

BOARD OF COUNTY COMMISSIONERS BOOK 296 PAGE 654
OF
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 20- 34

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #2009-1792 (SEK COOP, INC.)
TO PERMIT THE PLACEMENT OF A 30,000 GALLON PROPANE TANK STORAGE FACILITY 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 September 22, 2020 that public hearing would be held to consider Special Use Permit application #2009-1792 (SEK COOP, Inc.) as required by K.S.A. 12-757 and Article 23, Section 23-5.02 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on October 15, 2020 hold a public hearing for the consideration of Special Use Permit application #2009-1792 to permit the placement of a 30,000 Gallon Propane Tank Storage Facility; and

WHEREAS, the Franklin County Board of County Commissioners did adopt Zoning Regulations on August 14th, 2002 which included Article 23, Section 23-1 through 23-5 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; 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 Planning Commission does hereby approve Special Use Permit Application #2009-1792 (SEK COOP, Inc.) as follows:

Section 1: Special Use Permit #2009-1792 (SEK COOP, Inc.) is granted for the following described property:

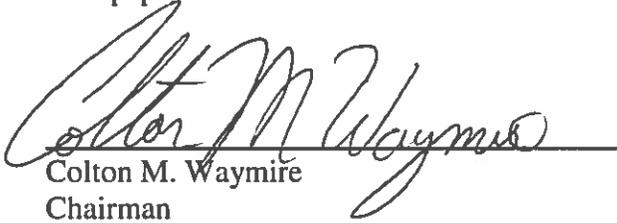
Approximately 1.00 acre of land located at 2520 Eisenhower Road, Ottawa, Kansas, where the 30,000 gallon propane storage tank is located, in Franklin County Kansas.

Section 2: The Special Use Permit for the real property described above shall be authorized for the placement and storage of 30,000 gallon propane tank pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That the Special Use Permit is granted to permit the placement of a 30,000 gallon propane tank storage facility.
2. That the applicant shall maintain liability insurance in the amount of at least \$2,000,000.
3. That a sign be placed on the security fence around the storage tanks to include a telephone number of a responsible party in the event of an emergency.
4. That an eight (8) foot high security fence with a twenty-four (24) hour alarm system be installed and maintained at all times.
5. That the enclosed area, including all valves to the storage tanks and dispensing facility, shall be locked at all times except when being used by company employees.

- 6. That the access drive and parking area shall be maintained with an all-weather surface.
- 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.

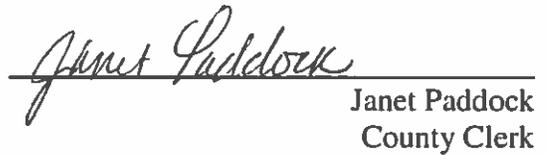
PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 4th day of November, 2020. This action shall become effective upon publication in the official county newspaper.



 Colton M. Waymire
 Chairman

Received and recorded this the 4th day of November, 2020.





 Janet Paddock
 County Clerk

FILED FOR RECORD
TIME 12:35 P.M.

(Original compared with record)

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 REGISTER OF DEEDS, FRANKLIN CO., KS
 INSTRUMENT # 4468

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