

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

RESOLUTION NO. 14- 31

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS APPROVING SPECIAL USE PERMIT APPLICATION #1409-1301 (SYLVESTER RANCH) TO PERMIT THE PLACEMENT OF A 400 SQUARE FOOT NON-ILLUMINATED BUSINESS WALL SIGN IN AN "A-1" AGRICULTURE 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 September 27<sup>th</sup>, 2014 that public hearing would be held to consider Special Use Permit application #1409-1301 (Sylvester Ranch) 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 October 16<sup>th</sup>, 2014 hold a public hearing for the consideration of Special Use Permit application #1409-1301 to permit the placement of a 400 square foot non-illuminated business wall sign in an "A-1" Agriculture Zoning District; and

WHEREAS, the Franklin County Board of County Commissioners did adopt Zoning Regulations on August 14<sup>th</sup>, 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 #1409-1301 (Sylvester Ranch, Inc.) to permit the placement of a 400 square foot non-illuminated business wall sign in an "A-1" Agriculture Zoning District as follows:

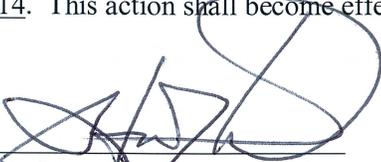
Section 1: Special Use Permit #1409-1301 (Sylvester Ranch, Inc.) is granted for the following described property:

The Southwest Quarter (SW ¼) of Section 20, Township 17 South, Range 19 East, less: Beginning at the Southeast Corner of the Southwest Quarter of Section 20, Township 17 South, Range 19 East; THENCE West 417.42 feet; THENCE North 521.77 feet; THENCE East 417.42 feet; THENCE South 521.77 feet to the Point of Beginning containing 5.00 acres, more or less, and further excepting that land condemned for highway purposes, all in Franklin County Kansas.

Section 2: The real property described above shall be authorized for the placement of a 400 square foot non-illuminated business wall sign pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That the sign shall be maintained in good legible condition.
2. Minor modifications in size and message may be approved by the Planning Director. Any major changes will require approval of an amended Special Use Permit.
3. 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 5<sup>th</sup> day of November, 2014. This action shall become effective upon publication in the official county newspaper.

  
 Steven W. Harris  
 Chairman

(Original compared with record)

Received and recorded this the 5<sup>th</sup> day of November, 2014.



FILED FOR RECORD  
 TIME 11:05 A.M.

  
 Janet Paddock  
 County Clerk

*MW*  
 NOV 12 2014  
 Book 271 Page 435  
 REGISTER OF DEEDS, FRANKLIN CO., KS  
 INSTRUMENT # 3791