

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

RESOLUTION NO. 08-033

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #0805-850 (SUPERIOR OILFIELD SUPPLY, INC.) TO PERMIT THE CONSTRUCTION AND OPERATION OF AN OILFIELD EQUIPMENT SALES, REPAIR AND SERVICE AND OUTDOOR STORAGE IN A "C-2" HIGHWAY COMMERCIAL 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 May 28th, 2008 that a public hearing would be held to consider Special Use Permit application #0805-850 (Superior Oilfield Supply, Inc.) 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 June 19th, 2008 hold a public hearing for the consideration of Special Use Permit Application #0805-850 for the construction and operation of an oilfield equipment sales, repair, service facility and outdoor storage in a "C-2" (Highway Commercial) 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 #0805-850 (Superior Oilfield Supply, Inc.) to permit the construction and operation of an oilfield equipment sales, repair, service facility and outdoor storage in a "C-2" (Highway

Commercial) Zone as follows:

Section 1: Special Use Permit #0805-850 (Superior Oilfield Supply Inc.) is granted for the following described property:

Beginning at a ½" iron pin set at the Northwest Corner of the Northeast Quarter of Section 10, Township 16 South, Range 21 East of the 6th P.M., Franklin County Kansas; THENCE South 89 degrees 48 minutes 58 second East for a distance of 907.69 feet along the North line of said Northeast Quarter to a ½" iron pin set at the TRUE POINT OF BEGINNING; THENCE South 89 degrees 48 minutes 58 seconds East for a distance of 400.00 feet continuing along the said North line to an existing ½" iron pin at the Northeast Corner of the Northwest Quarter of said Northeast Quarter; THENCE South 01 degrees 22 minutes 29 seconds East for a distance of 650.00 feet along the East line of the Northwest Quarter of said Northeast Quarter to a ½" iron pin set; THENCE North 89 degrees 48 minutes 58 seconds West for a distance of 220.00 feet parallel with the North line of said Northeast Quarter to a ½" iron pin set; THENCE North 36 degrees 35 minutes 36 seconds West for a distance of 312.01 feet to a ½" iron pin set; THENCE North 01 degrees 22 minutes 29 seconds West for a distance of 400.00 feet to the TRUE POINT OF BEGINNING. Said property contains 5.45 acres, more or less, all in Franklin County Kansas.

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

1. That the Special Use Permit is granted for the operation of an oilfield equipment sales, repair and service, office and outside storage.
2. That the applicant shall obtain appropriate building permits for any new construction or re-construction.
3. That the outside storage area shall be screened by a 6' high chain link fence and earth berm and evergreen trees. The fencing and landscaping must be completed within one (1) year of the date of approval.
4. That no materials shall be loaded, unloaded or otherwise placed, whether temporarily or permanently, outside of the enclosed building, fenced area or within the public right-of-way.
5. That the existing wastewater injection well approved by the State will continue to operate.
6. That a water supply shall be installed in accordance with the County Sanitation Code.
7. That on-site sanitation facilities shall be installed in accordance with the County Sanitation Code.
8. That the access driveway, vehicle parking area and outside storage area shall be improved and maintained with an all weather surface.
9. Any sign(s) used in conjunction with this Special Use Permit shall conform to the Franklin County Zoning Regulations and the Kansas Highway Advertising Control Act, K.S.A. 68-2234(e).
10. 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 9th day of July 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 9th day of July 2008.

Shari Perry

/s/ Shari Perry

County Clerk