

BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS

BOOK 294 PAGE 849

RESOLUTION NO. 20- 13

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #2004-1751 (CRABTREE)  
APPROVING A SPECIAL USE PERMIT TO PERMIT THE OPERATION OF A PRIVATE LANDING STRIP  
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 May 26, 2020 that public hearing would be held to consider Special Use Permit Application #2004-1751 (Crabtree) 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 June 18, 2020 hold a public hearing for the consideration of Special Use Permit Application #2004-1751 to permit the operation of an private landing strip; and

WHEREAS, the Franklin County Board of County Commissioners did adopt Zoning Regulations on August 14<sup>th</sup>, 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 #2004-1751 (Crabtree) as follows:

Section 1: Special Use Permit #2004-1751 (Crabtree) is granted for the following described property:

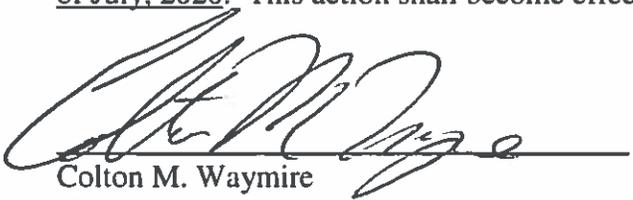
The West 40.00 acres of the West Half of the Northeast Quarter of Section 16, Township 18 South, Range 19 East, Franklin County Kansas described as: Beginning at the Northwest Corner of said Northeast Quarter; THENCE South 00 degrees 18 minutes 09 seconds East 2641.97 feet to the Southwest Corner of said Northeast Quarter; THENCE South 89 degrees 42 minutes 40 seconds East along the South line of said Northeast Quarter 659.30 feet to the Southeast Corner of said West 40.00 acres; THENCE North 00 degrees 18 minutes 09 seconds West parallel with the West line of said Northeast Quarter 2643.92 feet to the Northeast Corner of said West 40.00 acres; THENCE North 89 degrees 52 minutes 49 seconds West 659.28 feet to the Point of Beginning, subject to existing road right-of-way.

Section 2: The real property described above shall be authorized to operate a Private Landing Strip pursuant to the Franklin County Zoning Regulations and the following conditions:

1. Applicant shall comply with all applicable FAA Guidance for the use and operation of a private landing strip.
2. The landing strip shall be limited for use as a private landing strip for non-commercial purposes only.
3. The landing strip shall be maintained in good working condition.

4. 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 8<sup>th</sup> day of July, 2020. This action shall become effective upon publication in the official county newspaper.



Colton M. Waymire  
Chairman

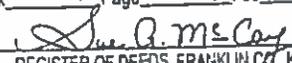
Received and recorded this the 8<sup>th</sup> day of July, 2020.



Janet Paddock  
County Clerk



FILED FOR RECORD  
TIME 9:00 A.M.

*msw* JUL 09 2020 (Original compared with record)  
Book 294 Page 849 Fee —  
  
REGISTER OF DEEDS, FRANKLIN CO., KS  
INSTRUMENT # 2425