seconds East 32.89 feet to a ½" iron bar; THENCE North 68 degrees 38 minutes 15 seconds East 191.26 feet to a ½" iron bar; THENCE North 06 degrees 29 minutes 53 seconds East 271.20 feet to a ½" iron bar; THENCE North 46 degrees 57 minutes 38 seconds East 137.40 feet to a ½" iron bar; THENCE North 90 degrees 00 minutes 00 seconds East 451.91 feet to a ½" iron bar; THENCE South 00 degrees 43 minutes 39 seconds East 322.88 feet to a ½" iron bar; THENCE North 90 degrees 00 minutes 00 seconds East 386.85 feet to a ½" iron bar; THENCE South 00 degrees 43 minutes 39 seconds East 527.57 feet to a ½" iron bar; THENCE North 89 degrees 38 minutes 49 seconds East 178.60 feet to a ½" iron bar; THENCE South 00 degrees 40 minutes 58 seconds East 15.39 feet to a ½" iron bar; THENCE North 90 degrees 00 minutes 00 seconds East 24.93 feet to a ½" iron bar; THENCE South 00 degrees 43 minutes 52 seconds East 1056.00 feet to the South line of the Southeast Quarter of said Section 15; THENCE North 90 degrees 00 minutes 00 seconds West 1397.76 feet to the Point of Beginning, containing 52.32 acres, more or less, all in Franklin County Kansas.

Section 2: The real property described above shall be authorized to construct and use five (5) new visitor/guest cabins, recreation facility, equipment storage shed and prayer chapel in addition to the uses and structures previously approved by Special Use Permit #SX-0012 pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That the Special Use Permit is granted to permit the construction and use of five (5) new visitor/guest cabins, recreation facility, equipment storage shed and prayer chapel in addition to the uses and structures previously approved by Special Use Permit #SX-0012.
2. That the construction of all buildings and/or additions shall comply with the Franklin County Building Codes in effect at the time of construction.
3. That all sanitation facilities shall comply with the Franklin County Sanitation Code and any requirements of KDHE.
4. That off-street parking shall be required for all new structures/uses in accordance with the Franklin County Zoning Regulations.
5. That the access drive and parking area shall be maintained with an all-weather surface.
6. That location/identification signs shall comply with the signing regulations set forth in the Franklin County Zoning Regulations.
7. That the Special Use Permit shall be null and void by operation of law if said 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 9th day of January, 2019. This action shall become effective upon publication in the official county newspaper.



 Randall L. Renoud
 Chairman

Received and recorded this the 9th day of January, 2019.





 Janet Paddock
 County Clerk

FILED FOR RECORD
TIME 9:55 A.M.

Misc
 JUL 19 2019
 Book 290 Page 636
 REGISTER OF DEEDS, FRANKLIN CO., KS
 INSTRUMENT # 2234

(Original compared with record)

}