

**BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 14-12

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #1403-1261 (SKOGEN) TO  
PERMIT THE OPERATION OF A DOG BOARDING AND TRAINING FACILITY IN AN A-2  
(TRANSITIONAL 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 March 25, 2014 that public hearing would be held on April 17, 2014 to consider Special Use Permit application #1403-1261 (Skogen) 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 April 17, 2014 hold a public hearing for the consideration of Special Use Permit application #1403-1261 to permit the operation of a dog boarding and training facility and continued said hearing to April 21, 2014; and

WHEREAS, the Planning Commission did on April 21, 2014 hold a public hearing for the consideration of Special Use Permit application #1403-1261 to permit the operation of a dog boarding and training facility, and after reviewing and considering all reports and testimonies did, by a majority vote of those present, approve said Special Use Permit; and

WHEREAS, the Franklin County Board of County Commissioners did adopt Zoning Regulations on August 14<sup>th</sup>, 2002 which included Article 18, Section 18-1 through 18-5 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 Board of County Commissioners does hereby approve Special Use Permit Application #1403-1261 (Skogen) to operate a dog boarding and training facility in an "A-2" Transitional Agriculture Zone as follows:

Section 1: Special Use Permit #1403-1261 (Skogen) is granted for the following described property:

*Beginning at the Southwest Corner of the Southwest Quarter of Section 18, Township 16 South, Range 19 East of the 6<sup>th</sup> Principal Meridian; THENCE North 00 degrees 00 minutes 00 seconds East for a distance of 1396.69 feet along the West line of said Quarter Section to the True Point of Beginning; THENCE North 00 degrees 00 minutes 00 seconds East for a distance of 283.15 feet along said West line; THENCE South 89 degrees 12 minutes 54 seconds East for a distance of 767.67 feet; THENCE North 00 degrees 38 minutes 52 seconds West for a distance of 570.00 feet; THENCE South 89 degrees 12 minutes 54 seconds East for a distance of 761.22 feet to a point on the West line of the Ottawa Reservation; THENCE South 01 degrees 17 minutes 43 seconds East for a distance of 853.52 feet along said West line; THENCE North 89 degrees 12 minutes 54 seconds West for a distance of 1541.74 feet to the True Point of Beginning, in Franklin County Kansas.*

Section 2: The real property described above shall be authorized to operate a dog boarding and training facility pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That all structures used in conjunction with the dog training and boarding facility shall comply with all County Building Codes and Permits.
2. That sanitation facilities shall comply with the Franklin County Sanitation Code and any requirements of the Kansas Department of Health and Environment.

3. That a minimum of four (4) parking spaces be provided to serve the dog boarding and training facility. Such parking shall be on an all weather surface and each parking space shall be at least nine (9) feet in width and twenty (20) feet in length exclusive of access drives.
4. That the total number of dogs maintained on-site shall be limited to twenty (20).
5. That no kennel runs or open area shall be located on the property for business purposes.
6. That dogs being trained must be kenneled indoors.
7. That no dogs will be running loose on the property with the exception of personal pets.
8. That all training on the property would be done in the building with the exception of sniff detection training.
9. That any sniff detection training being conducted outdoors would be done with leashes.
10. That there will be no sirens, shooting of firearms, loud noises such as yelling associated with any outdoor training with the exception of spoken or whistle commands.
11. That no identification signs will be posted on the property.
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 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 14<sup>th</sup> day of May, 2014. This action shall become effective upon publication in the official county newspaper.

/s/Steven W. Harris  
Steven W. Harris  
Chairman

Received and recorded this the 14<sup>th</sup> day of May, 2014.

/s/Janet Paddock  
Janet Paddock  
County Clerk