

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

RESOLUTION NO. 09-15

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #0901-902 (ANDERSON) TO PERMIT THE CONSTRUCTION AND OPERATION OF A GREENHOUSE/NURSERY FACILITY IN AN "A-1" 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 January 28th, 2009 that a public hearing would be held to consider Special Use Permit application #0901-902 (Anderson) as required by K.S.A. 12-757 and Article 17, Section 17-3 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on February 19th, 2009 hold a public hearing for the consideration of Special Use Permit Application #0901-902 for the construction and operation of a greenhouse/nursery facility in an "A-1" (Agriculture) Zone; and

WHEREAS, the Planning Commission, after reviewing and considering all reports and testimonies did, by a unanimous vote of those present, approved said Special Use Permit based on certain findings and subject to certain conditions; 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 surrounding properties.
- NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby approve Special Use Permit Application #0901-902 (Anderson) to permit the construction and operation of a greenhouse/nursery facility in an "A-1" Agriculture Zone as follows:

Section 1: Special Use Permit #0901-902 (Anderson) is granted for the following described property:

The South 40 acres or the Northwest Fractional Quarter of Section 1, Township 16 South, Range 18 East, Franklin County Kansas.

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

1. That the applicant shall obtain appropriate building permits for any new construction or re-construction of buildings subject to the Franklin County Building Codes.
2. That the Greenhouse/Nursery shall be owner operated and there shall be no other employees.
3. Sign/s may be permitted subject to the provisions set forth in Article 20 of the County Zoning Regulations.
4. 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 11th day of March 2009. This action shall become effective upon publication in the official county newspaper.

/s/ John E Taylor  
John E. Taylor  
Chairman

Received and recorded this the 11th day of March 2009.

Shari Perry

/s/ Shari Perry  
County Clerk