

BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 15- 15

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #1503-1332 (OLD GERMAN BAPTIST BRETHREN CHURCH) TO PERMIT THE HOSTING 2016 ANNUAL CONFERENCE OF THE OLD GERMAN BAPTIST BRETHREN CHURCH 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 April 28<sup>th</sup>, 2015 that public hearing would be held on June 18, 2015 to consider Special Use Permit application #1503-1332 (Old German Baptist Brethren Church) as required by K.S.A. 12-757 and Article 19, Section 19-3.04 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on June 18, 2015 hold a public hearing for the consideration of Special Use Permit application #1503-1332 to permit the hosting of the 2016 Annual Conference of the Old German Baptist Brethren Church, and after reviewing and considering all reports and testimonies did, by a majority vote of those present, approve said Special Use Permit; 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 #1503-1332 (Old German Baptist Brethren Church) as follows:

Section 1: Special Use Permit #1503-1332 (Old German Baptist Brethren Church) is granted for the following described properties:

Beginning at the Southeast Corner of the Southeast Quarter of Section 28, Township 15 South, Range 18 East P.M., THENCE North 89 degrees 49 minutes 23 seconds West 2647.83 feet on the South line of the Southeast Quarter of said Section 28 to the Southwest Corner of said Quarter Section; THENCE North 00 degrees 08 minutes 18 seconds West 1204.77 feet on the West line of the Southeast Quarter to a point in line with an existing hedge row to the East; THENCE South 89 degrees 02 minutes 00 seconds East 2201.26 feet on and along an existing hedge row; THENCE South 07 degrees 50 minutes 18 seconds West 89.58 feet along an existing hedge row; THENCE South 80 degrees 17 minutes 01 seconds East 468.72 feet to the East line of the Southeast Quarter of said Section 28; THENCE South 00 degrees 00 minutes 00 seconds West 1007.95 feet to the Point of Beginning, containing 70.85 acres, more or less, all in Franklin County Kansas.

And

The Northwest Quarter of Section 26, Township 15 South, Range 18 East of the 6<sup>th</sup> P.M., EXCEPT the Southwest Quarter of the Northwest Quarter of said Section 26; AND The Northwest Quarter of the Northeast Quarter of Section 26, Township 15 South, Range 18 East; EXCEPT beginning at the Northeast Corner of the Northeast Quarter of the Northeast Quarter of said Section 26; THENCE on a bearing of North 90 degrees 00 minutes 00 seconds West 466.70 feet along the North line of the Northeast Quarter; THENCE on a bearing of South 00 degrees 04 minutes 27 seconds East 466.70 feet parallel with the East line of the Northwest Quarter of the Northeast Quarter of said Section 26; THENCE on a bearing of North 90 degrees 00 minutes 00 seconds East 466.70 feet to the East line of the Northwest Quarter of the Northeast Quarter of Section 26; THENCE on a bearing of North 00 degrees 04 minutes 27 seconds West 466.70 feet along the East line of the Northwest Quarter of the Northeast Quarter to the North line of the Northeast Quarter and the Point of Beginning, containing 5 acres, more or less, Franklin County Kansas.

Section 2: The Special Use Permit for the real property described above shall be subject to the following conditions:

1. That the Special Use Permit is granted for the hosting of the Annual Conference of the Old German Baptist Church to be held in May of 2016. Any additional uses will require approval of an amended Special Use Permit.
2. That the applicant shall maintain liability insurance in the amount of at least \$1,000,000.00 for each site.
3. That parking shall be on-site in the designated parking area. No on-street or off-site parking shall be permitted.
4. Access shall be limited to existing driveway entrances to the County maintained road system or locations approved by the County Public Works Director.
5. That all sanitation facilities (including grey water) shall be provided and maintained at all times subject to the approval of the County Sanitarian and in compliance with the requirements and standards of the Kansas Department of Health & Environment.
6. Any signs used in conjunction with this Special Use Permit shall conform with the provisions of the Franklin County Zoning Regulations.
7. Limited overnight camping shall be permitted provided any campers/RVs are self contained (water & sanitation facilities) and located in the designated parking/camping area.
8. That on-site security is provided at all times during the conference.
9. That emergency service communication is provided and operational at all times during the conference.
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 specified site in said permit within one (1) year of the date of approval.

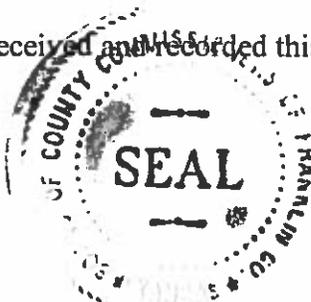
PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 8<sup>th</sup> day of July, 2015. This action shall become effective upon publication in the official county newspaper.

  
Colton M. Wayne  
Chairman

FILED FOR RECORD  
TIME 12:30 P.M.

*Miss.* JUL 13 2015  
Book 274 Page 283  
REGISTER OF DEEDS, FRANKLIN CO., KS  
INSTRUMENT # 2414

Received and recorded this the 8<sup>th</sup> day of July, 2015.



  
Janet Paddock  
County Clerk