

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

RESOLUTION NO. 12-21

A RESOLUTION APPROVING SPECIAL USE PERMIT #1205-1149 (PLEASANT RIDGE FARM, LLC.)
TO PERMIT THE OPERATION OF A PAINTBALL FACILITY IN A "A-1" AGRICULTURE 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 June 7th, 2012 that a public hearing would be held to consider Special Use Permit application #1205-1149 (Pleasant Ridge Farm, LLC.) as required by K.S.A. 12-757 and Article 18, Section 18-3.01 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on June 29th, 2012 hold a public hearing for the consideration of Special Use Permit Application #1205-1149 for the operation of a paintball facility in an "A-1" (Agriculture) Zone; and

WHEREAS, the Franklin County Board of County Commissioners did adopt Zoning Regulations on August 14th, 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 #1205-1149 (Pleasant Ridge Farm, LLC.) to operate a paintball facility in an "A-1" (Agriculture) Zone as follows:

Section 1: Special Use Permit #1205-1149 (Pleasant Ridge Farm, LLC.) is granted for the following described property:

The Northeast Quarter of the Northeast Quarter of Section 8, and the South Half of the Northeast Quarter of Section 8 and the Southeast Quarter of Section 8, in Franklin County Kansas, EXCEPT all West of Hickory Creek, containing 2 acres, more or less, and EXCEPT beginning at a point on the South line of said Section 8, 40 rods East of the Southwest Corner of the Southeast Quarter of said Section 8; THENCE North to the center of the Marais des Cygnes River; THENCE Southwesterly down the center of said river to the South line of said Section 8; THENCE East to the Place of Beginning, all in Township 17 South, Range 21 East of the 6th P.M. and containing, after deducting the exception noted, 273 acres, more or less.

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

1. That the Special Use Permit is granted for an amendment to Special Use Permit #SX-0032 to include a paintball facility. Any additional uses will require approval of an amended Special Use Permit.
2. That the applicant shall maintain liability insurance in the amount of at least \$1,000,000.
3. Any sign(s) used in conjunction with this Special Use Permit shall conform to the Franklin County Zoning Regulations.
4. No overnight camping shall be permitted.

5. Targets, including old cars, barrels, pallets, etc, shall be removed in November.
6. 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 18th day of July 2012. This action shall become effective upon publication in the official county newspaper.

/s/ David J Hood
David J. Hood
Chairman

Received and recorded this the 18th day of July 2012.

/s/ Shari Perry
Shari Perry
County Clerk