

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

BOOK 281 / PAGE 372

**RESOLUTION NO. 17- 11**

**A RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
APPROVING AN AMENDMENT TO CONDITION #4 OF RESOLUTION #98-49 FOR THE  
APPROVAL OF SPECIAL USE PERMIT #98-002 (MARTIN MARIETTA MATERIALS,  
INC.) FOR QUARRY AND QUARRY RELATED OPERATIONS**

WHEREAS, the Franklin County Board of County Commissioners has received a letter from Martin Marietta Materials to amend Condition #4 of Resolution #98-49 to reduce the blasting setback requirement of five hundred (500) feet from all existing structures to one hundred sixty (160) feet from existing structures; and

WHEREAS, this request was submitted to the affected property owners for their consideration; and

WHEREAS, the affected property owners, Kenneth M. & Almeda S. Edwards Living Trust, have agreed and fully support the proposed amendment to Condition #4 of Resolution #98-49 to reduce the blasting setbacks for existing structures from five hundred (500) feet to one hundred sixty (160) feet; and

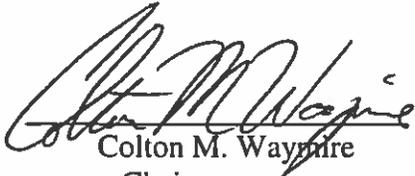
WHEREAS, the Franklin County Planning Department and the State Fire Marshalls Office have reviewed the request to reduce the blasting setback requirement from five hundred (500) feet to one hundred sixty (160) feet from existing structures for compliance with the blasting setback provisions set forth in Chapter 11 of the Explosive Materials Code of the NFPA-495 Regulations; and

WHEREAS, the Planning Department and Fire Marshalls Office support the reduction of the blasting setbacks from existing structures from five hundred (500) feet to one hundred sixty (160) feet provided that all blasting complies with the requirements of the "Explosive Materials Code" established in Chapter 11 of the State of Kansas adopted version of the National Fire Protection Association 495 Regulations.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby approve amending Condition #4 of Resolution #98-49 approving Special Use Permit #98-002 (Martin Marietta Materials) for Quarry and Quarry related operations to reduce the blasting setbacks to read as follows;

Condition #4. Blasting setback shall be a minimum of one hundred sixty (160) feet from existing structures or as authorized by the provisions of the "Explosive Materials Code" set forth in Chapter 11 of the State of Kansas adopted version of the National Fire Prevention Association (NFPA) 495 Regulations.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 29<sup>th</sup> day of March, 2017. This action shall become effective upon publication in the official county newspaper.

  
Colton M. Waymire  
Chairman

Received and recorded this the 29<sup>th</sup> day of March, 2017.



  
Janet Paddock  
County Clerk

FILED FOR RECORD  
TIME 12:10 P.M.

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Book 281 Page 372   
REGISTER OF DEEDS FRANKLIN CO., KS  
INSTRUMENT # 1023