



Franklin
COUNTY KANSAS

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

Resolution 25- 31

FILED FOR RECORD
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VICKI HUGHES
REGISTER OF DEEDS
FRANKLIN COUNTY, KANSAS
INSTRUMENT # 2025-02845

**A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #2507-0007 (LYNN)
TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF AN RV & BOAT STORAGE
FACILITY IN A C-2, HIGHWAY COMMERCIAL 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 July 23, 2025 that public hearing would be held to consider Special Use Permit application #2507-0007 (Lynn) 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 August 21, 2025 hold a public hearing for the consideration of Special Use Permit application #2507-0007 (Lynn) to allow for the construction and operation of an RV & Boat storage facility in a C-2, Highway Commercial 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 present 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

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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 #2507-0007 (Lynn) as follows:

Section 1: Special Use Permit #2507-0007 (Lynn) is granted for the following described property:

Beginning at a point 827.3 feet South and 60 feet West of the Northeast Corner of the Southeast Quarter of Section 11, Township 16 South, Range 20 East; THENCE Northerly 202.2 feet to a point 30 feet West and 627.3 feet South of the Northeast Corner of the Southeast Quarter of said Section 11; THENCE East 30 feet; THENCE North 212.5 feet; THENCE West 400 feet; THENCE South 732 feet to the Northerly right of way line of I-35 Highway; THENCE Northeasterly along said right of way line 450 feet to the Place of Beginning, except all land taken for highway purposes in Deed Book 257 at Pages 417, 419 and 421, recorded in the office of Register of Deed of Franklin County Kansas. AND Beginning at the Northeast Corner of the Southeast Quarter of Section 11, Township 16 South, Range 20 East; THENCE South 00 degrees 00 minutes 00 seconds West 414.80 feet along the East line of said Quarter Section; THENCE North 90 degrees 00 minutes 00 seconds West 400.00 feet to the True Point of Beginning; THENCE North 90 degrees 00 minutes 00 seconds West 262.52 feet; THENCE South 00 degrees 00 minutes 00 seconds West 945.95 feet parallel with the East line of said Quarter Section to a point on the North right of way line of I-35 Highway; THENCE North 48 degrees 27 minutes 27 seconds East 350.75 feet along said right of way; THENCE North 00 degrees 00 minutes 00 seconds East 732 feet (by deed) 713.34 (measured) to the True Point of Beginning, except all land taken for highway purposes in Deed Book 257 at Pages 417, 419 and 421, recorded in the office of the Register of Deed of Franklin County Kansas except also all minerals in and under and that may be produced from the land.

Section 2: The Special Use Permit for the real property described above shall be authorized for the construction and operation of an RV & Boat storage facility in a C-2, Highway Commercial District pursuant to the Franklin County Zoning Regulations and subject to the following conditions:

1. The Special Use Permit is for the construction and operation of an RV and Boat storage facility. Any additional uses will require approval of an amended Special Use Permit.
2. That the RV and Boat storage facility shall be owner operated and allowed up to two (2) employees.
3. That the applicant shall obtain appropriate building permits for any new construction of buildings subject to the Franklin County Building Codes and shall maintain the minimum front, rear, and side yard setbacks.
4. That any office building be hooked to a sanitation system and installed by a licensed installer and in compliance with the Franklin County Sanitation Code.
5. Development of the site shall comply with all building, fire and other applicable county and state codes and permit requirements.
6. All driveways and off-street parking areas shall be maintained with all weather, dust-free surfaces. The applicant shall be responsible for the treatment of all parking and drive aisle surfaces with a dust control product on a regular basis sufficient to control dust created by the operation.
7. That a sign be placed on the security fence to include a telephone number of a responsible party in the event of an emergency.

8. All security lighting shall be arranged, located or screened to direct light away from adjoining or abutting properties and the traveling public, shall utilize a fixture such as a shoebox design (fully shielded), that directs light downward and prevents light from traveling out above a horizontal plane relative to the bulb.
9. Cameras shall be installed for added security.
10. Any sign(s) used in conjunction with this Special Use Permit shall conform to Article 22 of the Franklin County Zoning Regulations.
11. 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 10th day of September 2025. This action shall become effective upon publication in the official county newspaper.



Rodney L. Harris
Chair

Received and recorded this 10th day of September 2025.



Janet Paddock
County Clerk

