



Franklin
COUNTY KANSAS

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

Resolution 25- 41

FILED FOR RECORD
11/14/2025 11:00 AM
VICKI HUGHES
REGISTER OF DEEDS
FRANKLIN COUNTY, KANSAS
INSTRUMENT # 2025-03567

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #2508-0009 (PERRY) TO ALLOW FOR THE REPAIR AND MODIFICATION OF FIREARMS AND OTHER GUNSMITHING ACTIVITIES IN AN A-1, AGRICULTURE ZONING DISTRICT

WHEREAS Franklin County, Kansas is a county municipal government, organized pursuant to K.S.A. 19101; 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 24, 2025 that public hearing would be held to consider Special Use Permit application #2508-0009 (Perry) as required by K.S.A. 12757 and Article 23, Section 23-5.02 of the Franklin County Zoning Regulations; and

WHEREAS the Planning Commission did on October 16, 2025 hold a public hearing for the consideration of Special Use Permit application #2508-0009 (Perry) to allow for the repair and modification of firearms and other gunsmithing activities 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 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 #2508-0009 (Perry) as follows:

Section 1: Special Use Permit #2508-0009 (Perry) is granted for the following described property:

The South ½ of the Southeast ¼ of Section 23, Township 16S, Range 18E., of the 6th P.M. EXCEPT, Beginning at the Northeast corner thereof, thence South along the East line of said Quarter Section, 660 feet, more or less, to a point 660 feet North of the Southeast corner of said Quarter Section; thence West, parallel to the South line of said Quarter Section 330 feet, thence North parallel to the East line of said Quarter Section, 660 feet, more or less, to a point on the North line of the South ½ of said Quarter Section, thence East along the North line of said South 1/2, 330 feet to the place of beginning, AND, EXCEPT Beginning at the Southeast corner of the Southeast ¼ of said Section 23, thence West 660 feet, thence North 660 feet, thence East 660 feet, thence South 660 feet to the place of beginning, AND, EXCEPT Commencing at the Southeast corner of the Southeast ¼ of said Section 23, thence West along the South line of said Quarter Section, 1320 feet to the TRUE POINT OF BEGINNING, thence continuing West along said South line 660 feet, more or less, to the S.E. corner of the West 20 acres of the South ½ of the Quarter Section, thence North along the East line of said West 20 acres, 667 feet, thence East parallel to the South line of said Quarter Section 660 feet, thence Southerly 667 feet to the True Point of Beginning, AND, EXCEPT The South 10.1 acres of the West 20 acres of the South ½ of the Southeast ¼ of said Section 23, all in Franklin County Kansas.

Section 2: The Special Use Permit for the real property described above shall be authorized for the repair and modification of firearms and other gunsmithing activities 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 for the repair, modification, trade and selling of firearms and other gunsmithing activities. Any additional uses will require approval of an amended Special Use Permit.
2. The applicant shall comply with all licensing and documentation requirements of the Bureau of Alcohol, Tobacco, Firearms and Explosives.
3. That all activities associated with the gunsmithing operation shall be conducted within the designated garage/shop structure.
4. That all firearms and inventory be placed in a secure location as to be inaccessible to unauthorized individuals.
5. The location of the gunsmithing business must be compatible with the nature of the business and accessible for any inspections that may be conducted by the ATF Investigator to ensure all federal and location regulations are being met.
6. The applicant must contact the Sheriff's Office to make them aware of the gunsmithing operation within 30 days of approval.
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 5th day of November 2025. This action shall become effective upon publication in the official county newspaper.



Rodney L. Harris
Chair

Received and recorded this 5th day of November 2025.



Janet Paddock
County Clerk

