



Franklin
COUNTY KANSAS

**Board of County Commissioners
Franklin County, Kansas**

Resolution 24-26

DocId:8010441
Tx:4007142

FILED FOR RECORD
10/15/2024 10:14 AM
VICKI HUGHES
REGISTER OF DEEDS
FRANKLIN COUNTY, KANSAS
INSTRUMENT # 2024-02887

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #2408-0001 (GOFF) TO AMEND SPECIAL USE PERMIT #SX-0023 TO PERMIT THE EXPANSION OF LAND FOR THE CONTINUED OPERATION OF A CHURCH CAMPGROUND AND AGRI-TOURISM FACILITY IN AN A-1, 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 August 28, 2024 that public hearing would be held to consider Special Use Permit application #2408-0001 (Goff) 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 September 19, 2024 hold a public hearing for the consideration of Special Use Permit application #2408-0001 (Goff) to permit the expansion of land for the continued operation of a Church Campground and Agri-Tourism facility in an A-1, Agriculture Zoning District; 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 Planning Commission, after due consideration of the criteria set forth in Article 23, Section 23-5.04 of the County Zoning Regulations, the relative factors of the Supreme Court case of Golden vs. City of Overland Park, together with all written reports and public testimony, the Planning Commission, by majority of its membership did find the following:

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 #2408-0001 (Goff) as follows:

Section 1: Special Use Permit #2408-0001 (Goff) is granted for the following described property:

A tract of land that was surveyed by Ed Taylor January 7, 1993. The survey in Section 24, Township 15 South, Range 18 East of the Sixth P.M. in Franklin County Kansas as follows: Written by Bryon K. Cates, PS 1208, dated July 5, 2024. Beginning at the Northwest Corner of said Section 24; Thence South 89°30'44" East 1320.27 feet on the North line of said Northwest Quarter to the Northeast Corner of the Northwest Quarter of the Northwest Quarter; Thence South 00°02'38" West 1319.72 feet to the Southeast Corner of the Northwest Quarter of the Northwest Quarter; Thence North 89°39'51" West 84.88 feet; Thence South 08°13'37" East 320.97 feet; Thence South 02°53'23" West 114.21 feet; Thence North 85°19'01" West 209.08 feet; Thence South 06°10'28" East 72.53 feet Thence South 19°23'28" West 164.16 feet; Thence South 85°55'43" East 104.09 feet; Thence South 10°35'59" West 211.25 feet; Thence South 05°12'40" East 460.45 feet to the South line of the Northwest Quarter; Thence North 89°40'58" West 1126.54 feet to the Southwest Corner of the Northwest Quarter of said Section 24; Thence North 00°04'11" West 1316.20 feet to the Northwest Corner of the Southwest Quarter of the Northwest Quarter; Thence North 00°05'01" East 1323.21 feet to the Point of Beginning, containing 73.65 acres more or less, all in Franklin County Kansas and the West 2 rods of the NE ¼ of the NW ¼ of Sec. 24, Twp. 15S, Rng. 18E. of the 6th P.M. in Franklin County Kansas. Including that part used for road right-of-way in all including all addition containing 74.65 acres, more or less.

Section 2: The Special Use Permit for the real property described above shall be authorized for the Operation of a Church Campground and Agri-Tourism Facility in an A-1, Agriculture Zoning District pursuant to the Franklin County Zoning Regulations and subject to the following conditions:

1. That the Special Use Permit is granted to permit the expansion of land and the operation of a Church Campground and Agri-Tourism facility in addition to the uses and structures previously approved by Special Use Permit #SX-0023.
2. That the applicant shall obtain appropriate building permits for any new construction, re-construction, additions or remodels.
3. Development shall comply with all sanitary, building, fire and other applicable county and state codes and permit requirements.
4. That the Special Use Permit is granted for the operation of a Church Campground and Agri-Tourism Facility. Any additional uses, expansions and additional property will require approval of an amended Special Use Permit.
5. That on-site sanitation facilities shall be maintained at all times. Any required upgrades to the sanitation facilities or newly constructed sanitation facilities shall be subject to the approval of the County Sanitarian prior to use or construction.
6. That the access drive and parking area shall be maintained with an all-weather surface.
7. The facility will need to comply with ADA including that ADA parking spaces shall be provided.
8. All sanitation facilities shall comply with the Franklin County Sanitation Code and any requirements of the Kansas Department of Health and Environment. The existing lagoon shall be inspected to verify it is structurally sound. Failure of the system, including the onsite discharge of waste from the failure to properly dispose (pump) of wastewater, shall require installation of a new system that fully complies with the adopted Franklin County Sanitation Code.
9. Structures used for the Special Events Facility shall comply with the State Fire Regulations. The applicant shall be required to provide a plan prepared and stamped by a Fire Protection Engineer showing any improvements that need to be made to the structure, limitations on occupancy of the building and access to the site to provide an equivalent level of protection as required by the Building and Fire Codes.
10. Liability insurance in an amount no less than \$1 million shall be maintained by the property owner(s) at all times, listing Franklin County Kansas as a Certificate Holder.
11. Any signs used in conjunction with this Special Use Permit shall conform to the Franklin County Zoning Regulations.
12. That the Special Use Permit shall be null and void by operation of law if the Special Use Permit has not been initiated and utilized by commencing the activity or use at the specified site 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 October 2024. This action shall become effective upon publication in the official county newspaper.


Colton Waymire
Chair

Received and recorded this 9th day of October 2024.




Janet Paddock
County Clerk