

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

RESOLUTION NO. 08-021

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #0804-838 (PITTS) TO PERMIT THE CONSTRUCTION AND OPERATION OF A CONTRACTORS STORAGE/SHOP 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 April 23rd, 2008 that a public hearing would be held to consider Special Use Permit application #0804-838 (Pitts) 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 May 15th, 2008 hold a public hearing for the consideration of Special Use Permit Application #0804-838 for the construction and operation of a contractors storage/shop facility in an "A-2" (Transitional 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 #0804-838 (Pitts) to permit the construction and operation of a contractors storage/shop facility in an "A-2" Transitional Agriculture Zone as follows:

Section 1: Special Use Permit #0804-838 (Pitts) is granted for the following described property:

Commencing at the Southeast Corner of the Northeast Quarter of Section 36, Township 15 South, Range 20 East; THENCE West 2580 feet to the Railroad Right of Way; THENCE Northeasterly along said Right of Way line to the East line of the Northeast Quarter of said Section 36; THENCE South 673 feet to the Point of Beginning, Franklin County Kansas.

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

1. That the Special Use Permit is granted for the use of a contractors storage/shop facility. Any additional uses will require approval of an amended Special Use Permit.
2. That the applicant shall obtain appropriate building permits for any new construction or re-construction.
3. That the storage of equipment, other than agricultural equipment, shall be within a building or within an area completely surrounded by a fence, wall or other screening.
4. That the access driveway shall be improved and maintained with an all weather surface.
5. Any sign(s) used in conjunction with this Special Use Permit shall conform to the Franklin County Zoning Regulations.
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 4th day of June 2008. This action shall become effective upon publication in the official county newspaper.

/s/ Karen S Farrell
Karen S. Farrell
Commissioner District 1

/s/ John E Taylor
John E. Taylor
Commissioner District 2

/s/ Roy C Dunn
Roy C. Dunn
Commissioner District 3

/s/ Donald C Hay
Donald C. Hay
Commissioner District 4

/s/ Donald R Stottlemire
Donald R. Stottlemire
Commissioner District 5

Received and recorded this the 4th day of June 2008.

/s/ Shari Perry

Shari Perry
County Clerk