

FILED FOR RECORD

BOARD OF COUNTY COMMISSIONERS

TIME 2:30 P.M.

OF

(Original compared with record) FRANKLIN COUNTY, KANSAS

JUL 16 2014

RESOLUTION NO. 14- 24Book 270 Page 147
REGISTER OF DEEDS, FRANKLIN CO., KSINSTRUMENT # 2333

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS APPROVING SPECIAL USE PERMIT APPLICATION #1405-1274 (YODER) TO PERMIT THE REPAIR, MODIFICATION, MANUFACTURING, TRADING AND SELLING OF FIREARMS AND OTHER GUNSMITHING ACTIVITIES IN AN "R-3A" SINGLE FAMILY RESIDENTIAL THREE ACRE 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 May 27, 2014 that a public hearing would be held on June 19, 2014 to consider Special Use Permit application #1405-1274 (Yoder) as required by K.S.A. 12-757 and Article 19, Section 19-3.03 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on June 19, 2014 hold a public hearing for the consideration of Special Use Permit application #1405-1274 to permit the repair, modification, manufacturing, trading and selling of firearms and other gunsmithing activities; and

WHEREAS, the Franklin County Board of County Commissioners did adopt Zoning Regulations on August 14th, 2002 which included Article 19, Section 19-1 through 19-5 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 #1405-1274 (Yoder) to permit the repair, modification, manufacturing, trading and selling of firearms and other gunsmithing activities in an "R-3A" Single Family Residential Three Acre Zone as follows:

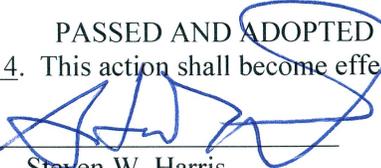
Section 1: Special Use Permit #1405-1274 (Yoder) is granted for the following described property:

Lot 12 in Still Meadow Farm Subdivision in the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 23, Township 15 South, Range 19 East, Franklin County Kansas according to the recorded plat thereof.

Section 2: The real property described above shall be authorized for the repair, modification, manufacturing, trading and selling of firearms and other gunsmithing activities pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That the Special Use Permit is granted for the repair, modification, manufacturing, trading and selling of firearms and other gunsmithing activities. Any additional uses will require approval of an amended Special Use Permit.
2. The applicant shall comply with all licensing requirements of the Bureau of Alcohol, Tobacco, Firearms and Explosives.
3. That the Special Use Permit is granted for the applicant as the owner/operator of the business and there shall not be any other employees.
4. That all activities associated with the gunsmithing operation shall be conducted within the residence.
5. That the Special Use Permit shall be null and void by operation of law if said 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 16th day of July, 2014. This action shall become effective upon publication in the official county newspaper.


 Steven W. Harris
 Chairman




 Janet Paddock
 County Clerk

Received and recorded this the 16th day of July, 2014