

RESOLUTION NO. 2016-06

**A RESOLUTION AUTHORIZING THE ISSUANCE
OF CONDITIONAL USE PERMIT #CU2016-02 TO SPORER LAND DEVELOPMENT,
INC. ALLOWING A SOIL BORROW PIT AND TEMPORARY CONCRETE BATCH
PLANT TO BE LOCATED ON PROPERTY LEASED FROM HATCHER LAND CO, LP
IN SECTION 9, TOWNSHIP 34S, RANGE 32W, LIBERAL, KANSAS**

BEFORE the Board of County Commissioners of Seward County, Kansas:

WHEREAS, the Kansas Department of Transportation (KDOT) has projects scheduled to improve Highway 54 in Seward County, Kansas; and

WHEREAS, Sporer Land Development, Inc. has been selected as a contractor to construct KDOT project 54-88 KA 2385-02; and

WHEREAS, improvement of Highway 54 in Seward County is beneficial to residents of Seward County and will improve safety of all travelers on Highway 54; and

WHEREAS, as part of this project a soil borrow site and a temporary concrete batch plant will be required; and

WHEREAS, Sporer Land Development, Inc. has leased a site for this purpose located in the Southeast Quarter of Section 9, Township 34S, Range 32W of the 6th P.M. more specifically described as:

The East 1865 feet of the South half of the Southeast Quarter (S/2 SE/4) lying Southeast (SE) of Highway 54. AND

That part of the North half of the Southeast Quarter (N/2 SE/4) lying South and East of Highway 54; and

WHEREAS, as part of these development efforts, an application was filed with the Zoning Administrator for a conditional use permit for the property described above; and

WHEREAS, the Seward County Zoning Regulations Article 27-104 (31) lists "Quarrying, mining and removal of sand, gravel, stone, coal or topsoil and the processing of the same, including asphalt and concrete plants" as a conditional use that may be approved by the Governing Body; and

WHEREAS, the Planning Commission held a Public Hearing on April 11, 2016, reviewed the criteria for granting Conditional Use Permits as listed in the Seward County Zoning Regulations Article 32-105 (2) and recommends approval of the application; and

WHEREAS, the Board of County Commissioners has reviewed the application, staff report and public hearing summary on this matter and finds that approval of the request will not be detrimental to the health, safety and general welfare of the community;

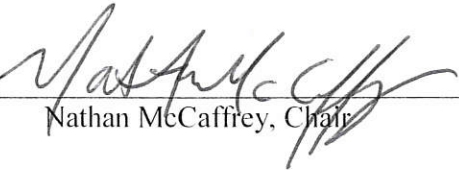
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seward County, Kansas that:

The Seward County Board of Commissioners hereby adopts the Seward County/City of Kismet Planning Commission's recommendation to approve the application and hereby authorizes issuance of Conditional Use Permit #CU2016-02 to Sporer Land Development, Inc. for a soil borrow pit and a temporary concrete batch plant at the above described property.

This Resolution shall be in full force and effect from and after its publication once in the official county newspaper.

ADOPTED this 2nd day of May, 2016.

**BOARD OF COUNTY COMMISSIONERS
OF SEWARD COUNTY, KANSAS**

By: 
Nathan McCaffrey, Chair

ATTEST:


Stacia Long, Clerk

